

Complaints and Workplace Issues Policy

1. Purpose

CIT Solutions is committed to building a positive workplace culture; however, it is recognised that issues between employees and/or other stakeholders can arise in the workplace. This policy aims to eliminate discrimination, bullying and harassment in the workplace, and encourages all staff to report conduct that is perceived as discriminatory, coercive, misleading, and/or threatening.

The purpose of this policy is to provide guidance on managing grievances and/or issues that arise in the workplace between learners, employees, community members and other stakeholders, and to ensure that all workplace issues are managed in a fair, equitable and timely manner. The policy will ensure that the respondent, at whom the complaint is directed, receives timely notice and natural justice in any investigation.

2. Scope

This policy applies to all complaints raised by CIT Solutions learners, employees, members of the community and stakeholders.

3. Informal and formal complaints

Informal complaints are those that may meet one or more of the following criteria:

- a. the allegations are of a less serious nature but the individual alleging the behaviours wants it to cease nonetheless
- b. the complainant prefers an informal resolution procedure rather than factual proof, substantiation of a complaint or the use of the CIT Solutions Complaint Form
- c. the parties are likely to have ongoing contact with one another and the complainant wishes to pursue an informal resolution so that the working relationship can be sustained.

The informal complaints resolution is encouraged as the first course of action but an employee is not required to exhaust informal attempts at resolving the issue before formal complaints resolution process at any stage.

For formal complaints, the complainant will need to complete the CIT Solutions Complaint Form providing details pertaining to the alleged situation and follow the procedures for resolving formal complaints. Any allegations of harassment or bullying is deemed to be of serious nature and the formal complaints resolution process will apply for such circumstances.

4. Principles

All CIT Solutions learners, employees and stakeholders have the right to make a complaint regarding issues, events or actions which they feel are unreasonable or unfair.

In the first instance, and where practicable, issues that arise should be discussed with the relevant person, as they may be unaware of the impact of their actions. If this is not possible, the complaint is to be discussed with another trusted employee, Respect Equity and Diversity (RED) Officers, Health and Safety Representatives (HSR), Mental Health First Aid (MHFA) Officer, or assistance can be sought from the Human Resources (HR) Manager.

The role of these staff would be to actively liaise with the relevant person to address or resolve the complaint internally. If this effort does not resolve the issue/s, the complainant can email the General Manager, who will coordinate the handling of unresolved issues.

Throughout the entire issue resolution process, the following principles should be applied:

- a. All parties involved in identifying and resolving a workplace issue will be treated respectfully and in accordance with the values and Code of Conduct of CIT Solutions.
- b. All issues raised will be treated seriously and in a timely manner.
- c. Natural justice / procedural fairness will apply to the complainant and respondent for all issues raised. This requires that:
 - individuals are given an opportunity to be heard
 - individuals will be informed of any allegations as appropriate
 - decision makers will act without bias or self-interest
 - decision makers will base their decision on evidence that is relevant to the facts in issue, that is, all relevant matters are considered when reaching a recommendation/decision and irrelevant matters are not given weight in reaching a decision.
- d. The complainant and respondents will be kept informed of progress on the matter. This will include:
 - provision of a clear description of the issue that is being addressed
 - information relating to the progress of the matter
 - a statement in relation to the outcome at the conclusion of the process.
- e. Consideration will be given to the well-being of complainants and respondents in the timing of the provision of information.

- f. All workplace issues will be managed in accordance with *The Privacy Act 1988*. This means that the privacy of all parties is respected and information is only shared on a need to know basis. However, in the interests of natural justice and procedural fairness, total confidentiality cannot be guaranteed at all times.
- g. Anonymous workplace issues will be addressed, though there may be limited outcomes for issues raised this way.
- h. If a learner chooses to access the complaints process, the learner's enrolment or academic progress is not to be jeopardised. Where the CIT Solutions employee handling the complaint perceives that a conflict of interest may exist, he/she is to refer the complaint to an appropriate employee for action.
- i. The procedures for resolving complaints attachments are to be followed in implementing this policy.
- j. If a complainant is not satisfied with the complaints handling process, they can request an internal review through the Office of the General Manager.
- k. However, if the complaint is related to the Office of the General Manager, the complaints can be raised with the Chair of the Audit Committee.
- l. The complainant can withdraw a complaint at any time during the process. However, if the person handling the complaint believes the matter still needs to be addressed, the process may continue.
- m. If a formal complaint report concludes that the complaint is both untrue and has been brought with malicious intent, appropriate action will be taken against the complainant for raising false accusations. Appropriate actions may include disciplinary action or termination of their employment in certain cases.

Support Guides and Policies

- WorkSafe Workplace Violence Information for workplaces where people may be exposed to physical assault, verbal abuse, threats or intimidation, WorkSafe ACT.
- WorkSafe ACT Codes of Practice Work Health and Safety (Preventing and Responding to Bullying) Code of Practice 2012 (No 1).

Legislation

CIT Solutions will manage complaints in accordance with the following Legislation:

- *Age Discrimination Act 2004* (Cth)
- *Children and Young People Act 2008* (ACT)
- *Disability Discrimination Act 1992* (Cth)
- *Discrimination Act 1991* (ACT)
- *Higher Education Support Act 2003* (Cth)
- *Human Rights Act 2004* (ACT)
- *Ombudsman Act 1989* (ACT)
- *Privacy Act 1988* (Cth), *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Workplace Health and Safety Act 2011* (ACT).
- *Privacy Act 2014* (Particularly the Territory Privacy Principles Schedule 1) (ACT)

Exclusions

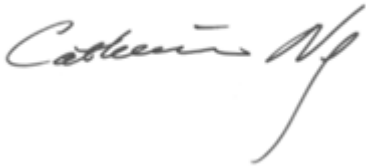
- Matters related to fraud, corruption or matters contrary to the public interest are to be dealt with directly by the General Manager.
- Matters of a criminal nature are required to be reported to the General Manager and under the *Crimes Act 1914* may be referred to the Australian Federal Police.

