

PART B - TAC COMPLAINTS HANDLING PROCESS

PART B - TAC COMPLAINTS HANDLING PROCESS – APPEALS AGAINST TAC DECISIONS, COMPLAINTS AGAINST TAC PROCESSES AND SERVICES AND COMPLAINTS AGAINST INDIVIDUAL OFFICERS

The Training Accreditation Council (the Council) endeavours to provide fair, reliable and timely service to its clients. Should any complaints arise in relation to the Council's conduct of its business and services, mechanisms have been established to ensure that appeals or complaints are handled in a timely manner and that the principles of natural justice are applied.

This document outlines the avenues that are available and the processes that will apply to the following categories of complaint:

- Appeals against decisions of the Training Accreditation Council
- Complaints against the Training Accreditation Council processes or services
- Complaints against Members of the Council or the Training Accreditation Council Secretariat (TAC Secretariat)

The nature of your complaint will determine the area that will handle your complaint and who you should contact in the first instance. If you are unsure of the category your complaint falls into, contact the TAC Secretariat on (08) 9441 1912 and you will be advised of the most appropriate avenue to pursue your grievance.

Appeals against decisions of the Training Accreditation Council

The Training Accreditation Council is responsible under the *Vocational Education and Training Act 1996*, for making decisions regarding registration and de-registration of training providers; accreditation of courses and recognition of skills and qualification obtained by individuals.

If you are dissatisfied with a decision of the Council regarding any of these functions you may appeal the decision in writing to the State Training Board. An appeal can only be brought on the grounds that, in making the decision appealed against, the Council erred in its application of, or failed to apply criteria or procedures as outlined in the Council's established policies and procedures.

An appeal against a Council decision must be lodged with the State Training Board within 21 days of the day on which the appellant was notified of the decision.

The State Training Board will establish an independent review panel to consider the appeal. The Review Panel will then provide a written recommendation to the State Training Board on the issues raised by the appeal.

Appeals should be submitted in writing to the:

Executive Officer
State Training Board
Level 2 – 151 Royal Street
East Perth 6004

For further information on appealing a decision of the Council you should contact the State Training Board directly on (08) 9264 4911 or (08) 9264 4902. You can also contact the Board through their website at www.stb.wa.gov.au

Note:

If no appeal is lodged with the State Training Board within 21 days of the applicant being notified of a Council decision, the Council decision is final.

PART B - TAC COMPLAINTS HANDLING PROCESS

Complaints against TAC processes or services

The Training Accreditation Council Secretariat (TAC Secretariat) is established under the Department of Education Services and provides a secretariat service to the Training Accreditation Council. The Secretariat manages the registration and course accreditation processes on behalf of the Council including the management of audits conducted by a specialist auditing panel. Audits may be conducted for the purpose of registration, re-registration, monitoring or following the receipt of a complaint against a Registered Training Organisation. In addition the TAC Secretariat provides professional development workshops to RTO staff and information sessions for organisations and individuals who are considering becoming RTOs.

In the first instance the complainant is encouraged to contact the Executive Officer TAC, to discuss the issues that have given rise to a grievance. In many cases a grievance arises due to misunderstandings between the various parties involved in the registration and accreditation processes and can be resolved by verbal communications between the parties to the satisfaction of the complainant. In the event that an error has been made by either party, immediate action can be taken by the Executive Officer TAC, or the complainant to rectify the situation.

Should you wish to formalise a complaint in relation to the processes and services provided by the TAC Secretariat on behalf of the Council, the following process will apply:

1. If, following discussions with the Executive Officer TAC, the issue has not been resolved, the complainant should submit a formal complaint in writing and a full investigation of the complaint will be undertaken by the TAC Secretariat. The formal complaint should clearly outline the nature of the complaint and include any relevant documentation. The complainant should also outline their expectations of the outcome of the complaint process.

Complaints should be addressed to: The Executive Officer
 Training Accreditation Council
 Post Office Box 1766
 Osborne Park 6916

Note: It should be noted that all complaints received by the Executive Officer TAC, are reported to the Council on a monthly basis for information, even in the event that the complaint has been finalised.

