

CLIENT COMPLAINTS POLICY

Purpose

This policy outlines Energy Skills Solutions (ESS) approach to managing client complaints.

Scope

The policy applies to all complaints received from clients. This policy will be applied in accordance with the procedure *ESS-PR001 Client Complaints*.

Outcomes

The intended outcomes of this policy are to:

- ensure ESS complies with the relevant legislation, policies and standards
- ensure consistent application of the policy, and
- provide transparency as to how ESS manages client complaints.

Definitions

Client – means the employer of the student or the student.

Complainant – means the person who is making the complaint.

Manager – means the ESS manager.

Legislation

There is no specific legislation related to client complaints; however, the following Registered Training Organisation (RTO) Standard specifies that an RTO must have a client complaints procedure.

[Standards for Registered Training Organisations 2015](#)

Policy

Principles

The following principles apply to the complaints process:

- Complaints should be made within a reasonable time of the event leading to the complaint
- All complaints will be handled with procedural fairness, confidentiality and privacy, including the use and storage of any information and records related to the complaint
- Complaints will be handled quickly and as close as possible to the source. Where possible the complaint will be resolved by discussion, cooperation and mediation; all parties involved will participate in complaint resolution in good faith.
- Complaints provide ESS with an opportunity to review and improve our services to clients.

Complaints can be managed through an informal or formal process. ESS encourages the use of an informal process in the first instance. However, this will depend upon the nature of the complaint.

Informal complaint

ESS will endeavour to facilitate the resolution of the complaint at the local level by:

- notifying the Manager of the complaint
- clarifying the complaint through discussion with all parties; and
- negotiating a mutually agreed outcome to resolve the complaint.

Resolution at the local level will be undertaken wherever possible within 20 working days and no longer than 30 working days of the complaint being raised.

Complaints that cannot be resolved in this timeframe must be directed to the Manager, and the complaint may be managed using the formal process.

Formal complaint

The following steps apply for these complaints:

1. The complainant lodges a complaint using the form *ESS-FR009 Client Compliant*.
2. The complaint is recorded, and acknowledgment sent to the complainant within five working days of receiving the complaint.
3. The most appropriate avenue for investigating the complaint is determined. This may involve:
 - Referring the complaint to an external agency.
 - The ESS manager investigating the complaint or assigning another suitable ESS staff member to investigate the complaint.

The complainant will be advised in writing of how the complaint will be managed. The complainant will be provided with a copy of any relevant policy and procedures within 20 working days of receipt of the complaint.

Both the complainant and respondent are entitled to invite a support person or a neutral third party to attend any interviews or meetings conducted during the formal process.

The support person can be a fellow student, peer or ESS staff member. The support person cannot contribute to any discussion unless invited to do so by the person conducting the investigation.

After the investigation, the person investigating the complaint will provide the Manager with one of the following recommendations:

- That the complaint has been substantiated and recommendations on any action required
- That the complaint has not been substantiated. In most cases, no further action will be required; however, the person investigating the complaint may make recommendations.

Appeals

An appeals process is available for the complainant. An appeal may be lodged to the relevant agency if the complainant:

- feels the complaint needs to be formally investigated rather than informally investigated
- feels the complaint process was not followed, or
- is not satisfied with the outcome of the complaint investigation.

The complainant is encouraged to inform the ESS manager, if the outcome of the complaint is to be referred to an external agency.

Confidentiality

All parties involved in a complaint including the complainant, respondent and person investigating are to maintain confidentiality.

Responsibilities

ESS management is responsible for:

- implementing the policy
- monitoring compliance with the policy
- addressing any non-compliance to the policy
- reviewing the policy and changes to the policy
- complying with the policy

ESS staff are responsible for:

- identifying changes to the policy
- complying with the policy

All inquiries and issues related to the policy are to be directed to ESS management.

Document Management

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Trainers	Contract trainers

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Name	Position/title
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Administration	Administration support staff
Trainers	Trainer Assessors

Document version history

Version	Date	Amendment
2.0	7/2019	Minor wording changes
3.0	01/04/2024	General review and minor updates

Related/referenced documents

Document title	
ESS-PR001 Client Complaints	ESS-FR009 Client Compliant form
Standards for Registered Training Organisations 2015	

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APPROVED BY:



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(Signature of approving officer)

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