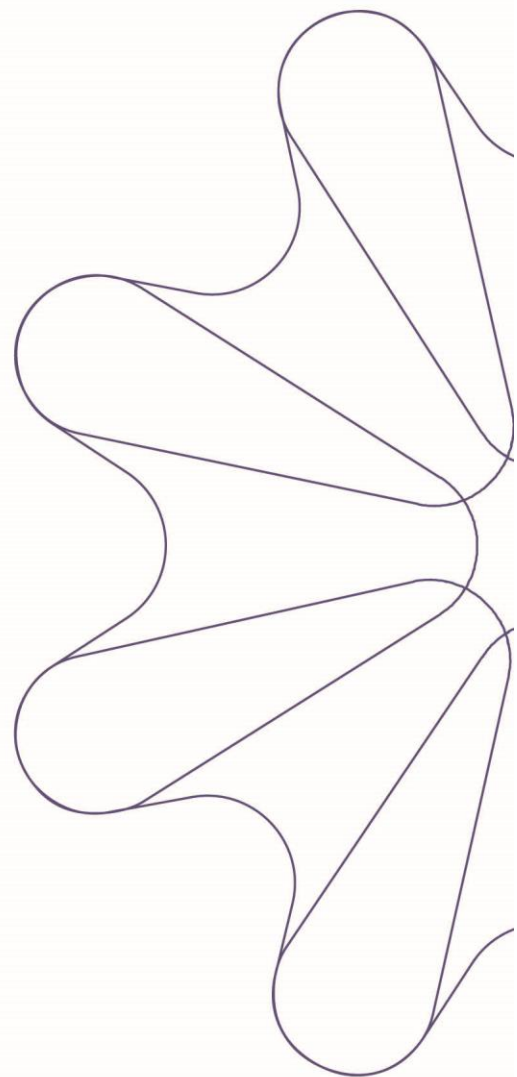


MAX Solutions Complaints and Appeals Policy and Procedure (Training)



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1. Purpose

The purpose of this Policy and Procedure is to provide a description of the process when issues arise, and service provision do not fully align with expectation. MAX Solutions Training (RTO 0667) has a strong commitment to encouraging, identifying and resolving complaints from students. The complaints process is an integral part of the company's overall Quality Management System. It aims to ensure the efficient and effective resolution of complaints and appeals to the satisfaction of all parties, and the continuous improvement of our training operations.

Internal complaints made by MAX Solutions personnel do not fall within this policy and procedure; internal complainants are to refer to the MAX Solutions Grievance Policy

2. Commencement of Policy

This Policy and Procedure will commence on 1 July 2017. It replaces all other policies or arrangements governing this subject (whether written or not).

3. Application of this Policy and Procedure

This Policy and Procedure applies to all Participants/Students (who have enrolled, commenced, commenced but are inactive and completed), employers and stakeholders in accordance with the Principles of MAX Solutions Access and Equity Policy and Procedure. MAX Solutions will ensure that all complaints and appeals are managed in a fair and equitable manner and as efficiently as possible.

4. Overview of Complaints

Complaints are the expression of the dissatisfaction with the quality or any aspect of the business operations and service, including nuisances, discrimination or similar against another person, inclusive of students, staff and contractors.

MAX Solutions Training Complaints are handled in accordance with the **MAX Solutions Complaint and Appeals Policy and Procedures (Training)**, the **MAX Solutions Customer Complaints and Feedback Policy and Procedure** and the **MAX Solutions Privacy Policy Statement**.

MAX Solutions staff are to refer to the **MAX Solutions Customer Complaints and Feedback Policy and Procedure** and **MAX Solutions Privacy Policy Statement**.

5. Complaints

Students, employers or stakeholders in relation to the services provided by MAX Solutions as an RTO (RTO 0667) can raise, lodge complaints. If the student, employer or stakeholder feels MAX Solutions (staff, trainers etc.) has not met its expectations, we encourage individuals to express their concerns or issues to MAX Solutions staff.

