

Purpose

Tubal has a complaints process open to all students, clients, employees and other personnel, and will treat all complaints in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood. This policy also relates to complaints relating to assessment outcomes (Appeals).

Tubal has a Duty of Care in ensuring all students complete their studies in a positive environment, free of coercion, unfair treatment and/or harassment.

Compliance

This policy relates to the following 2015 SNR standards: 2.2, 5.2 and 6.1-6.6.

Policy

Despite all efforts to provide satisfactory services to its students, clients, employees and other persons, complaints may occasionally arise that require formal resolution.

Tubal will ensure all complaints are resolved promptly, objectively and with complete confidentiality as well as ensuring the views of each complainant and respondent are respected and that each party to a complaint is not discriminated against nor victimised.

Complaints may be made be in relation to any of RTO's services, activities and decisions such as:

- The enrolment, induction/orientation process
- The quality of training provided
- Training and assessment matters, including student progress, assessment, curriculum and awards in a course of study
- Access to personal records
- Decisions made by the RTO
- The way someone has been treated, either by another student (in a classroom situation) or by the RTO.

Procedure

In the first instance you are encouraged, wherever possible, to resolve the situation directly with the individual the complaint is directed at: rectify the situation before being escalated to a formal complaint.

Wherever possible complaints are managed and resolved informally, however the person can submit a formal complaint in writing as per the following process.

Lodging a Complaint

A complaint must be made in writing and specify the particulars of the situation in dispute using the form located on the RTO website or alternatively this form can be forwarded to the individual by request. Complaints must be lodged within 28 days of the situation in question.

Formal complaints are to be made in writing and forwarded to the Director of Education or the Administration Manager of the RTO.

The following procedure is to be followed when an application for complaint is received:

1. A complaint is received by Tubal and is immediately recorded into the **complaints register** and noted within the Student Management System (where applicable).
2. Persons lodging complaints in other forms such as phone or email are to be directed to the complaints form on the Tubal website and advised of the correct format for submission.

3. The complaints form is to be forwarded to the Director who reviews the matter and makes recommendations as to how to respond to the relevant team members.
4. The Director may choose to make inquiries about the matter or may delegate another person to research the matter against relevant policies. The Director is to consider the application for a complaint on the basis of procedural fairness. In most cases, this should include careful examination of Tubal's systems, policies and or processes, the associated information and or communication the student has been provided with, that has led to the complaint in question.
5. The Director is to finalise and provide a written response within 20 working days from when the complaint is received. The response to the complainant must include information that demonstrates that the complaint was thoroughly reviewed and what actions and outcomes have been identified as a result of this process.
6. Opportunities for improvement that are identified as a result of the complaint are to be recorded within the Continuous Improvement Register, and submitted for the next Management meeting. The Director may, at their discretion, follow-up with the complainant after consideration by the Tubal Management team, to inform the complainant of the improvement actions identified.
7. If the complainant is satisfied with the response, the complaint is to be closed Complaints Register. If the complainant is not satisfied with the response, the complainant will have the opportunity for a person or a body that is independent of Tubal to review his or her complaint following the internal complaints process.
8. At the conclusion of the review, decisions or outcomes of the complaint process that find in the favor of the complainant or otherwise shall be implemented immediately.
9. Tubal's Complaint Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved.

Resolution Timeframe

All formal complaints will be responded to efficiently within a reasonable timeframe (within ten (10) business days) or as soon as practicable. However, in some cases, particularly if the matter is complex, the resolution may take longer.

Where the timeframe exceeds ten (10) business days the person making the complaint will be updated at regular intervals if this is the case by the RTO Administration and Quality Manager.

You are welcome to bring a friend or advocate to any meetings if that is your choice.

Complaints against other students

Complaints against other students in classroom situations should be brought to the attention of your Tubal trainer/assessor as soon as possible. A discussion between the other student and Tubal trainer/assessor should occur in the first instance to attempt to resolve the situation promptly. If this approach is not successful, the Tubal trainer/assessor should contact the Director immediately to obtain further instructions.

External Mediation

If the Complainant is not satisfied with the outcome of their appeal then an independent mediator will be sourced by Tubal through [LEADR, the Association of Dispute Resolvers](#). Complainants may request that their grievance is referred to the independent mediator by writing to the Director of Education – PO Box 92, Glengarry WA 6023.

Costs associated with mediation will be shared equally between Tubal and the complainant. As a guide, mediator's costs are \$450 for the first four hours (or part thereof). Subsequent hours would be \$140 per hour.

If the Complainant remains unsatisfied with the outcome of the mediator's decision, then they may contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: <http://www.asqa.gov.au/complaints/making-a-complaint.html>.

Record Keeping

A written record of all complaints handled under this policy, including their outcomes shall be maintained and stored in a secure location, electronically. All records are treated as confidential.

Non-Limitation of Policy

This policy and related procedures do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

External Assistance

All students, clients, employees and other persons are able to lodge an external complaint.

- Australian Capital Territory Ombudsman — www.ombudsman.act.gov.au
- New South Wales Ombudsman — www.ombo.nsw.gov.au
- Northern Territory Ombudsman — www.omb-hcsc.nt.gov.au
- Queensland Ombudsman — www.ombudsman.qld.gov.au
- South Australian Ombudsman — www.ombudsman.sa.gov.au
- Tasmanian Ombudsman — www.ombudsman.tas.gov.au
- Victorian Ombudsman — www.ombudsman.vic.gov.au
- Western Australian Ombudsman — www.ombudsman.wa.gov.au