O a manufacinata a mala A musa a la Baltiana		Approval Date: 24/06/2023	
prace	Complaints and Appeals Policy and Procedure	Review Date: 06/2025	
		Version Number: 4.0	
Authorised by:	Board	Version Date: 24/06/2023	
Responsible Person:	Chief Executive Officer		
Staff Involved:	ALL		

Purpose

Prace welcomes feedback, both positive and negative, and is committed to continuous improvement. We value open communication with our service users and are committed to understanding and addressing complaints that can arise despite all efforts of Prace to provide a high level of service to its community.

This Policy and Procedure outlines Prace's overall approach to, as well as the process for, handling complaints and appeals fairly, efficiently and effectively.

Scope

This policy and procedure covers the handling of concerns, complaints and appeals regarding Prace or anyone within Prace (i.e. staff, volunteers, contractors, families, or students). This may include concerns or complaints about Prace products, services, our complaints and appeals process, or the conduct of anyone within Prace. It outlines the process to be followed by all Prace representatives (including staff, volunteers, the Board, and contractors) for receiving and managing of complaints.

This policy and procedure does not cover complaints raised **within** hirer groups at Merrilands Community Centre concerning the operations of that group or individuals within that group. External groups undertaking activities at Merrilands Community Centre are responsible for managing complaints and appeals that occur within their own group.

Definitions

Board means the board of the incorporated association Prace Inc, and the Prace College governing authority.

An **appeal** is a request to review a decision that has previously been made.

Child or young person means a person under the age of 18 years.

A **child safety-related concern or complaint** includes any disclosure, allegation, or report of:

- A breach of Prace's Child Safety Code of Conduct
- A child safety incident or concern alleged to have occurred, be occurring or be at risk of occurring at a Prace-managed site or Prace event/activity
- Reportable Conduct (as defined in the Child Wellbeing and Safety Act 2005 (Vic))
- Any complaint about Prace's response to or management of a child safety incident or concern, including complaints alleging non-compliance with our child safety policies and procedures.

A **complaint** is a person's expression of dissatisfaction with an action taken, decision made, or service or product provided by Prace.

Complainant is the person making the complaint.

A **concern** (also known as an **informal complaint**) is an issue raised informally in order to improve or change a situation, usually discussed directly with the person(s) involved, or indirectly with the support of a Prace staff member. A concern can be raised and discussed verbally or via written forms of communication such as email.

Formal complaint – a concern which has not been resolved informally, and which is then addressed formally in writing, and forwarded to the appropriate Program / Service Coordinator.

Natural Justice is concerned with ensuring procedural fairness such as:

- Decisions and processes free from bias;
- All parties having the right to be heard;
- The right of the respondent to know of what they are accused; and,
- All parties being informed of the decision and the reasons for the decision.

Prace means the incorporated association (A0032713Z) which includes the Registered Training Organisation (4036) & Prace College (2110).

Respondent is the person or persons about whom the complaint is made.

The **Senior Management Team** is made up of the Prace Chief Executive Officer (CEO), Education & Business Operations Manager, Principal of Prace College and any other staff member as appointed to the team by the CEO.

Significant child safety incident means an incident, disclosure or allegation of child abuse.

A **whistleblower** is someone with inside knowledge of an organisation who reports misconduct or dishonest or illegal activity that may have occurred within that organisation. These concerns are handled under the process contained in the Prace Whistleblower Policy and Procedure.

Policy Principles

Prace seeks to:

- Manage complaints and appeals fairly, sensitively, efficiently and consistently.
- Ensure the process for handling complaints and concerns is culturally safe and sensitive to the diversity and characteristics of the Prace community.
- Make sure that any party to a complaint or appeal is not discriminated against or victimised.
- Manage complaints and appeals in accordance with the principles of natural justice.
- Develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works.
- Ensure recordkeeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns.

