

# Grievance and Complaints Policy

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## Introduction

This Policy applies to both AFL SportsReady and its wholly-owned subsidiary, SportsReady Education (collectively referred to in this document as AFL SportsReady).

AFL SportsReady is committed to promoting positive relationships with its Apprentices, Trainees, Students, Host Employers, clients and stakeholders.

Where a conflict arises AFL SportsReady is committed to providing mechanisms for resolving such conflict quickly and fairly to avoid the escalation of problems.

## Policy

It is AFL SportsReady policy to provide an avenue for grievances or complaints to be treated with efficiency, fairness, integrity, impartiality and due care. The organisation encourages all parties to approach a grievance or complaint with an open view and to attempt to resolve problems through discussion and conciliation.

Under no circumstances will anyone be penalised for presenting a grievance or complaint. Anyone with a grievance/complaint in the first instance is encouraged to notify their respective AFL SportsReady contact and discuss the issue with a view to seeking a resolution of the grievance or concern.

AFL SportsReady is aware that in some cases alternative measures shall need to be explored because of the individuals concerned and the merits of each case.

Confidentiality will be respected at all times within the constraints of the need to fully investigate the grievance or complaint. In certain cases however, such as those involving the alleged abuse of persons, serious criminal offences or suspected corruption, the details of grievances or complaints are required to be reported to external authorities.

This Grievance and Complaints Policy provides guidelines in relation to:

- A grievance or a complaint regarding a trainee or host employer;
- A grievance, complaint or appeal in relation to the service provided by *SportsReady Education* or its representatives; and
- A grievance or complaint regarding AFL SportsReady.

This Grievance and Complaints Policy should be read in conjunction with our:

- Code of Conduct;
- Privacy Policy; and

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- Child Safe Policy and Child Safe Code of Conduct, which provides information as to the process to be followed in the event of a grievance or complaint that relates to the treatment of a child.

## **1. Guidelines – Grievance or Complaint regarding a Trainee or Host Employer**

- 1.1 In the event of a grievance or dispute concerning employment, training or placement arrangements relating to a trainee or host employer, the parties concerned should make every effort to resolve the dispute through consultation and negotiation, with the involvement of the relevant AFL SportsReady Field Officer. In the first instance the initial consultation is likely to be between the Apprentice or Trainee, the Host Employer and the Field Officer.

**Please note:** These guidelines do not apply in the event a trainee experiences discrimination, harassment, vilification, bullying or victimisation at the workplace. Should this occur, the trainee is to **immediately** inform his or her AFL SportsReady Field Officer, who will provide assistance and support to the trainee.

- 1.2 If not settled, the aggrieved party (i.e. Apprentice, Trainee or Host Employer) is to raise the concern either directly, or through the Field Officer, to the AFL SportsReady State Manager. The State Manager will:

- a) speak with the aggrieved party;
- b) speak with other relevant parties;
- c) review any relevant documentation, including any written complaint.

The State Manager will also inform the Chief Operating Officer and Legal Counsel of the issue, who will assist with the issue as required.

- 1.3 The State Manager will attempt to mediate the issue between the parties and attempt to identify a solution or outcome to the grievance or dispute.

- 1.4 If after this process no agreement can be reached the State Manager should (where warranted) advise the circumstances of the grievance or complaint to the State Government appointed Apprenticeship Field Officer who may become involved.

- 1.5 After further discussion, if the matter is not resolved then the aggrieved party has the option of exploring additional alternative measures to resolve the dispute. Depending on the circumstances of the issue, such measures may include:

- a) making a formal complaint to the relevant State Training Authority (the contact details of which are listed in Section 4 of this policy document); or
- b) making a formal complaint to the Fair Work Ombudsman.

- 1.6 At the discretion of the State Manager and subject to the nature and circumstances of the grievance or complaint, work should be continued until the matter is determined or resolved.
- 1.7 When the grievance or complaint has been resolved or an action has been established, a written statement advising the outcome and the reasons for the outcome should be provided to the parties concerned.
- 1.8 Where the resolution of the grievance or complaint has identified requirements for the implementation of improvements by AFL SportsReady, these must be implemented by AFL SportsReady.
- 1.9 The Field Officer and State Manager shall ensure that an accurate record of all proceedings is maintained and kept on the relevant party's file.

**2. Guidelines – Grievance, Complaint or Appeal regarding AFL SportsReady's Registered Training Organisation *SportsReady Education***

***Complaint*** – a person's expression of dissatisfaction with any service provided by the SportsReady Education (AFL SportsReady's Registered Training Organisation) or its representatives.

