

# COMPLAINTS, CONCERNS & APPEALS POLICY

## Master Builders Association of Victoria

### 1. Purpose

Master Builders Association of Victoria has developed this policy in accordance with Clauses 1.7, 1.8(a), (b), 2.2(a), (b), 5.1, 5.3, 6.1(a), 6.2, 6.3(a-e), 6.5 of the Standards for Registered Training Organisations 2015. Master Builders Association of Victoria RTO (hereinafter called “Master Builders”) provides appropriate mechanisms and services for students to have complaints and appeals addressed fairly, efficiently and effectively. Master Builders will act on each substantiated complaint, concern or appeal. In doing so, Master Builders aims to ensure the ongoing provision of high-quality Training Services, including training and assessment and robust administrative processes to support contract compliance and obligations.

### 2. Scope

This policy applies to all current and prospective students.

### 3. Definitions

**Informal Complaint** is where a student wishes to discuss an incident or concern but does not want to implement formal proceedings.

**Formal Complaint** consists of more serious concerns where evidence may be required.

### 4. Policy Statement

Master Builders ensures that all students have access to a fair and equitable process for dealing with complaints or concerns and provides an avenue for students to appeal against such decisions which affect the student’s progress. Every effort is made by Master Builders to resolve the student’s complaint or concern. To this end, the Executive Manager – Master Builders Training Institute (MBTI) is the person to whom formal complaints or concerns are referred. At the time of enrolment, the complaints, concerns procedure and appeals policy is outlined to students. Where a complaint or concern cannot be resolved internally, Master Builders provides an external independent person to hear the appeal or case.

## 5. Policy Principles

1. Students may raise any matters of concern relating to training delivery and assessment, the quality of the learning, student's amenities, discrimination, sexual harassment and other issues that may arise.
2. All prospective students are provided with a link to the Student Handbook located on the Master Builders website.
3. All complaints, concerns, or appeals are handled professionally and confidentially in order to achieve a satisfactory resolution.
4. All parties will have a clear understanding of the steps involved in the complaints/concerns and appeals procedure.
5. Students will be provided with details of external authorities (ASQA) they may approach, if required.
6. Master Builders provides all eligible Individuals under the Skills First Contract with support.
7. All complaints or concerns and appeals are managed fairly and equitably and as efficiently as possible.
8. All complaints or concerns and appeals and outcomes are documented in writing.
9. Master Builders attempts to resolve any complaints, concerns and appeals fairly and equitably within 10 working days from receipt of notice of complaint.
10. A student's enrolment will not be affected by suspension or cancellation while the complaint and appeal process is being conducted.
11. Students will be offered support to complete the Notice of Complaint, Concern, Appeal Form where required

### 5.1 Informal Complaint Process

An informal complaint process can be used where the concern is less serious and may not result in disciplinary action. It can take the form of a verbal conversation or written, and it is anticipated that the concern can be dealt with quickly and easily. The student is advised to discuss concerns with their trainer, where appropriate, or make an appointment to discuss with the Executive Manager – MBTI. It is advisable for the student to contact the Executive Manager – MBTI before lodging a formal complaint, to discuss other avenues available to them.

Based on the conversation or written communication the Executive Manager – MBTI will endeavour to resolve the concern. In all cases the concern will be documented and recorded in the Continuous Improvement Register to ensure that Master Builders can continue to improve their systems and processes. In some circumstances it may

be decided by either the Executive Manager – MBTI or the student that the concern cannot be resolved through an informal process and will be escalated to a Formal Complaint.

## 5.2 Formal Complaint Process

The formal complaint process usually relates to concerns, issues or complaints of a more serious nature. Formal complaints must always be submitted in writing and all steps of the process will be documented and retained.

## 5.3 Training related matters

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

- a) The student should firstly discuss the matter with their trainer (where appropriate). If they are not satisfied, the student may request to escalate the matter to the Executive Manager – MBTI for consideration by calling 9411 4555 or by completing the Notice of Complaint, Concern and Appeal. This can be obtained from Master Builders' website <http://www.mbavtraining.com.au/forms/> or you can request one from the Training Department.
- b) The Executive Manager – MBTI will contact the student within 48 hours to confirm receipt of form, discusses the circumstances with the relevant personnel, and makes a decision.
- c) 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.
- d) The student may request a face to face meeting with the Executive Manager – (MBTI to formally present his or her case in appeal of the decision of the Head of Training. Once this meeting has occurred, the Executive Manager – MBTI will respond in writing within 24 hours.
- e) A written statement of the appeal outcome, including reasons for the decision will be documented and provided to student.
- f) Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, Master Builders acknowledges the need for an appropriate external and independent agent to mediate between the parties. The student may also request for this.

Master Builders 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. Where external mediation may be required Master Builders will incur the cost of mediation up to 3 hours.

- i) If the student is still dissatisfied with the outcome after Master Builders has engaged an independent agent,

the student may lodge a complaint with the Australian Skills Quality Authority (ASQA) on 1300 701 801.

