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Document Control

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Policy

Liift learning is committed to providing a fair and transparent complaint and appeals handling process and will ensure that complaints and appeals are recorded, acknowledged and dealt with efficiently and effectively.

Purpose

This policy outlines Liift's process for handling complaints and appeals received from students, clients, employees, third parties and stakeholders.

Scope

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

- Liift Learning as an organisation, its trainers, assessors or other staff
- Third party services provided on behalf of Liift Learning, its trainers, assessors, or other staff; or
- A learner of Liift Learning

Note that this policy has a broad application and is not simply relevant to complaints that may be made by learners. A complaint may be made by an employer about Liift Learning or by the trainer about the conduct of the learner. Throughout this policy we refer to the person making a complaint as simply the complainant.

Complaints

Liift Learning will encourage that any 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.

A complaint may be received by Liift Learning 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.

To make a complaint, the person is recommended to complete the Liift Learning – Complaint Form. This form is available via our website

The completed complaint form is to be submitted to the Operations Manager electronically via the following contact details:

Address: 53 Burswood Rd, Burswood WA 6100

Email: support@liift.org.au

If a complainant has any difficulty assessing the required form or submitting the complaint to Liift Learning, they are advised to contact Liift Learning immediately at the following phone number:

Phone: 086 325 7600

LIIFT will apply the following procedure to its complaint handling:

1. 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 on the website. There is no time limitation on a person who is seeking to make a complaint.
2. The complainant must be provided a written acknowledgement as soon as possible and no later than one working day from the time the complaint is received using the written acknowledgement email template. The acknowledgement must inform the complainant that they will receive a written response within 14 calendar days and explain the complaints handling process and the person's rights and obligations.
3. The complaint must be entered into the complaints and appeals register. The complaints and appeals register identifies the complainant, relation with Liift Learning, nature of complaint, findings/outcomes, any links with the Continuous Improvement report and the dates received & closed. Prior to entering the complaint form into the register, check if the person has not already submitted a complaint, if it is accurately recorded or if it has been recorded as a subsequent contact.
4. The complaint is forwarded to the CEO for review. The CEO will determine if the complaint requires further investigation or consultation.
5. Where a complaint is made about or involves allegations about another person, Liift Learning 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.
6. Where a complaint is received by Liift Learning which involve allegations about alleged criminal conduct, Liift Learning are to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service.
7. The CEO reviews the outcomes of the investigation/consultation and determines the complaint response within an acceptable timeframe. The complaints response letter template can be used to identify the findings and outcomes to the complainant.
8. Liift Learning shall maintain the enrolment of the complainant during the complaint handling process.
9. Decisions or outcomes of the complaint handling process that find in favour of the learner shall be implemented immediately.
10. 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.

11. Liift Learning must request written acknowledgement from the complainant once the complaint has been resolved.
12. Complaint handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.
13. The complaint must be accurately updated and recorded in the Complaints Register

A written record of all complaints is to be kept by Liift Learning including all details of lodgement, response and resolution. The complaints register within the learner management system 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 CEO; whereby the CEO reviews the complaint and determines if investigation or consultation is required; or if the matter can be solved internally.

Complaints are to be handled in the strictest confidence. No Liift Learning representative is to disclose information to any person without the permission of Liift Learning CEO. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.

Complaint Handling Timeframes

Written acknowledgement by Liift Learning no later than (ONE (1) calendar day from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that Liift Learning 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) calendar 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) calendar days of the lodgement of the complaint.

As a benchmark, Liift Learning 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 Liift Learning 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 Liift Learning CEO considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required.

Natural Justice and Procedural Fairness

A complainant is to be provided an opportunity to formally present his or her 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:

- **CEO bias:** Where the CEO of Liift Learning 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 Liift Learning to hear both sides of the matter before making any judgements about the complaint should be settled. A person who will be affected by a decision made by Liift Learning 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).

LIIFT also has an obligation to fully consider the substance of allegations and the response provided by parties before deciding. 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 Liift Learning.

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 Liift Learning to investigate the matter, then in these circumstances Liift Learning 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 Liift Learning, they have the opportunity for a body or person that is independent of Liift Learning to review his or her 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 Liift Learning 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 then seek a review by an independent third party. To request a review by an independent third party, the complainant should inform the Office Manager of their request who will initiate the process with the CEO.

In these circumstances, Liift Learning will advise of an appropriate party independent of Liift Learning to review the complaint outcome (and its subsequent handling) and provide advice to Liift Learning in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) calendar days of their review being requested. This advice is to be accepted by Liift Learning as final, advised to the person making a complaint in writing and implemented without prejudice.

Where Liift Learning appoints or engages an appropriate independent person to review a complaint Liift Learning will advise the learner of any additional charges.

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 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 at <https://www.dewr.gov.au/national-training-complaints-hotline>
- In relation to matters relating to privacy, 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

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

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

Records Management

All complaints and appeals will be recorded in our Complaints and Appeals Register and Student Management System. Records and outcomes of complaints and appeals are securely stored in Liifts' intranet to ensure they are kept private and confidential. Records stored on the student management system are accessible only to administrators and managers.

Appeals

An appeal is an application by a learner for reconsideration of an unfavourable decision or finding during their time with Liift Learning. This is focused on an assessment decision and judgement as to whether competency has been achieved and demonstrated.

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

- Liift Learning as an organisation,
- it's trainers, assessors or other staff;
- Third party services provided on behalf of Liift Learning, its trainers, assessors, or other staff; or
- A learner of Liift Learning

Throughout this policy we refer to the person making an appeal as simply the appellant.