Students, Employers and Stakeholders may lodge a complaint relating (but not limited to) to the following examples:

- enrolment
- training delivery
- training and/or assessment, including recognition of prior learning
- training staff
- any other activities associated with the delivery of training and assessment services
- issues such as Training environment, student amenities etc.

Complaints of a serious nature that may include, but not restricted to:

- Allegations of sexual harassment, bullying, verbal or physical abuse, theft, etc.

All complaints are referred to our Quality and Ethics Team for review and finalisation, complaints and appeals are recorded electronically in the MAX Solutions Complaints and Feedback Register database (Compliance 360) and additionally securely stored on student files. Refer to the **MAX Solutions Complaints and Feedback Policy and Procedure** in relation to the management of the Complaints and Feedback database.

6. Complaints and Feedback Procedure

If a student/s express dissatisfaction or feedback relating to the service provided, they are encouraged to speak immediately with their Trainer and Assessor or site Business Manager. Complaints of a serious nature require the Regional Manager and or General Manager to be informed in the first instance, and complaints of such serious nature will be escalated to the General Manager Quality & Ethics. Where appropriate, the General Manager Quality & Ethics will advise the Department Contract Manager of any serious allegations.

MAX Solutions will encourage parties to resolve problems through discussion and conciliation (Trainer and/or site Business Manager – Third Party). In some minor instances MAX Solutions may choose an informal method of addressing the issue including conducting an informal interview.

The student has the right to:

- Have a support person present during any meetings
- Receive a written outcome of the process.

Lodging complaints and feedback can be done several ways:

- Student/s have the option to complete the **MAX Solutions Customer Complaints and Feedback** via the MAX Solutions Website, located at www.maxsolutions.com.au/contact-us/Feedback-and-Complaints. This online form can be completed electronically or alternatively hardcopies are retained at all MAX Employment sites
- MAX Solutions staff **must** lodge student/employer/stakeholder complaints by way of our web page: via Compliance 360. Where there is no access to the online Customer Complaints and Feedback Register staff can complete a manual **Customer Complaints and Feedback Form**, ensuring that the information you collect is entered into the **Customer Complaints and Feedback Register** on the intranet within **24 hours** of receipt.

MAX Solutions approach to the management of complaints:

1. Students may be advised to complete a **MAX Solutions Customer Complaints and Feedback Form** by the Trainer and Assessor or Third-Party Representative. As a part of the investigation the completed Customer Complaints and Feedback Form is to be scanned (to be done by either the Trainer or site Business Manager), saved and attached to the student file (Trainer to do), with the complaint also entered in the Complaints and Feedback Register (located on the intranet)
2. If the student doesn't complete a **MAX Solutions Customer Complaint and Feedback Form**, the Trainer or Third Party Representative must complete and lodge student/employer/stakeholder complaints by way of our web page via Compliance 360 www.maxsolutions.com.au/contact-us/Feedback-and-Complaints
3. If no resolution of the complaint is determined at a local level or the issue is not resolved to the complainant's satisfaction, then they can email the General Manager Quality & Ethics, at quality@maxsolutions.com.au

4. Alternatively, if they feel their concerns have not been resolved, or cannot be resolved MAX Solutions, we acknowledge the need for an appropriate external independent agent to mediate between the parties and identify the external independent agents as being:
 1. The relevant state Ombudsman Office
 2. Independent mediators/companies

Except in extreme circumstances, the entire process should be finalised within 21 days. Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and regularly update the complainant or appellant on the progress of the matter (as per Clause 6.4, Standards for Registered Training Organisations 2015).

7. Appeals

At times, a student may not agree with a decision regarding their assessment result, the method of the assessment conducted or any other context of the assessment process. If the student is assessed as 'Not Competent', they will be given the opportunity to develop the required skill level and resubmit their assessment and be given every opportunity to achieve a successful outcome.

