



Grievance, Complaints, Appeals & Dispute Resolutions

Introduction

Hornsby Ku-Ring-Gai Community College (HKCC) encourages its *stakeholders* – learners, tutors, trainers, employees, volunteers and third parties – to resolve issues or concerns at the earliest opportunity. The preferred process is for stakeholders to resolve issues internally to their satisfaction without feeling they have to refer to external organisations or authorities for assistance.

Definitions

A ***grievance*** is a cause for complaint, especially of unjust treatment. A ***complaint*** is an expression of grievance; hence a grievance need not end in a complaint (a decision not to take further action).

Purpose

The purpose of this document is to provide express policy and procedures for HKCC stakeholders relating to grievances, complaints, appeals and disputes. Also to ensure transparency in the policy and procedure relating to grievance, complaints, appeals and disputes.

Authorisation

HKCC Council authorises the Principal to monitor and implement this policy.

Policy

This policy applies to all HKCC stakeholders. The Principal &/or immediate supervisor will undertake an impartial investigation of any grievance of which they are aware. Open communication and feedback are regarded as essential elements of a positive learning environment. HKCC stakeholders should feel comfortable with discussing issues with their immediate supervisor in accordance with the procedure outlined below.

All formal avenues for handling complaints will be documented and any request by a stakeholder will be taken into account in the determination of appropriate steps and actions. All grievances developing to a formal complaint will be treated in a confidential manner with communication restricted to only the necessary parties involved. No employee will be intimidated or unfairly treated in any respect if they adhere to this policy to resolve an issue.



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Responsibilities

It is the responsibility of HKCC Principal and coordinators to ensure that

- they identify, prevent and address potential problems before they become a grievance
- they are aware of, and are committed to the principles of communicating and information sharing with their employees and volunteers
- all decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as HKCC in general
- any grievance or complaint is handled in the most appropriate manner at the earliest opportunity
- all stakeholders are treated fairly and without fear of intimidation.

It is the responsibility of all HKCC stakeholders to ensure

- they attempt to resolve any issues through their immediate supervisor and through internal processes at the earliest opportunity.
- Notify the relevant supervisor in the event of a grievance occurring in a timely manner.

It is the responsibility of the Principal to ensure that all HKCC *employees* – administrators, coordinators, trainers/assessors and volunteers –

- are aware of their obligations and responsibilities in relation to communication and information sharing
- ongoing support and guidance is provided to all employees in relation to employment and communication issues
- are aware of their obligations and responsibilities in relation to handling grievances
- any grievance that comes to the attention of a coordinator or supervisor is handled in the most appropriate manner at the earliest opportunity.

Exclusions

The policy and procedure herein do not apply to the resolution of issues not relating to HKCC's interests and organisation as a legal entity.

Employment Practices

HKCC staff with a supervisory (coordinator) role should be aware of the possible ramifications of their actions when dealing with grievances &/or complaints. They must ensure that all HKCC stakeholders are treated with fairness, equality and respect.

If there are any doubts or queries in relation to how to deal with a particular set of circumstances, the Principal should be contacted at the earliest opportunity.

Complaint and Dispute Resolution

An HKCC stakeholder who considers they have a grievance, complaint or dispute should

1. Raise the matter with their immediate supervisor as a first step towards resolution.
2. The two parties should discuss the matter openly and work together to achieve a desired outcome.

Learners undertaking accredited units who are not satisfied with the quality of training provided are entitled to lodge their complaint directly to the **Principal, Ted Nabung**, acting as the Student Consumer Protection Officer. Any grievance should be stated in writing and raised by submitting a Continuous Improvement Record (CIR as per *Continuous Improvement Policy*).

The parties involved should clarify the issue to ensure full understanding. Parties may have an independent witness at the discussion, ensuring the steps below are followed.

1. If more than one person is present, establish the role of each person and inform the parties any information obtained in the conduct of the review is **confidential**.
2. Outline the process that is to be followed, including appeals process.
3. Listen to the complainant and diagnose the problem.
4. The way the meeting is conducted must be conducive to maintaining positive working relationships that will provide a fair, objective and independent analysis of the situation.
5. Take accurate and detailed notes of all discussions (including dates, people involved) on a CIR form. All supporting documents must be attached.
6. All grievance and complaints will be raised by submitting a Continuous Improvement Record (CIR). The CIR is a form that captures the action process and by whom to be discussed at the continuous improvement meeting. Each CIR raised will be logged prior to attention on the Continuous Improvement Log. Recommendations &/or improvements will be documented on the CIR at a continuous improvement meeting.
7. The matter will be addressed in a fair and timely manner. All formal complaints will be attended to within 14 days of receipt of the letter or email.

Appeals process

It is possible to request for an appeal if the outcome decision is not resolved to the satisfaction of the complainant – including assessment decisions. HKCC ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.

A party may wish to pursue resolving the matter of grievance &/or complaint. Firstly, a request for an appeal must be in writing and sent to the Principal. Secondly, the parties involved with the Principal will discuss the matter and address the issues as well as explain the appeals process. The Principal with the relevant parties shall endeavour to finalise the matter as soon as practicable.

However if not successful in resolving a complaint the complainant may engage an external independent party for a full review. Learners may contact the National Training Complaints Hotline on 13-38-73; accessible Monday to Friday from 8am – 6pm or via email at skilling@education.gov.au. If doing training under the Smart and Skilled program, information on consumer rights and obligations relating to Smart and Skilled is available on the Smart and Skilled website www.smartandskilled.nsw.gov.au.

Note that Australian Skills Quality Authority (ASQA) is not able to act as the independent third party for reviewing complaints.

Extra costs may apply if external parties are engaged in the dispute.

If the process to finalise the complaint or appeal is going to be more than **60 calendar days**, HKCC shall

- (a) Inform the complainant or appellant in writing, including reasons why more than 60 days calendar days are required
- (b) Regularly updates the complainant or appellant on the progress of the matter.

Maintaining records

HKCC maintains records of all complaints and appeals and their outcomes.

As per the *Continuous Improvement Policy* and process, corrective action must be undertaken to eliminate or mitigate the likelihood of reoccurrence of any factors that has been identified as potential causes of complaints and appeals.