

Procedure

PR3054.1.0

Effective Date: 16/05/18

Complaints and Appeals (RTO)

The Chief Executive Officer (CEO), Queensland Fire and Emergency Services (QFES) Registered Training Organisation (RTO) is responsible pursuant to Standard 6, [Standards for RTOs 2015](#) to ensure all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

QFES has an established process for resolving academic and non-academic complaints and appeals. Complaints about employee and volunteer conduct and administrative decisions are taken seriously and QFES is committed to resolving them in a fair, timely, transparent and meaningful way.

Academic issues relate to training, student progress, assessment, course content, resources and material or awards. Non-academic issues include the general performance or decisions of QFES in the delivery of products or services, such as financial matters (fees, refunds and payment terms), QFES member and learner behaviour or conduct, management of personal information, or facilities and resources.

Complaints relating to training and assessment services may be lodged by:

- QFES staff and volunteers;
- Non-fee paying external learners (not inclusive of Training and Emergency Management (TEM));
- Fee paying external inclusive of TEM;
- Rural Fire Service (RFS) High School Program students; or
- Police Citizens Youth Club (PCYC) Emergency Services cadets.

Complaints not handled by this procedure:

- Complaints raised internally by staff or volunteers about any aspect of their employment or engagement with the QFES. These are not RTO complaints and are subject to the department's complaints policies and procedures.
- In instances where a RTO complaint may include an allegation of misconduct or corrupt conduct, e.g. wilful falsification of training/assessment/attendance documentation, the allegation must be referred immediately to the Ethical Standards Unit (ESU), Workplace Conduct Branch (WCB).

Refer to Appendix A – Complaints and Appeals (RTO) Information for further details.

How I Do It

ACTION:

1. Lodging or making a complaint.

NOTES:

1. Complaints may be lodged:
 - in person to Manager, QFES RTO;
 - in writing via email to rto.compliance@qfes.qld.gov.au; or
 - by phone to 3635 2706.

Anonymous complaints will be accepted; however, there is no guarantee a thorough and full investigation and resolution process will be completed without full details.

Further options are available for QFES RTO trainers, assessors, staff and learners to lodge a complaint directly to the Australian Skills Quality Authority (ASQA). Details on lodging complaints with ASQA are available from the [ASQA website](#).

Responsibility: Complainant.

2. Receipt of complaint.

2. On receipt of the complaint, ensure:
 - the complaint is recorded in the RTO Case Management System;
 - the complainant is advised by writing or email that the complaint has been received and logged within seven working days;
 - progress of the case is coordinated and tracked and, if required, appoint a qualified investigation officer to manage the case.

Responsibility: Manager, QFES RTO.





ACTION:
3a. Processing a simple complaint.

NOTES:

3a. For a simple RTO complaint, advise the subject person of the complaint in writing including:

- the nature of the complaint;
- the specific allegation/s;
- how any investigation will proceed; and
- the process on how to access material related to the complaint.

Responsibility: Manager, QFES RTO.

3b. Processing a significant complaint.

3b. For a significant complaint, assess the complaint to ascertain if there is aspect of the complaint which may amount to an allegation of misconduct or corrupt conduct. If it is established that there is, refer the complaint immediately to the ESU for action.

If not, brief the Executive Manager, Business and Compliance Command, School of Fire and Emergency Services Training (SFEST) on the nature of the complaint, including all relevant details and information, and recommendations on how to proceed.

Responsibility: Manager, QFES RTO.

4. Investigations.

4. Before accepting the case, declare if there is a potential Conflict of Interest (refer QFES Policy 1.4 – Conflict of Interest).

All investigations are to be managed ethically, transparently, within specified timeframes and without bias. Ensure:

- any interested or effected parties are interviewed;
- subject person/s are interviewed to ascertain their version of events;
- a written report is prepared and submitted to the RTO Manager outlining facts surrounding the complaint including any findings and recommendations; and
- the Case Management folder is up-to-date.

Responsibility: Assigned Investigation Officer.

5. Travel arrangements.

5. SFEST is responsible for the arrangement and payment of travel and associated costs in accordance with QFES Schedule 5 – Financial and Travel Delegations Manual and QFES Total Station Workload (TSWL) Procedure D2.3.3 – Coordinate Awareness of Travel Procedures and Expense Forms.

Ensure potential budget impacts are considered and all expenditure is approved in accordance with QFES Schedule 5 – Financial and Travel Delegations Manual.

Responsibility: Manager, QFES RTO.

6. Review investigation.

6. Review the investigation report and make further recommendations, where required, including:

- take no action;
- temporary suspension as a QFES trainer/assessor;
- undertake re-training or professional development as a trainer/assessor; and/or
- other sanctions as deemed required.

Brief the Executive Manager, Business and Compliance Command and include advice on recommendations.

Advise the subject person/s in writing of the findings or recommendations and provide them with the opportunity to respond, including advice on the appeal process. Record outcomes in the RTO Case Management System.

Responsibility: Manager, QFES RTO.

