

Complaints Policy

Introduction

The Remote Vocational Training Scheme Ltd (RVTS) is committed to a culture of continuous improvement to provide a program of the highest quality, however from time-to-time stakeholders may raise concerns about matters or issues relating to their experiences with RVTS.

RVTS aims to resolve a perceived / potential complaint as early and effectively as possible and avoid any undue escalation. Relevant stakeholders and staff can seek information and advice about matters of concern without being required to lodge a *formal complaint*.

Scope

Where issues raised have not been resolved locally through normal day to day communication, or through RVTS continual improvement and corrective action reporting, a stakeholder may wish to lodge a **formal complaint**.

Matters to be dealt with under the Complaints Policy exclude issues pertaining to RVTS training decisions which should be directed to the RVTS Reconsideration, Review and Appeals policy.

Purpose

The purpose of this policy is to provide for the fair and prompt resolution of complaints and to provide a clear framework under which complaints can be handled.

This policy is in addition to the RVTS Reconsideration, Review and Appeals Policy the purpose of which is to provide an internal process for the reassessment of certain decisions made by the Remote Vocational Training Scheme (RVTS) and RVTS Body.

Policy

This policy stands alone and once implemented to address a complaint cannot be stalled or influenced by the actions of others whether intentional or unintentional. While the process to address a complaint is under way and provided the actions of RVTS staff are consistent with this policy the process will continue to its conclusion.

Matters and information that may be perceived by others as relevant to the complaint under investigation, but which fall outside the remit of this policy will be held over and considered after the complaint has reached its conclusion. Should this situation eventuate, this will be treated as a new complaint under this policy.

The assessment of the relevance of any new material to the initial complaint rests solely with RVTS and the outcome of that assessment is final.

RVTS recognises its responsibility to provide an environment in which all stakeholders are treated fairly and with respect. RVTS is committed to maintaining an organisational culture in which a stakeholder's right to seek resolution of a complaint is recognised, supported and is without retribution.

This Policy provides a visible and accessible process for complaints resolution and encourages prompt attention to all complaints.

RVTS will, subject to principles of confidentiality and persons' rights to privacy, endeavour to provide updates to complainants and persons against whom a complaint is made. RVTS recognises, however, that there may be circumstances in which this would not be desirable and therefore reserves the right to decline to inform or update any persons on any complaint. Circumstances in which these updates are not desirable will be entirely at RVTS management/board discretion.

All parties to a complaint:

- i. must respect confidentiality
- ii. have the right to seek independent advice.

A clear distinction between a Complaint and a Grievance is provided:

Complaint:

An expression of dissatisfaction that arises where a stakeholder considers that he or she has been disadvantaged because of an action, decision or omission within the control or responsibility of RVTS.

Grievance:

A written statement of dissatisfaction, where a Complainant believes that a Complaint remains unresolved after having been dealt with in accordance with RVTS Complaints Resolution Processes.

Process

Complaints directed to RVTS may originate from various stakeholders.

This Policy provides an overarching process under which complaints are handled. Process flowcharts for the Complaint Resolution process are appended to this policy.

RVTS will attempt to resolve the issue through one or more of the processes referred to as Stage 1 Complaint, Stage 2 Formal Complaint, and Stage 3 Grievance, as detailed below.

1. On receipt of a complaint, RVTS will attempt to resolve the issue locally, treating the matter as a **Stage 1 Complaint**.
2. Should a resolution not be reached, the complainant may wish to progress the complaint to the next stage, as a **Stage 2 Formal Complaint**.
3. Should a resolution not be reached the complainant may seek to lodge a **Stage 3 Grievance**.

Where a complaint involves:

- i. the conduct of RVTS employees, RVTS may raise the matter with the employee concerned and may seek their comment and input into the resolution of the complaint. The complainant will not have the right to confront or examine those employees.
- ii. the conduct of the CEO, a written complaint should be directed to the Chairperson of the RVTS Board.