Responsibilities/Obligations

Responsibility	Position
Policy changes	General Manager

Revision history

	Date endorsed by General Manager
Initial policy	17 June 2014
Reviewed	25 July 2017
Last reviewed	15 December 2022
Next revision	30 November 2024



.....
General Manager

15 December 2022
.....
Date

Definitions

Complaint

An expression of dissatisfaction with an action or decision or service.

Complaint allegation

A complaint where the complainant perceives that a wrongdoing has occurred such as a breach of a rule or a policy.

Complaint Manager

The delegate of the General Manager assigned to manage the resolution of the complaint.

Complainant

A person raising the complaint.

Confidentiality

All matters raised are confidential. Information regarding an investigation should only be provided on a 'need to know' basis. Complainants should be advised that in some cases due to legislative requirements no absolute guarantee of confidentiality can be given.

Conflict of interest

Conflict of interest occurs when actions or decisions are influenced by, or perceived to be influenced by, personal considerations.

Natural justice / procedural fairness

Procedural fairness, also called natural justice, applies to any decision (action or inaction) that can affect the rights, interests or expectations of an individual in a direct or immediate way.

It requires:

- individuals to be given an opportunity to be heard
- decision makers to act without bias or self-interest
- decision makers to base their decisions on evidence that is relevant to the facts in issue, that is:
 - all relevant matters are considered when reaching a recommendation/decision
 - irrelevant matters are not given weight in reaching a decision.

Parties

The complainant, respondent and those involved in managing the complaint.

Respondent

CIT Solutions or person(s) about whom the complaint is directed and/or lodged.

Procedures for resolving employee complaints

Purpose

This document sets out the procedures to be followed when resolving employee grievances and complaints including bullying and harassment. It includes:

- a flowchart for raising and responding to complaints from employees of CIT Solutions
- the responsibilities of all parties
- support available to all individuals involved in raising and responding to a complaint
- the complaint form.

Procedures for raising and responding to an informal complaint from an employee

1. All employees have an obligation to act on complaints.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from a number of different sources.

For employees this could be, but not limited to, the following:

- a CIT Solutions supervisor, another manager or Senior Manager
 - Respect, Equity and Diversity (RED) Officers
 - Health and Safety Representatives (HSRs)
 - Mental Health First Aid (MHFA) Officers
 - the HR Manager, or
 - Converge International (the Employee Assistance Program).
3. As far as is practicable, complaints that arise at CIT Solutions should be resolved at a local level through discussions with the relevant person. If this is not possible, the complaint should be discussed with any of the above nominated members who will assist with addressing the issue with the relevant person.

4. On receiving a complaint, the nominated member will need to determine if they are able to provide the appropriate assistance to support the complainant to manage the complaint. If they believe they have limited capacity to do so, they can escalate it to another Senior Manager or the HR Manager who will need to demonstrate reasonable 'duty of care' to ensure the complaints are addressed adequately.
5. The complainant can choose to lodge the complaint anonymously, and the nominated members will need to ensure that they maintain confidentiality of the complainant to the best of their ability to assist with resolving the complaint.
6. It is understood that it might be difficult to always maintain the anonymity of the complainant from the respondent.
7. All of the nominated members have the responsibility to maintain the utmost confidentiality of the complaint and endeavour to assist the complainant to achieve feasible outcomes for all parties involved.
8. In all circumstances, CIT Solutions encourages employees to demonstrate the best practice method of recording the informal complaint in writing and establishing the agreed steps forward with the respondent if the complaint is resolved effectively at this level. Staff are welcome to send this record to the HR team if they wish to do so, and it will be maintained in the internal database of the employee for any future reference.
9. If the complaint is not resolved amicably under the informal process or if there is a repetitive occurrence of such situations, then the complainant has the option to register a formal complaint about this matter.

Procedures for raising and responding to a formal complaint from an employee

1. At any point, an employee has the option to move from an informal complaint to a formal complaint process.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from several different sources.

For employees this could be, but not limited to:

- a CIT Solutions supervisor, another manager or Senior Manager
- Respect, Equity and Diversity (RED) Officers
- Health and Safety Representatives (HSRs)
- Mental Health First Aid (MHFA) Officers
- the HR Manager

- the Office of the General Manager
 - the Chair of the Audit Committee,
 - Union nominated by employee, or
 - Converge International (the Employment Assistance Program).
3. Employees will have to complete the form included in this *Procedures for resolving employee complaints* document and provide the following information:
- the name of the alleged harasser, bully or respondent
 - the nature of the alleged incident of harassment, bullying or cause of complaint
 - the dates and times when the alleged incident occurred
 - the names of any witness
 - any action already taken by the employee to stop the alleged person or respondent.
4. The formal complaint will need to be sent to the direct Manager, the HR Manager or the Office of the General Manager. If the complaint is against the Office of the General Manager, the complainant will need to be send the completed CIT Solutions Complaint Form to the Chair of the Audit Committee who will handle the complaints.
5. Upon receipt of the formal complaint, management will take reasonable actions to separate the complainant from the alleged harasser, bully or respondent in order to enable an uninterrupted investigation to take place. These actions may include, but not be limited to:
- temporary transfer of the alleged person to another area or portfolio
 - changing the reporting lines of the employee/s
 - suspension of alleged person (with contractual pay) until the matter has been resolved, or
 - any other means deemed adequate for the situation.
6. A Complaint Manager will be appointed by the management depending on the nature of the complaint, and this person will be responsible for conducting a risk assessment of the allegations documented by the complainant on the complaint form.
7. The Complaint Manager will decide if the complaint should be treated as a low or high risk.

LOW RISK: This indicates that no breach has been made against a policy or any legislation. Examples of low-risk complaints are where there is a disagreement between parties, issues arising from miscommunication, quality of work and other related matters. These complaints are usually

straight forward to resolve, but the Complaint Manager will ensure that adequate support is provided to address the issues systematically. Assurance is to be given that they have been resolved. Complaints assessed as low risk will be addressed as per the procedure given below.

HIGH RISK: This is where the allegation names a breach against a CIT or CIT Solutions policy or legislation. Examples of high-risk complaints may include cases of harassment, bullying and other actions or situations leading to a breach of legislation listed in this *Complaints and Workplace Issues Policy* and other policies. If the complaint involves theft, corruption and a crime such as assault, CIT Solutions may refer this directly to the Australian Federal Police.