ACTION:

7. Significant breaches.

NOTES:

7. Allegation/s or complaint/s are considered to be a significant breach when:
- the alleged behaviour is likely to continue;
 - represents a serious breach of training legislation or impact on operational effectiveness; and/or
 - poses a potential risk to the QFES RTO.

Advise the subject person/s in writing that they are suspended as a QFES trainer/assessor and include advice on:

- the nature of the complaint;
- the specific allegation/s;
- information on how the investigation process will proceed;
- the process on how to access material related to the complaint; and
- nature and determined period of suspension.

Advise the Manager, QFES RTO if an investigation will proceed (refer to Action 4).

Responsibility: Executive Manager, Business and Compliance Command.

8. Recommendation outcomes.

8. Consider the recommendations and advise the subject person in writing on the findings of the investigation and any sanctions which are to be taken, including:
- take no action;
 - temporary suspension as a QFES trainer/assessor;
 - permanent removal as a QFES trainer/assessor;
 - undertake re-training or professional development as a trainer/assessor;
 - removal of certifications; and/or
 - other sanctions as deemed required.

Responsibility: Executive Manager, Business and Compliance Command.

9. Appeals.

9. If there is dissatisfaction on with how a complaint has been dealt with, a request for a review of a decision on a complaint **must** be made in writing. Forward the request to the Executive Manager, Business and Compliance Command via email: rto.compliance@qfes.qld.gov.au or, if of a personal nature, to the Director, SFEST, GPO Box 542 Brisbane 4001.

The appeal should include:

- name and contact details;
- name of work/volunteer unit; and
- a description of the reason why the appeal has been requested including any documentary evidence.

Responsibility: Complainants/Subject Person/s.

10. Appoint officer.

10. Appoint one of the following roles to conduct an internal review:
- QFES Corporate: Executive Director;
 - QFES Regional Operations: Chief Superintendent;
 - QFES RFS: Regional Manager;
 - QFES State Emergency Services (SES): Regional Director/Manager; or
 - Inspector General Emergency Management (IGEM): Business Unit Director/Manager.

The appointed officer is to have no previous involvement in the matter; no conflict of interest; and be impartial, qualified and/or experienced to conduct the review.

Responsibility: Executive Manager, Business and Compliance Command.

ACTION:	NOTES:
11. Conduct review.	<p>11. Before accepting the case, declare if there is a potential Conflict of Interest (refer QFES Policy 1.4 – Conflict of Interest).</p> <p>All investigations are to be managed ethically, transparently, within specified timeframes and without bias. Ensure:</p> <ul style="list-style-type: none"> the complainants/subject person/s is notified in writing regarding the process of the appeal; the complainant and other associated parties are interviewed, if required; material from previous complaint is reviewed; additional material is reviewed, as required; any inquiries are conducted as deemed relevant and appropriate; and a written response is provided to the Executive Manager, Business and Compliance Command on the outcome of the review. <p>Responsibility: Appointed Reviewing Officer.</p>
12. Review outcomes.	<p>12. Provide a written response to the complainant/subject person/s including a copy of the Reviewing Officer’s report. Record outcomes in the RTO Case Management System.</p> <p>Responsibility: Executive Manager, Business and Compliance Command.</p>
13. Third party resolution.	<p>13. If there is dissatisfaction on with how a review of a complaint has been dealt with, there are options for an independent party to review the final decision. For further information, refer to:</p> <ul style="list-style-type: none"> Public Service Commission (PSC) Directive 03/17 – Appeals; the National Training Complaints Hotline; or the Queensland Training Ombudsman. <p>Responsibility: Complainants/Subject Person/s.</p>
14. Recordkeeping.	<p>14. Retain all related records and documentation in accordance with QFES Administration Reference Guide (ARG) Procedure PD3.4 – Coordinate Records Management.</p> <p>Responsibility: All Officers.</p>
15. Reporting.	<p>15. Reports (including interim progress reports) and identified issues relating to complaints, investigations or appeals are to be escalated and tabled to the QFES People and Culture Committee, as required. Liaison with other QFES Committees may also be required.</p> <p>Note: This action is not applicable to complaint, investigation and appeal processes.</p> <p>Responsibility: Director, SFEST.</p>
16. Monitor process.	<p>16. Ensure process requirements and expenditure are managed in a timely manner and in accordance with departmental and legislative requirements. Any issues are to be resolved and/or reported, as required.</p> <p>Responsibility: ACs/EDs/Deputy Commissioners (DCs).</p>
17. Management of program.	<p>18. The Commissioner, QFES is the accountable officer for the QFES, and in turn, reports to the State Government.</p> <p>Responsibility: Commissioner, QFES.</p>

Reference Material

- [Standards for RTOs 2015](#)
- [ASQA website](#)
- [PSC Directive 03/17 – Appeals](#)
- [National Training Complaints Hotline](#)
- [Queensland Training Ombudsman](#)

Appendices

- Appendix A – Complaints and Appeals (RTO) Information

Forms

- QFES Form PD130 – Request for Internal Review – QFES RTO

Contacts

- Manager, RTO, SFEST



Licence URL: [Creative Commons Attribution 4.0 licence](#)

Please give attribution to © State of Queensland ([Queensland Fire and Emergency Services](#)) 2018