

## Complaints and Appeals Policy and Procedure

### 1. Purpose

- 1.1. MediQuest endeavours to meet the expectations of all stakeholders. When this is not achieved MediQuest will employ a fair and equitable process to reach an agreed resolution.
- 1.2. This policy and procedure is to provide guidance on resolving complaints and appeals.

### 2. Scope

- 2.1. All staff of MediQuest Pty Ltd may be directly affected by this Policy.
- 2.2. All stakeholders in training and assessment delivered by MediQuest Pty Ltd may be affected by this Policy.

### 3. Authority

- 3.1. This policy and procedure are issued on the Authority of the Director. It is the responsibility of the Director and Compliance Manager to monitor compliance with the policy. The Training Manager is responsible for ensuring consistent implementation of the policy by all training and assessment staff.

### 4. Review

- 4.1. This Policy and Procedure are reviewed in accordance with the Policy and Procedure Review Schedule or as required.

### 5. Definitions

Term	Definition
Complaint	Any expression of dissatisfaction with services provided by MediQuest.
Appeal	Any decision can be appealed. Assessment appeals are specific to assessment decisions.

### 6. Policy Statement

- 6.1. If a student has a complaint that they wish to raise with MediQuest they are encouraged to do so through the Complaints and Appeals Procedure. Students are also encouraged to appeal any MediQuest decision if they feel they have grounds via the appeals process as per this policy. This includes assessment and RPL decisions.
- 6.2. Students may lodge informal and formal complaints. Students may also access the MediQuest (internal) and the external appeals process.
- 6.3. MediQuest employs a procedure for informal/formal complaints and internal and external appeals processing/handling.

- 6.4. All complaints and appeals lodged will be used for continuous improvement purposes.
- 6.5. The Director is responsible for implementing this policy and reviewing its effectiveness in compliance with regulatory guidelines.
- 6.6. The following procedure outlines how students will have their complaints and appeals processed.

## **7. Procedure**

### **7.1. Informal Process – General Complaints**

- 7.1.1. Students are encouraged to approach any member of MediQuest staff and make an informal complaint about any issue relating to their training.
- 7.1.2. Where possible, staff members may utilise advice, discussions, and general mediation in relation to the issue/complaint. Staff members should try and resolve the issue informally.
- 7.1.3. Any staff member can be involved in this informal process to resolve issues.
- 7.1.4. Staff members should refer students to the Director if they feel they cannot, or it is not appropriate for them to try and resolve the complaint/issue.
- 7.1.5. Staff may ask the student to come back at an arranged time if further investigation is required.
- 7.1.6. The outcome of the investigation should be communicated to the student within an agreed timescale.
- 7.1.7. If the complaint is against the Director another member of staff should be approached and shall deal with the complaint.
- 7.1.8. Students who are not satisfied with the outcome of the informal process should be encouraged to lodge a formal complaint.
- 7.1.9. All staff members should log informal complaints and outcomes in the Complaints and Appeals Register for continuous improvement purposes.

### **7.2. Formal Process – General Complaints**

- 7.2.1. The student will incur no cost to themselves during the complaints and appeals process unless they seek external representation.
- 7.2.2. Students should lodge formal complaints using the Complaints and Appeals Form located in appendix one of the student handbook.
- 7.2.3. Complaints and Appeals Forms are to be submitted to: Director, MediQuest David House, Little David Street Yarraville 3013 or email [denise@mediquest.net.au](mailto:denise@mediquest.net.au).
- 7.2.4. If the complaint is against the Director another member of staff should be approached and shall deal with the complaint. Refer to the student handbook for contact details.
- 7.2.5. MediQuest will process the complaint/appeal within 10 working days of lodgment.
- 7.2.6. MediQuest seeks to resolve complaints to student satisfaction through ensuring the student has the opportunity to present their case, with careful consideration of the evidence. A fair, open minded approach along with negotiation and mediation is employed to achieve results.
- 7.2.7. The Director will investigate the complaint and liaise with appropriate staff if necessary, to ensure all the facts are considered prior to making any decision.
- 7.2.8. The Director may delegate the handling of the complaint to an appropriate staff member if appropriate.
- 7.2.9. The Director may arrange a meeting with the student during the investigation process if appropriate.

