



## Complaints and Appeals Policy and Procedure

Brighten Careers Institute Australia has developed a formal complaint, grievances and appeals procedure to:

- The handling of complaints and appeals by student/clients and the process to be initiated by Brighten Careers Institute Australia to address these.
- Reassure clients, customers and staff that any disputes or grievances will be taken seriously, handled professionally and confidentially in order to achieve a speedy resolution
- Ensure that clients, customers and staff have a clear understanding of the steps involved in the Organisation's grievance policy
- Provide clients, customers and staff with contact details of public, independent authorities who may assist in the event of a dispute or grievance.

This procedure applies to all persons enrolled with or seeking enrolment with Brighten Careers Institute Australia for the delivery of training and assessment services as well as those employed by, or contracted to Brighten Careers Institute Australia for the delivery of training, conducting of assessments, administrative duties and/or provision of support services.

### Responsible parties

The managing director and delegated officers are responsible for the control and issue of this procedure.

### Definitions

A complaint or appeal is deemed to be dissatisfaction with the procedures, outcomes or the quality of service provided by Brighten Careers Institute Australia in relation to the following processes:

- Course advice and enrolment
- Training delivery
- Competency assessment, including skills recognition processes
- Issue of results, certificates and/or statements of attainment
- Other activities associated with the delivery of training and assessment services
- Issues associated with personal safety, equity and access to or in the training and assessment environment.

A complaint or appeal is deemed to be a formal complaint or appeal when it is made in writing to the MANAGING DIRECTOR or relevant officer, or informal if directed verbally and in confidence to the Administration Manager/Officer.

An appeals committee is established within the general management infrastructure of Brighten Careers Institute Australia and comprises at least a student representative, staff representative. This complement will be appointed where no conflict of interest arises in relation to the complaint.

### Overview



Any complaint and/or grievance is to be recorded and the appropriate action taken. This is necessary to ensure that the organisation's systems & services meet the needs of our customers. Complaints and/or grievances may come to the company in two main ways – Verbal & Written  
Please follow the procedures listed below for both types

### **Verbal Complaints**

1. Complete a blank complaint/ grievance form (spare forms are in sleeve at the rear of the folder)
2. Complete all compulsory fields outlined in the document
3. Original to be allocated a grievance/complaint number please ensure this number is the next one in sequential order
4. Enter the number on the Complaint/grievance form
5. Advise the complainant of the number for any future reference
6. Write down in brief the contents of the complaint or grievance on the document
7. Any immediate commitment or follow up action should also be clearly written to ensure the clients expectations are met
8. Copy Original two times, with one copy placed into the MANAGING DIRECTOR's correspondence file and one copy placed into the meeting minutes' folder
9. Any correspondence related to that complaint or grievance is to be copied and attached to both complaint/grievance forms
10. Ensure all fields in the register are completed

### **Written Complaints/Grievances**

1. Attach a blank complaint/grievance form to the written complaint /grievance
2. Complete all compulsory fields on the complaints/ grievance form
3. Original to be allocated a grievance/complaint number please ensure this number is the next one in sequential order
4. Enter the number on the Complaint/grievance form
5. Copy Original two times, with one copy placed into the MANAGING DIRECTOR's correspondence file and one copy placed into the Correspondence IN sleeve of the meeting minutes folder
6. Any correspondence related to that complaint or grievance is to be attached to both copies of the forms
7. All complaints/grievances received in writing are to be replied to, using a standard acknowledgement letter. This letter is to be given the appropriate complaint/ grievance number for the sender's reference and for any future problems that may arise. This letter is to acknowledge the complaint / grievance and not give an outcome
8. Two copies are made of this (acknowledgement) letter with one copy placed in the MANAGING DIRECTOR's file and one copy placed into the minutes folder in correspondence OUT Sleeve

**IMPORTANT:** Complete all documents in a neat and tidy manner in clear and legible writing

Once the matter is resolved it is the responsibility of the chairman of the meeting to mark the complaints/ grievance register as finalised.



