

Complaints and Appeals Policy and Procedure

Purpose:

The purpose of the Complaints and Appeals Policy and Procedure is to ensure that all academic and non-academic complaints are addressed promptly and fairly. Orbus³ is committed to providing transparent procedures and policies for all stakeholders and upholding the principles of natural justice and procedural fairness throughout the complaint and appeal process. The organisation aims to develop a culture that views grievances as opportunities for improvement, deliver a client-focused grievance handling system, resolve complaints objectively and sensitively, respect all parties involved, and maintain consistent responses to grievances.

Policy:

This policy addresses both academic and non-academic complaints and appeals, encompassing formal and informal grievances. All Orbus³ stakeholders, including learners, team members, and employers, have the right to submit complaints expressing dissatisfaction with various aspects of Orbus³'s processes, systems, or team members.

Enrolment Status:

While your grievance is being addressed, your enrolment with Orbus³ will be maintained.

Procedure Appeal Process:

The appeal process is concerned with a learner's right to request changes to decisions or processes of an official nature, usually in relation to academic or procedural matters.

Specific Assessment Decisions:

For appeals related to specific assessment decisions, the learner should first discuss the decision(s) with the relevant trainer or assessor and request re-evaluation. The trainer or assessor will hear the learner's appeal, make a fair judgment to the best of their ability, and discuss their final decision with the learner.

Escalating Appeals to Management:

If the learner remains dissatisfied with the trainer or assessor's decision, they have the right to escalate the appeal to the management team. The formal notice of appeal must comply with the following principles:

- The notice of appeal should be in writing, and the appeals form completed and addressed to Orbus³ for referral to the management team.
- The notice of appeal must be submitted within five (5) days of notification of the outcome of the trainer or assessor's re-evaluation process.
- If the appeal is not submitted within the specified timeframe, the original result will stand. In case of emergency circumstances leading to a deferral, a medical certificate must be provided, and the notice of deferral submitted within three (3) working days of the certificate's conclusion date.

Procedure: Informal Complaint

Informal Complaint:

Orbus³ recognises the importance of providing learners with an opportunity to address their concerns informally before initiating the formal complaint process. During this stage, the following procedures will be followed:

- **Direct Communication:** Learners are encouraged to communicate their complaint or appeal directly with Orbus³ through appropriate means, such as a discussion with their trainer or the Training Manager, to achieve a timely resolution.
- **Notification and Fair Response:** All individuals identified or subject to a complaint or appeal will be notified in writing about the content of the complaint and/or allegation. They will be provided with an opportunity to respond while adhering to the principles of natural justice and procedural fairness.
- **Orbus³ Management Decision:** The Training Manager, in consultation with relevant stakeholders, will make a decision regarding the informal complaint or appeal, and the outcome will be communicated to the learner.
- **Discussion of Outcome:** The outcome of the informal complaint/appeal will be discussed with the learner involved, explaining the judgment and reasons behind the decision.
- **Record Keeping:** Orbus³ management will maintain a written record of the outcome, including any actions taken to address the concerns raised.
- **Dissatisfaction with Informal Resolution:** If the learner remains dissatisfied or believes that the matter has not been adequately resolved, they can proceed to the formal complaint process as outlined in the Formal Complaint procedure.

The informal complaint stage provides learners with an accessible and informal avenue to address their concerns while attempting to resolve issues quickly and constructively. However, if a satisfactory resolution is not reached during this stage, learners can proceed to the formal complaint process as outlined in the Formal Complaint procedure.

Procedure: Formal Complaint

STAGE ONE - Formal Complaint:

Formal complaints must be submitted in writing to the Training Manager.

By email: admin2@orbus3.com.au

Subject: RE: Formal Complaint [Your Name]

Or

By Post: Attention Training Manager
Orbus³
Unit 2, 42 Cessna Drive,
Caboolture, Qld 4510

Receipt of the complaint will be acknowledged in writing, and the grievance handling process will commence within ten (10) working days.

The Training Manager will seek clarification on the complainant's desired outcome through written or verbal communication or face-to-face or virtual interviews. Within ten (10) working days, the Training Manager will endeavour to resolve the complaint and provide a written report, informing the complainant of their right to access the internal appeals process if unsatisfied.

STAGE TWO - Internal Appeal:

If dissatisfied with the formal complaint outcome, the complainant can lodge an appeal with the CEO within twenty (20) working days.

The CEO will appoint an appropriate person or committee to consult with the complainant and other relevant parties within ten (10) working days.

After consultation, the CEO or nominee will provide a written report on the steps taken to address the grievance within ten (10) working days, along with information about the right to access the external appeals process if unsatisfied.

Process:

The CEO will convene a complaint committee to hear and adjudicate the complaint or appeal. The committee will be composed of impartial members who have no prior involvement or vested interest in the outcome of the case. The panel will consist of the following members:

- A representative of Orbus³ management.
- An Orbus³ staff member not directly connected to the matter under consideration.
- An independent person external to Orbus³, such as a consultant or neutral third party.

The complainant will be granted the opportunity to present their case before the complaint committee without incurring any expenses. Additionally, the complainant may be accompanied by one person as a support or as their representative during the proceedings. Likewise, the staff member involved in the complaint will have the chance to present their case before the committee and may be accompanied by one person for support or representation.

The complaint committee will thoroughly evaluate each case presented and strive to reach a decision as promptly as possible. Within five working days of making the decision, the committee will communicate the outcome in writing to all parties involved, including the complainant and the staff member concerned.

This approach ensures a fair and impartial assessment of the complaint or appeal, with each side given an equal opportunity to present their perspectives. The committee's objective is to arrive at a just resolution while adhering to the principles of natural justice and procedural fairness. Timely communication of the decision ensures transparency and facilitates prompt action, if required, to address the concerns raised during the complaint or appeal process.

STAGE THREE - External Appeal:

If still dissatisfied after the internal appeal, the complainant can lodge an external appeal with an independent dispute resolution body.

Record Keeping & Confidentiality:

All complaints and appeals handled under this procedure will be documented and maintained for a minimum of five (5) years. Records will be treated as confidential and covered by Orbus³'s Privacy and Personal Information Procedures.

Orbus³ uses this information to review processes and practices for continuous improvement.

Managing Complaints and Appeals:

Orbus³'s complaints and appeals policies follow the principles of natural justice and procedural fairness, ensuring fair treatment, transparency, and timely resolution of grievances. The process for lodging complaints or appeals is clear, and individuals are not disadvantaged by overly complex forms or extensive written requirements.

In case of an unexpected delay exceeding sixty (60) calendar days in processing and finalizing a complaint or appeal, Orbus³ will inform the complainant or appellant in writing. The first written communication will be sent within five (5) days to ensure transparency and open communication. Regular updates on the progress of the matter, including reasons for the delay, will be provided to the complainant or appellant at regular intervals.

Unresolved Complaints and Appeals:

If the complainant remains dissatisfied with the resolution of the complaint after following and exhausting the complaints procedure, they have the option to contact ASQA via the portal [asqaconnect](#) to lodge your feedback or call 13 38 73 to complete a complaints form.

Version	Effective Date	Status	Details
V1	July 2018	New Release	Created and uploaded to the website
V2	July 2023	Updated process and information. New version	Created and uploaded to the website