COMPLAINTS HANDLING

Intertrain is committed to providing a fair and transparent complaint handling process.

What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally.

Who does this policy apply to?

This policy applies to and may involve issues concerning the conduct of:

- Intertrain as an organisation, its trainers, assessors or other staff
- Third party’s services provided on the behalf of Intertrain, its trainers, assessors or other staff; or
- a learner of Intertrain.

This is an important point to note in understanding that this policy has a broad application and is not simply relevant to complaints that may be made by learners. A complaint may be made by an employer about Intertrain or by the trainer about the conduct of the learner. Throughout this policy we refer to the person making a complaint as simply the complainant.
Early resolution of complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

Making a complaint

A complaint may be received by Intertrain in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person.

To make a complaint, the person is recommended to complete the Intertrain – Complaint Form. This form is available via our website or can be obtained from the Intertrain office.

The completed complaint form is to be submitted to the Office Manager either in hard copy or electronically via the following contact details:

PO Box 620
Moorebank NSW 1875
info@intertrain.edu.au

If a complainant has any difficulty accessing the required form or submitting the complaint to Intertrain, they are advised to contact site train immediately at the following phone number:

1300.222.776
Complaint handling procedure

Intertrain will apply the following procedure to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form which is available to them on the website. There is no time limitation on a person who is seeking to make a complaint. A person who makes a complaint must be provided a written acknowledgement as soon as possible and not later than 24 hours from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that Intertrain had received the complaint and will review the relevant issues and provide a response as soon as practicable. The acknowledgement must inform the person that they will receive a written response within 14 days and explain the complaint handling process and the persons rights and obligations.

- A written record of all complaints is to be kept by Intertrain including all details of lodgement, response and resolution. The complaints register within RTO Data is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.

- A complainant is to be provided an opportunity to formally present his or her case at no cost.

- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.

- Where a complaint is made about or involves allegations about another person, Intertrain is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. Intertrain must maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with
Throughout this policy we refer to the person making a complaint as be made by learners. A complaint may be made by an employer or a person who has been affected by the service. A complaint is generally negative feedback about services or people and should be actively applied by all persons involved. It is for this reason that Intertrain is committed to providing a fair and transparent complaint handling process.

Making a complaint

A person who wishes to make a complaint should contact Intertrain by telephone at 1300.222.776 or via the following details:

Moorebank NSW 1875

Service via the following phone number:

1300.222.776

Early resolution of complaints

A complaint may be received in any form (written, verbal) although a positive light and as opportunities for improvement. Intertrain is obliged to inform this person about this right. The complainant should be provided with all details of lodgement, response and resolution. The complaints handling process must inform the complainant about their rights and obligations.

Intertrain is committed to finalising as soon as practicable. Where a complaint is received by Intertrain which involve allegations about alleged criminal conduct, Intertrain are to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service.

The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the Intertrain website.

The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.

The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) working days of the lodgement of the complaint.

Complaints must be resolved to a final outcome within sixty (60) calendar days of the complaint being initially received. Where Intertrain Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, Intertrain should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of Intertrain and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of two (2) weekly intervals.

Intertrain shall maintain the enrolment of the complainant during the complaint handling process.

Decisions or outcomes of the complaint handling process that find in the favour of the learner shall be implemented immediately.

Records must be kept securely to prevent them being accessed by another person, Intertrain is obliged to inform this person about this right. The complaints handling process must inform the complainant about their rights and obligations.

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The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the Intertrain website.

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The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) working days of the lodgement of the complaint.

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Intertrain shall maintain the enrolment of the complainant during the complaint handling process.

Decisions or outcomes of the complaint handling process that find in the favour of the learner shall be implemented immediately.
• Complaints are to be handled in the strictest of confidence. No Intertrain representative is to disclose information to any person without the permission of Intertrain Chief Executive Officer. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.

• Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: Principles of Natural Justice and Procedural Fairness

• Complaint handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.

Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for Intertrain to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by Intertrain as a result of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond. The person has the right to:

• put forward arguments in their favour,

• show cause why a proposed action should not be taken,

• deny allegations,

• call for evidence to disprove allegations and claims,
Intertrain also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant persons subject of allegations in writing. This is to include advising these persons of their right to seek a third-party review of decisions made by Intertrain.

Where an allegation is made that involve alleged criminal or illegal activity and it is considered outside the scope and expertise of Intertrain to investigate the matter, then in these circumstances Intertrain reserve the right to report these allegations to law enforcement authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.