\*NB All documentation in relation to the complaint / grievance is attached to the complaint/ grievance form and placed, in order, in the folder for future reference and annual audit

**Policy Statement** Brighten Careers Institute Australia shall ensure that:

- This policy requires Brighten Careers Institute Australia to implement processes to deal with complaints in a constructive manner and to offer appeal processes where satisfactory resolution has not been achieved. The effective handling of customer complaints is to be managed within the Quality System
- All clients, customers and staff are aware of the Brighten Careers Institute Australia Complaints, Grievances and Appeals Process and their right to take their complaint or grievance to an independent body if they wish to do so.
- All complaints received will be given top priority and consideration with full attention to details with the objective of immediate solution and amicable settlement to all parties concerned.
- Resolution to any dispute between aggrieved parties will be addressed informally and in an open and trusting environment.
- All matters will be resolved with reference to the Win-Win principles of dispute resolution.
- All complaints are to be logged and the processes implemented to achieve resolution are to be documented. All actions/decisions made in relation to the matter are also to be documented and feedback regarding the decision/resolution agreement forwarded in writing to relevant parties.

All students, staff and stakeholders who have dealings with Brighten Careers Institute Australia are to be advised of this policy and the processes available to resolve complaints. Materials/information provided on this matter must demonstrate the organisation's commitment to manage matters fairly and equitably and as efficiently as possible.

All reports of complaints arising through customer dissatisfaction with training and assessment products/services or relevant organisational operations are to be documented, forwarded and held by the MANAGING DIRECTOR.

Any quality system amendments arising from grievance/complaints matters must be added to the Audit Schedule and monitored by the Academic Manager.

Brighten Careers Institute Australia must ensure through the implementation of its procedures that:

- All employees/contractors and prospective students will be provided with a copy of the grievance procedure
- All grievances, complaints and appeals are to be heard by a person or committee independent of the incident giving rise to the complaint.
- All disputes or grievances will be handled professionally and confidentially in order to achieve a satisfactory resolution.
- All parties will have a clear understanding of the steps involved in the complaints procedure.
- Each appellant/complainant will be provided with the opportunity to present his or her case at each stage of the process.
- All complaints will be managed fairly and equitably and as efficiently as possible.
- All discussions relating to complaints, grievances and appeals are to be recorded in writing and the appellant/complainant provided with a written statement of the outcomes, including reasons for the decision.



- Brighten Careers Institute Australia will provide trainers and/or students with details of external authorities that they may approach with respect to their grievance if required.
- Brighten Careers Institute Australia will endeavour to resolve any complaint referred to it by any of the involved government agencies within ten working days of its receipt of the complaint.
- This policy provides an avenue for most grievances to be addressed. However, in some cases, alternative measures may need to be explored.
- Brighten Careers Institute Australia will encourage the parties to approach a complaint with an open view and attempt to resolve issues through discussion and conciliation. Where a complaint cannot be resolved through discussion and conciliation Brighten Careers Institute Australia acknowledge the need for an additional appropriate external moderator such as the Industry association, ACPET or similar.

### **Complaints, Grievances and Appeals Process Local Level Resolution – Teacher/Lecturer**

Brighten Careers Institute Australia encourages open communication and an environment of trust. Therefore, any person with a grievance is encouraged to firstly raise the matter directly with the other party concerned.

A meeting should be requested, by the learner, at which time the matter in dispute can be raised and a resolution sought. A formal discussion will be held with the relevant trainer, trainee, administrator about the grievance in an attempt to resolve the issue.

#### **Resolution by Academic Manager**

Should the matter remain unresolved following the above the complainant is encouraged to contact the Academic Manager. The Academic Manager will consider the grievance and recommend a resolution.

#### **Resolution by Brighten Careers Institute Australia – Managing Director**

Should the matter remain unresolved following the above, the complainant is encouraged to contact Brighten Careers Institute Australia Grievance Officer, for consideration and due intervention, as necessary, in order to reach an objective solution to the matter in dispute.

