

OPPORTUNE

PROFESSIONAL DEVELOPMENT

Human Resources

Complaints and Appeals Policy and Procedure

History

Policy and Procedure Name	Complaints and Appeals Policy and Procedure
Version	2.1
Approved By	Chief Executive Officer
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Version Control

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Change History

Date	Version	Author	Revision Description
17/02/2021	2.1	Jack Murray	Minor revision: Added text to section 1 to make it clear that policy applies to Third Parties.
29/08/2019	2	MJ Satterthwaite	Revised in line with Opportune Professional Development current practices. Revision of previous policy and amalgamation into new version policy.
9/12/2016	1	Jacqueline Apps	Released for use.

Approval

Document reviewed by	Document authorised by	Approved for publishing
Jason Travis	Rachelle Matousek	4/02/2020

Complaints and Appeals Policy and Procedure



1. Purpose and Scope

The following policy and procedures outline Opportune Professional Development's (Opportune) approach to providing consumers with an accessible, transparent, fair and efficient complaints and/or appeals management process.

The Complaints and Appeals Policy and Procedure applies to all consumers and stakeholders and relates to all aspects of **accredited** and **non-accredited** service delivery (e.g. student recruitment/enrolment, delivery of training and assessment, fees and refunds, privacy, advertising and marketing practices), including complaints and appeals related to services delivered by Third Parties under a written agreement.

Abbreviations / Definitions

Appeal	A formal application to have an assessment decision or finding reviewed.
Appellant	The person who is asking to have an assessment decision or finding reviewed.
ASQA	Australian Skills Quality Authority.
CEO	Chief Executive Officer of RTO: Rachelle Matousek.
Complaint	A grievance that requires a formal resolution process.
Complainant	The person or organisation who has raised the complaint.
Consumer	Participant, student, candidate for assessment, person enrolled to undertake either a nationally recognised or non-accredited program with Opportune.
Moderation	The review of completed assessment tools/instruments against the principles of assessment and rules of evidence.
Nationally Recognised Qualification	Means an AQF qualification that has endorsed in a training package or accredited in a VET accredited course.
Non-accredited Training and Assessment	A learning and development program or course that is not a Nationally Recognised or accredited.
RTO	Registered Training Organisation.
Skills Coach	A person employed/contracted as a trainer/assessor with Opportune Professional Development.

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2. Policy

Opportune understands that from time to time consumers may wish to make a formal complaint regarding an aspect of service delivery or may choose to appeal an assessment decision or process that they feel is unfair. Opportune welcomes such feedback as it provides valuable information that can be used to meet the needs of its consumers and improve the delivery of its service. The principles of Opportune's complaints and appeals process are as follows;

- The Complaints and Appeals policy and procedure is publicly available to all consumers/stakeholders.
- Information on how to make a complaint / appeal is available in the '*Complaints and Appeals Policy and Procedure*', Participant Handbook and on Opportune website.
- Complaints and appeals are investigated and resolved as quickly as possible. Where practicable, complaints are resolved at the time that they are raised; or escalated in accordance with this policy.
- All complaints and appeals are acknowledged in writing (three (3) working days of receiving the complaint) and finalised after a comprehensive investigation has occurred.
- Opportune aims to form a response to the complainant/appellant within ten (10) days of the complaint/appeal being received.
- Where Opportune considers more than ten (10) working days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matter. An independent review will be undertaken within fourteen working (14) days from the date the complaint was received.
- Procedural fairness and the principles of natural justice are adopted at each stage of the complaint/appeal process.
- The decision maker is always independent of the decision being reviewed.
- Confidentiality of information is maintained at all stages of the complaint / appeal process.
- Where complaints and appeals are unable to be resolved internally and at the request of the individual a review by an appropriate independent party occurs.
- To mitigate the likelihood of a similar complaint/appeal reoccurring opportunities for improvement identified through the complaints and appeals process are actioned through the Opportune continuous improvement process.
- Opportune securely maintains records of all complaints and appeals and their outcomes for a period of 3 years.

3. Procedure

The following procedure outlines the framework and process and has been summarised in **Diagram 1** – Complaints and Appeals Procedure.

Complaints and Appeals Policy and Procedure



Diagram 1: Complaints and Appeals Procedure





3.1 Lodging a Complaint or Appeal

- Informal complaint/appeal

In an attempt for early resolution consumers are encouraged to raise their complaint/appeal with the relevant person/Skills Coach or speak to the CEO as soon as an issue arises. Our team are approachable and experienced in proactively resolving issues or challenges; working with consumers and stakeholders to ensure positive outcomes.

- Formal complaint/appeal

If the complaint/appeal remains unresolved once a conversation with the RTO team occurs, consumers are to escalate their complaint/appeal to the CEO by writing an email or a letter outlining the type and the cause of their grievance. Contact details for the CEO are as follows;

CEO

mailto: Rachelle.matousek@opportune.com.au; or consumerprotection@opportune.com.au

T: 1300 721 121

To ensure the finalisation of results consumers are asked to lodge an appeal within seven (7) days of the unfavourable assessment decision being made.

3.2 Acknowledgement of Complaint/ Appeal

Within three (3) working days of receiving the complaint/appeal the CEO/Consumer Protection Officer will acknowledge in writing that they have received the complaint/appeal and will outline the next steps in the resolution process.

3.3 Investigation/Moderation

A comprehensive and objective investigation that respects the rights and privacy of all involved, is scheduled and occurs. The principles of procedural fairness and natural justice are adopted at each stage of the complaint process.

In the case of an appeal the consumer's assessment evidence is reviewed by a suitably qualified independent panel (moderation activity) to ensure that the principles of assessment and rules of evidence have been implemented. Recommendations from this process inform the outcome of the consumer's appeal.

3.4 Continuous Improvement

Where an investigation or moderation activity identifies opportunities for improvement these are actioned through the RTO's continuous improvement process.



3.5 Outcome Notification

To ensure a fair and objective process the decision maker is always independent of the decision being reviewed.

Appellants will, following the moderation activity have their result reviewed. If the moderation activity concurs with the initial assessment decision the assessment judgement stands and the consumer will be offered a reassessment opportunity, however if the moderation activity disagrees with the initial outcome the consumer's assessment result will be changed.

The complainant/appellant is notified in writing of the outcome of their complaint (outcome notification) within ten (10) days from the date the complaint was initially received.

Where the organisation considers more than ten (10) calendar days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matters.

3.5 Independent Review

If the complainant/appellant is dissatisfied with the outcome of their complaint/appeal, they can ask for their case to be reviewed by an independent party. In these instances, Opportune will organise for an independent party to review the complaint and where required mediate resolution. There will be no additional cost to the complainant for the review of the complaint/appeal by an independent party.

If the cause of the complaint is around the collection, use, disclosure or storage of personal information the consumer can complain to the Office of the Australian Information Commissioner. Further information can be found on www.oaic.gov.au.

3.6 Documentation and Record Keeping

All formal complaints and appeals are recorded in the Opportune Complaints and Appeals Register. The register and all other associated documentation are securely stored (electronically) for a period of 3 years.

3.7 Monitoring

The CEO and the Opportune Management team monitors the complaints and appeals process to ensure that required timeframes are met, opportunities for improvement are actioned and the process is fair, transparent and conducted in a way that protects the rights of its consumers.

The Chief Executive Officer is made aware of all complaints and appeals and the outcomes of those complaints/appeals.

4. References

- Australian Skills Quality Authority (2015) *“User’s Guide Standards for Registered Training Organisations (RTOs) 2015”*.