The following principles will be adhered to throughout a complaint or appeals process:

- Confidentiality only those directly involved in handling the concern, complaint or appeal should have access to information on the matter
- Access and transparency information about how and where to raise a concern or lodge a complaint/appeal is easily accessible, and simple to understand and use
- **Impartiality** No decisions or judgments will be made until all information has been impartially considered by those responsible for handling the matter
- Respect Those responsible for handling the concern or complaint/appeal must be sensitive to the needs of those directly involved and to those who may be affected by the complaint
- **Prompt Action** All concerns, complaints and appeals must be dealt with promptly and within timelines outlined in the procedure.

Child Safety-related concerns or complaints

Prace is committed to child safety and has a zero tolerance of child abuse. Prace will:

- Give the highest priority and attention to any concern or complaint relating to child safety
- Listen to and empower children and young people in the Prace community
- Encourage young people to raise concerns with a trusted adult if anything makes them feel uncomfortable or unsafe
- Support vulnerable young people and families, including being culturally sensitive.

Procedure

- Prace will attempt to resolve all verbal and/or written complaints initially through discussion and conciliation.
- All complaints will be taken seriously and responded to promptly and thoroughly.
- All staff and volunteers on commencement of employment or volunteer placement
 are referred to this Complaints and Appeals Policy and Procedure so that they have
 a clear understanding of the steps involved in handling complaints and appeals.
- Students, service users and hirers are made aware of the process for raising complaints or concerns about Prace or any person within Prace (i.e. staff, volunteers, contractors, families, children or students). This is achieved by providing clear, accessible and easily understood information via the Prace website and the Student Information Handbook / Prace College Student and Parent Handbook. The handbooks are provided to students at induction, and they are also available on the Prace website.
- To support child safety and wellbeing, this information is to be child-focused, and culturally safe, sensitive to the diversity and characteristics of the Prace community, and is to include information about Prace's procedures for responding to complaints or concerns relating to all forms of child abuse.
- Where the complaint or concern relates to child safety or protecting children from abuse or neglect, Prace will follow the procedures outlined in our *Child Safety Reporting Procedure*. We will report appropriately to, and cooperate fully with, external authorities including Victoria Police, Child Protection, Orange Door, and the Commission for Children and Young People (CCYP).

- Where the complaint is in relation to bullying or student behaviour, Prace will follow the procedures outlined in the following (as applicable):
 - o Bullying and Harassment Policy and Procedure
 - o Student and Service Users Disciplinary Policy and Procedure
 - Student Behaviour Management (Prace College) Policy and Procedure
- Procedures for handling complaints relating to the Child Information Sharing
 Scheme and Family Violence Information Sharing Scheme are covered in the Prace
 Information Sharing Schemes Procedure.

Stage 1 - Addressing concerns and difficulties / informal complaints	
Step	Responsibility
1.1. Addressing concerns Wherever possible, you should raise any concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. Prace staff are available to assist you to resolve your issues at this level.	Complainant and relevant Prace staff
 attempt to resolve the issue professionally and to the mutual satisfaction of the parties involved not pre-judge the issue and deal with the matter fairly keep notes of the complaint, the discussion and any outcomes discuss the matter with their supervisor. Where the concern relates to the safety or wellbeing of a child and/or a breach of the Prace Child Safety Code of Conduct, the concern should be immediately escalated to one of Prace's Child Safety Officers, who will follow the Prace Child Safety Reporting Procedure. You can do this by phoning the Prace office on (03) 9462 6077 and asking to speak to a Child Safety Officer. Note that escalating the concern to a Child Safety Officer does not remove legal or other obligations, including for all adults to report child sexual abuse to Police or for Mandatory Reporters to report to Child Protection. See the 'External Complaints or Appeals' section 	
Stage 2 - Formal complaint	
Step	Responsibility
2.1. Make the complaint in writing Formal complaints are to be made in writing and made attention to the coordinator of the program or service the issue relates to. Where the complaint is about the coordinator, you should direct the	Complainant

complaint to that staff member's supervisor.

When making a complaint, you should provide as much information as possible to enable Prace to investigate appropriately and determine an appropriate solution. This should include:

- The issue you are raising what happened and how it affected you.
- Any evidence you have to support your complaint.
- Details about any steps you have already taken to resolve the issue.
- Suggestions about how the matter might be resolved.