#### **Resolution by Arbitration**

Should the matter remain unresolved Brighten Careers Institute Australia MANAGING DIRECTOR or Academic Manager may appoint an independent arbiter visitor to review the dispute and suggest an amicable solution.

#### **Resolution by External Authority**

- If the matter is unable to be resolved at this level, the complainant can formalise the complaint and the written complaint/appeal can be lodged with the Appeals Committee. At this level the complainant should be given an opportunity to present his or her views in person to the committee, in support of the appeal. A student representative can provide advocacy support at this level. The outcome is to be reported and forwarded in writing to the complainant within seven days of the hearing.
- If the grievance is still unresolved, it may be referred to the MANAGING DIRECTOR of Brighten Careers Institute Australia and seek the advice of an independent authority external mediator is arranged and is skilled in dispute resolution processes.



- All complaints must be acted upon by Brighten Careers Institute Australia where the complaint is found to be substantiated.
- All complaints that are substantiated must be dealt with within the risk management strategy as means to correct and improve the processes giving rise to complaints.

## **Recording**

### **Complaints requiring some form of mediation**

In addition to recording complaints, grievances or appeals on the Complaints and Grievance Form and must be raised by any staff member or client Brighten Careers Institute Australia:

- Where specified policies, procedures or service quality has not met expectations or requirements
- Where a need for improvement to policies, procedures or service delivery is identified by any means

### **Complaints of a less serious nature**

Brighten Careers Institute Australia treats all complaints as serious. At the same time, some complaints are not accompanied by a client/customer expectation that punitive action will be taken.

In such cases the documentation required is as follows

- Where a client has raised the complaint, it should be noted by the tick box in the appropriate case note
- Complaints Assessments Appeal Form should be used
- A Complaints Grievance Form should be raised if the situation meets the criteria of the above

## **Storage of documents**

- All documentation relating to a formal grievance should be stored in the Quality Assurance filing drawer, while a resolution is being sought.
- Once a formal grievance has been resolved, all documentation should be filed electronically at E:\Administration\Quality Assurance Management\Complaints Documentation.
- Electronically filed documentation shall be password protected with limited access.

## **Feedback to complainant**

Feedback will be given to persons who make complaints in a number of ways. These include • Informing the complainant of the outcome of a Complaint where one has been raised.

- Verbal feedback, where debriefing meetings take place.
- Written advice of the resolution of the complaint made to the complainant within twenty-one (21) days of the resolution of the matter.

## **Appeals process**

Where a learner contests the decision of an assessment, that decision may be appealed by applying to Brighten Careers Institute Australia Managing Director.

Where the work of the learner is reassessed, the MANAGING DIRECTOR will ensure that the reassessment is undertaken by an alternate assessor.

- Learners will be informed of the progress of their appeal within seven (7) days of lodging the appeal.



- Learners will be informed of the outcome of their appeal within twenty-one (21) days of lodging their appeal

#### **Associated Documentation**

- Complaints Grievance & Appeal Form
- Grievance/Appeal Report
- Minutes Appeals Committee
- Trainee records

#### **Complaints and Appeals (Training and Assessment related matters)**

Students may raise any matters of concern relating to training delivery and assessment, the quality of learning, student's amenities, discrimination, sexual harassment and other issues that may arise.

The Complaints, Concerns and Appeals Policy and Procedure provide an avenue for most complaints, concerns and appeals to be addressed.

#### **Our Commitment**

Brighten Careers Institute Australia welcomes feedback and suggestions from employers or students on our services. All complaints and appeals are recorded, acknowledge and dealt with fairly, efficiently and effectively. A student's enrolment will not be affected by suspension or cancellation while the complaints and appeals process is being conducted.

#### **Complaints Process (Training related matters)**

Students, who feel they may have been unfairly treated, may follow the procedures listed below:

- If the emergency is related to Bullying and Harassment, students are advised to contact the Academic Manager on 02 9223 1868
- The student should firstly discuss the matter with their teacher (where appropriate). If they are not satisfied, the student may request to escalate the matter to the Academic Manager.