There are various grounds for lodging an assessment appeal. These include, but are not limited to:

- not being fully informed of the assessment process
- student's needs not taken into consideration
- the assessment process is different to that outlined by the Trainer and Assessor
- assessment process not based on training package/course requirements
- an inappropriate method used to assess the unit
- alleged bias of the Assessor
- alleged incompetence of the Assessor
- faulty or inappropriate equipment or facilities.

In the event of misconduct and disciplinary action, an appeal may be lodged to express the dissatisfaction with the decision. In the event a student disagrees with disciplinary action they have the right to ask for an internal review of the decision.

8. Appeals Procedure

Assessment Appeals:

First Instance: The student will discuss the issue with the Trainer & Assessor involved. This must occur within **five (5) working days** of the assessment outcome being advised. The Assessor will make every attempt to resolve the appeal in this instance.

Second Instance: If, by talking with the Trainer/Assessor, the issue is not resolved the student is advised to complete an **Assessment Appeals Form**, the Assessment Appeals Form will be sent to the Head of Training and they will contact you to further discuss. This should occur within **five (5) working days of Step 1**.

The Head of Training will allocate an independent assessor to review the assessment decision in question. The results of the review will be summarised on the Assessment Appeals Form. The student is to be advised in writing of the appeals outcome within **five (5) working days of Step 2**.

Third instance: If still not satisfied with the outcome of the appeal, the student's appeal will be reviewed by an external validator and Head of Training. The Head of Training will send an acknowledgement letter to the student, record the receipt of the **Assessment Appeals Form**, then review. The Head of Training, if necessary, will convene a review panel including an external validator to thoroughly examine the appeal. The student is to be advised of the outcome within **five (5) working days of the decision**.

Fourth Instance: If the student is not satisfied with the outcome of this process, they should be advised of their right to request an external mediation of the assessment appeal. MAX Solutions will coordinate an independent consultant for mediation.

Members of the community (students, industry and the community) can also lodge complaints via asqaconnect – ASQA’s online complaints portal. ASQA (National Regulator for the vocational education and training (VET) sector) is not a consumer protection agency and cannot act as an advocate for individual students. The most effective and timely way to resolve complaints is through MAX Solutions Complaints and Appeals (Training) process.

Students/appellant have the right to contact the relevant State Training Authority (STA) where training is subsidised by State/Territory Government Funding.

Misconduct/Disciplinary Decisions Appeals:

A Student accused of misconduct and or disciplinary breach and dealt with under the Student Discipline Policy and Procedure, has the right to ask for an internal review of the decision. The student must lodge the Appeal in writing within 14 business days of discipline outcome notification by MAX Solutions; the appeal will be heard by an independent nominated person.

MAX Solutions will abide by the decision of the independent adjudicator and all matters taken to Appeal will be recorded in writing and provided to both parties on completion of the process.

If the student is still dissatisfied with the appeals decision, they have the right to take the matter to an external body such as the Office of the Queensland Training Ombudsman.

Where the RTO considers more than 60 calendar days are required to process and finalise any complaint or appeal, the RTO will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and regularly update the complainant or appellant on the progress of the matter.

9. AMEP & SEE

A complaint or appeal may be raised by a Skill for Education and Employment (SEE) or Adult Migrant English Program (AMEP) student. If the issue cannot be resolved at the local level following the above process, the SEE or AMEP provider must contact the state contract manager at the Department of Education and Training to notify them of the complaint. The student must also be provided with the contact details should they wish to take the matter further. Those details are found in the **SEE Complaints and Feedback Notice** or **AMEP Complaints and Feedback Notice** that are on display at relevant SEE and AMEP sites.

The SEE or AMEP student should be directed to the Department via the contact details below:

- By telephone on 13 38 73
- By email at skilling@education.gov.au
- By mail to:
Director
Education Skills and Employment or Adult Migrant English Program
Department of Education and Training
GPO Box 9880
Canberra ACT 2601

The student can also be directed to the Commonwealth Ombudsman on Ph. 1300 362 072.