Stage 1 Complaint:

The complainant is to make an initial approach to either:

- a) their line manager if an administrative or medical education staff member
- b) to their stream RLO¹ in the case of a Registrar making a complaint
- c) to their stream SLO² in the case of a Supervisor making a complaint

¹ Registrar Liaison Officer

- d) to the Complaints Officer³ if in the case of an external stakeholder making a complaint who shall make all reasonable efforts to resolve the issue and who shall provide information to the complainant on where to seek further information and advice regarding the availability and intent of this Policy. Complaints relating to the Operations Manager should be submitted to the CEO in the first instance.

The complainant shall make all reasonable efforts to familiarise themselves with this Policy and its processes.

If the complaint is not resolved locally at Stage 1, the complainant may lodge a written complaint as outlined in Stage 2 of these processes.

Stage 2 Formal Complaint:

A Formal Complaint must be made in writing to the RVTS CEO, or where the complaint refers to the CEO, the written complaint must be made to the Chairperson of the Board.

Formal Complaints at Stage 2 must outline the details of the complaint and include sufficient information as to:

- i. the efforts taken by the complainant to resolve the complaint at Stage 1
- ii. details of why the complainant is not satisfied with the efforts or the outcome of the efforts taken to resolve the complaint at Stage 1
- iii. the desired outcome sought by the complainant. The complainant can indicate a preferred method for achieving the desired outcome, for example: negotiation, mediation, conciliation.

Complainants who do not provide sufficient information may be contacted by the CEO or representative, to request the supply of further information or to be offered the provision of assistance.

An investigation into the complaint will be undertaken.

A Stage 2 Formal Complaint will not be deemed to have been lodged until all relevant information has been provided and/or the complainant has demonstrated reasonable attempts in the circumstances to resolve the matter at Stage 1 Complaint.

Acknowledgment of the receipt of a Stage 2 Formal Complaint will normally be provided within 2 working days and ideally resolved within 7 working days from the time all information is made available to the satisfaction of the CEO/Board Chair.

The complaint may be referred to an independent third party as nominated and agreed to by the complainant and a (if any) person against whom the complaint is made. If this agreement is not forthcoming:

- i. then the independent third party will be chosen by the CEO
- ii. if the CEO is involved in the dispute, the independent third party will be chosen by the Board Chair.
- iii. If the complaint is escalated to this level, a proposed resolution shall be reported in writing to the CEO, who must consent to its terms. If the CEO is involved in the dispute, the report must go to and be consented to by the Board Chair.

² Supervisor Liaison Officer

³ Operations Manager will act as the Complaints Officer

Formal Complaint against an RVTS staff member:

If the Formal Complaint is lodged against the conduct of an RVTS staff member, the CEO will seek comment from the staff member and encourage them to have input into the complaint resolution. The complainant does not have the right to examine or confront any RVTS staff member.

If the CEO is involved in the dispute the Formal Complaint can be referred to the Board Chair. At the CEO or the Chair's election, the complaint may also be referred to third parties, such as the RVTS' legal advisers.

Further avenues of complaints depend on the nature of the complaint and the parties in dispute. The following should be noted:

- i. while the dispute and dispute resolution mechanism remains contained within the internal process of RVTS (those not involving independent third parties), agreed expenses (other than costs associated with the complainant obtaining legal advice) will be borne by RVTS.
- ii. at no stage will any legal or associated costs of the complainant be borne by RVTS.

The record of the Formal Complaint (Stage 2) and all documentation received in respect of such complaint and its proceedings will be kept in a secure location by the CEO. All files will be kept in accordance with the *RVTS Records Management Policy*.

Timeframe for response:

Where after a period of seven (7) working days inactivity by the complainant, i.e., failure to respond to any notification or request for further information in relation to the Formal Complaint, RVTS will consider the matter closed.

The Quality and Governance Manager maintains a register of all complaints which is reported to the board via the quarterly meetings of the Quality and Risk subcommittee.

RVTS is unable to deal with or investigate anonymous complaints, however a record of any anonymous complaint received will be kept.

The CEO/Board Chair will provide a written report as to the findings of the investigation.

If the Formal Complaint is substantiated, RVTS will undertake appropriate agreed steps to resolve the complaint, address the complainant's concerns and/or prevent the problem from recurring through use of the Corrective Actions process.