- 7.2.10. Students have the right to seek advice from and be represented by external parties at any time during the complaints and appeals process. The cost of this will be borne by the student.
- 7.2.11. The Director will notify the student in writing of MediQuest's decision within 3 working days of the decision being made.
- 7.2.12. Students are also notified of their right to appeal any decision within 20 working days if they are not satisfied with the outcome of the process.
- 7.2.13. All formal complaints and outcomes are to be recorded in the Complaints and Appeals Register.
- 7.2.14. If a student's complaint is substantiated through this process the Director will take immediate corrective action.
- 7.2.15. All relevant documentation relating to the complaint must be stored in the student's file.
- 7.2.16. If a student is dissatisfied with MediQuest's decision regarding the complaint they have the right to appeal the decision via MediQuest's Appeals Policy. The procedure is outlined below.

### **7.3. Internal Appeals Process – General Appeals**

- 7.3.1. If students are not satisfied with MediQuest's decision they may ask MediQuest to reconsider the decision by lodging an appeal.
- 7.3.2. Appeals may be made in relation to the following areas:
  - 7.3.2.1. The outcome of a formal complaint
  - 7.3.2.2. The outcome of action being brought against the student for breaching the Code of Conduct
- 7.3.3. Students must have reasonable grounds for an appeal and include all supporting evidence with the Complaints and Appeals Form.
- 7.3.4. The appeals process will commence within 10 working days of lodgment.
- 7.3.5. The Director is not able to assist students in establishing if they have reasonable grounds for an appeal.
- 7.3.6. If the appeal is in relation to the Director and/or her decisions another member of staff will deal with the process.
- 7.3.7. Students must lodge an appeal within 20 working days of being notified by MediQuest of any decision they wish to appeal.
- 7.3.8. Students may be accompanied by a representative at any meetings during the appeals process.
- 7.3.9. On receiving a Complaints and Appeals Form, MediQuest will arrange a time and venue for a meeting to take place and inform the student in writing.
- 7.3.10. The meeting shall be attended by the students and representative (if requested), Director and one other appropriate member of staff.
- 7.3.11. During the meeting students will have the opportunity to present their evidence and MediQuest will make a decision based on all evidence supplied to date.
- 7.3.12. At the completion of the internal appeals meeting a written statement of the outcome including reasons and details for the decision will be discussed with the complainant and signed by the complainant and the Director.
- 7.3.13. The outcome will either be in favour of MediQuest or the student.
- 7.3.14. If the outcome is in favour of the student, the Director will immediately commence corrective action.
- 7.3.15. Students will be sent written notification of the outcome within two working days of the meeting taking place. This will include the outcome including reasons for the decision.

- 7.3.16. This written notification will also inform the students that they have the right to access MediQuest's external appeal process (if appropriate) and how they go about doing this.
- 7.3.17. The Complaints and Appeals Register will be updated.
- 7.3.18. All evidence will be placed in the students file.
- 7.3.19. If students are dissatisfied with the outcome of the internal appeals process, they may access the external appeals process. Details of how to activate this process are contained in the policy and procedure.

#### **7.4. Internal Appeals Process – Assessments**

- 7.4.1. If a student feels they have been unfairly assessed or there are circumstances that impacted their performance, they may appeal the assessment decision.
- 7.4.2. Students should approach their assessor in this case outlining the reasons for their appeal.
- 7.4.3. If the assessor feels there is a reasonable ground for the appeal, he/she may decide to reassess the student.
- 7.4.4. The assessor should document this process along with the outcome in the Complaints and Appeals Register. All supporting documentation should also be placed in the student's file.
- 7.4.5. If the assessor decides to refuse the student an opportunity for reassessment, the student may lodge a formal appeal by submitting a Complaints and Appeals Form. The student must provide reasons for the appeal along with any supporting evidence.
- 7.4.6. Complaints and Appeals Forms are to be submitted to: Director, MediQuest, David House Little David Street, Yarraville 3013 or email [denise@mediquest.net.au](mailto:denise@mediquest.net.au).
- 7.4.7. If the appeal is in relation to the Director's decision another member of staff will deal with the process.
- 7.4.8. If the Director or other staff member handling the process decides that the students appeal be upheld the following will apply:
  - 7.4.8.1. The assessment in question will be marked by a different trainer (or from a trainer from another RTO if appropriate and feasible) and the outcome communicated to the student.
  - 7.4.8.2. The assessor should document this process along with the outcome in the Complaints and Appeals Register. All supporting documentation should also be placed in the student's file.
  - 7.4.8.3. The student will be awarded the grade that gives them the most favourable outcome between the two outcomes.
- 7.4.9. If the student's appeal is refused, they will be sent written notification of the outcome within five working days of the meeting taking place. This will include the outcome including reasons and details for the decision. The letter will also inform the student of their right to access the external appeals process.
- 7.4.10. Students can only appeal an assessment decision once.
- 7.4.11. If students are dissatisfied with the outcome of the internal appeals process, they may access the external appeals process. Details of how to activate this process are contained in the policy and procedure.
- 7.4.12. Students must inform MediQuest in writing if they are accessing the external appeals process.