The Academic Manager contacts the student within 48 hours to confirm receipt of form, discusses the circumstances with the relevant personnel, and makes a decision.

The student is contacted within 10 working days to let the student know the decision that has been made. The student has 5 working days to respond to formal decision.

The student may request a face to face meeting with the MANAGING DIRECTOR to formally present his or her case in appeal of the decision of the Academic Manager. Once this meeting has occurred, the Academic Manager will respond in writing within 24 hours.

A written statement of the appeal outcome, including reasons for the decision will be documented and provided to student.

Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, Brighten Careers Institute Australia acknowledges the need for an appropriate external and independent agent to mediate between the parties.

The student may also request for this.

Brighten Careers Institute Australia will contract such a person as and when required. The cost for an independent agent to review and make a decision on the appeal is at no cost to the student.

If the student is still dissatisfied with the outcome after Brighten Careers Institute Australia has engaged an independent agent, the student may lodge a complaint with the Australian Skills Quality Authority (ASQA) on 1300 701 801.

### **Complaints Process (Assessment related)**

If the student has been advised that they are Not Yet Competent, but they believe that:

- They genuinely do have the required degree of competency; and
- That they have provided reasonable proof of this to Brighten Careers Institute Australia;
- The student may query or appeal the result.

This process ensures that all students are fully satisfied with the fairness and accuracy of Brighten Careers Institute Australia assessment processes.

**Note:** Brighten Careers Institute Australia accepts an appeal against an assessment decision for a period of no longer than 2 weeks after the student receives notification of the assessment decision.

Students who feel they may have been unfairly treated, may follow the procedures listed below:

Discuss the matter with the Academic Manager, If not satisfied with the outcome of this discussion, the student may then request that the matter is referred to the MANAGING DIRECTOR.

The student must complete the Notice of Complaint Concern and Appeal Form and send this document to the Academic Manager ensuring that sufficient details about themselves and the course are provided, including the circumstances surrounding the concern, complaint or appeal.

- The student provides an explanation of the reason/s why they feel the Not Yet Competent result is not appropriate, and also attaches a copy of the original Assessment Task.
- The Academic Manager seeks an independent review of the Assessment Task and contacts student with the written result within 10 working days of receipt of appeal. The student has 5 working days to respond to decision.
- The student may request a face to face meeting with the Academic Manager to formally present his or her case in appeal of the decision of MANAGING DIRECTOR. Once this meeting has occurred, the Academic Manager will respond formally within 24 hours.
- A written statement of the appeal outcome, including reasons for the decision, will be documented and provided.



- Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, Brighten Careers Institute Australia acknowledges the need for an appropriate external and independent agent to mediate between the parties.
- Brighten Careers Institute Australia will contract such a person as and when required. Cost for an independent agent to review and make a decision on the Appeal is at no cost to the student.
- Brighten Careers Institute Australia encourages the parties to approach a complaint with an open view and to attempt to resolve problems through discussion and conciliation.
- If the student is still dissatisfied with the outcome after Brighten Careers Institute Australia Academic has engaged an independent agent, the student may lodge a complaint with the Australian Skills Quality Authority on 1300 701 801.

*Note: ASQA only deals with complaints about: the information provided to you by an RTO about the course/s you are interested in the delivery and assessment of the training you have received the qualifications you have or have not been issued Ref: <http://www.asqa.gov.au/complaints/making-a-complaint.html> viewed 31/1/13*

### Complaints, Grievances & Appeals Form

*This form can be used to lodge complaints and grievances of both an Academic or Non-academic nature and appeals against an assessment. Reference should first be made to the Grievances, Complaints and Appeals Policies and Procedures available on the Brighten Careers Institute Australia by an email request at [contact@brightencareers.edu.au](mailto:contact@brightencareers.edu.au). The appropriate complaints and appeals process is required to be followed, as outlined in the Policy and Procedures document. Complaints lodged in writing will be accepted as formal grievances/complaints or appeals.*