***Appeal*** – a request to review a decision that has previously been made including a decision about an assessment.

- 2.1 SportsReady Education supports all participants to lodge a complaint or appeal as required. We are committed to providing an effective and fair process to resolve matters as indicated below.
- 2.2 Participants are encouraged, wherever possible to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. The Manager, Student Administration is available to assist students to resolve their issues at this level.
- 2.3 The Manager, Student Administration has been appointed as the Child Safety Officer who will deal with any child related complaints (a child being a person under the age of eighteen years). A child or young person, employee, volunteer or contractor can make a complaint or raise a concern directly to the Child Safety Officer. All complaints must be reported to the Child Safety Officer.
- 2.4 Where an informal discussion has not resolved the complaint or appeal, formal complaints and appeals should be made in writing to the RTO Manager using the Complaints and Appeals Form. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation. We as the Registered Training Organisation acknowledge the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally.

- 2.5 In the case of an assessment appeal and following an internal review of the assessment, an independent, qualified assessor will be appointed within a reasonable timeframe to review and make a decision on the assessment.
- 2.6 Resolution of formal complaint or appeal:
- 2.6.1 On receiving a Client Complaint and Appeals Form the RTO Manager shall investigate the nature of the cause of the complaint or appeal. The RTO Manager will:
- a) speak to the aggrieved party;
  - b) speak to any other relevant parties; and
  - c) review any relevant documentation.
- The RTO Manager will inform the Chief Operating Officer and Legal Counsel, who will assist as necessary. After undertaking the investigation set out in 2.6.1, the RTO Manager will then identify the appropriate course of action to satisfy the complaint or appeal. This outcome may include referral of the matter to an independent mediator.
- 2.6.2 The RTO Manager shall record the outcome of the investigation on the Complaints and Appeals form and advise the complainant in writing of the outcome.
- 2.6.3 The advice to the complainant shall include information and procedures concerning the complainants' right to an external review with ASQA if the outcome is not acceptable to the complainant.
- 2.6.4 In the event of the complainant reporting that they are dissatisfied with the proposed outcome of the investigation, the RTO Manager shall advise the complainant of their entitlement to access the external appeals process.
- 2.7 External appeal process If the complainant is unsatisfied with the outcome of any complaints or appeal, he or she may contact the Australian Skills Quality Authority, the national regulator for Australia's vocational education and training sector. Complainants can contact the ASQA info line on 1300 701 801. Complainants can also submit a complaints form available on the ASQA web site [www.asqa.gov.au](http://www.asqa.gov.au) and email it to [complaintsteam@asqa.gov.au](mailto:complaintsteam@asqa.gov.au). Alternatively the form can be printed, completed and posted to:
- Complaints team  
Australian Skills Quality Authority  
GPO Box 9928  
Melbourne VIC 3001
- 2.8 The complainant may also wish to contact the local state or territory government department responsible for consumer affairs to resolve the matter. These are listed at the end of this policy document.

2.9 Where an external complaint or appeal is found to be in the complainant's favour, SportsReady Education will take whatever action is needed to ensure that the issues regarding the complaint or appeals are addressed so that it does not reoccur. Such action may include counselling of staff where necessary.

### **3. Guidelines – Grievance or Complaint regarding AFL SportsReady**

3.1 In the event of a grievance or dispute by a person regarding AFL SportsReady or its staff (including grievances or disputes regarding a breach of the AFL SportsReady Code of Conduct or Privacy Policy), we encourage you to first raise your concern with your contact or representative from AFL SportsReady.

3.2 If not settled, the aggrieved party is to escalate the grievance or complaint by referring it, in writing, to

- the relevant State Manager; or
- the Chief Operating Officer; or
- AFL SportsReady's Legal Counsel.

who will investigate the circumstances of the complaint. The investigation may take the form of:

- a) speaking with the complainant;
- b) speaking with other relevant parties; and
- c) reviewing any relevant documentation.

The aggrieved party will be informed as soon as possible (no later than 30 days) of the findings of the investigation.

3.3 When the grievance or complaint has been resolved or an action has been established, a written statement advising the outcome and the reasons for the outcome should be provided to the parties concerned.

3.4 Where the resolution of the grievance or complaint has identified required improvements, these must be implemented by AFL SportsReady.

3.5 If the aggrieved party is not satisfied with the outcome of the investigation, the aggrieved party has the option of exploring additional alternative measures to resolve the dispute. Depending on the circumstances of the issue, such measures may include:

- a) making a formal complaint to the relevant State Training Authority (the contact details of which are listed at the end of this policy document); or
- b) making a formal complaint to the Fair Work Ombudsman.

- 3.6 AFL SportsReady shall ensure that an accurate record of all proceedings is maintained and kept on file.
- 3.7 Where the grievance or complaint relates to a breach of AFL SportsReady's Privacy Policy, if you are unsatisfied with the outcome of the investigation you may wish to make a complaint to the Office of the Information Privacy Commissioner on 1300 363 992 [www.oaic.gov.au](http://www.oaic.gov.au).
- 3.8 AFL SportsReady shall ensure that an accurate record of all proceedings is maintained and kept on file.

