

COMPLAINT HANDLING POLICY

Relevant standard: Standards for Registered Training Organisations (RTOs) 2015, Clause 6.1, 6.3, 6.4, 6.5 and 6.6.

Binnacle Training is committed to providing a fair and transparent complaint handling process.

What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally.

Who does this policy apply to?

This policy applies to and may involve issues concerning the conduct of:

- Binnacle Training as an organisation, its trainers, assessors or other staff;
- Third-party services provided on behalf of Binnacle Training, its trainers, assessors or other staff; or
- A student of Binnacle Training.

This is an important point to note in understanding that this policy has a broad application and is not simply relevant to complaints that may be made by students. A complaint may be made by an employer about Binnacle Training or by the trainer about the conduct of a student. Throughout this policy we refer to the person making a complaint as simply the complainant.

Early Resolution of Complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

Relationship to Continuous Improvement

Frequently, the complaints handling process will explore weakness in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

1.1 Making a Complaint

A complaint may be received by Binnacle Training in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person.

The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the Binnacle Training website.

To make a complaint, the person is recommended to complete the Binnacle Training Complaint Form. This form can be downloaded from our [Support Centre](#) (Quicklink: Forms) or can be obtained by contacting the Binnacle Training office.

The completed Complaint Form is to be submitted to the Chief Operations Officer either in hard copy or electronically via the following contact details:

PO BOX 2559
Ipswich QLD 4305
admin@binnacletraining.com.au

If a complainant has difficulty accessing the required form or submitting the complaint to Binnacle Training, they are advised to contact Binnacle Training immediately at the following phone number: 1300 303 715

A written record of all complaints is to be kept by Binnacle Training including all details of lodgement, response and resolution. The Complaints Register is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaints handling must be stored securely to prevent access to unauthorised personnel.

The complaint is referred to the COO; whereby the COO reviews the complaint and determines if investigation or consultation is required; or if the matter can be solved internally.

Complaints are to be handled with the strictest confidence. No Binnacle Training representative is to disclose information to any person without the permission of the Binnacle Training COO. A decision to release information to third-parties can only be made after the complainant has given written permission for this to occur.

Communicating the Complaint Handling Policy and Procedure

The complaints handling policy must be:

- Publicly available on the Binnacle Training Website
- Integrated into the Binnacle Training Participant Handbook
- Included in the Binnacle Training Policy and Procedure Manual

1.2 Complaint Handling Timeframe

- Written acknowledgement by Binnacle Training no later than 48 hours from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that Binnacle Training has received the complaint and will review the relevant issues and provide a response as soon as practical. The acknowledgement must inform the person that they will receive a written response.
- The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- A written response must be provided to the complainant within fourteen (14) working days of the lodgement of the complaint.
- As a benchmark, Binnacle Training should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of Binnacle Training and the complainant.
- A complainant should also be provided with regular updates to inform them of the process of the complaint handling. Updates should be provided to the complainant at a minimum of two (2) weekly intervals.

- Complaints must be resolved to a final outcome within sixty (60) calendar days of the complaint being initially received. Where Binnacle Training's Chief Operations Officer considers that more than 60 calendar days are required to process and finalise the complaint, the COO must inform the complainant in writing, including reasons why more than 60 calendar days are required.

1.3 Principles of Natural Justice and Procedural Fairness

A complainant is to be provided an opportunity to formally present their case at no cost. The principles of Natural Justice and Procedural Fairness must be incorporated into the complaint handling process to ensure that decision-making is fair and reasonable. Natural justice must be observed when it affects the rights, interests or legitimate expectations of individuals. The following principles are to be applied:

- **COO bias:** Where the Chief Operations Officer of Binnacle Training feels that they may have bias or there is a perception of bias process or where the person making the complaint is not satisfied with how the matter has been handled, the complainant is to be referred directly to an independent third-party for consideration and response.
- **Responding to Allegations:** Where a complaint involves one person making allegations about another person, it is a requirement for Binnacle Training to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by Binnacle Training as a result of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond. The person has the right to:
 - Put forward arguments in their favour,
 - Show cause why a proposed action should not be taken,
 - Deny allegations
 - Call for evidence to disprove allegations and claims,
 - Explain allegations or present an innocent explanation, and
 - Provide mitigating circumstances (information aimed at reducing the severity/seriousness of something).

Binnacle Training also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant person's subject of allegations in writing. This is to include advising these persons of their right to seek a third-party review of decisions made by Binnacle Training.