**Third Party Review**

Where the person making a complaint is not satisfied with the handling of the matter by Intertrain, they have the opportunity for a body or person that is independent of Intertrain to review his or her complaint following the internal completion of complaint handling process. Before a person seeks a review by an independent third party, they are requested to first allow Intertrain to fully consider the nature of the complaint and to respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they have the right then seek a review by an independent third party. To request a review by an independent third party, the complainant should inform the Office Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances, the Intertrain Chief Executive Officer will advise of an appropriate party independent of Intertrain to review the complaint outcome (and its subsequent handling) and provide advice to Intertrain in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review.
being requested. This advice is to be accepted by Intertrain as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the Intertrain appoints or engages an appropriate independent person to review a complaint, the Intertrain will meet the full cost to facilitate the independent review.

Where a complaint is received by Intertrain and the Chief Executive Officer feels that they may have bias or there is a perception of bias, then the complaint is to be referred directly to an independent third-party for consideration and response as outlined above.

**Unresolved Complaints**

Once the complaint handling process has concluded; where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person is to be advised that they have the right to refer the matter to any external authority/agency who may be relevant to their complaint. The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

- In relation to consumer related issues, the person may refer their complaint to the Office of Fair Trading.

- In relation to the delivery of training and assessment services, the person may refer their complaint to the National Training Complaints Service via the following phone number: **13 38 73** or visit the website at https://www.education.gov.au/NTCH

- In relation to matters relating to privacy, the person may refer their complaint to the Office of the Australian Information Commissioner via the following details: https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint or call on **1300 363 992**

This guidance is also communicated to learners within the Learner Handbook. It is expected that the above agencies will investigate the
persons concerns and contact the Intertrain for information. External agencies will typically request a copy of any record of how the complaint was handled from the person. Intertrain is to ensure that the person is provided with a written response that they may use for this purpose.

The Intertrain is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. Intertrain considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within Intertrain internal arrangements.

**Record Management of Complaint Records**

Records relating to complaints will present in two formats. There will be electronic records in the form of email correspondence and other documents which are communicated electronically and hard copy records which are submitted by the complainant or generated by Intertrain. There is also a record of the complaint maintained within the Intertrain student management system RTO Data. This includes the details about the complaint and a diary log which records the progress of the complaint handling and closure. This record also records identified opportunities for improvement that result from complaints handling.

All records regardless of their format (excluding RTO Data) will be saved in a digital format into a secure folder located on the Intertrain file storage. Each file is to be clearly labelled with the document title or subject and the date of which the document was received or generated. This folder must only be accessible to persons authorised by the Chief Executive Officer. Records stored on RTO Data are to be accessible only to RTO data administrators and managers.

To ensure records are maintained in a safe and suitable condition, the following is to apply:

- Records must be kept securely to prevent them being accessed by any non-authorised personnel.
- Records must be kept confidential to safeguard information and to protect the privacy of complainants.
Throughout this policy we refer to the person making a complaint as a broad application and is not simply relevant to complaints that may arise in the conduct of:

- What is a complaint?
- Handling process.

Intertrain is committed to providing a fair and transparent complaint handling process. To make a complaint, the person is recommended to complete the complaint form which is available to them on the website. There is no time limitation on a person who is seeking to make a complaint. A complaint may be made by any person.

Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the manner in which Intertrain operates. The complaints handling process will be reviewed on a regular basis to assist Intertrain in identifying strengths and weaknesses in its operations.

Intertrain Chief Executive Officer considers that more than 60 days and explain the complaint handling process and the persons involved. Each complainant may be accompanied and/or assisted by a person of his or her choice.

A written record of all complaints is to be kept by Intertrain including records which are submitted by the complainant or generated by Intertrain. There is also a record of the complaint maintained within the Intertrain complaint files. A record is also maintained of the complaints handling process. At all times information must be protected the privacy of complainants.

Period of retention of Complaints Records

Intertrain is to retain records relating to complaints handling for a minimum of five (5) years.

Destruction of Complaints Records

Intertrain CEO is the only person who can authorise (in writing) the destruction of complaint handling records. Records are only to be authorised for destruction after the retention period has lapsed. Documents identified for destruction are to be shredded before being recycled.
Complaints Handling Process

Start

Complaint is received & acknowledged

Has complaints form been submitted?

Yes

Enter complaint into complaints register

No

Person receiving complaint completes form

Complaint is forwarded to CEO

CEO reviews the complaint

CEO communicates complaint response to complainant

Complainant is provided with options for escalating complaint

Is investigation / consultation required?

Yes

CEO or delegate completes investigation / consultation

CEO review outcomes of investigation / consultation

Is complainant satisfied?

Yes

Implement complaint outcomes & raise opportunity for improvement action

Update complaints register

End

No

CEO determines complaint response
APPEALS HANDLING

Intertrain is committed to providing a fair and transparent appeals handling process.

What is an appeal?

An appeal is an application by a learner for reconsideration of an unfavourable decision or finding during their time with Intertrain. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within twenty-eight (28) working days of the decision or finding being informed to the learner.