Support can be provided by a Prace staff member to students with entry level language or literacy skills, or anyone who needs assistance to make a formal complaint in writing.

2.2. Acknowledge receipt of complaint.

- a. We will provide you with a written acknowledgement of the complaint within ten (10) business days of its receipt.
- b. Enrolment status: students and service users should be advised that choosing to access this policy and procedure will not affect their enrolment status or access to Prace services during the complaints handling process.
- c. The details of the complaint will be recorded on our Complaints and Appeals Register.

2.3. Investigate and review the complaint.

- a. Upon receiving the complaint, we will investigate the matter. To ensure we have accurate, complete and relevant information, the investigation may involve further communication with you, or with the respondent (where relevant) or other relevant parties. This may be in writing, over the phone or by face-to-face interview.
- b. We will do our best to finalise the process as soon as possible, ideally within twenty (20) business days. If the matter is particularly complex and goes onto stage 3 of the complaints process or further, the matter may take longer to resolve.
- c. If it takes longer than 20 business days to resolve a complaint, the Program / Service Coordinator will contact you before or at this time and explain why.
- d. Prace may request further details from you and /or the respondent (if applicable). This may be in writing, over the phone, or by face-to-face interview with you and/or respondent(s).
- e. The Program / Service Coordinator or delegate will review the information and decide on the appropriate actions to be taken.

Program /
Service
Coordinator

Program / Service Coordinator

2.4. Recommend resolution and provide report to complainant.

a. The Program / Service Coordinator or their delegate will provide you (and the respondent, where applicable) with a written response on the steps taken to address the complaint, which will include recommendations and reasons for their decision. Program /
Service
Coordinator
supported by
admin where
required

- b. The response will further advise you (and the respondent, where applicable) of your right to access the internal appeals process if you are not satisfied with the outcome of the formal complaint process.
- c. The outcome of the complaints process will be recorded on our Complaints and Appeals Register.

Stage 3 – Internal appeal

Step		Responsibility
3.1. Lodge appeal in writing		Complainant
a.	If you are dissatisfied with the outcome of the complaints process, you may lodge an appeal in writing to the Program / Service Coordinator within ten (10) business days of the proposed resolution being communicated to you. The respondent (if applicable) will also have the opportunity to appeal.	
	Support can be provided by a Prace staff member to students with entry level language or literacy skills or anyone who needs assistance to write a formal appeal.	
b.	Prace may decide to call upon an independent mediator to assist to resolve the issue.	
3.2.	Acknowledge receipt of appeal	Program /
A written acknowledgement of the appeal will be provided to you (and the respondent, where applicable) within ten (10) business days of its receipt.		Service Coordinator
3.3. Investigate the details of the original complaint and decide on outcome of internal appeal.		Complaints and Appeals
a.	The Program / Service Coordinator will arrange for the Complaints and Appeals committee to conduct the investigation.	Committee
b.	The Complaints and Appeals committee will be made up of the Program / Service Coordinator and two members of the Senior Management Team.	
C.	A member of the Complaints and Appeals Committee will be appointed to consult with you, the respondent (where applicable) and other relevant parties, including those involved in making the original decision. This may be in writing, over the	

- phone, or by face-to-face interview with you and/or respondent(s).
- d. Where a face-to-face meeting is requested, you may ask another person to accompany you. The respondent (if applicable) may also have a support person attend with them. The member of the Complaints and Appeals Committee managing the complaint may also request for another staff member to be present.
- e. Following the consultations, the Complaints and Appeals Committee will meet to decide on an appropriate resolution.
- f. The Complaints and Appeals Committee will then provide a written response to you, and respondent (where applicable), advising the outcome of the internal appeal.
- g. The response will further advise you (and respondent, where applicable) of your right to access external complaints and appeals mechanisms if not satisfied with the outcome of the internal appeal.
- h. Details will be recorded on our Complaints and Appeals Register.