*Please attach a*

*copy of relevant information, forms and other documentation as applicable.*

*NB: Administration cannot search out documentation which has previously been provided for another purpose, please re-submit any such material.*

<b>Students Name:</b>	<b>Student ID Number:</b>
<b>Contact Number:</b>	<b>Date:</b>
<b>Course Enrolled:</b>	<b>Type of Complaint:</b>
<b>Please indicate whether this is a complaint or an appeal: Complaint / Grievance /Appeal against an assessment</b>	
<b>Describe the nature of the complaint/grievance/ reasons for the complaint / appeal:</b>	
<b>Have you spoken with anyone regarding this or were there any efforts made by BIA to resolve the issue:</b>	





<b>If this is an Assessment Appeal, please indicate which elements of subjects are in question:</b>  		
<b>Outline of expected outcomes or action you would like to see taken:</b>  		
<b>Students Signature:</b>	<b>Date:</b>	
<b>Details Action Taken:</b> ..... ..... ..... .....		
<b>Continuous Improvement Request Raised:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date Raised:</b>	<b>CIR</b>
<b>CIR Raised by:</b>		<b>Note: Please attach completed form and any other supporting evidence and submit with CIR.</b>
<b>Outcome of complaints/any follow up action required:</b> ..... .....		
<b>Academic Manager/Authorised Staff Signature:</b>	<b>Date:</b>	

**Appeals Policy & Process Preamble**

From time to time it is a possibility that a student will disagree with the results of an assessment and therefore wish to appeal the decision. It is the organisations philosophy that any student has the right to appeal any decision made by an assessor.

As all courses are based on competency, it is possible that competency can be gained after further study until the student is deemed competent by an industry specialist and that the relevant training package requirements have been met and correctly documented

In order to assess the appeal in a fair and equitable manner it is important that the appellant follows the procedures as laid out below. The organisation policy is briefly described in the student/trainee handbook

Each appeal will be allocated a number to ensure that the appeal process is easily identified by all parties

The appeals process will have various methods used when considering the appeal



1. By the Academic Manager
2. By an external process
3. By law according to the jurisdiction of the state or territory legislation in which the original assessment took place

### **By the Brighten Careers Institute Australia (Registered Training Organisation)**

#### **Type of appeal**

#### **Assessment process**

Each student has the right to discuss and agree on the assessment process, however if any appeal by a trainee contradicts the assessment and evidence requirements of the relevant training package then this information is relayed back to the trainee (in writing form the MANAGING DIRECTOR or delegate).

Assessment processes and requirements are clearly detailed in the training and assessment strategy and also clearly detailed and outlined with the student/trainee prior to commencement of any course or module.

Where assessment booklets are provided then this will also detail the assessment process and requirements. It is the organisations intentions to ensure assessment process are fair and equitable for all

#### **Assessment outcome**

When a student wishes to appeal an assessment outcome it is the organizations policy for the following to happen

1. The student can immediately appeal the outcome with their designated trainer/assessor, who is instructed to give any trainee/ student to achieve competence and will ensure flexibility and fairness.
2. If no resolution - then the student/ trainee is given an appeals form which details why they are appealing the assessment outcome
3. This appeal form is sent to the organisations MANAGING DIRECTOR
4. The MANAGING DIRECTOR will organise an independent person/visitor with the appropriate Qualifications to review the case and make a decision
5. Both parties are to agree on the independent person or organisations' decision. The decision is to be documented and copies sent to the RTO'S MANAGING DIRECTOR and the Appellant.
6. Both parties are to abide on the outcome