#### **7.5. External Appeals Process**

- 7.5.1. External appeals may only be lodged if a student believes MediQuest has not followed the Complaints and Appeals Policy and Procedure.

- 7.5.2. An external party to MediQuest will review the case to identify if MediQuest has followed the correct process as stated in the Complaints and Appeals Policy in handling the complaint or appeal. The external party does not review the outcome of the complaint or appeal
- 7.5.3. Students have the right to seek advice from, and be represented by, external parties at any time during the complaints and appeals process. The cost of this will be borne by the student.
- 7.5.4. As the MediQuest registering body, the Victorian Registration and Qualifications Authority (VRQA) is the final arbiter of all complaints or appeals lodged with MediQuest. The VRQA are physically located at Level 4, Casselden, 2 Lonsdale Street, Melbourne, VIC, 3000 and can be contacted by post at GPO Box 2317, Melbourne, VIC, 3001. General phone contact is 9637 2806 (from 9:00 am to 5:00 pm Monday to Friday) and email can be sent to vrqa@edumail.vic.gov.au. The web address is www.vrqa.vic.gov.au
- 7.5.5. The student will be contacted within 24 hours of receiving notification from Dispute Settlement Centre of Victoria of the decision.
- 7.5.6. The student may access and receive the outcome of only one external appeals process.

#### **7.6. National Training Complaints Hotline**

- 7.6.1. 7.1 Vocational education and training (VET) students and employers now have a simple new complaints hotline to report rogue training providers. Assistant Minister for Education and Training Senator Simon Birmingham said that while the vast majority of providers were doing the right thing, a minority were ripping off students, employers and taxpayers.
- 7.6.2. National Training Complaints Hotline on 13 38 73

#### **7.7. Further information**

- 7.7.1. MediQuest's Complaints and Appeals Policy in no way effects the student's right to access consumer affairs legislation and legal representation.
- 7.7.2. The student has the right to lodge a complaint if they are concerned about any aspect of their training to the National Training Complaints Hotline on 13 38 73.
- 7.7.3. The student also has the right to contact the VET regulator if they are dissatisfied with the complaints and appeals process and lodge a complaint against MediQuest, as per below:

**Victorian Registration and Qualifications Authority**

Level 6, 35 Spring Street  
Melbourne Victoria 3000

Phone: 03 9537 2806

Fax: 93 9651 3266

Email: [vrqa@edumail.vic.gov.au](mailto:vrqa@edumail.vic.gov.au)

Website: [www.vrqa.vic.gov.au](http://www.vrqa.vic.gov.au)

**Documents to be employed in conjunction with this policy and procedure:**

- Complaints and Appeals Form
- Complaints and Appeals Register
- Client files

**Revision History**

Date	Revision	Revised by
01/05/2012	Created	Chris Donaghy
01/05/2013	Revised	Denise Dawson
02/09/2014	Revised	Denise Dawson
09/09/2015	Revised	Denise Dawson
27/01/2016	Revised	Erin Wilson
08/06/2016	Revised and updated to meet 2016 requirements	Brianna Moore
13/04/2018	Revised, 'Client' replaced with 'Student' and migrated to new template	Denise Dawson
18/07/2019	Definitions added	Barrie Campbell
30/01/2020	Change Logo	Julia Butler