#### 4. Contact details

<b>STATE TRAINING AUTHORITIES</b>	
Australian Capital Territory	<p><b>ACT Department of Education and Training</b> Training and Tertiary Education Directorate 220 Northbourne Avenue, Braddon, ACT 2612 Ph: 02 6207 5111 Email: <a href="mailto:tateconsultation@act.gov.au">tateconsultation@act.gov.au</a> Web: <a href="http://www.det.act.gov.au/training">www.det.act.gov.au/training</a></p>
Northern Territory	<p><b>Department of Business</b> Mitchell Centre, 11<sup>th</sup> Floor, 55-59 Mitchell Street Darwin Ph: 08 8935 7726 Email: <a href="mailto:training_operations@nt.gov.au">training_operations@nt.gov.au</a> Web: <a href="http://www.dob.nt.gov.au/training/apprenticeships-traineeships/Pages/default.aspx">www.dob.nt.gov.au/training/apprenticeships-traineeships/Pages/default.aspx</a></p>
New South Wales	<p><b>State Training Services</b> NSW Department of Education and Communities Locked Bag 53, Darlinghurst NSW 1300 Ph: 13 28 11 or Vocational Training Tribunal Unit 02 9255 8450 Email: <a href="mailto:vtu@det.nsw.edu.au">vtu@det.nsw.edu.au</a> Web: <a href="http://www.training.nsw.gov.au">www.training.nsw.gov.au</a></p>
Queensland	<p><b>Department of Education, Training and Employment</b> LMB 527, Brisbane QLD 4001 Ph: 1800 210 210 Email: <a href="mailto:apprenticeshipsinfo@qld.gov.au">apprenticeshipsinfo@qld.gov.au</a> Web: <a href="http://www.training.qld.gov.au">www.training.qld.gov.au</a></p>

<p>South Australia</p>	<p><b>Department of State Development</b>          Traineeship and Apprenticeship Services          GPO Box 320, Adelaide SA 5001          Ph: 1800 673 097          Email: <a href="mailto:skillsforall@sa.gov.au">skillsforall@sa.gov.au</a>          Web: <a href="http://www.skills.sa.gov.au/apprenticeships-traineeships">www.skills.sa.gov.au/apprenticeships-traineeships</a></p>
<p>Tasmania</p>	<p><b>Skills Tasmania</b>          GPO Box 169 Hobart TAS 7001          Ph: 03 6165 6075 or 1800 655 846          Email: <a href="mailto:enquiries@skills.tas.gov.au">enquiries@skills.tas.gov.au</a>          Web: <a href="http://www.skills.tas.gov.au">www.skills.tas.gov.au</a></p>
<p>Victoria</p>	<p><b>Department of Education and Early Childhood Development</b>          Apprenticeship Administration          GPO Box 4367 Melbourne VIC 3001          Ph: 1300 722 603          Email: <a href="mailto:vrqa.apprenticeships@edumail.vic.gov.au">vrqa.apprenticeships@edumail.vic.gov.au</a>          Web: <a href="http://www.education.vic.gov.au/training/learners/apprentices">www.education.vic.gov.au/training/learners/apprentices</a></p>
<p>Western Australia</p>	<p><b>ApprentiCentre</b>          Department of Training and Workforce Development          Locked Bag 16, Osborne Park Delivery Centre WA 6916          Ph: 13 19 54          Email: <a href="mailto:apprenticentre@dtwd.wa.gov.au">apprenticentre@dtwd.wa.gov.au</a>          Web: <a href="http://www.dtwd.wa.gov.au/employeesandstudents/apprenticentre/Pages/default.aspx">www.dtwd.wa.gov.au/employeesandstudents/apprenticentre/Pages/default.aspx</a></p>
<p><b>AUSTRALIAN SKILLS QUALITY AUTHORITY</b></p>	
<p>Australian Skills Quality Authority</p>	<p><b>Complaints team</b>          Australian Skills Quality Authority          GPO Box 9928, Melbourne VIC 3001          Ph: 1300 701 801          Email: <a href="mailto:complaintsteam@asqa.gov.au">complaintsteam@asqa.gov.au</a>          Web: <a href="http://www.asqa.gov.au">www.asqa.gov.au</a></p>

<b>PRIVACY COMMISSIONER</b>	
Office of the Australian Information Privacy Commissioner	<b>Office of the Australian Information Commissioner</b> Level 3, 175 Pitt Street, Sydney NSW 2000 Ph: 1300 363 92 Email: <a href="mailto:enquiries@oaic.gov.au">enquiries@oaic.gov.au</a> Web: <a href="http://www.oaic.gov.au">www.oaic.gov.au</a> .
<b>FAIR WORK OMBUDSMAN</b>	
Fair Work Ombudsman	<b>Fair Work Ombudsman</b> GPO Box 9887 In your capital city Phone: 13 13 94 Web: <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a>