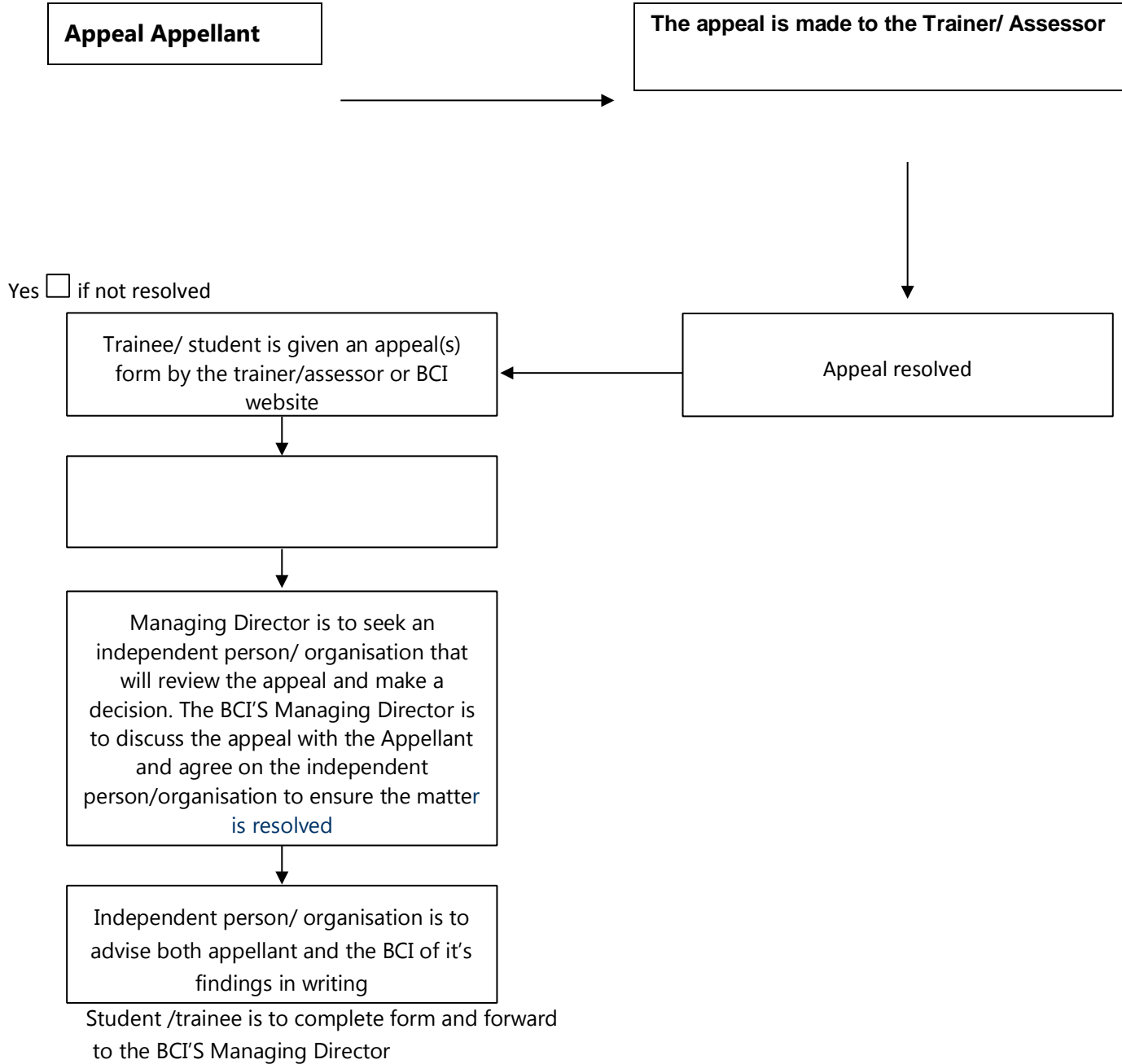


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It is the intention of the organization to closely monitor its assessment process to ensure this appeals system is unlikely to be used, however, if it is required then it will clearly indicate an opportunity for the organisation to review its process, policies and procedures for the benefit of all.



Please refer to the following page which outlines any appeal process





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