Procedures for addressing low-risk complaints

1. Upon ascertaining the low-risk nature of the complaint, the Complaint Manager will meet with the complainant within 10 business days of receiving the complaint.
2. The Complaint Manager will facilitate a meeting with the complainant and the respondent at a time and location convenient to all parties to discuss this issue and resolve it amicably.
3. The Complaint Manager should provide the parties with the opportunity to express their complaint, clarify events, and listen to and consider the other party's point of view. If either of the parties refuse to meet to discuss this matter, then the Complaint Manager can review the evidence provided along with the written complaint and facilitate the mediation through email communication within a reasonable time.
4. If the complaint is resolved effectively at this stage, the Complaint Manager will conclude the process and provide a report to the complainant, respondent and the General Manager regarding the agreed outcomes and/or steps forward.
5. A copy of this report will be saved in the folders of all parties for record keeping purpose.
6. However, if the issue is not resolved at this level, and if there are reasonable grounds to believe that the situation can pose high level risk in the future, the Complaint Manager can seek approval from the Office of the General Manager to escalate the complaint to the high-risk complaint category.
7. If this request is approved, the procedure for high-risk complaints will be applicable for the formal complaint raised.
8. The complainant and respondent will be informed of this change in the risk assessment and the steps forward in writing within a reasonable timeframe.

Procedures for addressing high-risk complaints

1. If the formal complaint received is deemed as a high-risk complaint from the beginning, or a low-risk complaint was re-assessed to be a high-risk complaint, the procedures in this section will be applicable to these complaints.
2. The completed CIT Solutions Complaint Form must be sent to the Office of the General Manager as the delegate for this process to commence. However, if the allegation is against the Office of the General Manager, then the CIT Solutions Complaint Form must be sent to the Chair of the Audit Committee as the appropriate delegate to address the complaint
3. The delegate is to acknowledge the complaint in writing within 5 working days of receipt, identifying the Complaint Manager. A copy of the complaint handling procedures is to be provided to the complainant.
4. The Complaint Manager will work closely with the delegate in the case of high-risk complaints.
5. The delegate and/or the Complaint Manager is to meet with the complainant within 10 working days from receipt of the complaint, providing the CIT Solutions employees and complainant with an availability permit. At the meeting, potential witnesses and/or sources of supporting evidence should be identified.
6. The wellbeing of all parties is to be monitored and they are to be advised of the avenues of support, including Employee Assistance Program providers that are available to them during the complaint resolution process.
7. Based on the information received on the complaint form, one or more allegations of an identified 'wrongdoing' may be identified i.e., a breach of legislation, policy or procedure. If no breach is identified, the procedure for low-risk complaints applies.
8. CIT Solutions is to confirm the accuracy of the allegations with the complainant, following the initial meeting.
9. CIT Solutions is to notify the respondent(s) of the allegations against them within 3 working days of receiving confirmation of the allegations from the complainant. This should be done sensitively and at an appropriate time, preferably in a meeting where a summary of the allegations and the complaint procedures is provided.
10. A written response is to be obtained from the respondent within 10 working days from the meeting. This response should include their version of events and any mitigating circumstances. Only matters relevant to the complaint and the facts are to be given weight in the decision-making process.
11. Relevant witnesses are to be identified by the complainant and respondent and signed statements received as necessary.

12. Information relevant to the complaint resolution process such as policies, previous correspondence and expert advice is to be gathered and reviewed.
13. If necessary, the Complaint Manager will meet with the complainant and/or respondent again in order to finalise the complaint.
14. The Complaint Manager is to provide the General Manager or the Chair of the Audit Committee with a brief report which includes:
 - a. the reframed allegations based on the information provided by the complainant
 - b. a summary of the respondent's response to the allegations
 - c. a summary of the assessment of the evidence against all allegations and whether allegations were sustained or not, and
 - d. any recommendations.
15. The delegate is to review and discuss the report with the Complaint Manager and may amend the draft recommendations based on sound justification.
16. The delegate is to provide written notification to all parties when the complaint has been finalised. Feedback on the complaint resolution is to be provided in general terms to the complainant and not include specifics on sanctions or outcomes of the internal assessment. Where appropriate the delegate should meet with the complainant and/or respondent to provide this written advice.
17. If the complainant believes that the desirable outcomes or resolution were not achieved through this process, the complainant can approach external bodies for further support as required.

Timeframe for the management of the complaint

CIT Solutions is committed to providing a timely resolution to all complaints. The timeframes below provide guidance, but may vary based on the nature, complexity and scope of the issues. If timeframes vary, all parties are to be advised.

Action	Estimated timelines
Acknowledge the complaint	Within 5 working days of receipt
Delegate meets with complainant	Within 10 working days of receipt
Respondent notified of complaint	Within 3 working days of meeting with complainant
Respondent submits a written response	Within 10 working days of notification
Report submitted to delegate	Within 15 working days of response
Delegate finalises response	Within 10 working days receipt of report
Delegate notifies all parties of the outcome	Within 15 working days of receipt of report

Record keeping

1. Any outcomes or resolutions achieved for informal complaints may be retained by the employees involved and a copy of this communication can be sent to the HR team for record keeping purpose.
2. The low-risk formal complaint records are maintained by the Human Resources Team in the employee records for future reference.
3. For high-risk formal complaints, in addition to the HR records, a confidential CIT Solutions file is to be maintained by the Executive Assistant and be retained by the Office of the General Manager for 5 years.
4. Written records of meetings held, including interviewees and who was present, together with resolutions and actions are to be held in the HR database for all complaints, including file notes of any phone calls. The Complaint Manager can use a support person to take notes and assist with this process.
5. A summary of all interviews including agreed outcomes should be provided to the interviewee and be signed off as an accurate summary of the conversation following the initial meeting.

