



Complaints Policy and Procedure

Complaints Handling:

MTA Institute 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:

- MTA Institute as an organisation, its trainers, assessors or other staff;
- A third party who is providing services on behalf of MTA Institute, its trainers, assessors or other staff; or
- A learner of MTA Institute

This is an important point to note in understanding 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 MTA Institute 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.

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 expose weaknesses 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 all complaints received should be seen in a positive light and as opportunities for improvement.

Making a complaint

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

The complainant is advised on MTA Institute's website to email the details of their complaint; the actions that have been undertaken to resolve their issue; and their desired outcome to complaint@mtai.edu.au.

Alternatively, a hard copy of these details may be forwarded to:

The Director
MTA Institute
Building 8, 2728 Logan Road (PO Box 4530)
EIGHT MILE PLAINS QLD 4113

Or the complainant may contact MTA Institute on Ph: (07) 3722 3000.

In all cases, the MTA Institute recipient of the complaint will record the complaint details on a *Complaints Handling Record Sheet (Annexure 2)*.

Complaint handling procedure

MTA Institute will apply the following procedure to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are advised to email complaint@mtai.edu.au. There is no time limitation on a person who is seeking to make a complaint. A person who makes a written complaint must be **provided a written acknowledgement** as soon as possible, ie. **no later than 1 working day** from the day the complaint is received. This acknowledgement is intended to provide the complainant assurance that MTA Institute has received the complaint, will review the relevant issues and provide a response. The acknowledgement must inform the complainant that they will receive a **written response within 14 days**.
- All complaints are to be recorded on a Complaints Handling Record Sheet, which is used to maintain a chronological journal of events during the complaint handling process. A complaints register is to be kept by MTA Institute's Quality Manager to record details of lodgement, response and resolution. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case to MTA Institute at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- Where a complaint is made about, or involves, allegations about another person, MTA Institute 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. This may be achieved through direct meetings or via an electronic

method. MTA Institute must maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.

- Where a complaint is received by MTA Institute which involves allegations about alleged criminal conduct, MTA Institute are to recommend the complainant refer the matter to the relevant State or Territory Policy Service.
- This Complaints Policy must be publicly available. This means that the complaints policy and procedure must be published on MTA Institute's website.
- The handling of a complaint is to commence within **7 working days** of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within **14 working days** of the lodgement of the complaint.
- Complaints must be resolved in a final outcome within **60 calendar days** of the complaint being initially received. Where MTA Institute's Director considers that more than 60 calendar days are required to process and finalise the complaint, the Director must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, MTA Institute should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within 30 calendar days is considered acceptable in the best interest of MTA Institute and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of **2 weekly intervals**.
- MTA Institute shall maintain the enrolment (if applicable) of the complainant during the complaint process.
- Decisions or outcomes of the complaint process that are in favour of the learner shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No MTA Institute representative is to disclose information to any person without the permission of MTA Institute's Director. 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 *Authority to Release Information form (Annexure 1)*.
- Complaints are to be handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made on logical evidence and the decision-

maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Good Decision-Making Guide](#)

- Complaint handling procedures should conclude with an analysis of circumstances to identify any opportunities for improvement and the completion of a *Continuous Improvement Report (Annexure 3)*.

Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for MTA Institute 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 MTA Institute 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).

MTA Institute 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 persons 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 MTA Institute.

Where an allegation is made that involves alleged criminal or illegal activity and it is considered outside the scope and expertise of MTA Institute to investigate the matter, then in these circumstances MTA Institute reserves 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 complainant is not satisfied with the handling of the matter by MTA Institute, they have the opportunity for a body or person that is independent of MTA Institute to review his or her complaint following the internal completion of the complaint handling process. Before the complainant seeks a review by an independent person, they are requested to first allow MTA Institute to fully consider the nature of the complaint to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant should inform the Director of their request who will initiate the process.

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

Where MTA Institute appoints or engages an appropriate independent person to review a complaint, MTA Institute will meet the full cost to facilitate the independent review. Where the complainant objects to this appointment and requests to engage a person or organisation they nominate, MTA Institute may request the complainant contributes toward the cost of the review.

When a complaint is received by MTA Institute and the Director feels that they may be biased or there is a perception of bias, then the complaint is to be referred directly to an independent third-party for consideration and response as outlined above.

Unresolved Complaints

At full conclusion of the complaint handling process where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person making a complaint is to be directed to the following external agencies:

- In relation to a consumer related issue, the complainant may refer their complaint to the **Office of Fair Trading**.
- In relation to their delivery of training and assessment services, the complainant may refer their complaint to the **Queensland Training Ombudsman** – telephone 1800 773 048 or the **National Training Complaints Hotline** – telephone 13 38 73.

It is expected that the above agencies will investigate the complainant's concerns and contact MTA Institute for information.