Should the matter not be resolved at Stage 2 Formal Complaint, the complainant may advise of their intention to initiate a Stage 3 Grievance.

Stage 3 - Grievance

To initiate a Grievance, additional written documentation is required to be lodged with the CEO, or in instances where the claim relates directly to the CEO, be lodged with the Board Chair.

Acknowledgment of the receipt of a Stage 3 Grievance will normally be provided within two (2) working days and ideally resolved within seven (7) working days from the time all information is made available to the satisfaction of the CEO/Board. More complex issues may require a longer period of time to resolve.

The RVTS Board will be notified by the CEO, immediately following the receipt of any Grievance (Stage 3).

The CEO or RVTS Board will make an assessment of the situation and determine the next steps. The treatment of grievances will be guided by the principles of confidentiality, timelines, transparency and procedural fairness and the aggrieved person will be kept informed of progress and advised of options by the CEO or RVTS Board nominated representative.

The activation of the Stage 3 Grievance process will only occur if one or more of the following events occur:

- New evidence supporting the case of the Complainant is provided; and/or
- The Complainant can provide evidence of a breach of RVTS policy in the processing of the initial complaint.

The CEO (or Board Chair) will assess if there is sufficient evidence provided to substantiate the activation of the Stage 3 Grievance process. If there is insufficient evidence to activate the Grievance process, the CEO after consultation with the Board Chair will advise the claimant of this fact and confirm:

- RVTS has addressed the issue at hand with due procedural fairness;
- All avenues open to the Claimant have been exhausted; and
- No further communication will be entered into on this matter.

Withdrawal of a Grievance must be noted by lodging a written statement of withdrawal to the CEO or Board Chair.

Any appeal against the Grievance resolution determination must be lodged with the CEO /Board, under the RVTS Reconsideration, Review and Appeals Policy not later than ten (10) working days following the notification of the outcome of the Grievance.

Process Flowcharts:

Process flowcharts for the Complaint Resolution Process and the Grievance Process are appended to this Policy.

Appendices

Appendix 1: Complaint Resolution Process – Stage 1, Stage 2

Appendix 2: Grievance Process

Related documents

RVTS Privacy Policy

RVTS Record Management Policy

RVTS Reconsideration, Review and Appeals Policy

RVTS Program Handbook

RVTS Employee Handbook

Document control

Warning – Uncontrolled when printed! The current version of this document is kept on the RVTS server.