- j) The National Training Complaints Hotline is accessible on 13 38 73 and is available Monday to Friday, from 8am to 6pm. Students can also send complaints via email to [skilling@education.gov.au](mailto:skilling@education.gov.au).

## 5.4 Assessment related matters

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

- a) they genuinely do have the required degree of competency; and
- b) that they have provided reasonable proof of this to Master Builders

the student may query or appeal the result.

This process ensures that all students are fully satisfied with the fairness and accuracy of Master Builders assessment processes.

**Note:** Master Builders 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.

1. Students can discuss the matter with the Training Operations Manager. If not satisfied with the outcome of this discussion, the student may then request that the matter is referred to the Executive Manager – MBTI for consideration.
2. The student must complete the Notice of Complaint Concern and Appeal Form and send this document to the Executive Manager – MBTI ensuring that sufficient details about themselves and the course are provided, including the circumstances surrounding the concern, complaint or appeal.
3. 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 Programs 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.
4. The student may request a face to face meeting with the Executive Manager – MBTI to formally present his or her case in appeal of the decision of Training Operations Manager. Once this meeting has occurred, the Executive Manager – MBTI will respond formally within 24 hours.
5. A written statement of the appeal outcome, including reasons for the decision is documented and provided to the student.
6. Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, Master Builders acknowledges the need for an appropriate external and independent agent to mediate between

the parties.

7. Master Builders will contract such a person as and when required. Costs for an independent agent to review and make a decision on the Appeal are at no cost to the student.
8. The current independent person is Ms Gill McMillan, Director of ProVoc Australia Pty Ltd.
9. Master Builders encourages the parties to approach a complaint with an open view and to attempt to resolve problems through discussion and conciliation.
10. If the student is still dissatisfied with the outcome after Master Builders 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>

Students may also contact the National Training Complaints Hotline on **13 38 73** which is available Monday to Friday, from 8am to 6pm. Students can also send complaints via email to [skilling@education.gov.au](mailto:skilling@education.gov.au).

## 5.5 Records

Master Builders maintains records of all informal and formal discussions regarding complaints, concerns and appeals and records them in the Continuous Improvement Register for monitoring and tracking. Evidence of the complaint is filed in the student's record.

## 6. Person(s) Responsible

The Executive Manager – Master Builders Training Institute (MBTI) is responsible for the control of this policy and procedure and ensuring that all complaints are dealt with fairly, efficiently and effectively. The Executive Manager – Master Builders Training Institute (MBTI) and Compliance Coordinator are responsible for the registration of complaints in the Continuous Improvement Register. The Executive Manager – Master Builders Training Institute (MBTI) has the power to delegate the responsibility to appropriate Training staff members.

## 7. Associated Documents

- Notice of Complaint, Concern, Appeal Form
- Management Review Report
- Continuous Improvement Register
- Code of Practice
- VQF Quality Management System
- Student Handbook

# Complaints, Concerns and Appeals Policy

**Policy developed by:** Head of Training and Compliance Coordinator

**Refer to:** Standard 6, Standards for RTOs 2015

**Approved by:** Corrie Williams, Head of Training  
Viviana Hood, General Manager - Commercial Operations

**Policy endorsed by:** Radley De Silva, Chief Executive Officer

Version Control	Date Released	Approved by	Amendment	Next Review Date
V1.0	10 May 2013	Viviana Hood, Training Manager		May 2014
V2.0	13 May 2014	Julie-Anne Sheppard, Manager - Training Viviana Hood, General Manager - Commercial Services		May 2015
V3.0	29 Jan 2015	Viviana Hood, General Manager - Commercial Services	Updated to meet Standards for RTO 2015	Jan 2016
V4.0	2 Mar 2016	Corrie Williams, Manager, Training Viviana Hood, General Manager - Commercial Operations	Amendments to new template style	Mar 2017
V5.0	16 Sep 2016	Corrie Williams, Manager, Training Viviana Hood, General Manager - Commercial Operations	Updated to new template style. Rearranged text for clarity and flow of information.	Sep 2017
V6.0	3 Jan 2018	Corrie Williams, Manager, Training Viviana Hood, General Manager - Commercial Operations	Updated to new Master Builders template.	Dec 2018
V7.0	25 July 2019	Corrie Williams, Executive Manager – Master Builders Training Institute (MBTI) Viviana Hood, Chief Operating Officer	Managerial titles updated from: Head of Training to <b>Executive Manager –</b>	Jun 2020

## Complaints, Concerns and Appeals Policy

			<b>Master Builders Training Institute (MBTI)</b>  General Manager - Commercial Operations to <b>Chief Operating Officer</b>	
V7.1	17 March 2020	Corrie Williams, Executive Manager – Master Builders Training Institute (MBTI)  Viviana Hood, Chief Operating Officer	Managerial titles updated from:  Programs Manager to Training Operations Manager	Dec 2020