Internal assessment appeals

Step	Responsibility
Lodge an internal assessment appeal.	Student
a. Students have the right to appeal an assessment decision.	
 b. Internal assessment appeals should be made in writing to the relevant Program / Service Coordinator within ten (10) business days of the original assessment decision being communicated to you. 	
c. You should provide details of why you are appealing the assessment decision.	
2. Acknowledge receipt of appeal	Program /
We will provide you with a written acknowledgement of the appeal within ten (10) business days of its receipt.	Service Coordinator
3. Review the assessment	Program /
a. The Program / Service Coordinator will organise for the assessment to be reviewed. Where deemed necessary, Prace may appoint an independent, qualified assessor to review the assessment.	Service Coordinator and assessor/s
 We will advise you of the outcome of the assessment appeal in writing, ideally within fifteen (15) business days. We will advise you if additional time is required due to special circumstances. 	

 If you request a reassessment after being notified of the outcome of the assessment appeal, this reassessment will be at your own expense. 	
4. Record the appeal The details of the appeal will be recorded on our Complaints and Appeals Register.	Staff involved in dealing with the appeal.
Other internal appeals	,
Step	Responsibility
1. Lodge an appeal	Student
A student, or prospective student, may appeal the outcome of other decisions made by Prace, including but not limited to decisions relating to applications for:	
 Entry into a qualification course 	
 Special consideration under Prace's Assessment Procedure. 	
Internal appeals should be made in writing attention to the Education & Business Operations Manager within ten (10) business days of the original decision being communicated to you.	
2. Acknowledge receipt of appeal	Education &
A written acknowledgement of the appeal will be provided to you within ten (10) business days of its receipt.	Business Operations Manager
3. Review the decision	Education &
a. The review may be conducted in writing, over the phone, or by face-to-face interview with you. You may ask another person to accompany you to face-to-face meetings.	Business Operations Manager
 Following the consultations, the Education & Business Operations Manager will decide on an appropriate resolution. 	
 The Education & Business Operations Manager will then provide you with a written response, advising the outcome of the internal appeal. 	
d. The response will further advise you of your right to access external complaints and appeals mechanisms if you are not satisfied with the outcome of the internal appeal.	
e. Details will be recorded on our Complaints and Appeals Register.	

Step	Responsibility
Avenues for external complaints or appeals	Complainant
You are encouraged to follow the internal processes above before making an external complaint or appeal, however if you wish, you may lodge your complaint or appeal with an external organisation at any time, at your own cost (where applicable).	
If the complaint or concern relates to child safety, any adult who reasonably believes that a child is at risk of child abuse may make a report to external authorities. See below for further information.	
Accredited courses:	
National Training Complaints Hotline by telephone on 13 38 73, Monday–Friday, 8am to 6pm nationally, or by completing a complaints form via https://www.dese.gov.au/national-training-complaints-hotline	
The National Training Complaints Hotline will not investigate complaints but will forward complaints to the most appropriate agency, authority or jurisdiction for consideration.	
Victorian Registration and Qualifications Authority (VRQA) https://www.vrqa.vic.gov.au/complaints/Pages/complaints.aspx	
The VRQA can investigate complaints that relate to breaches of registration standards, provided you have first raised the issue with Prace and given us an opportunity to respond before lodging your complaint with the VRQA.	
The VRQA does not investigate complaints about refunds or personal disputes between students and trainers/assessors.	
Consumer Affairs - www.consumer.vic.gov.au (for complaints about refunds)	
Adult Migrant Education Program (AMEP) only: If you are not satisfied after you have spoken to your teacher or course coordinator, you can contact the Melbourne AMEP Helpdesk on 1300 062 314, or by email at melbourneamep@melbournepolytechnic.edu.au	
If you still believe your problem is unresolved, you can contact the Department of Home Affairs by telephone on 131 881 or online via https://www.homeaffairs.gov.au/help-and-support/departmental-forms/online-forms/complaints-compliments-and-suggestions	
If you are still not happy, you can contact the Commonwealth Ombudsman by phone on 1300 362 072, by email at ombudsman@ombudsman.gov.au or online at www.ombudsman.gov.au	
• Skills for Education and Employment (SEE) program: Phone the Northern SEE on 1300 062 314.	