Outcomes

Typical outcomes for complaints could include, but not limited to:

- resolution of differences or agreement on a compromise between the parties
- withdrawal of the complaint
- the complainant receiving a verbal or written apology
- one or both parties agreeing to participate in some form of counselling and/or mediation
- provision of an explanation and reasons for existing procedure system or service
- inability to resolve difference and decision by the delegate who may:
 - uphold the complaint and implement specific action to address the concerns
 - dismiss the complaint and advise that no further action is warranted, and
 - determine that both parties are at fault and implement action to address the concerns.

Review by the General Manager or another delegate

1. Employees who believe that the procedures have not been correctly followed, or that the decision or outcome is unreasonable, can submit a written request for a review to the General Manager or to the Chair of the Audit Committee within 10 working days of their notification of the outcome or decision.
2. The appropriate delegate is to nominate an independent Senior Manager to conduct an internal review. The senior manager may re-interview the parties, if considered necessary, and complete the review within 10 working days.
3. The appropriate delegate is to make a determination within 5 working days of receiving the recommendation from the senior manager.
4. Where a decision is made that supports the complainant, the decision is to be implemented and/or any remedy or systems improvement taken. All parties are to be advised of the outcome and provided with an explanation for the decision and action(s) taken.
5. Any determination by the appropriate delegate in the review process is final, apart from the complainant's right to independently seek an external review.

Contact details

Correspondence should be addressed to:

The Office of the General Manager: catherine.ng@cit.edu.au

Chair of the Audit Committee: citsolaudit@cit.edu.au

External review

If a party is not satisfied with the decision of the internal review, the party can apply for an external review of the complaint by an agency, appropriate for that purpose.

External review agencies include:

The ACT Ombudsman

Street address: Level 5, Childers Square, 14 Childers Street, Canberra City

Postal address: GPO Box 442, Canberra ACT 2601

Complaints phone: 1300 362 072

Fax: (02) 6276 0123

Email: ombudsman@ombudsman.gov.au

Website: www.ombudsman.act.gov.au

ACT Human Rights Commission

Street address: Level 4, 12 Moore St. Canberra 2601

Postal address: GPO Box 158 Canberra ACT 2601

Phone: (02) 6205 2222

Fax: (02) 6207 1034

Email: human.rights@act.gov.au

Website: www.hrc.act.gov.au

The ACT Civil and Administrative Tribunal (ACAT)