An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within twenty-eight (28) calendar days of the decision or finding being informed to the learner.

Issues that arise during training and assessment should be resolved at the time they occur between the persons involved. It is often the case that the learner's decision to make an appeal can be avoided by proper communication and consultation with learners at the time a decision is made.

Making an Appeal

An appeal may be received by Liift Learning in writing using the specified form within twenty-eight (28) calendar days of the decision or finding being informed to the person.

To appeal a decision, the person is required to complete the Liift Learning – Request for an Appeal of a Decision form. This form is available via our website. The completed Request for an Appeal form is to be submitted to the Operations Manager either in hard copy or electronically via the following contact details:

Address: 53 Burswood Rd, Burswood WA 6100

Email: info@liift.org.au

If a person seeking an appeal has any difficulty assessing the required form or submitting the appeal to Liift Learning, they are advised to contact Liift Learning immediately at the following phone number:

Phone: 08 6325 7600

A written record of all appeals is to be kept by Liift Learning including all details of lodgement, response, and resolution. The appeals register within the learner management system is to be used to record the details of the appeal and to maintain a chronological journal of events during the appeal handling process. Records relating to appeal handling must be stored securely to prevent access to unauthorised personnel.

The appeal is referred to the CEO; whereby the CEO reviews the appeal and determines if re-assessment, investigation, or consultation is required; or if the matter can be solved internally.

Appeals are to be handled in the strictest of confidence. No Liift Learning representative is to disclose information to any person without the permission of Liift Learning CEO

Appeals Handling Timeframe

Written acknowledgement by Liift Learning no later than One (1) working day from the time the appeal is received. This acknowledgement is intended to provide the appellant assurance that Liift Learning has received the appeal 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 an appeal is to commence within seven (7) calendar days of the lodgement of the appeal and all reasonable measures are taken to finalise the process as soon as practicable.

A written response must be provided to the appellant within fourteen (14) calendar days of the lodgement of the appeal, including details of the reasons for the outcome.

Where an appellant is not satisfied with the handling of the appeal by Liift Learning, a body or person from an independent third party can be requested to review the appeal. The third-party is required to respond to with their recommendations within fourteen (14) calendar days of their review being request.

Appeals must be lodged within twenty-eight (28) calendar days of the decision or finding being informed to the person. An appeal must be submitted using the Liift Learning – Request for an Appeal of a Decision form.

As a benchmark, Liift Learning should attempt to resolve appeals as soon as possible. A timeframe to resolve an appeal within thirty (30) calendar days is considered acceptable and in the best interest of Liift Learning and the appellant.

An appellant should also be provided with regular updates to inform them of the process of the appeal handling. Updates should be provided to the appellant at a minimum of two (2) weekly intervals.

Appeals must be resolved to a final outcome within sixty (60) calendar days of the appeal being initially received. Where Liift Learning CEO considers that more than 60 calendar days are required to process and finalise the appeal, the CEO must inform the appellant in writing, including reasons why more than 60 calendar days are required.

Appeals Handling Procedure

Liift Learning will apply the following procedure to its appeals handling:

1. An appeal must be received in writing using the Request an Appeal of a Decision form. Appeals must be lodged within twenty-eight (28) calendar days of the decision or finding being informed by the person.
2. The complainant must be provided a written acknowledgement as soon as possible and no later than 24 hours from the time the appeal is received using the appeals written acknowledgment email template. The acknowledgement must inform the appellant that they will receive a written response within 14 calendar days to explain the appeals handling process and the person's rights and obligations.
3. The appeal must be entered into the complaints and appeals register. The complaints and appeals register identifies the appellant, relation with Liift Learning, nature of appeal, findings/outcomes, any links with the Continuous Improvement report and the dates received & closed. Prior to entering the appeals form into the register, check if the person has not already submitted an appeal, if it is accurately recorded or if it has been recorded as a subsequent contact.
4. The appeal is forwarded to the CEO for review. The CEO will determine if the appeal requires further investigation or consultation (administrative appeal) or if the appellant is offered re-assessment with the option of additional training (assessment appeal).
5. The CEO reviews the outcomes of the investigation/consultation and determines the appeal response within an acceptable timeframe. The CEO is to use the appeals response letter template to advise the appellant of the findings and outcomes.
6. Liift Learning shall maintain the enrolment of the appellant during the appeals handling process.
7. Decisions or outcomes of the appeals handling process that find in favour of the learner shall be implemented immediately. If this is an assessment appeal, the candidate may agree to additional training whereby Liift Learning must provide this to the candidate and re-assessment must be completed. If the candidate is deemed not competent after re-assessment, they must meet with the Liift Learning CEO to discuss the assessment process and outcome.
8. The appellant 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 appeals process. If the appellant is dissatisfied with the appeal decision, they are to be referred to the complaints handling process.

9. Liift Learning must request written acknowledgement from the appellant once the appeal has been determined.
10. Appeals handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.
11. The appellant must be accurately updated and recorded in the Complaints and Appeals Register.

Unresolved Appeals

Once the appeals handling process has concluded; where the person seeking an appeal of a decision remains not satisfied with the outcome of the appeals 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 appeal. The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

- In relation to consumer related issues, the person may refer their matter to the Office of Fair Trading.
- In relation to the delivery of training and assessment services, the person may refer their matter to the National Training Complaints Service via the following phone number: 13 38 73 or visit the website at <https://www.education.gov.au/NTCH>
- In relation to matters relating to privacy, the person may refer their matter 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

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

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