If you still believe your problem is unresolved, you can contact the Department of Education by telephone on 13 38 73

If you are still not happy, you can contact the Commonwealth Ombudsman by phone on 1300 362 072, by email at ombudsman@ombudsman.gov.au or online at www.ombudsman.gov.au

Prace College programs:

 Victorian Registration and Qualifications Authority (VRQA) https://www.vrqa.vic.gov.au/complaints/Pages/complaints.aspx

The VRQA can investigate complaints that relate to breaches of school registration standards, provided you have first raised the issue with Prace and given us an opportunity to respond before lodging your complaint with the VRQA.

Victorian Institute of Teaching (VIT): Complaints about a
teacher may be made to the VIT. You should also notify Prace of
the complaint. For further guidance refer to the VIT Conduct
reporting guide for members of the community at:
https://www.vit.vic.edu.au/conduct/reporting-guide/public

Child safety complaints or concerns

- If your situation requires police attendance, dial Triple Zero (000)
- For immediate concerns about the safety of a child, contact the Department of Families, Fairness and Housing, Child Protection Crisis Line by telephone on 13 12 78

Any person can make a report to Child Protection if they form a belief on reasonable grounds that a child is in need of protection from significant harm from physical injury or abuse. If you have concerns but aren't sure if it's a 'belief on reasonable grounds', you can discuss the matter with a Prace Child Safety Officer by calling 9462 6077 or contact The Orange Door.

- Child Protection: https://services.dffh.vic.gov.au/child-protection-contacts
- The Orange Door: https://www.orangedoor.vic.gov.au/

If the allegation relates to a Prace staff member, volunteer, contractor or Board member, any person may disclose the allegation to the Commission for Children and Young People. This includes conduct / misconduct occurring at Prace or outside of Prace. You should also notify Prace.

• Commission for Children and Young People: https://ccyp.vic.gov.au/report-an-allegation/

All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 are legally required to report that information to the Police. For more information about this law, see: https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence

Victoria Police: https://www.police.vic.gov.au/reporting-sexual-offences-child-abuse

Privacy complaints:

If you believe Prace has breached privacy laws and, after allowing 30 days for us to resolve the complaint, you are not satisfied with our efforts to resolve the issue, you may make a complaint to the Australian Information Commissioner. This includes issues relating to collection, handling, accuracy, use and disclosure of personal / sensitive information, and other issues covered by the Commonwealth Privacy Act and/or Australian Privacy Principles.

Office of the Australian Information Commissioner: https://www.oaic.gov.au/privacy/privacy-complaints or by phone 1300 363 992.

If your complaint relates to health information (e.g. information you have disclosed to Prace about a disability or medical condition), you may direct your complaint to the **Victorian Health Complaints Commissioner** at https://hcc.vic.gov.au/ or by phone 1300 582 113.

Privacy complaints - Prace College

If your complaint relates to information shared between Prace College and other Information Sharing Entities under the Child Information Sharing Scheme (CISS) or Family Violence Information Sharing Scheme (FVISS), you may lodge a complaint with the Victorian Information Commissioner or Health Complaints Commissioner.

For further information refer to the Office of the Victorian Information Commissioner website www.ovic.vic.gov.au or the Health Complaints Commissioner website www.hcc.vic.gov.au

Complaints about discrimination, harassment, or victimisation

If your complaint relates to unfair treatment or discrimination, harassment, vilification, or victimisation, and you are not satisfied with our efforts to address the issue, you may make a complaint to the Victorian Equal Opportunity and Human Rights Commission, or the Australian Human Rights Commission. For more information, see https://www.legalaid.vic.gov.au/making-complaint-about-discrimination

2. Respond to external complaints or investigations

If contacted by our registering body or any other relevant body or authority, Prace will cooperate fully in the process of the external body's processes for investigating and/or handling the complaint. This may include providing full access to any relevant files or records, including records relating to staff, students, service users, volunteers, contractors or visitors, where required or permitted to do so by law. All staff will be instructed to cooperate with such instances and to give an accurate account of the events as they understand them.

Staff and Management of Prace as required

Records of complaints, appeals and their outcomes		
Step	Responsibility	
Record complaint / appeal and outcome During and after any complaint or appeal, appropriate actions will be taken by Prace to prevent the cause of the complaint and/or appeal from recurring, through its Continuous Improvement policy and procedures.	Program / Service Coordinator or delegate	
Complaint and appeal details and outcomes will be logged on Prace's Complaints and Appeals Register for review and discussion at Team Meetings to ensure that if any improvements can be made to avoid a similar issue in the future, this will be acted upon.		
Records about complaints relating to information sharing under the CISS or FVISS are to be kept in accordance with the Prace Information Sharing Schemes Procedure.	Prace College staff	

Glossary

VRQA – Victorian Registration and Qualifications Authority

Review

This Policy will be reviewed at least every two years, and after any significant child safety incident or complaint, or in response to significant emerging risks or further government mandates/requirements. The Prace Board is responsible for reviewing and approving this Policy. The review will include input from students, families and the Prace community. Following a review, improvements will be put in place where applicable.

Relevant Legislation / Standards

Australian Consumer Law and Fair Trading Act 2012 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Child Safety and Wellbeing Act 2005 (Vic)

Competition and Consumer Act 2010 (Cth)

Competition and Consumer Regulations 2010 (Cth)

Disability Act 2006 (Vic)

Disability Discrimination Act 1992 (Cth)

Disability Standards for Education 2005 (Cth)

Education and Training Reform Act 2006 (Vic)

Education and Training Reform Regulations 2017 (Vic)

Equal Opportunity Act 2010 (Vic)

Health Complaints Act 2016 (Vic)

Health Records Act 2001 (Vic)

Ministerial Order 1359 (Child Safe Standards)

Multicultural Victoria Act 2011 (Vic)

Occupational Health and Safety Act 2004 (Vic)

Privacy Act 1988 (Cth)

Privacy and Data Protection Act 2014 (Vic)

Racial and Religious Tolerance Act 2001 (Vic)

Racial Discrimination Act 1975 (Cth)

Racial Hatred Act 1995 (Cth)

Sex Discrimination Act 1984 (Cth)

Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (Cth)

AQTF Standard 2.7

Victorian VET Funding Contract

Related Aboriginal and Torres Strait Islander Cultural Safety Policy **Policies** Acceptable Use of Digital Technologies Policy and Procedure

and Access and Equity Policy and Procedure

Procedures Assessment Procedure - Nationally Recognised Training

Bullying and Harassment Policy and Procedure

Child Safety and Wellbeing Policy Child Safety Code of Conduct Child Safety Reporting Procedure Code of Conduct - Students

Conflict of Interest Policy

Continuous Improvement Policy and Procedure

Curriculum and Assessment Policy

Data Breach Response Policy and Procedure

Equal Opportunity and Non-Discrimination Policy and Procedure

Information Sharing Schemes Procedure

Placement with Employers Policy and Procedure

Privacy Policy and Procedure
Recognition Policy and Procedure

Records Management Policy and Procedure

Social Media Policy

Staff Disciplinary Policy and Procedure Staff Supervision Policy and Procedure

Staff, Volunteers and Contractors Code of Conduct

Student and Service Users Disciplinary Policy and Procedure Student Selection, Enrolment, Induction Policy and Procedure

Student Selection, Enrolment, Induction (Prace College) Policy and Procedure Student Support Services, Welfare and Duty of Care Policy and Procedure Student Welfare and Duty of Care (Prace College) Policy and Procedure

Volunteer Policy and Procedure Whistleblower Policy and Procedure

Related Complaints and Appeals Register

Documents Complaints Form

Continuous Improvement Register

Template – Acknowledgement of receipt of complaint

Template – Recording complaints made under CISS or FVISS

Template – Report for complainant