GPO Box 370, Canberra ACT 2601

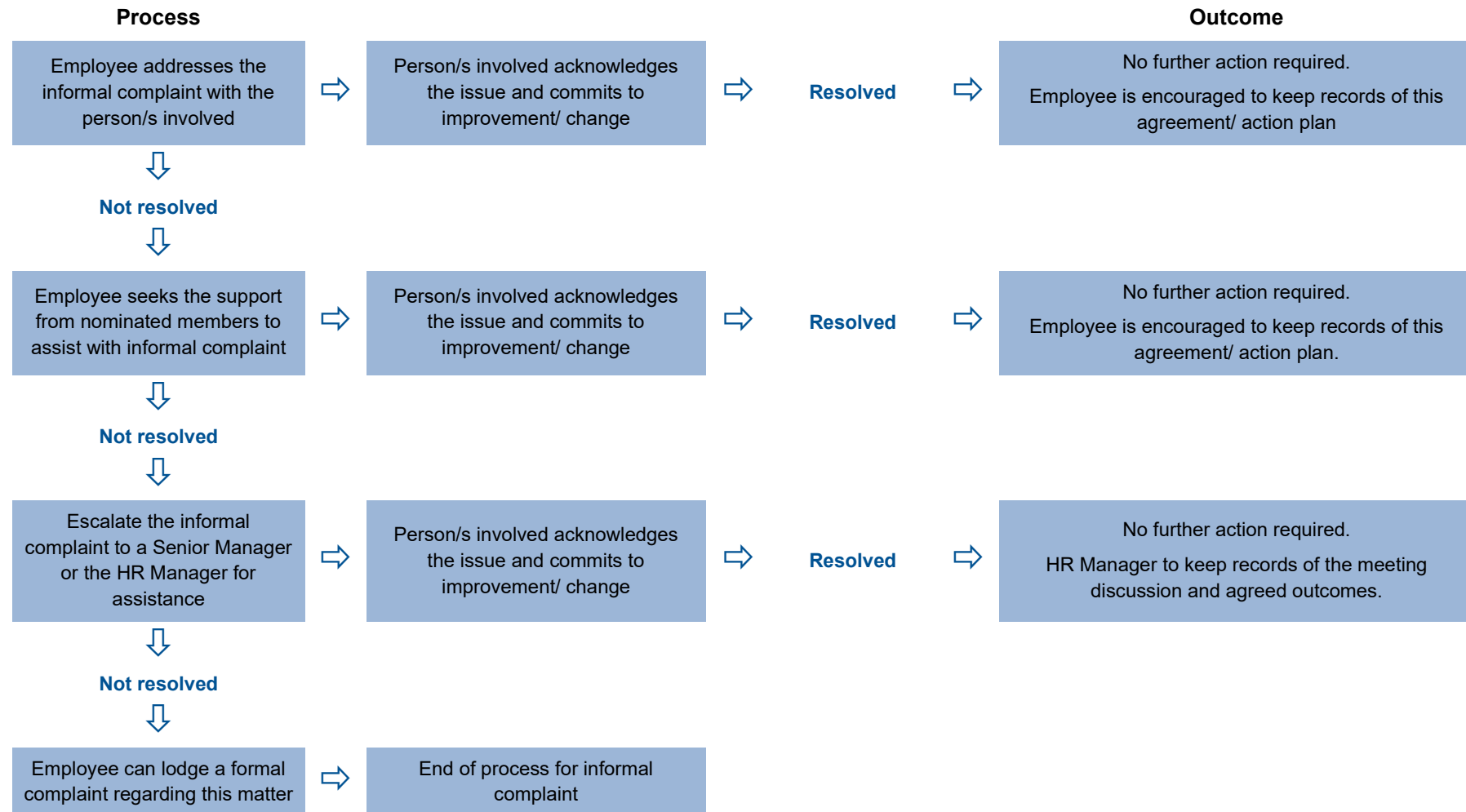
Phone: (02) 6207 1740

WorkSafe ACT

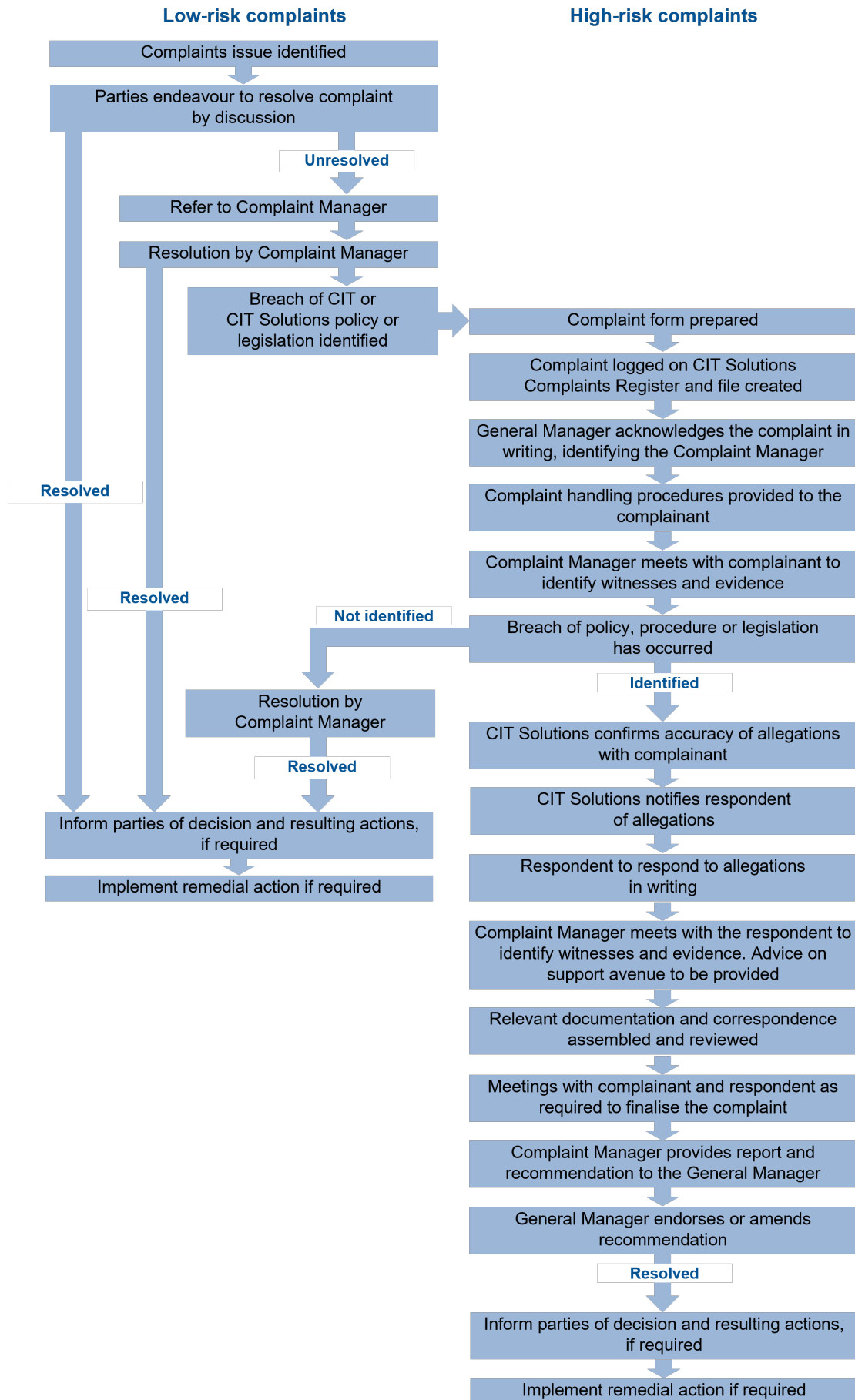
PO Box 158, Canberra ACT 2601

Phone: 13 22 81

Employee issues / informal complaints procedures



Procedures for low-risk and high-risk complaint



ATTACHMENT A:

PROCEDURES FOR RESOLVING EMPLOYEE COMPLAINTS

Purpose

This document sets out the procedures to be followed when resolving employee complaints. It includes:

- a flow chart for raising and responding to complaints from employees of CIT Solutions;
- the responsibilities of all parties;
- support available to all individuals involved in raising and responding to a complaint; and
- the complaint form.

Procedures for raising and responding to an employee complaint

1. All Employees have an obligation to act on complaints.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from a number of different sources.

For employees this could be:

- a CIT Solutions supervisor or manager;
 - CIT Solutions Equity and Diversity Officer;
 - the Office of the General Manager; and
 - the Employment Assistance Program.
3. As far as practicable, complaints that arise at CIT Solutions should be resolved at a local level through discussions with the relevant person. If this is not possible, the complaint should be discussed with the relevant employee, CIT Solutions Manager or General Manager.
 4. On receiving a complaint, the CIT Solutions employee is to determine whether they are the appropriate person to manage the complaint.
 5. A risk assessment is to be conducted against the allegations documented by the complainant on the complaint form
 6. The Complaint Manager is to decide if the Complaint should be treated as a low or high risk.

LOW RISK – this indicates that no breach has been made against a policy or any legislation. These complaints are usually straight forward to resolve but assurance is to be given that they have been resolved. These complaints do not require a complaint form and can be managed at the local level. Complaints assessed as low risk and that are sent directly to the General Manager, will be referred to employees in the appropriate Centre or area for resolution.

HIGH RISK – this is where the allegation names a breach against a CIT or CIT Solutions policy or legislation.

If the complaint involves theft, corruption and a crime such as assault, CIT Solutions, may refer this directly to the Australian Federal Police.

Procedures for low risk complaints

1. When an employee has an issue or concern, he/she should endeavour to resolve it informally through discussion with the relevant person.
2. If the complaint is not resolved, a person can refer it to the relevant facilitator/tutor or supervisor/manager – the complaint manager.
3. The complaint manager should provide the parties with the opportunity to express their complaint, clarify events, listen to and consider the other party's point of view. If during this process a breach of CIT or CIT Solutions policy or legislation is identified, the complaint should be forwarded to the General Manager on the complaint form. CIT Solutions employees may assist the complainant to complete the form, if required.
4. The complaint manager is to decide if any action is required as a result of the complaint.
5. The complainant and respondent should be informed of any action CIT Solutions takes in response to the complaint.