10. Funded Programs (State)

In Queensland, trainees, students and employers can also lodge a complaint with the Training Ombudsman or the State Training Authority (Traineeships/Apprenticeships only) who provides a free, confidential and independent service to review and resolve enquiries and complaints from apprentices, trainees, students, employers and other stakeholders about the vocational education and training (VET) system.

Students who are enrolled in an ACT Skilled Capital funded program also have an option to lodge a complaint with Skills Canberra by completing a Form Online. All complaints will be recorded on a register and will be handled by Skilled Capital on a case-by-case basis in accordance with the Information Privacy Act 2014.

11. Related Documents

The following documents are to be read in conjunction with this Policy and Procedure and are available on MAX Active:

Internal


- MAX Solutions Assessment Appeals Form (Training)
- MAX Solutions Customer Complaints and Feedback Form
- MAX Solutions Complaints and Feedback Policy and Procedure
- MAX Solutions Student Discipline Policy and Procedure (Training)
- Participant Handbook
- SEE Complaints and Feedback Notice
- AMEP Complaints and Feedback Notice
- MAX Solutions Privacy Policy Statement

External


- Standards for RTOs 2015

Relates to Clauses 1.7, 5.4 and 6.1 to 6.6: Standards for Registered Training Organisations 2015

12. Further Support and Feedback

 For further support or assistance on interpreting or understanding this and/or associated documents, please contact the Corporate Training on 1800 021 560 or by email on corporate.training@maxsolutions.com.au

Staff can also get access to a variety of related information on the [Learning & Development Team Site](#) on MAX Power. This includes, but is not restricted to information for new starters, managers and copies of the PowerPoint presentations from all recent webinars.

 QPI promotes continuous improvement and encourages constructive feedback regarding the effectiveness of this and/or associated documentation. Recommendations for improvement should be forwarded using the Staff Feedback facility available on the Intranet.

MAX Power/Key Tasks/Staff Feedback

Key Tasks

- **Staff Feedback**
- Log an IT / Facilities Request
- MAX Solutions Sites
- Corporate Contacts
- Customer Complaint
- Service notifications

13. Document Revisions

| Action | Date | Name | Changes Made |
|------------------|------------|--------------------|--|
| Document Created | 1/07/2017 | Valerie Campbell | New Policy and Procedure Created |
| Revision | 17/07/2017 | Valerie Campbell | Revisions made to incorporate the AMEP & SEE programmes |
| Revision | 27/10/2017 | Angie Moulds | Changes made to the complete document to ensure it is external interfacing and related to students (not MAX Solutions staff) |
| Revision | 31/01/2018 | Erin-Lea Hennessey | Revisions to entire document to align with MAX Solutions Student Discipline Policy and Procedure (Training) and RTO Participant Handbook. |
| Revision | 20/02/2018 | Angie Moulds | Amendments made to policy to ensure the complaints and appeals alternative options are clearer and referencing other policies and procedures that need to be read in conjunction with this policy. |
| Revision | 15/10/2018 | Angie Moulds | Minor formatting amendments to align with the Document Development Style Guide |
| Revision | 21/12/2018 | Amanda Nightingale | Removed reference to ASQA being a mediator and added in another option. Changed reference to QLD only ombudsmen to relevant state. Removed link to the old complains system on the intranet and added in reference to Compliance 360 on the web page. Replaced GM training to HOD |
| Revision | 15/01/2019 | Erin-Lea Hennessey | Minor formatting amendments to align with the Document Development Style Guide and the updated MAX Solutions Logo. |
| Revision | 2/04/2019 | Erin-Lea Hennessey | Minor formatting to align with the Document Development Style Guide. |
| Revision | 11/03/2020 | Erin-Lea Hennessey | Document transposed to new Policy and Procedure template to align with current Document Development Style Guide. Updated Section 5 to include employers and stakeholders may make complaints with regards to a range of issues as per VELG audit. ACT Skilled Capital complaints process included in policy and procedure. |
| Revision | 16/03/2020 | Angie Moulds | Document reviewed and aligned with Document Development Style Guide |