- **Referring matters to authorities:** Where an allegation is made that involves alleged criminal or illegal activity and it is considered outside the scope and expertise of Binnacle Training to investigate the matter, then in these circumstances, Binnacle Training reserve the right to report these allegations to law enforcement authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.
- **Third-Party Review:** Where the person making a complaint is not satisfied with the handling of the matter by Binnacle Training, they have the opportunity for a body or person that is independent of Binnacle Training to review their complaint following the internal completion of complaint handling process. Before a person seeks a review by an independent third party, they are requested to first allow Binnacle Training to fully consider the nature of the complaint and to respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they have the right to

seek a review by an independent third party. To request a review by an independent third party, the complainant should inform the Chief Operations Officer of their request who will initiate the process.

- In these circumstances, the Binnacle Training Chief Operations Officer will advise of an appropriate party independent of Binnacle Training to review the complaint outcome (and its subsequent handling) and provide advice to Binnacle Training in regards to the recommend outcomes. The independent third party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested. This advice is to be accepted by Binnacle Training as final, advised to the person making a complaint in writing and implemented without prejudice.
- Where Binnacle Training appoints or engages an appropriate independent person to review a complaint, Binnacle Training will meet the full cost to facilitate the independent review.

See [Figure 1. Third-Party Review Process](#)

1.4 Unresolved Complaints

Once the complaint handling process has concluded; where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person is to be advised that they have the right to refer the matter to any external authority/agency that may be relevant to their complaint.

The following external agencies are nominated in the first instance as relevant points of referral that the person may consider:

- In relation to consumer related issues, the person may refer their complaint to the **Office of Fair Trading**.
- In relation to the delivery of training and assessment services, the person may refer their complaint to the **National Training Complaints Service** via the following phone number: 13 38 73 or visit the [website](#).
- In relation to privacy matters, the person may refer their complaint to the **Office of the Australian Information Commissioner** via the following details: <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint> or call on 1300 363 992
- If a complainant is not satisfied with the outcomes from the independent process, they may take their complaint to the VET Regulator – the [Australian Skills Quality Authority](#)

This guidance is also communicated to students within the Participant Handbook and also within the publicly available policies and procedures on the Binnacle Training website. It is expected that the above agencies will investigate the persons concerns and contact Binnacle Training for information. External agencies will typically request a copy of any record of how the complaint was handled from the person. Binnacle Training is to ensure that the person is provided with a written response that they may use for this purpose.

Binnacle Training is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. Binnacle Training considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within Binnacle Training internal arrangements.

1.5 Record Management of Complaint Records

Records relating to complaints will present in two formats. There will be electronic records in the form of email correspondence and other documents which are communicated electronically and possibly hard

copy records which are submitted by the complainant. There is also a record of the complaint maintained within the Binnacle Training Complaints Register which includes the details about the complaint and a timeline of the progress of the complaint handling and closure. This register also records identified opportunities for improvement that result from complaints handling.

All records, regardless of their format, will be saved digitally into a secure folder located on the Binnacle Training Google Drive. Each file is to be clearly titled with the document title or subject and the date of which the document was received or generated. This folder must only be accessible to persons authorised by the Chief Operations Officer.

To ensure records are maintained in a safe and suitable condition, the following is to apply:

- Records must be kept securely to prevent them being accessed by any non-authorised personnel.
- Records must be kept confidential to safeguard information and to protect the privacy of complainants.
- Records must be kept to avoid damage by fire, flood, termites or any other pests.
- Electronic data storage must be safe from destruction by fire or flood and should take account of the risk of component failure of a single storage device. Electronic data is also to be backed-up off site.

A correspondence record must be made for each complainant making a complaint. All email and letter communication should be retained with the complainant correspondence record within the complaint handling file.

Period of Retention of Complaints Records

Binnacle Training is to retain records relating to complaints handling for a minimum of five (5) years.

Destruction of Complaints Records

Binnacle Training CEO is the only person who can authorise (in writing) the destruction of complaint handling records. Records are only to be authorised for destruction after the retention period has lapsed. Documents identified for destruction are to be shredded before being recycled.

1.6 Complaint Handling Procedure

Binnacle Training will apply the following procedure to its complaint handling:

- a) A complaint may be received in any form (written or verbal) although persons seeking to make a complaint are recommended to complete the Complaint Form which is available to them at our [Support Centre](#) (Quicklink: Forms). There is no time limitation on a person who is seeking to make a complaint.
- b) The complainant must be provided a written acknowledgement as soon as possible and no later than 48 hours from the time the complaint is received. The acknowledgement must inform the complainant that they will receive a written response within 14 days and explain the complaints handling process and the person's rights and obligations.
- c) The complaint must be entered into the Complaints Register. The Complaints Register identifies the complainant, relation with Binnacle Training, nature of complaint, findings/outcomes, any links with the Continuous Improvement Register and the dates received and closed. Prior to entering the Complaint Form into the register, check to see if the person has already submitted a complaint, if it is accurately recorded or if it has been recorded as a subsequent contact.