Procedures for high risk complaints

1. The complaint form should be completed by the complainant and forwarded to General Manager for monitoring and reporting purposes. Anonymous complaints can also be lodged.
2. The General Manager is to acknowledge the complaint in writing within five working days of receipt, identifying the complaint manager. A copy of the complaint handling procedures is to be provided to the complainant.
3. The complaint manager is to meet with the complainant within 10 working days from receipt of the complaint, providing CIT Solutions employees and complainant availability permit. At the meeting potential witnesses and/or sources of supporting evidence should be identified.
4. The wellbeing of all parties is to be monitored and they are to be advised of the avenues of support that are available to them during the complaint resolution process.
5. Based on the information received on the complaint form, one or more allegations of an identified 'wrong doing' may be identified i.e. a breach of legislation, policy or procedure. If no breach is identified, the procedure for low risks complaints applies.
6. CIT Solutions is to confirm the accuracy of the allegations with the complainant, following the initial meeting.
7. CIT Solutions is to notify the respondent(s) of the allegations against them within three working days of receiving confirmation of the allegations from the complainant. This should be done sensitively and at an appropriate time, preferably in a meeting where a summary of the allegations and the complaint procedures is provided.
8. A written response is to be obtained from the respondent within 10 working days from the meeting. This response should include their version of events and any mitigating

circumstances. Only matters relevant to the complaint and the facts are to be given weight in the decision making process.

9. Relevant witnesses are to be identified by the complainant and respondent and signed statements received as necessary.
10. Information relevant to the complaint resolution process such as policies, previous correspondence and expert advice is to be gathered and reviewed.
11. If necessary the complaint manager will meet with the complainant and/or respondent again in order to finalise the complaint.
12. The complaint manager is to provide the General Manager with a brief report which includes:
 - a. the reframed allegations based on the information provided by the complainant;
 - b. a summary of the respondent's response to the allegations;
 - c. a summary of the assessment of the evidence against all allegations and whether allegations were sustained or not; and
 - d. any recommendations.
13. The General Manager is to review and discuss the report with the complaint manager and may amend the draft recommendations based on sound justification.
14. The General Manager is to provide written notification to all parties when the complaint has been finalised. Feedback on the complaint resolution is to be provided in general terms to the complainant and not include specifics on sanctions or outcomes of the internal assessment. Where appropriate the delegate should meet with the complainant and/or respondent to provide this written advice.

Timeframe for the management of the complaint

1. CIT Solutions is committed to providing a timely resolution to all complaints. The timeframes below provide guidance, but may vary based on the nature, complexity and scope of the issues. If timeframes vary, all parties are to be advised.

ACTION	ESTIMATED TIMELINES
Acknowledgement of Complaint	Within five working days of receipt
Delegate meeting with Complainant	Within 10 working days of receipt
Notify respondent of Complaint	Within three working days of meeting with complainant
Respondent submits a written response	Within 10 working days of notification
Report submitted to delegate	Within 15 working days of response
Delegate finalises response	Within 10 working days receipt of report
Delegate notifies all parties of the outcome	Within 15 working days of receipt of report

Record keeping

1. A confidential CIT Solutions file is to be maintained by the Executive Assistant for all high risk complaints and be retained by the Office of the General Manager for five years.
2. Written records of meetings held, including interviewees and who was present together with resolutions and actions are to be held for all complaints, including file notes of any phone calls. The Complaint Manager can utilise a support person to take notes and assist with this process.
3. A summary of all interviews including agreed outcomes should be provided to the interviewee and be signed off as an accurate summary of the conversation following the initial meeting.

Outcomes

Typical outcomes for complaints could include:

- resolution of differences or agreement on a compromise between the parties;
- withdrawal of the complaint;
- the complainant receiving a verbal or written apology;
- one or both parties agreeing to participate in some form of counselling and/or mediation;
- provision of an explanation and reasons for existing procedure system or service
- inability to resolve difference and decision by the delegate who may:
 - uphold the complaint and implement specific action to address the concerns;
 - dismiss the complaint and advise that no further action is warranted; and
 - determine that both parties are at fault and implement action to address the concerns.

Review by the General Manager

1. Employees who believe the procedures have not been correctly followed or the decision or outcome is unreasonable, can submit a written request for a review to the General Manager within 10 working days of their notification of the outcome or decision.
2. The General Manager is to nominate an independent senior manager to conduct an internal review. The senior manager may re-interview the parties, if considered necessary, and complete the review within 10 working days.
3. The General Manager is to make a determination within five working days of receiving the recommendation from the senior manager.
4. Where a decision is made that supports the complainant, the decision is to be implemented and/or any remedy or systems improvement taken. All parties are to be advised of the outcome and provided with an explanation for the decision and action(s) taken.
5. Any determination by the General Manager is final, apart from the complainant's right to independently seek an external review.

Contact Details

Correspondence should be addressed to:

The General Manager
CIT Solutions Pty Ltd
PO Box 226
Jamison ACT 2614

External Review

If a party is not satisfied with the decision of the internal review, the party can apply for an external review of the complaint by an agency, appropriate for that purpose.

