

<b>PROCEDURE TITLE:</b>	Complaints and Appeals Procedure
<b>PURPOSE:</b>	The purpose of this procedure is to provide a fair and equitable procedure for clients, participants and staff to follow when they have a complaint or grievance. It provides for a stage by stage approach which allows the participant/client/staff member to lodge complaints/appeals with MSS and provides information in relation to appealing the outcomes.
<b>SCOPE:</b>	This procedure applies to all participants, external employers, staff of MSS and contract trainers.
<b>RESPONSIBILITY:</b>	RTO Manager
<b>RELATED DOCUMENTS:</b>	Complaints & Appeals Policy, Complaints Form, Complaints Register

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### Procedure

1. Your first point of contact:
  - Training issues: MSS has in place a robust appeals and complaints process that addresses any issues that Participants may have regarding any aspect of our training. Your trainer is the first point of contact should you have any issues with your training or assessment. If you are uncomfortable approaching your trainer, you can speak to the General Manager or any other staff member.
  - Enrolment, fees or refunds: You should contact the RTO Manager if you have any problems, issues or are dissatisfied in any way with your enrolment, fees or refunds.
  - Equity, Access, Harassment and Bullying: You should contact the General Manager.
2. Trainers, and all staff, upon receipt of a verbal complaint should document the complaint using the MSS Complaints Register in Power Pro RTO and update the register upon resolution or referral.
3. Trainers, and all staff, should document verbal unresolved or referred complaints using the MSS Complaints Form and Register and update the register upon resolution or referral.
4. **Formal complaints or grievances:** If you are uncomfortable communicating your issue directly, or are unsatisfied with the response received through initial face to face communication with MSS, you should forward your complaints to the General Manager:

- Contact form on website <https://mss-safety.com.au/contact/rtoadmin-complaint>
  - in writing to RTO Manager - Daren Herring [gen.admin@mss-safety.com.au](mailto:gen.admin@mss-safety.com.au)
  - by phone 1300 886 477
5. Trainers, and all staff, upon receipt of a formal complaint should document the complaint using the MSS Complaints Form and CI section PowerPro RTO & assign it.
  6. The person to whom the complaint was addressed initially will attempt resolve the Participant's complaint through discussion and negotiation. The outcome, if successful, will be documented on the MSS Complaints form and passed to the General Manager. The General Manager will place a copy of the complaints form in the individual's file and record the complaint in the Complaints register.
  7. Otherwise, the complaint will be forwarded to the General Manager. The General Manager will attempt to resolve the issue with the Participant. All negotiations will be documented and filed in the Individual's file
  8. **Appeals:** All individuals may appeal any decision reached by MSS in relation to their complaint. Individuals should forward their appeals:
    - in writing to General Manager - Daren Herring [gen.admin@mss-safety.com.au](mailto:gen.admin@mss-safety.com.au)
    - by phone 1300 886 477
  9. Where practicable, MSS aims to ensure any complaint or appeal is resolved within 15 days of receiving a complaint or notice to appeal. All correspondence and negotiations will be documented and recorded in the Individual's file.
  10. All complaints will be logged in our PowerPro Feedback register, where these complaints result in changes to policy or procedures in relation to organisational operations or training, these outcomes will be recorded in the continuous improvement register. The complaints register will be reviewed as part of MSS's Continuous Improvement Processes.

### Appealing or Taking Further Action for Participants

11. Participants should contact the Office of the Training Advocate on 1800 006 488 IF a complaint is specifically about:
  - refunds, fees and charges
  - problems with transferring to another provider
  - accommodation, welfare and support for students under 18
  - course attendance or progress
  - the training provider suspending, deferring or cancelling your enrolment
  - education agents
12. Where appropriate, The General Manager will offer to forward the complaint to the Office of the Training Advocate or ASQA where appropriate for adjudication. The General Manager must obtain written approval from the Participant approving the

release of information associated with the complaint/appeal. Notification to the participant must take place within one working day of determination to refer the complaint/appeal.

13. Participants will be informed of their rights to independently complain or appeal directly to other regulatory bodies where the complaint/appeal cannot be resolved to the satisfaction of the Participant.

### **The Australian Skills Quality Authority (ASQA)**

ASQA is responsible for investigating complaints concerning whether an ASQA RTO is breaching (or has breached) its legislative requirements under the National Vocational Education and Training Regulator Act 2011 (the Act), including the *Standards for NVR Registered Training Organisations 2011*, and any additional conditions imposed by ASQA on its registration, and Subdivision A of Part 6 of the Act.

Please visit <http://www.asqa.gov.au/> for further information on lodging a complaint with ASQA.

### **Other Useful Contacts**

For questions or concerns about the training system in South Australia:

Office of the Training Advocate  
Phone: 1800 006 488  
Website: [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)  
55 Currie Street  
ADELAIDE SA 5000

For information and advice about consumer rights and protection (including refunds or reimbursements):

Consumer and Business Services  
Phone: 131 882  
Website: [www.ocba.sa.gov.au](http://www.ocba.sa.gov.au)  
Chesser House, 91-97 Grenfell Street  
Adelaide SA 5000

For information and advice about Equal Opportunity and Equal Employment issues in South Australia:

South Australian Equal Opportunity Commission  
Phone: 1800 188 163  
Website: [www.eoc.sa.gov.au](http://www.eoc.sa.gov.au)  
Level 10, 30 Currie Street  
ADELAIDE SA 5000