MTA Institute 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. MTA Institute considers it would be extremely unlikely that a complaint is not able to be resolved quickly within MTA Institute internal arrangements.

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 hard copy records which are submitted by the complainant or generated by MTA Institute. There is also a record of the complaint maintained within MTA Institute's quality management system. This includes the details about the complaint and a diary log which records the progress of the complaint handling and closure. This record also records identified opportunities for improvement that result from complaints handling.

All records will be saved in a digital format into a secure folder located on MTA Institute's file storage. Each file is to be clearly labelled 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 Director.

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.

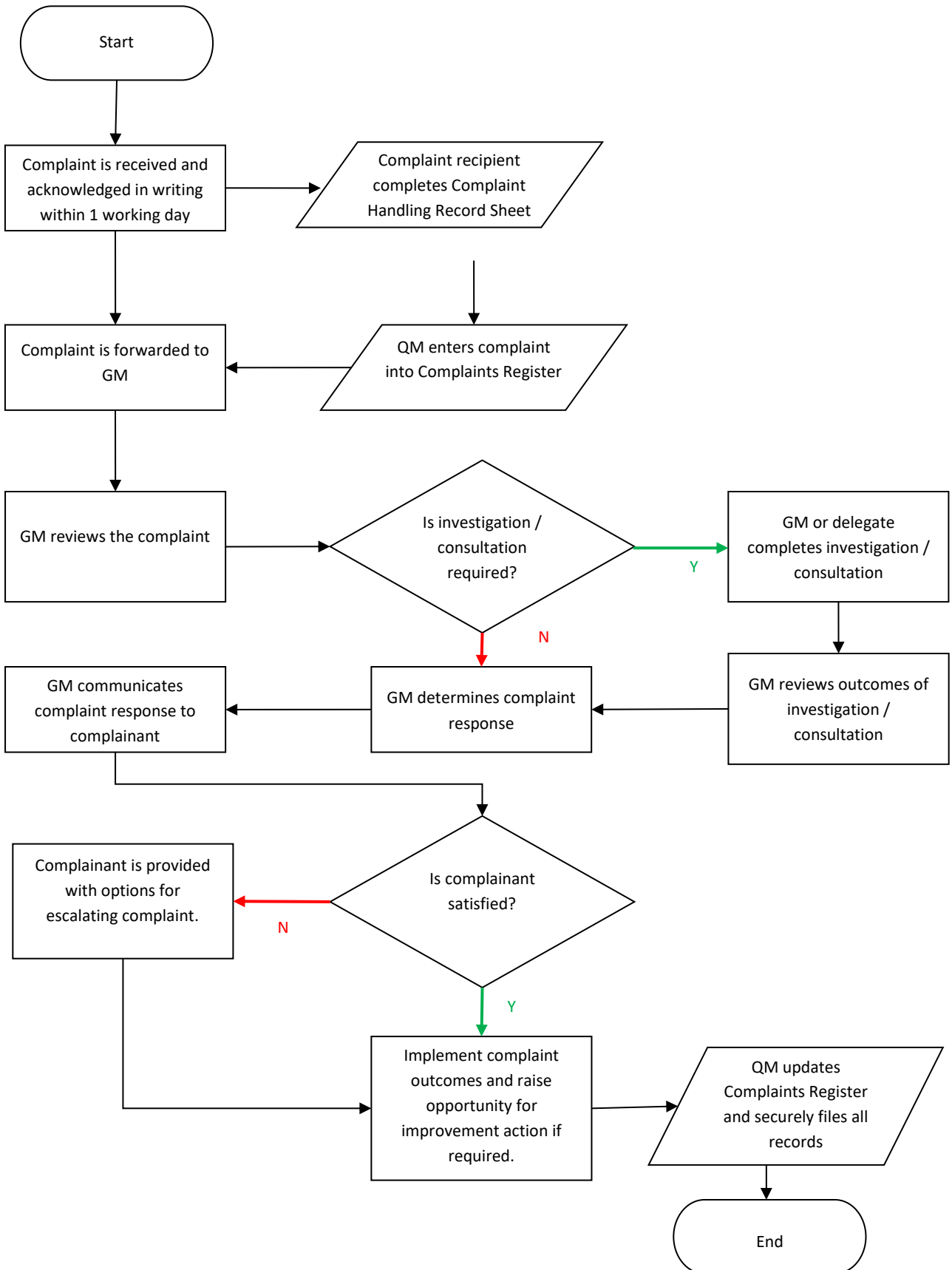
Period of retention of Complaints Records

MTA Institute is to retain records relating to complaints handling for a minimum of 5 years.

Destruction of Complaints Records

MTA Institute's Director 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.