It is important to note that a learner may appeal any decision made by Intertrain or a third party providing services on Intertrain behalf. Contrary to the popular belief that appeal relates only to assessment decisions, appeals can relate to administrative decisions that Intertrain may make. Examples of this include an appeal of a decision to deny a refund or to deny an application for credit transfer. As the process for handling and assessment appeal compared with an appeal of an administrative decision is slightly different, this difference has been catered for within this policy with adjusted processes for both situations.

Early resolution of appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It can often be the case that a learner’s decision to make an appeal can be avoided by proper communication and consultation with learners at the time a decision is made.

Relationship to continuous improvement

Frequently, the appeals handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of appeals handling is very positive and should be actively applied by all persons involved. It is for this reason
that appeals received from stakeholders should be seen in a positive light and as opportunities for improvement.

Making an appeal

An appeal must be received by Intertrain in writing using the specified form within twenty eight (28) working days of the decision or finding being informed to the person.

To appeal a decision, the person is required to complete the Intertrain - Request for Appeal of a Decision. This form is available via our website. The completed Request for Appeal form is to be submitted to the Office Manager either in hard copy or electronically via the following contact details:

PO Box 620
Moorebank NSW 1875
info@intertrain.edu.au

If a person seeking an appeal has any difficulty accessing the required form or submitting the appeal to Intertrain, they are advised to contact Intertrain immediately at the following phone number:

1300.222.776

Appeal handling procedure

Intertrain will apply the following procedure to its appeals handling:

- Appeals must be lodged within twenty eight (28) working days of the decision or finding being informed to the person. An appeal must be submitted using the Intertrain - Request for Appeal of a Decision.

- A person who submits an appeal must be provided a written acknowledgement as soon as possible and not later than 24 hours from the time the appeal is received. This acknowledgement is intended to provide the person making an appeal assurance that Intertrain had received the appeal and will review the relevant issues and provide a response. This acknowledgement is intended to provide the person making an appeal assurance that Intertrain had received the appeal and will review the relevant issues and provide a
response as soon as practicable. The acknowledgement must inform the person making an appeal that they will receive a written response within 14 days and explain the appeal handling process and the persons rights and obligations.

- A written record of all appeals is to be kept by Intertrain including all details of lodgement, response and resolution. The appeals register within RTO Data is to be used to record the details of the appeal and to maintain a chronological journal of events during the appeal handling process. Records relating to appeal handling must be stored securely to prevent access to unauthorised personnel.

- An appellant is to be provided an opportunity to formally present his or her case at no cost.

- Each appellant may be accompanied and/or assisted by a support person at any relevant meeting.

- The appeals policy must be publicly available. This means that the appeals policy and procedure must be published on the Intertrain website.

- The handling of an appeal is to commence within seven (7) working days of the lodgement of the appeal and all reasonable measures are taken to finalise the process as soon as practicable.

- The appellant is to be provided a written response to the appeal, including details of the reasons for the outcome. A written response must be provided to the appellant within fourteen (14) working days of the lodgement of the appeal.

- Appeals must be resolved to a final outcome within sixty (60) calendar days of the appeal being initially received. Where Intertrain Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the appeal, the CEO must inform the appellant in writing, including reasons why more than 60 calendar days are required. As a benchmark, Intertrain should attempt to resolve appeals as soon as possible. A timeframe to resolve an appeal within thirty (30) calendar days is considered acceptable and in the best interest of Intertrain and the appellant. An appellant should also be provided with regular updates to inform
them of the progress of the appeal handling. Updates should be provided to the appellant at a minimum of two (2) weekly intervals.

- Intertrain shall maintain the enrolment of the appellant during the appeal handling process.

- Decisions or outcomes of the appeal handling process that find in the favour of the appellant shall be implemented immediately.

- Appeals are to be handled in the strictest of confidence. No Intertrain representative is to disclose information to any person without the permission of Intertrain Chief Executive Officer. A decision to release information to third parties can only be made after the appellant has given permission for this release to occur. This permission should be given using the Information Release Form.

- Appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the appeal handling process. This means that the appellant is entitled to be heard with access to all relevant information and with the right of reply. The appellant is entitled to have their appeal heard by a person that is without bias and may not be affected by the decision. Finally the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: Principles of Natural Justice and Procedural Fairness

- Appeals handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.

**Third Party Review**

Where the appellant is not satisfied with the handling of the matter by Intertrain, they have the opportunity for a body or person that is independent of Intertrain to review his or her appeal following the internal completion of appeals handling process. Before a person seeks a review by an independent person, they are requested to first allow Intertrain to fully consider the nature of the appeal and to fully respond to the person in writing. If after this has occurred, the person
is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the person making an appeal should inform the Office Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances the Intertrain Chief Executive Officer will advise of an appropriate party independent of Intertrain to review the appeal outcome (and its subsequent handling) and provide advice to Intertrain in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested. This advice is to be accepted by Intertrain as final, advised to the appellant in writing and implemented without prejudice.

