



COMPLAINTS RESOLUTION POLICY

DGT Employment and Training Operating Principles

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DGT Employment and Training has made every effort to ensure that the information in this resource, at the time of publication aligns to current Standards for Registered Training Organisations (RTOs) 2015. The information in this resource will be routinely reviewed as part of continuous improvement activities incorporate any necessary amendments.

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NOTE

For the purpose of this document the term "The Company" refers to DGT Employment and Training.

The aim of this policy is to outline the procedures The Company will follow to review and resolve any complaint, academic appeal, concern, problem, dispute, objection, disagreement, or similar matter regarding service, operational procedures or personnel.

It is not intended that all workplace complaints will be the subject of these procedures; they are intended for use where the aggrieved person has not been able to satisfactorily resolve the complaint by raising the matter, attempting to understand the alternative points of view and fully discussing their perspective with the relevant parties.

This policy applies to all employees of The Company, participants in Special Programs and participants undertaking courses/training **but** will not interfere with the requirements of the various industrial awards.

The procedures are intended to ensure the internal mechanisms for complaint resolution are easily accessible for all parties, to resolve complaints without delay, in an effective, conciliatory, non-discriminating or threatening manner and to prevent personal conflicts from negatively influencing work outcomes.

All complaints will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the complaint either during, or subsequent to, a complaint resolution procedure.

The Company's approach to complaint resolution emphasizes:

- fairness and impartiality
- conciliation (if applicable)
- the principles of natural justice and procedural fairness
- resolution of complaints as early as possible
- the role of supervisors in seeking to resolve complaints and prevent reoccurrences.

The Principles of Natural Justice and Procedural Fairness are based on fairness, transparency, equality before the law, freedom from bias and the right to be heard. (Australian Law Dictionary)

DEFINITIONS:

'complaint' is an expression of dissatisfaction that may arise from any decision, act or omission by any persons or process which is considered wrong, mistaken, unjust or discriminatory, and is causing concern or distress to an individual/s (a formal expression of a grievance is a complaint).

'appeal' is the action of requesting a review of the determination of a participant complaint or assessment outcome/result made by DGT Employment and Training (Ref OP-004 Appeals Process).

'negotiations' involves active discussion between two or more parties, with competing or conflicting interests or needs, working towards an agreement on how they will resolve the complaint issue.

'mediator' is a person who is agreed upon by all parties to control and direct the process not the content.

'conciliation' a process used to resolve issues.

All proceedings and materials related to complaint resolutions cases are confidential and private and will be maintained securely by The Company and parties involved.

When dealing with a complaint any breaches of confidentiality, careless or otherwise, on the part of any employee may result in that employee being subject to disciplinary action by the Chief Executive Officer.

It is recognised all parties have the right to consult with the relevant Industrial Union Representative/s or mediator at any stage during the course of this procedure.

- In the first instance, the aggrieved person shall attempt to resolve the complaint with the appropriate supervisor or delegated representative of management. If the complaint is with a Supervisor, the aggrieved person shall refer the complaint to the delegated representative of Management.
- If the complaint is still unresolved within twenty-four (24) hours, the matter will be referred to the Chief Executive Officer. The aggrieved person's union representative may be involved if this right is exercised.
- Where DGT considers more than 60 calendar days are required to process a complaint, the complainant or appellant will be notified in writing with the reasons and updated regularly on the progress of the matter.
- If the complaint is still unresolved, relevant union representative/s and/or the mediator shall be advised and a meeting of all parties arranged. It is agreed that these steps will take place, whenever possible within three working days of a complaint being raised.
- If the matter is still unresolved, it may be submitted by either the aggrieved person or their representative, or The Company's representative to the Fair Work Commission or the relevant State Training Authority.

Except in the instance of a genuine safety issue, until the complaint is resolved, work shall continue normally in accordance with the custom and practice existing before the complaint arose while negotiations take place. No party shall be prejudiced as to the final settlement by the continuance of work.

Any Order of the Fair Work Commission or State Training Authority (subject to the parties' right of appeal under the Acts) will be final and binding on all parties to the dispute.

RELATED LEGISLATION (includes but is not limited to)

- Australian Human Rights Commission Act
- Anti-Discrimination Act QLD
- Anti-Discrimination Act NSW
- Prevention of Workplace Harassment Advisory Standards
- The Federal Sex Discrimination Act
- Privacy Act
- Relevant Award or Industrial Agreement
- Workplace Gender Equality Act (Cth)
- Fair Work Act

RESOURCES/LINKS

- Australian Human Rights Commission Ph: 1300 369 711
- Queensland Ombudsman Ph: (07) 3005 7000 or Free call: 1800 068 908 (outside Brisbane area)
- NSW Ombudsman Ph: (02) 9286 1000 or Free call: 1800 451 524 (outside Sydney metro)

VERSION CONTROL LOG

Version Number	Summary of Change	Date of approval
11.0	Complaints Resolution Policy – update to include 60days and align to Appeals Policy	20.08.2021