External Review Agencies include:

➤ **The ACT Ombudsman**

Contact details are:

Street Address: Level 5, Childers Square, 14 Childers Street, Canberra City
Complaints Ph: 1300 362 072
Fax: (02) 6276 0123
Postal Address: GPO Box 442 Canberra ACT 2601
Email: ombudsman@ombudsman.gov.au
Web: <http://www.ombudsman.act.gov.au>
(A Complaint form is available on the website)

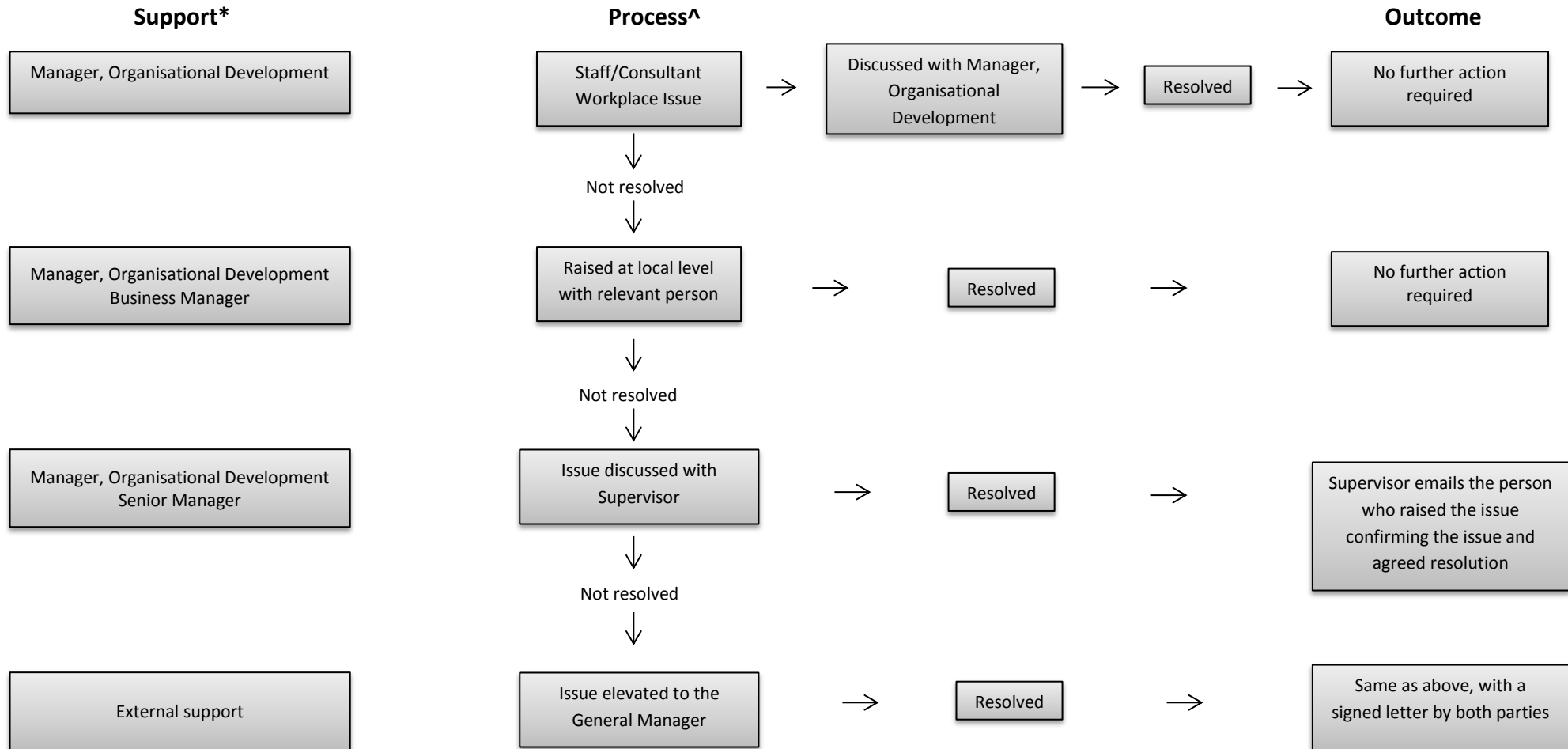
➤ **ACT Human Rights Commission**

Street Address: Level 4, 12 Moore St. Canberra 2601
Ph: (02) 6205 2222
Fax: (02) 6207 1034
Postal address: GPO Box 158 Canberra ACT 2601
Email: human.rights@act.gov.au
Web: <http://www.hrc.act.gov.au>
(A Complaint form is available on the website)

