

**HAZCON Pty Ltd**

**Health Safety and Environmental Services**

HAZCON is an employer organisation as regulated by ASIC.

**1800 429 266**

**[www.hazcon.com.au](http://www.hazcon.com.au)**



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# Complaints & Appeals

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## ***Appeals, Complaints and Grievances***

Participants have access to HAZCON's complaints and appeals process. The complaints and appeals procedure ensure that fair and equitable processes are implemented for any complaints or appeal against HAZCON and its practices.

The complaint or appeal may be in regard to assessment outcomes, training and assessment strategies, training methods and/or material, customer service or any other business related issue.

Despite all efforts by HAZCON to provide satisfactory services to our participants and clients, complaints may occasionally arise that require formal resolution.

Anyone lodging a complaint must follow the RTO's complaints process before making a complaint about the RTO to ASQA.

Participants can submit a formal complaint HAZCON relating to any concern they may have (should they feel a person has acted inappropriately or treated unfairly, etc). This can be submitted, in writing, to the Business Services Manager via email to [hazcon@hazcon.com.au](mailto:hazcon@hazcon.com.au); or directly to the Trainer/Assessor or Consultant using the appropriate Complaints and Appeals Form. All complaints are handled with confidence and are reviewed by the Business Services Manager.

The Business Services Manager can provide initial assistance re the HAZCON process for a complainant to follow.

A participant may also appeal a decision made by HAZCON in regard to an assessment outcome. Where a student feels they have been unfairly assessed on a specified task, project or assessment they may have the assessment reviewed by submitting a Complaints and Appeals Form outlining the details.

Participants must provide supporting evidence or explanations as to why they feel the assessment is unfair and why they should be given further opportunity to be assessed.

**Please note:** Complainants have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. Use of external services will be at the complainant's expense unless otherwise authorised.

HAZCON is unauthorised to deal with any workplace related issues that are not in relation to the provision of training. These issues should be taken up with relevant workplace personnel or external agencies.

**To access a Complaints and Appeals Form please contact Administration on 1800 429 266**



## 1. PURPOSE

This policy and procedure has been developed to ensure that HAZCON Training has a system in place so complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively

This provides instruction in administering client and student Complaints and Appeals. During the process it is important that **confidentiality** is maintained as far as is practical. It is also important that the complainant/appellant is treated with due respect and is kept aware of any progress.

HAZCON Pty Ltd Complaints and Appeals process follows the Principles of Natural Justice and procedural fairness by:

- Informing those involved of the allegations.
- Providing those involved an opportunity to present their side of the matter
- Operating in a fair unbiased way

## 2. APPLICATION

The purpose of this procedure is to provide a method for students who feel that they have been assessed or dealt with unfairly in relation to training to voice their concerns and have them dealt with in a timely and reasonable manner.

There is no cost for the complaints/appeal process unless it is referred to a 3<sup>rd</sup> party for resolution.

- a. A complaint may have a direct connection to HAZCON Training, its trainers/ assessors or other staff
- b. A third party providing services on HAZCON Training's behalf, its trainers, assessors or other staff or
- c. A student of HAZCON Training

## 3. DEFINITIONS

The definitions for a complaint and an appeal are as follows:

- Complaint – Initial notification of your dissatisfaction or an issue that has occurred and refers to client/student dissatisfaction with any aspect of the student journey in achieving their certificate for a qualification and/or units of competency undertaken with HAZCON.
- Appeal – Application to have the outcome of a complaint reviewed due to dissatisfaction with the process that has been followed in dealing with the initial complaint or dissatisfaction with the PROCESS and/or RESULTS in regard to their assessment.

## 4. ASSOCIATED MATERIALS

- Student Handbook  
10 - Training\Training Folder\Reference Materials\Student Handbook
- Complaints and Appeals Lodgement Form TP01.001.F2



4 - QA & Systems\8 Forms & Registers – Training\TP01.001.F2.doc

- Complaints and Appeals Register: Form TP01.001.R1  
4 - QA & Systems\8 Forms & Registers – Training\TP01.001.1.doc

## 5. PROCEDURE GUIDELINES

RESP.	REF.	ACTION REQUIRED
Student	6.1	Client or student raises a complaint or appeals an assessment.
Staff	6.2	Staff member provides client or student with Complaints and Appeals Process Guide for Students and Complaints and Appeals Lodgement form, advising on Complaint or Appeal issue.
Student	6.3	Student completes signs and lodges the form with HAZCON.
TAO	6.4	BSM ensures the details are logged onto Register and forwards form to CEO for assignment of independent investigator.
CEO	6.5	CEO assigns internal staff member not directly involved with the complaint or appeal and /or additional independent persons if necessary.
Inv	6.6	Investigation and resolution process is undertaken taking into account nominal timetable (See section 7).
Inv	6.7	Independent person chairs meeting between interested parties.
Staff	6.7	Co-operate in resolution process.
Inv	6.8	Investigate complaint or appeal thoroughly. Determine outcomes.
Inv	6.9	Prepare a written report on findings and outcomes. Provide copy of report to student.
TAO	6.10	Follow up on action items from resolution process.
TAO	6.11	The BSM ensures the Complaints and Appeals Register is updated and all related paperwork is filed correctly.
BSM	6.12	Report on all Complaints/Appeals at Business Review Meetings.

