



# Complaints and Appeals Policy and Procedure

QMS  
Documents

## Policy

This policy covers a complaint received in regard to ATC processes, conduct of staff, trainers and assessors, or students enrolled with ATC. The policy also covers appeals against an assessment decision.

This policy is aimed at managing and responding to complaints and appeals in a timely manner in order to ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.

The complaint or appeal will be finalised within a maximum of 60 days. If additional time is required to resolve the issue, ATC will inform the plaintiff in writing, including reasons why more than 60 calendar days are required.

The procedure details the action to be taken to ensure an outcome that provides the plaintiff with regular updates and accurate information; and ends with the resolution of the issue where possible. If a resolution has not been found, the individual making the complaint or appeal will be encouraged to request a review by an appropriate party who is independent of ATC and the plaintiff. Failing that, the complaint will be passed to the company solicitor for further recommendations or action.

### 1. *Complaint received*

The initial complaint is received by telephone, person, third party person, email or mail.

### 2. *Process*

#### 2.1 Identify general nature of and reason for complaint

- Be courteous and polite - normal greetings
- Ask the person their name
- Identify yourself and your position
- Listen carefully to the complaint or appeal - write down the complaint as accurately as possible using the Complaints Resolution Form
- Repeat the complaint back to the person to ensure that you heard, understood and recorded the complaint correctly (paraphrase) on the Form
- Apologise sincerely for any inconvenience caused
- Acknowledge their feelings (which may be anger, frustration, disappointment, etc)
- Explain what action you would like to take to resolve the problem and who you will pass the complaint to for investigation and/or other action – record on the Form – both parties to sign
- Gain agreement from them regarding your proposed action/referral
- Thank them for bringing the concern to your attention
- Provide a written copy of the Complaints Resolution Form to the plaintiff

### 2.2 Pass to appropriate person and record actions taken

- Nominate the appropriate staff member or manager to be responsible for investigating and resolving the complaint and complete hand-over, ensuring the Complaints Resolution Form is complete to this point
- All complaints should be referred in the first place to the person directly responsible for the function in relationship to which the complaint has been made
- If the plaintiff identifies a staff member, by name or title, to whom they wish to address the complaint, then they should be given access directly to that staff member or arrangements made for them to be contacted by that person. If this is not desirable, the staff member has the right to put forward their case as part of the resolution process.

### 2.3 Record complaint and inform the CEO

- Complete all relevant sections of the Complaints Resolution Form as information is gathered.
- Scan Complaints Resolution Form to T\Training\Quality Management System\Complaints-Incidents
- Send original to CEO and ensure he/she is fully informed
- Maintain contact with plaintiff, organise a meeting and record details of the conversation

### 2.4 Interview plaintiff and identify issues and resolutions

- Bring plaintiff up to date with progress and outcomes achieved
- Be understanding and listen carefully to the person making the complaint
- List all issues raised
- If you are confused, say so straight away and don't rely on being able to sort it out later
- Deal with one issue at a time and if you cannot resolve it put it aside and pass it to someone else at the end of the discussion etc
- Identify solutions or compromises and make recommendations for future similar situations on the Form
- Gain agreement from the plaintiff in regard to the proposed resolution, record on the Form, sign and date
- Thank them for their help
- Give them your contact details for future reference
- If issue is resolved, respond to the plaintiff in writing
- Complete a Corrective Action Request if required and transfer any recommendations to the Continuous Improvement Log
- Inform the CEO that a resolution has been agreed by all parties

**If you cannot resolve the complaint then politely conclude your discussion and notify the person that you will pass their concerns to management for consideration and follow up with CEO.**

### 2.5 Pass to CEO For investigation

- Record details of recommendations and resolutions made to correct any misunderstandings, faults, procedures or policy interpretations on the Form

- Advise the CEO of the non-resolution of the complaint and pass completed Complaints Resolution Form to him/her to implement required investigation

### 2.6 Start Management Investigation

- Conduct internal investigation to establish staff's responsibilities and actions in regard the complaint
- Identify any additional issues or concerns
- Interview plaintiff and confirm issues and seek suggested solutions if necessary
- Identify possible options or compromises
- Negotiate the fairest option for both parties and gain agreement for proposed resolutions
- Thank plaintiff for identifying the problem and provide contact details
- Ensure that all corrective actions are carried out
- Discuss progress with plaintiff. If the plaintiff is satisfied with the resulting actions, then confirm with the plaintiff in writing.

**If a resolution has not been found, organise a review with an independent party.**

### 2.7 Not resolved – organise an independent meeting

- Encourage the plaintiff to request a review by an appropriate party who is independent of ATC and the plaintiff
- Agree on an appropriate person/agency with the plaintiff and organise a time and place to suit all parties.
- If the plaintiff is satisfied with the resulting actions, then confirm with the plaintiff in writing.

**If a resolution has not been found, organise a review with an independent party**

### 2.8 Not resolved - CEO to seek legal advice if necessary

- Progress complaint through legal channels if necessary
- CEO is to contact solicitor detailing complaint and actions taken to resolve the complaint
- Act upon legal advice received

### 2.9 Record Actions Taken and Recommendations

- Action taken and recommendations will be detailed in the Continuous Improvement Log.