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## Policy Version 2.0

### Policy

AMA Training acknowledges the Participants' right to lodge a complaint and appeal when they are dissatisfied with academic or non-academic issues.

AMA Training recognises the need for Participants to have confidence that AMA Training will deal with all complaints and appeals in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood.

### Purpose

The purpose of this policy and procedure is to define the system for dealing with Non-Academic and Academic complaints and appeals

### Scope

This procedure applies to complaints and appeals from Participants. The complaint and appeal may be against another Participant/s, AMA Training staff member/s and or third parties acting on behalf of AMA Training regarding academic or non-academic issues.

The following issues are not considered complaints within the scope of this policy:

- Listing as a trained assessor of permanent impairment with SIRA workers compensation
- Accidents and incidents (such as tripping, slipping, burning).

AMA Training will deal with all complaints and appeals according to the following principles:

- Complaints and appeals will be resolved informally where possible
- Complaints and appeals will be resolved as close as possible to the source of dissatisfaction
- Complaints and appeals procedures will be widely advertised
- Any person with any allegation against them will have the opportunity to respond to the allegation before a resolution is attempted
- Proceedings should be conducted honestly, promptly and without bias
- Issues that are of a criminal or legal nature may be referred to the police or appropriate authority

## 1. Responsibility

1.1. The AMA Training Training Manager will have overall responsibility for:

- 1.1.1. Monitoring all complaints and appeals processes
- 1.1.2. Ensuring all complaints are noted in the complaints register
- 1.1.3. Reporting to third parties on outcomes of complaints & appeals

1.2. This policy and procedure should be communicated to all staff and Participants upon induction employment or commencement of service.

## **2. Procedure (Academic and Non-Academic Complaints)**

2.1. AMA Training believes that it is advantageous for complaints to be resolved wherever possible and appropriate with a minimum of formal procedures.

2.2. Participants who feel they have a complaint should complete the Complaints and Appeals Form citing the exact reason for the complaint, making a note of instances why, who, how and when they occurred.

2.3. The process commences within 10 working days of the formal lodgment of the complaint and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

2.4. The following complaints procedure will be used in dealing with complaints made by all Participants:

2.4.1. Participant, or person acting on behalf of the participant to submit a complaint using the appropriate AMA Training complaint form available on [www.domainname.com.au](http://www.domainname.com.au)

2.4.2. The complaint form is received by AMA Training

2.4.3. Complaints from Participants will be directed/ lodged with the Training Manager and will be entered into the complaint register. A Complaint Acknowledgment Letter will be prepared and sent out by the Training Manager.

2.4.4. The relevant Manager will investigate the complaint and will communicate directly with the Participant

2.4.5. If no face to face meeting is required and a resolution is agreed between the parties, a formal response will be sent to the Participant.

2.4.6. In case a face to face meeting is necessary, the Participant may opt for being accompanied by a witness

2.4.7. If the Participant declines or fails to attend the scheduled meeting, a formal response will be decided in the Participant's absence.

2.4.8. If the matter is not resolved at such a meeting, the parties shall arrange for further discussion between the Participant and their nominated representative, if any, and the members of the Training Course Management Committee

2.4.9. The Participant will be advised in writing of the outcome of their complaint including the reasons for such outcome.

2.4.10. If the Participant is not satisfied with the outcome, the Participants can access AMA Training's appeal process within 20 working days of the date of the complaint outcome in writing.

**2.4.11.** If the internal complaints process results in a decision that supports the participant, AMA

Training will immediately implement the decision and/or corrective action and advise the participant of the outcome.

### **3. Appeals process – grounds for appeal**

3.1. An application for appeal will be considered where:

- 3.1.1. A Participant claims a disadvantage because the nature of the complaint process is unfair
- 3.1.2. A Participant is of the view that a clerical error has occurred in the documenting of the assessment outcome

### **4. Step 1 – Internal Appeals**

- 4.1. The internal appeal process is free of costs.
- 4.2. Participants may access the internal appeals process and are required to lodge their appeal and reasons by submitting an Appeal Form to the Training Course Management Committee within 20 working days of the date of the complaint outcome.
- 4.3. Appeals will be logged in the Appeals register and an Appeals Acknowledgment Letter will be prepared and sent out by the Training Course Management Committee.
- 4.4. When the internal appeal process has been instigated, which will commence within 10 working days of the formal lodgment of the appeal, a member of the Training Course Management Committee will contact the participant and allow for him/her to formally present their case (if not already done), review the information and all reasonable measures will be taken to finalise the process as soon as practicable.
- 4.5. After consideration of the documentation received with an Appeal, the grounds will be assessed and the participant will be notified in writing of the outcome via the Internal Appeal Outcome Letter.
- 4.6. If the appeal remains unresolved, the participant can access an external appeals process at minimal cost. The participant is also entitled to nominate a person of their choice to support them.
- 4.7. If the internal appeals process results in a decision that supports the participant, AMA Training will immediately implement the decision and/or corrective action and advise the participant of the outcome.

### **5. Step 2 – External Appeals**

- 5.1. If the participant is not satisfied with the result or conduct of the internal complaint handling and appeals process, AMA Training will advise the Participant of his or her right to access the external appeals process. All external appeals should be lodged in writing within 20 working

days of the date of the Internal Appeal Outcome Letter.

- 5.2. This document in no way replaces or modifies procedures or responsibilities that arise under other policies or under statute or any other law.
- 5.3. This policy and procedure does not limit the rights of individuals to take action under the Consumer Protection Laws. Also, this policy and procedure does not circumscribe an individual's rights to pursue other legal remedies.

## 6. Definitions

- 6.1. **Complaint** is a statement that something is unsatisfactory or unacceptable
- 6.2. **Appeal** is a process for requesting a formal change to an official decision
- 6.3. **Academic** is a matter relating to an educational or scholarly institution or environment.
- 6.4. **Non-academic** is an issues other than academic related.
- 6.5. **Listing as a trained assessor of permanent impairment with SIRA workers compensation:** is the process, managed by the NSW State Insurance Regulatory Authority by which a medical specialist meets requirements to be listed in the Worker Compensation system.

## 7. Supporting Documents

- 7.1. Complaints Form
- 7.2. Appeal Form
- 7.3. Complaints Register
- 7.4. Appeals Register
- 7.5. Complaints and Appeals Tracking Form
- 7.6. Complaint and Appeals Acknowledgement Letter
- 7.7. Complaint and Appeals Outcome Letter – Successful
- 7.8. Complaint and Appeals Outcome Letter – Unsuccessful

## Document History

Revision	Date	Description of modifications
1.0	December 2016	Original
2.0	January 2017	Review after feedback received form SIRA

## Document Details

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# NSW Permanent Impairment Assessment Complaints and Appeals Policy & Procedure

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