Complaints Handling Process Flow Chart





AUTHORITY TO RELEASE INFORMATION

This form is used to authorise a representative from MTA Institute to release the identified personal information held by MTA Institute to the person or organisation you have nominated below.
(NB: Some information may require 14 days to process due to records being kept off site.)

Completed forms may be emailed to training@mtai.edu.au.

Student or Authorising Person			
Full Name:		DOB:	
Address:			
Email:		Phone:	
Attached is a copy of my: <input type="checkbox"/> Driver Licence <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Passport <input type="checkbox"/> Other			
OR <input type="checkbox"/> I will visit the MTA Institute office and provide original identification for verification.			

Information to be released <i>(please tick)</i>	
<input type="checkbox"/> Enrolment Details (eg. DOB, contact details, employer, etc)	
<input type="checkbox"/> MTAI Statement of Results <i>(unofficial report)</i>	<input type="checkbox"/> MTAI Qualification verification
<input type="checkbox"/> MTAI Statement of Attainment verification	<input type="checkbox"/> Financial Records
<input type="checkbox"/> Other (provide details)	

I, the above-named person hereby authorise MTA Institute to disclose the information outlined in this release form to the person/organisation identified below. I acknowledge that there is no end date to this authorisation. If I wish to terminate/amend this authorisation I must advise MTA Institute in writing.

Signature: _____


Commencement Date: ___/___/___

Nominated Person or Organisation			
Full Name:			
Organisation (if applicable):			
Individual/Organisation Address:			
Individual/Organisation Email:		Phone:	
Relationship to applicant:			

Office Use Only			
Identification type:		Date:	
Processed by Name/Signature:			


The personal information supplied and collected on this form is subject to the Privacy Act 1988 (Commonwealth) and will be treated in accordance with MTA Queensland's Privacy Policy, which is available at www.mtaq.com.au. Please refer to www.oaic.gov.au for further information in relation to privacy laws.

Annexure 2

	<h2 style="margin: 0;">Complaints Handling Record Sheet</h2> <p style="margin: 0;">To be used in conjunction with the Complaints Policy & Procedure</p>	
Complainant's Name	Click or tap here to enter text.	
Relationship to MTAI	Click or tap here to enter text.	
Workplace/Location	Click or tap here to enter text.	
Date complaint received	__/__/__ <input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> In Person <input type="checkbox"/> Letter	
Person responsible for handling the complaint	Click or tap here to enter text.	
Date acknowledged <i>(Must be within 1 working day of receipt)</i>	__/__/__ <input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> In Person <input type="checkbox"/> Letter <input type="checkbox"/> Complainant informed a written response will be sent within 14 days	
Describe details of the complaint and the remedy the complainant is seeking <i>[Attach supporting documentation]</i>		
<p>Details: Click or tap here to enter text.</p> <p>Remedy: Click or tap here to enter text.</p>		
Agreed outcome (what are the actions that will be taken to resolve the complaint) <i>[attach correspondence sent to the complainant outlining action to be taken at each stage of the complaints process]</i>	Date <i>(must be within 14 working days)</i>	
<p>Actions: Click or tap here to enter text.</p> <p>Updates provided to complainant every 2 weeks (min.) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	__/__/__	
Actions completed by (Name)	Date Completed <i>(within 60 days)</i>	
Click or tap here to enter text. Review by Third-Party sought by complainant <input type="checkbox"/> Yes <input type="checkbox"/> No	__/__/__	
Have any areas for improvement been identified? If so, summarise below and complete a Continuous Improvement Report		
<p>Areas of Improvement Identified: Click or tap here to enter text.</p> <p>Continuous Improvement Report Number: Click or tap here to enter text.</p>		

Once the complaint has been finalised, forward this completed form to the Quality Manager, along with any supporting documentation, who will record the information in the Complaints Register.

Annexure 3

 M T A INSTITUTE	CONTINUOUS IMPROVEMENT REPORT To be used in conjunction with the Continuous Improvement Policy and Procedure	
Date Raised: / / 2	Report No: - 2	Raised by:
SECTION 1 – Reason for the Report		
<i>Why is the report being raised?</i>		
SECTION 2 – Suggestion		
<i>What is your suggested improvement?</i>		
SECTION 3 – CIC Review		
<i>What are the agreed actions to be taken?</i> Is the report compliance related? YES <input type="checkbox"/> NO <input type="checkbox"/>		
Person responsible:	Action required by:	
SECTION 4 – Implementation		
<i>What are the initial outcomes of the actions taken?</i>		
Action Completed:	Proposed Validation:	
SECTION 5 – Validation		
Have the completed actions produced the required improvement? YES <input type="checkbox"/> NO <input type="checkbox"/>		
Are there any additional actions required? YES <input type="checkbox"/> NO <input type="checkbox"/>		
Comments:		
Validation Completed: ____/____/____		
SECTION 6 – Closure		
Comments:		
Signed: _____ Director	Date: ____/____/____	