Authorised by: RVTS Board - August 2023

Current Version Date: 15 August 2023

Maintained by: Quality and Governance Manager

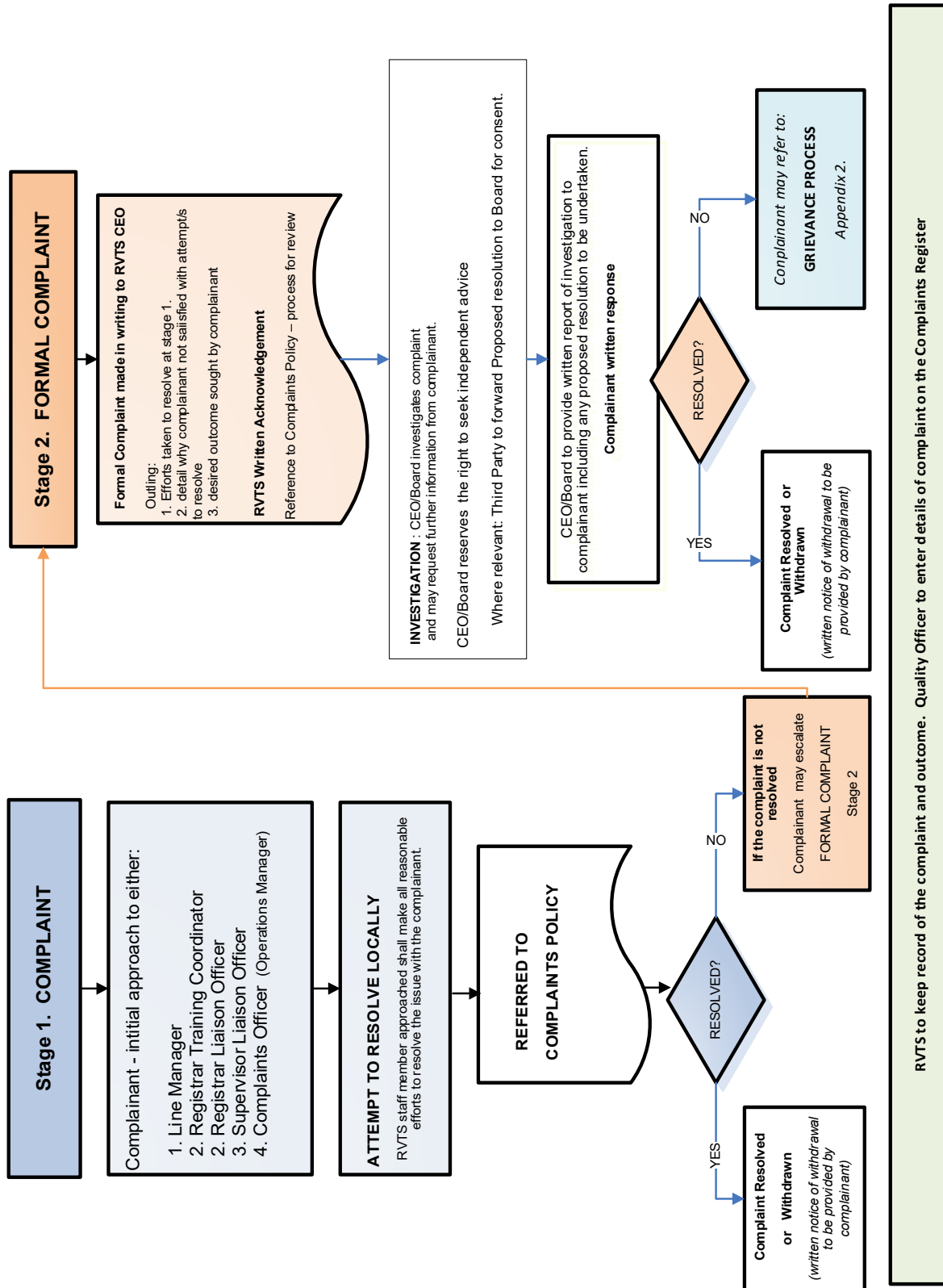
Original Issue: March 2009 | Previous Version/s: August 2014 / May 2017/ April 2018/ June 2019

Last Review Date: August 2023

Next Scheduled Review: April 2024

Appendix 1 : Complaint Resolution Process Flowchart

Stage 1 - Complaint → Stage 2 - Formal Complaint



Appendix 2 : Grievance Process Flowchart

Stage 3. GRIEVANCE

The Grievance process will only ever be undertaken in instances where
Complaints lodged by RVTS stakeholders have not been resolved by Stage 1 and Stage 2 Complaint Resolution Processes

Stage 2 Formal Complaint not resolved

Complainant must lodge written Grievance with CEO/Board

The submission must detail the process followed and decisions made in Stages 1 and 2 Complaint Resolution Processes, and what efforts have been made by the complainant to resolve the matter.

RVTS will acknowledge receipt of the grievance within two working days.

The RVTS Board will make an assessment of the situation and determine the next steps.

- * The treatment of grievances will be guided by the principles of confidentiality, timeliness, transparency and procedural fairness.
- * The aggrieved person will be kept informed of progress and advised of options by the CEO or RVTS Board nominated representative.

Grievances are ideally to be resolved within an additional seven working days from the time all information is made available to RVTS. More complex issues may require a longer period of time to resolve. Any appeal against the grievance resolution determination must be lodged with the CEO/Board not later than ten working days following the notification of the outcome of the grievance.

Grievance Withdrawn

Withdrawal from the Grievance process must be noted by lodging a written statement of withdrawal to the RVTS Board of Directors

Grievance Resolved

RVTS Quality Officer will enter details of the grievance on to the Complaints Register.