2. The Executive Officer will write to the complainant acknowledging receipt of the complaint within 5 working days.
3. An investigation into the complaint will be undertaken by the Executive Officer within 15 working days of receipt of the complaint. The investigation will be undertaken in line with the Ombudsman's Guidelines for Conducting Administrative Investigations. A report on the findings of the investigation and options for resolution is prepared by the Executive Officer.
4. The TAC Secretariat writes to the complainant with proposed options for resolution.
5. The complainant to advise the TAC Secretariat of their preferred option to resolve the complaint within 7 working days. The complaint is then formally closed and the complainant is advised in writing.
6. If the complainant is not satisfied with the outcomes of the investigation, a copy of the complaint and a copy of the report on the investigation will be forwarded to the next available TAC meeting for consideration by the Council.
7. The Council considers the complaint.

PART B - TAC COMPLAINTS HANDLING PROCESS

8. The Council determines any action to be taken by the TAC Secretariat to resolve the complaint and endorses options to be provided to the complainant.
9. The Chair of the Council writes to the complainant within 5 working days of the TAC meeting outlining the Council's recommendation on the complaint and the recommended options available to the complainant to resolve the complaint.
10. The complainant is to advise Council of their preferred option to resolve the complaint within 7 working days. The complaint is then formally closed and the complainant is advised in writing.
11. If the complainant is not satisfied with the recommendations of the Council, the complainant will be advised that they may wish to forward the matter to the Western Australian Ombudsman.

Complaints to the Ombudsman should be addressed to:

Address:	The Ombudsman PO Box Z5386, St Georges Terrace Perth WA 6831
Telephone:	(08)9220 7555 (if outside metro area telephone: 1800 117 000)
Facsimile:	(08)9325 1107
Email:	mail@ombudsman.wa.gov.au
Website:	www.ombudsman.wa.gov.au

Complaints against TAC Secretariat personnel

Complaints may be made about the provision of services and the conduct of any employee of the Department of Education Services including officers of the TAC Secretariat.

Complaints regarding officers of the TAC Secretariat are handled in line with the Department of Education Services *Complaints Management Procedures*. It is the Department's policy that in the first instance attempts should be made to resolve complaints and disputes against employees at the local level, (ie: informally). If the decision is made to formalise the complaint, then complaints regarding conduct of officers of the TAC Secretariat should be forwarded to:

Executive Officer
Training Accreditation Council
22 Hasler Road
Osborne Park 6017
Ph: 9441 1916
Email: bill.swetman@des.wa.gov.au

Complaints received relating to the conduct of employees that may constitute a breach of discipline on the part of an employee, will be brought to the attention of the Chief Executive Officer of the Department of Education Services in accordance with Part 5 of the *Public Sector Management Act 1994*. This may include serious claims that the employee has breached Public Sector Standards or where suspected criminal conduct is alleged.

PART B - TAC COMPLAINTS HANDLING PROCESS

Monitoring and reviewing the TAC Complaints Handling Guidelines and Process Part B

The Council is committed to improving its processes and services and will review the data collected and outcomes of complaints to identify systemic issues with respect to the operation of TAC processes.

TAC considers that feedback on its processes is a valuable component of its system of continuous improvement and all complaints submitted to TAC will be reviewed to identify opportunities for improvement.

Following the finalisation of all complaints the complaint will be reviewed by the Director, Education and Training Regulation and a report prepared for the ETR Management Group. The report will outline the outcome of the complaint and when any deficiency in TAC processes is identified, suggestions for appropriate corrective action will be included in the report and suggested measures to prevent future deficiencies of that kind will be provided.

Submissions to the ETR Management Group will be made using the Continuous Improvement Review Referral Form. The ETR Management Group will endorse amendments to the associated processes as appropriate.

In addition, the TAC Complaints Handling Guidelines and Process will be audited every 12 months in order to evaluate the performance of the complaints handling Guidelines and Process. The audit will be conducted as part of the TAC Secretariat's annual internal quality system audit and will provide information on:

- conformity to the TAC complaints handling process.
- suitability to achieve Complaints Handling Guidelines and objectives.

Review of the TAC Complaints Handling Guidelines and process - The TAC Complaints Handling Guidelines and associated processes will be formally reviewed every 2 years (24 months). As part of the formal review of complaints the Executive Officer of TAC, on behalf of the Council, will consider the following:

- continuing suitability, adequacy and effectiveness of the Guidelines and Process.
- opportunities for improvement and the need for changes to the Guidelines and Process
- evaluating potential changes to the Guidelines and Process.

Associated Documents:

- Complaints Handling Work Instructions/Checklist
- Complaints Handling Process Flowchart
- Complaint Handling letter templates
- Complaints Register
- Continuous Improvement Review Referral

Authorised by Director, Education and Training Regulation

Date: