

1. Purpose statement

TLC Learning is committed to providing candidates, staff and stakeholders the best possible environment to study or work. The organisation understands that on occasion, there may be instances of dissatisfaction and acknowledges that the cause(s) must be addressed and rectified promptly.

TLC Learning therefore invites feedback from the dissatisfied party so that a resolution can be found and as an opportunity to consolidate the feedback into a review and improvement of TLC Learning's policies practices and processes.

TLC Learning endeavors to address any and all complaints in a fair, constructive and timely manner. The complainant has the right for their complaint to be heard and for an impartial decision to be made at no cost to themselves. Complainants have the right to appeal a decision.

This policy and associated procedure supports TLC Learning to provide a process for complaints and appeals to be heard and actioned. All complaints and appeals received by TLC Learning will be viewed as an opportunity for further improvement and review.

2. Scope

This Policy applies to all TLC Learning staff, learners, clients and external stakeholders

3. Types of complaints

A complaint or appeal may include, but is not limited to:

- Assessment process and decision
- Candidate progress and academic progress decisions
- Course advice and enrolment
- Customer service and administration
- Equity and access, discrimination, harassment and bullying appeals
- Fees and charges

- Issue of results, certificates, statement of attainment
- Learning resources
- Marketing and promotional activity
- Personal safety
- Program delivery or course content
- Suspension and/or cancellation or deferral of enrolment

4. Definitions

4.1 Item 1 – Complaint – a statement that something is unsatisfactory or unacceptable – *Ref: Oxford Dictionary*

4.2 Item 2 - Grievance – an actual or supposed circumstance regarded as just cause for complaint – *Ref: The Free Dictionary by Farlex*

4.3 Item 3 – Appeal – an applicant to a recognized authority for corroboration, indication or decision [...] a serious request for help - *Ref: Merriam Webster*

Procedural steps for general complaints

Action	Responsibility
<p>TLC Learning may receive complaints from candidates, staff or stakeholders and members of the public through a variety of means e.g. verbally, written documentation, electronically (email).</p> <p>Where possible all non-formal attempts shall be made to resolve the issue.</p> <p>This may include advice, discussions, and general mediation in relation to the issue and the candidate’s issue. Any staff member can be involved in this informal process to resolve issues but once an individual has placed a formal complaint /appeal the following procedures must be followed.</p>	<p>All TLC Learning staff</p> <p>Complainant</p>

<p>Once a formal complaint is received, the RTO Manager will acknowledge receipt of the complaint in writing to the complainant, and will seek to identify the issue and resolve the concern so as to avoid any further disruption to the complainant (where applicable).. The organisation encourages both staff and complainants to approach the complaint openly and honestly so as to resolve problems through fair and reasonable means.</p>	
<p>Any candidate, potential candidate, or third party may submit a formal complaint to TLC Learning with the reasonable expectation that all complaints will be treated with integrity and privacy.</p> <p>There is no cost for accessing the internal complaints and appeals process. When a complaint or appeal cannot be resolved through informal discussion, the complainant is asked to complete a complaints and appeals form, stating their case and providing as much detail as possible, and submit this to the TLC Learning RTO manager either by email or post. The RTO manager will acknowledge receipt of the complaint in writing to the complainant.</p> <p>Complaints are to include the following information:</p> <ul style="list-style-type: none"> • Submission date of complaint • Name of complainant • Nature of complaint • Date of the event which lead to the complaint • Attachments (if applicable) <p>The complaints and appeals form is available on the TLC Learning website at www.tlclearning.edu.au or can be sent to the complainant on request.</p>	<p>All TLC Learning staff Complainant</p>

Once the complaints and appeals form is received the details are recorded on the complaints and appeals register which is reviewed and maintained by the TLC Learning RTO manager. Information recorded on the complaints and appeals register includes:

- A specific complaint number
- Submission date of the complaint
- Name of the complainant
- Description of the complaint
- Determined resolution (outcome)
- Date of outcome

A letter acknowledging receipt of the complaint will be sent by the RTO manager to the complainant and, where a complaint refers to an individual, the individual will be informed by the RTO manager of the complaint and will be invited to respond to the allegation either through discussion, or (written) correspondence.

Any discussion held with the RTO manager must be documented via minutes and these minutes kept on file along with details of the original complaint.

A separate interview will be held by TLC executive, if the complaint is about the RTO manager.

Complainants have the right to access advice and support from independent external agencies and/or persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the TLC Healthcare.

The RTO Manager will investigate all complaints recorded on the

complaints register and identify a satisfactory resolution to the issue. The proposed resolution will be communicated to all parties involved in the complaint within ten working days and agreement to the proposed resolution sought.

Upon receipt of the agreement, the RTO manager will:

- Provide the complainant with written confirmation of the resolution
- Record the action(s) taken to resolve the complaint on the Complaints Register
- Where applicable communicate the outcome of the complaint resolution to the relevant TLC Learning or TLC Healthcare staff member
- If applicable, document the need for amendment RTO policy and/or procedure documentation in the continuous improvement register and implement the necessary improvement

Note: both the complaints and appeals register and the continuous improvement register are reviewed regularly by the TLC Learning and TLC healthcare Quality Manager

- Within the notification of the outcome of the formal complaint the complainant will also be notified that they have the right of appeal. To appeal a decision the RTO must receive, in writing, grounds of the appeal. Complainants are referred to the appeals procedure.

Where TLC Learning feels the complaint may take longer than 60 days to resolve, the RTO manager will:

- a) Inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required
- b) Provide regular updates to the complainant or appellant on the progress of the matter. The RTO manager will act immediately on any substantiated complaint. If the internal or any external

<p>complaint handling or appeal process results in a decision that supports the complainant, the RTO will act immediately to implement any decision and/or corrective and preventative action that is required, and advise the complainant of the outcome.</p>	
<p>Any documentation including written notes of the progress of a complaint, outcomes, actions and resolution, will be kept by TLC Learning and filed in the candidate’s personal folder on VETtrak. Any complaint received that is not from a Candidate, will be stored in the dedicated Complaints and Appeals folder maintained by TLC Healthcare quality team.</p>	
<p>No candidate, staff member, stakeholder or member of the public will be disenfranchised in any way during the complaint and resolution process.</p> <p>A Candidate’s progress through a study program will not be disrupted whilst a complaint is being heard unless the nature of the issue itself means further progress is not possible.</p> <p>Complainants will observe strict confidentiality during all stages of the complaints resolution process.</p> <p>All communications and proceedings arising from the complaints process will remain confidential at the conclusion of the complaints resolution process. Complainants have the right to nominate third party representation (e.g. a family member or friend, counsellor, professional representation or support person) if they require).</p> <p>The complaints resolution process will be <u>reviewed annually</u> as part of the RTO continuous improvement process.</p>	

Procedural steps for appeals

Action	Responsibility
<p>Assessment appeals</p> <p>Candidates are entitled to formally appeal the outcome of their assessment decision by completing the Complaints and Appeals Form, stating their case and providing as much detail as possible, and submit this to the TLC Learning manager either by email or post. Candidates are to include the following information:</p> <ul style="list-style-type: none"> • Submission date of appeal • Name of appeal • Nature of appeal • Supporting documentation regarding their assessment outcome • Attachments (if applicable) <p>The Complaints and Appeals Form is available on the website at www.tlclearning.edu.au or can be sent to the complainant on request.</p>	<p>All TLC Learning personnel</p> <p>Candidate</p>
<p>Once the Complaints and Appeals Form is received the details are recorded on the Complaints and Appeals Register which is reviewed and maintained by the RTO Manager. Information recorded on the Complaints and Appeals Register includes;</p> <ul style="list-style-type: none"> • A specific appeal number • Submission date of the appeal • Name of the appeal • Description of the appeal • Determined resolution (outcome) • Date of outcome 	<p>TLC Learning RTO manager</p> <p>Candidate</p>

<p>The RTO manager will seek details from the assessor involved and any other relevant parties. A decision will be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a third party.</p> <p>The third party will be another assessor appointed by the RTO. The RTO manager will notify the candidate in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. Once the process is completed, the manager of TLC Learning shall then inform the complainant/appellant of any decisions or resolutions reached in writing and the reasons for the resolutions. Resolutions can include but are not limited to:</p> <ul style="list-style-type: none"> • Written undertaking or apology • Written agreements in regard to future behaviors or actions • Remedial action (e.g., improved practices, corrected records) • Issue of new or amended policies, procedures or guidelines • Conciliation/mediation between the parties under the guidance of a mutually-accepted impartial third party (internal or external) <p>The candidate will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The candidate is required to notify TLC Learning if they wish to proceed with the external appeals process.</p>	<p>Candidate</p> <p>TLC learning RTO manager</p>
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External Appeals	
<p>If not satisfied with the decision in either the formal complaints or appeals procedures, the complainant may request that the matter be further reviewed by an external dispute resolution process, by the body appointed by TLC Learning for that purpose.</p>	Candidate

5. Definitions and Abbreviations

5.1 Definitions

- Complaint– a statement that something is unsatisfactory or unacceptable – *Ref: Oxford Dictionary*
- Grievance - an actual or supposed circumstance regarded as just cause for complaint – *Ref: The Free Dictionary by Farlex*
- Appeal - an applicant to a recognized authority for corroboration, indication or decision....A serious request for help - *Ref: Merriam Webster*

5.2 Abbreviations

- ASQA – Australian Skills Quality Authority
- VRQA – Victorian Registration and Qualifications Authority

6. Cross References

- 6.1 Complaints and appeals form
- 6.2 Complaints and appeals register
- 6.3 Privacy policy
- 6.4 Continuous improvement policy
- 6.5 Continuous improvement forms
- 6.6 Learner handbook
- 6.7 Student management system

- 6.8 Learner files
- 6.9 Disciplinary action policy
- 6.10 USI procedure
- 6.12 USI learner identifiers registrar's privacy notice
- 6.13 Recognition of prior learning policy and procedure
- 6.14 Assessment policy and procedure
- 6.15 Plagiarism policy and procedure

Related/relevant legislative/policy frameworks

This policy acknowledges TLC Learning's legal obligations under State and Federal legislation to ensure that our working and teaching practices are fair and equitable and our working and learning environment is non-discriminatory. TLC Learning's staff and management are to be made aware of the following pieces of legislation:

- Equal Opportunity Act 2010 (Vic)
- [Privacy Act 2000 \(Vic\)](#)
- [Australian Human Rights Commission Act 1986](#)
- [Age Discrimination Act 2004](#)
- [Disability Discrimination Act 1992](#)
- [Racial Discrimination Act 1975](#)
- [Sex Discrimination Act 1984](#)
- [Racial Discrimination Act 1975 \(Cwlth\)](#)
- [Education and training Reform Act 2006](#)
- [Privacy and Data Protection Act 2014](#)
- [Health Records Act 2001](#)
- Ombudsman Act 1973 (Vic)
- National Vocational Education and Training Regulator Act 2011 (NVETR Act)

7. Related Documents

- Continuous improvement policy
- Continuous improvement register
- Privacy policy
- Complaint/grievance form
- Appeals form

Complaints and appeals policy & procedure

- Complaints & grievance register
- Assessment policy and procedure
- RPL policy and procedure
- Course guide