

3. Before an issue becomes a formal complaint

Wherever possible, students (both current and potential), clients and staff are encouraged to resolve concerns or difficulties directly with the person(s) concerned. There are trainers, administration staff and management available to assist in resolving issues at this level.

4. Procedure

This procedure can be utilised by persons to raise a grievance of an academic or non-academic nature. Grievances of an academic nature include issues related to student progress, assessment, curriculum and awards in a VET course of study. Grievances of a non-academic nature cover all other matters including complaints in relation to personal information that Benchmark College holds in relation to an individual.

During all stages of this procedure Benchmark College will take all steps to ensure that:

- the complainant and the respondent will not be victimised or discriminated against;
- the complainant has an opportunity to formally present their case and each party to the grievance may be accompanied and assisted by a support person at any relevant meetings;
- a full explanation in writing for decisions and actions taken as part of the process will be provided if so requested by the complainant or the respondent;
- where the internal or external complaint handling or appeal process results in a decision that supports the complainant, Benchmark College will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
- there is no cost to the complainant for utilising this grievance and appeals process.

4.1 Stage one – formal complaint:

Formal complaints must be submitted in writing to the Quality Assurance Manager. Receipt of the complaint will be acknowledged within five working days (using the [Complaint Acknowledgement Letter](#)). The complaints process will commence within ten days of the receipt of the written complaint and all reasonable measures will be taken to finalise the process as soon as practicable.

The Quality Assurance Manager or their nominee, will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve.

Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them.

The Quality Assurance Manager or their nominee, will then endeavour to resolve the complaint and provide a written report to the complainant on the steps taken to address the complaint, including the reasons for the decision, within ten working days. The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal complaint.

4.2 Stage two – internal appeal:

If a complainant is dissatisfied with the outcome of their complaint they may lodge an appeal with the Director of Education or Managing Director (who are senior to the original decision maker). An appropriate person or committee will be appointed to consult with the complainant and other relevant parties within ten working days.

Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.

Following the consultation, the Director of Education or Managing Director will provide a written report to the complainant advising the further steps taken to address the complaint, including the reasons for the decision, within ten working days. The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.

4.3 Stage three – external appeal:

If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to Benchmark College through the Managing Director that they wish to have the matter dealt with through an external dispute resolution process facilitated by the Australian Council for Private Education and Training (ACPET).

Benchmark College will then advise ACPET in writing of the request within five working days. ACPET will arrange for a Round Table Discussion (RTD) to be held between Benchmark College and the complainant within ten working days of the written notification from Benchmark College. ACPET do not charge a fee for this service.

Contact Details for ACPET:

Australian Council for Private Education and Training (ACPET)
PO Box Q1076, QVB Post Office, Sydney NSW 1230
Ph: (02) 9264 4490 Fax: 02 9264 4550
Email: acpet@acpet.edu.au

If the matter remains unresolved after the RTD then ACPET will appoint an independent mediator within 14 working days of the RTD. ACPET plays no role in the actual mediation. It is then up to the mediator, the complainant and Benchmark College to resolve the complaint. Benchmark College will bear any costs associated with the mediation.

The complainant or the respondent may ask another person to accompany them to meetings with ACPET or the mediator.

The mediator will report to the Managing Director, or their nominee, the outcome of the mediation, including any recommendations arising, within 14 days of the completion of the review. Once the Managing Director, or their nominee, receives the report of the outcomes from the RTD or independent mediation, they will provide a written report to the complainant within ten working days on the recommended actions to resolve the complaint.

Benchmark College agrees to be bound by the independent mediator's recommendations and the Managing Director, or their nominee, will ensure that any recommendations made are implemented within 30 days of receipt of the mediator's report.

Any areas for improvement which arise from the resolution of a complaint are documented using the [Improvement Request Form](#).

5. Further action

If a complaint still remains unresolved after the external appeal, the complainant may decide to refer the matter to the National Training Complaints Hotline on 1800 000 674.

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

6. Enrolment status

Where a student chooses to access this policy and procedure, Benchmark College will maintain the student's enrolment while the grievance handling process is ongoing.

7. Record keeping & confidentiality

Written records of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon written request to the Quality Assurance Manager. These records will be maintained at Benchmark College Head Office, Level 2, 148 Henry Street, Penrith, NSW 2750 and held by the Quality Assurance Manager.

All records relating to grievances will be treated as confidential and will be covered by the Benchmark College Privacy and Personal Information Procedures.

8. Approval, publication and training

The Policy and Procedure was approved by the Benchmark College Board of Directors on 29th June 2009.

This Policy and Procedure will be made available through publication in the Student Handbook and on Benchmark College website (www.benchmark.edu.au).

For the purposes of communicating to and training staff, this Policy and Procedure will form part of the staff induction process and will be included in the Staff Handbook.

9. Related documents

- Improvement Request Form
- Complaints Acknowledgement Letter
- AQTF Essential Standard 2.6
- Privacy and Personal Information Procedures