- d) The complaint is forwarded to the Chief Operations Officer for review. The COO will determine if the complaint requires further investigation or consultation.
- e) Where a complaint is made about or involves allegations about another person, Binnacle Training is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised.
- f) Where a complaint is received by Binnacle Training which involve allegations about alleged criminal conduct, Binnacle Training are to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service.
- g) The Chief Operations Officer reviews the outcomes of the investigation/consultation and determines the complaint response within an acceptable timeframe.
- h) Binnacle Training shall maintain the enrolment of the complainant during the complaint handling process.
- i) Decisions or outcomes of the complaint handling process that find in favour of the learner shall be implemented immediately.
- j) The complainant is entitled to be heard with access to all relevant information and with the right of reply ensuring natural justice and procedural fairness is applied at every stage of the complaint process.
- k) Binnacle Training must request written acknowledgement from the complainant once the complaint has been resolved.
- l) Complaint handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.
- m) The complaint must be accurately updated and recorded in the Complaints Register.

See [Figure 2. Complaints Handling Process](#)

Figure 1. Third-Party Review Process

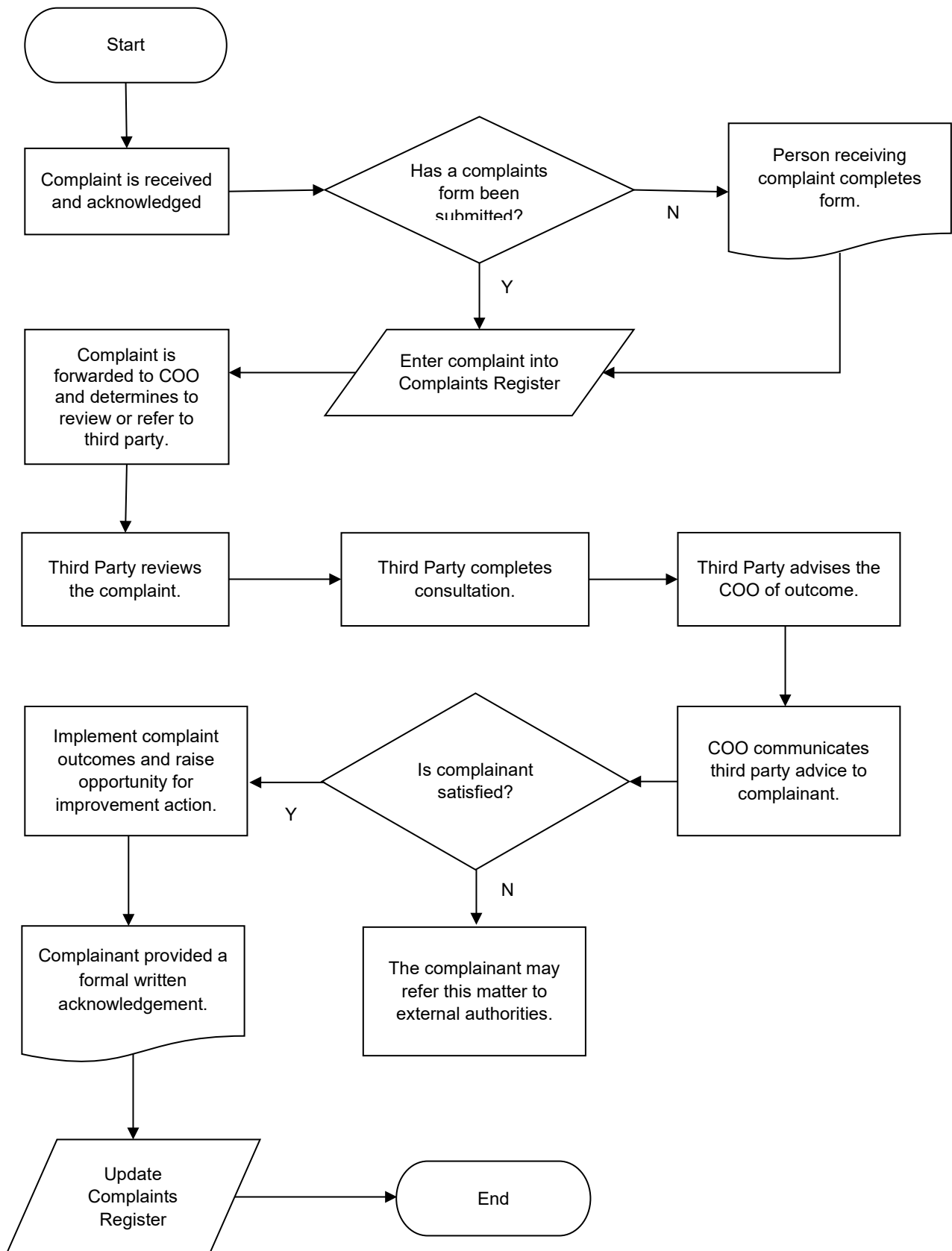


Figure 2. Complaints Handling Process