Where the Intertrain appoints or engages an appropriate independent person to review an appeal, the Intertrain will meet the full cost to facilitate the independent review.

Where an appeal is received by Intertrain and the Chief Executive Officer feels that they may have bias or there is a perception of bias, then the appeal is to be referred directly to an independent third-party for consideration and response as outlined above.

Unresolved Appeals

Once the appeals handling process has concluded; where the person seeking an appeal of a decision remains not satisfied with the outcome of the appeals handling procedure, the person is to be advised that they have the right to refer the matter to any external authority/agency who may be relevant to their appeal. The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

- In relation to consumer related issues, the person may refer their matter to the Office of Fair Trading.

- In relation to the delivery of training and assessment services, the person may refer their matter to the National Training Complaints Service via the following phone number: **13 38 73**
or visit the website at https://www.education.gov.au/NTCH

- In relation to matters relating to privacy, the person may refer their matter to the Office of the Australian Information Commissioner via the following details: https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint or call on 1300 363 992

This guidance is also communicated to learners within the Learner Handbook. It is expected that the above agencies will investigate the persons concerns and contact the Intertrain for information. External agencies will typically request a copy of any record of how the appeal was handled from the person. Intertrain is to ensure that the person is provided with a written response that they may use for this purpose.

The Intertrain is to cooperate fully with agencies such as the Office of Fair Trading, National Training Complaints Service or ASQA that may investigate the handling of an appeal. Intertrain considers that it would be extremely unlikely that appeals are not able to be resolved quickly within Intertrain internal arrangements.

Record Management of Appeals Records

Records relating to appeals will present in two formats. There will be electronic records in the form of email correspondence and other documents which are communicated electronically and hard copy records which are submitted by the appellant or generated by Intertrain. There is also a record of the appeal maintained within the Intertrain student management system RTO Data. This includes the details about the appeal and a diary log which records the progress of the appeal handling and closure. This record also records identified opportunities for improvement that result from appeals handling.

All records regardless of their format (excluding RTO Data) will be saved in a digital format into a secure folder located on the Intertrain file storage. Each file is to be clearly labelled with the document title or subject and the date of which the document was received or generated. This folder must only be accessible to persons authorised...
by the Chief Executive Officer. Records stored on RTO Data are to be accessible only to RTO data administrators and managers.

To ensure records are maintained in a safe and suitable condition, the following is to apply:

- Records must be kept securely to prevent them being accessed by any non-authorised personnel.

- Records must be kept confidential to safeguard information and to protect the privacy of the appellant.

- Records must be kept to avoid damage by fire, flood, termites or any other pests.

- Electronic data storage must be safe from destruction by fire or flood and should take account of the risk of component failure of a single storage device. Electronic data is also to be backed-up off site.

**Period of retention of Appeals Records**

Intertrain is to retain records relating to appeals handling for a minimum of five (5) years.

**Destruction of Appeals Records**

Intertrain CEO is the only person who can authorise (in writing) the destruction of appeals handling records. Records are only to be authorised for destruction after the retention period has lapsed. Documents identified for destruction are to be shredded before being recycled.
Start

Appeal is received & acknowledged

Has an appeal form been submitted?

- Yes
  - Enter appeal into the appeals register
  - Is investigation / consultation required?
    - Yes
      - CEO or delegate appeal investigation / consultation
      - CEO review outcomes of investigation / consultation
    - No
      - CEO determines appeal response
      - CEO communicates appeal response to appellant
      - Appellant is provided with options for escalating appeal
      - Is appellant satisfied?
        - Yes
          - Implement appeal outcomes & raise opportunity for improvement action
        - No
          - A completed appeal form is requested

- No
  - Appeal is forwarded to CEO
  - CEO reviews the appeal
  - CEO communicates appeal response to appellant

End
Assessment Appeals Handling Process

Start

- Appeal is received (Must be in writing & received within 28 days of the decision in dispute)

Enter appeal into appeals register

- Appeal is referred to the CEO

Candidate is offered reassessment with the option of additional training

Does candidate agree to additional training?

- Yes
  - Additional training provided to candidate

- No
  - Refer to complaints process

Re-assessment completed

- Is candidate deemed competent after re-assessment?

  - No
    - CEO to meet with candidate & discuss assessment process & outcome

  - Yes
    - Is candidate still dissatisfied with assessment outcome?

      - No
        - Raise opportunity for improvement report if required

      - Yes
        - Update appear outcome in the complaints & appeals register

End