## 6. GUIDELINES

6.1 The initial indication of a complaint or appeal may be verbal firsthand or anecdotal.

6.2 As soon as a HAZCON staff member becomes aware that a student is dissatisfied with any the judgement of assessment made or another aspect of their student journey with HAZCON, they shall notify the Business Services Manager (BSM) who shall organise the appropriate HAZCON staff member to contact the student, notify them of the complaint and appeals process and provide them with:

- A Complaints and Appeals Process Guide for Students, form TP01.001.F1. This form outlines for the student the process undertaken to investigate complaints and appeals. It also outlines their rights during the process. As part of the complaint/appeal process, the client may nominate another party to provide them with support. This may include assisting with the initial application and/or being present at meetings between the internal staff member who undertook the investigation and complainant/appellant.
- Complaints and Appeals Lodgement Form, form TP01.001.F2

It must be stressed that staff members must treat all complaints raised by students as confidential and serious. After being informed of the process and their rights, the final decision on whether to formalise a complaint or appeal rests with the client/student.

6.3 The student completes first section of the form, providing their details and outlining their concerns. This should be forwarded to HAZCON's Business Services Manager BSM. It is important the complainant/appellant retains a copy of their application.

6.4 Upon receipt of a completed Complaint/Appeal form, the BSM must notify the Chief Executive Officer (CEO). The BSM shall ensure that all formal complaints and appeals are logged in the Register, TP01.001.R1 including;

- a) Date the complaint was submitted
- b) Name of complainant
- c) Description of complaint
- d) Determined resolution
- e) Date of resolution

6.5 Upon being notified of a Complaint/Appeal, the CEO will assign an appropriate staff member and sufficient resources to fully investigate the issue. The Investigators should be independent of the particular issue.

6.6 The investigators are responsible for ensuring that the issue is resolved within the timeframes nominated (at section 7 below) wherever possible. The intention of a timetable is to resolve the Complaint/Appeal as soon as practical. This timetable may vary depending on availability of participants.

As part of the resolution process, it may be necessary to have a meeting between all the parties involved. If this is necessary, every attempt shall be made to schedule a meeting at a time that is suitable for the complainant/appellant. The nominated internal staff member who undertook the investigation will act as chair of these meetings.

‘Independent investigator’ may be a staff member not associated with the complaint in the first instance. However, if unresolved an external arbitrator may be appointed, such as an Industry Training Board representative.

HAZCON is unauthorised to deal with any workplace related issues that are not in relation to the provision of training. These issues should be taken up with relevant workplace personnel or external agencies.

### **Non-Assessment Related Matters**

Complainant’s have the right to access advice and support from independent external agencies (such as the relevant State Consumer Affairs Department) / persons at any point of the complaint and appeals process. Use of external services will be at the complainant’s expense unless otherwise authorised by HAZCON.

### **Assessment Related Matters -**

Appellant’s have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. Use of external services will be at the appellant’s expense unless otherwise authorised.

A student may also appeal a decision made by HAZCON in regards to an assessment outcome. Where a student feels they have been unfairly assessed on a specified task, project or assessment. Refer 6.7

Investigations should be conducted and reported in a fair and impartial manner, maintaining confidence of personal matters. As a minimum, reports must include details of:-

### **Complaint/Appeal (Application)**

- a) Investigator(s) name
- b) Minutes of any events such as meetings, interviews
- c) List of documents or files reviewed
- d) Verification issues (If any)
- e) Conclusions
- f) Action items, timetable for completion and persons responsible for ensuring actions are carried.
- g) Signing off of investigator(s)

6.7 If the student is not satisfied by the complaints and appeal outcome, they can contact:

Dispute Settlement Centre of Victoria (DSCV)  
4/456 Lonsdale Street  
Melbourne Vic 3000  
Telephone: 03 9603 8370  
Toll free: 1800 658 528  
Email: [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)

This final stage will be addressed within 30 days.

Outcomes from the DSCV mediation in relation to a grievance will be implemented.

6.8 On completion of the investigation, the client will be advised in writing of the results of the investigation, including reasons for outcomes, actions to be implemented and timelines. Preferably, the written outcomes should be provided at a meeting between the internal staff member who is undertaking the investigation re the complainant/appellant.

6.9 The BSM is responsible for following up action items decided upon during the resolution process and ensuring that records of all complaints and appeals and their outcomes are securely maintained.

6.10 On completion of the investigation, the BSM shall ensure the Complaint and Appeals Register is updated and that a copy of the final written report is provided to the complainant or appellant and all documents are correctly filed to Z:\4 - QA & Systems\BIF System\Complaints and Appeals\Student Name

The filing of documents is managed by system permissions and restricted to the CEO and BSM.

6.11 As part of the review & reporting process, the BSM will report on all Complaint/Appeals processes at management and/or RTO Training meetings.

## 7.0 NOMINAL TIMETABLE

The over-riding intention is to resolve the complaint/appeal as soon as practical. The following nominal timetable is to be used as a guide and does not preclude an earlier resolution. Where the investigation process takes longer than the nominated timeframes below, the reason will be recorded in the investigator's report and the appellant shall be regularly updated in writing.

### Awareness of complaint/appeal issue

Client/student provided with "process guide and lodgement form"	1 Week
Student lodges formal complaint	1 Week
Investigation	2 Weeks
Report of Findings & Client/Student Advised	1 Week

Where HAZCON considers more than 60 calendar days are required to process and finalise the complaint or appeal, the BSM shall be

- informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required
- regularly updates the complainant or appellant on the progress of the matter.

In most cases this would not be necessary as the timeframes identified in the above process keep well under 60 calendar days. It may happen, if an appeal was to reach an independent external stage.

## 8.0 Continuous Improvement

HAZCON's PR14.001 – Preventative and Corrective action shall be used where potential causes of complaints and appeals are identified to take the appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.