➤ **The ACT Civil and Administrative Tribunal (ACAT)**

GPO Box 370
CANBERRA ACT 2601
Phone: 6207 1740

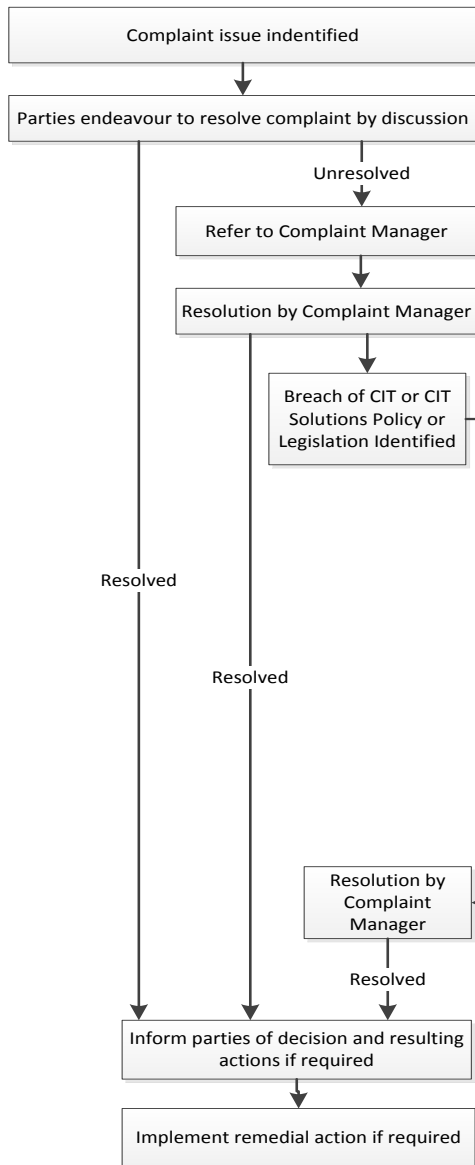
EMPLOYEES ISSUES/COMPLAINTS PROCEDURES



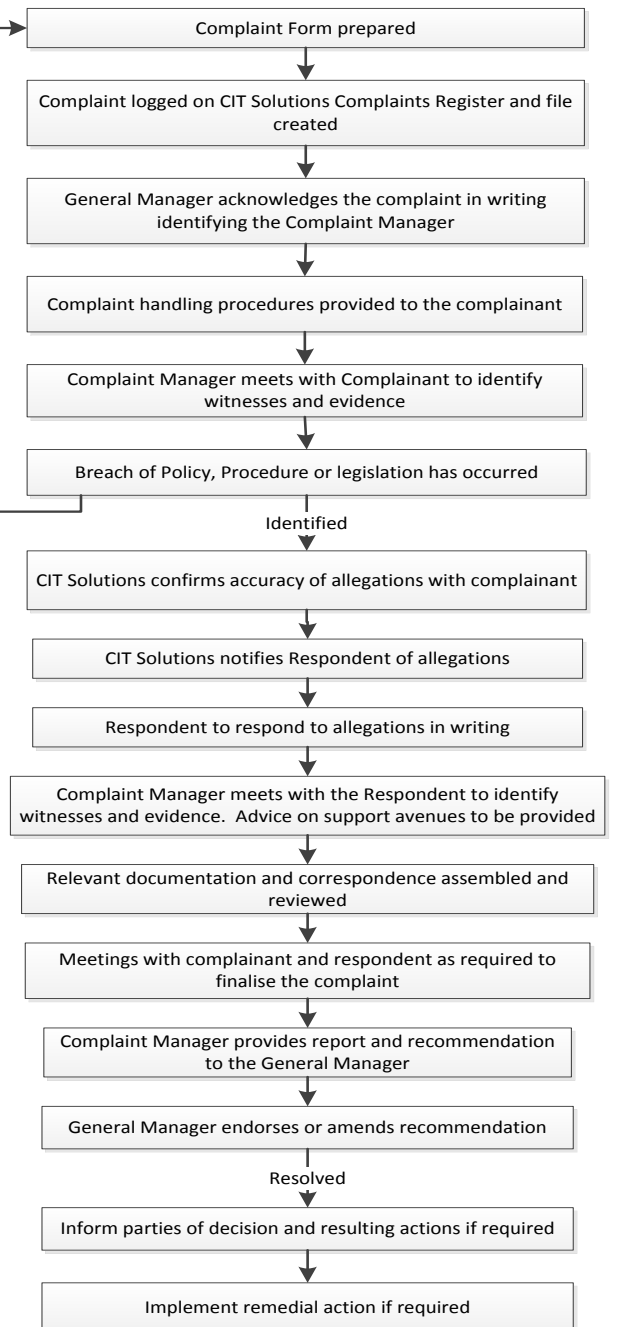
* Support can be accessed to get information about the process, prior to a stage being undertaken or to be involved in the stage

^ Employees / Consultants retain the right to skip 1 or more stages should they feel following the steps would not assist in resolving the issue

Low Risk Complaints



High Risk Complaints



Responsibilities of all parties	
Complainant	<ul style="list-style-type: none"> ▪ Complaints should be made in a reasonable manner free from threats or reprisal to any individual. ▪ Act respectfully. ▪ Recognise that the respondent has the right to be made aware of the complaint and the right to respond in a fair process. ▪ The complaint should only be discussed with the parties involved in its resolution, including those who are assisting. ▪ Work constructively towards resolution and participate in the resolution process and with good will.
Respondent	<ul style="list-style-type: none"> ▪ Recognise the complainant's right to raise their concerns. ▪ Work constructively towards resolution and participate in the resolution process. ▪ Avoid behaviour such as to victimise, harass or give adverse treatment to the complainant or others involved in resolving the complaint. ▪ Only discuss complaint with the parties involved in its resolution, or those who are assisting.
Complaint Manager(s)	<ul style="list-style-type: none"> ▪ Address all complaints professionally. ▪ Treat all parties with sensitivity, respect and courtesy. ▪ Model behaviour that promotes high standards of behaviour and keeps all parties informed throughout the process. ▪ Treat complaints quickly, courteously, fairly and within the CIT Solutions timelines. ▪ Advise all parties of how long it will take to deal with the issue and keep them informed of the progress. ▪ Advise all parties of support mechanisms available. ▪ Advise parties of their right to have a support person present at interviews. ▪ Handle complaints according to the principles of natural justice and procedural fairness. ▪ Avoid any potential bias or conflict of interest.
Delegate and delegate support employees	<ul style="list-style-type: none"> ▪ Complete appropriate training in the handling of complaints. ▪ Identify the Complaint Manager to handle complaint. ▪ Identify support required for all parties. ▪ Lodge the complaint on the CHS and monitor progress. ▪ Avoid any potential bias or conflict of interest.

ATTACHMENT B:

PROCEDURES FOR RESOLVING LEARNER COMPLAINTS

Purpose

This document sets out the procedures to be followed when resolving learner and community complaints. It includes:

- a flow chart for raising and responding to complaints from learners and members of the community;
- the responsibilities of all parties;
- support available to all individuals involved in raising and responding to a complaint;
- definitions relating to this policy and procedures;
- the complaint form.

Procedures for raising and responding to learner and community complaints

1. All Employees have an obligation to act on complaints when requested by learners or members of the community.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from a number of different sources.

For learners this could be:

- immediate facilitator/tutor and/or employees member;
- a CIT Solutions manager;
- CIT Solutions Equity and Diversity Officer
- a work colleague or support person; and
- friend or family member.

For employees this could be:

- a CIT Solutions supervisor or manager;
 - CIT Solutions Equity and Diversity Officer;
 - the Office of the General Manager; and
 - the Employment Assistance Program.
 -
3. As far as practicable, complaints that arise at CIT Solutions should be resolved at a local level through discussions with the relevant person. If this is not possible, the complaint should be discussed with the relevant employees member, CIT Solutions Manager or General Manager.
 4. On receiving a complaint, the CIT Solutions employees member is to determine whether they are the appropriate person to manage the complaint.
 5. The Complaint Manager is to decide if the Complaint should be treated as a low or high risk.

6. A risk assessment is to be conducted against the allegations documented by the complainant on the complaint form.

LOW RISK – this indicates that no breach has been made against a policy or any legislation. These complaints are usually straight forward to resolve but assurance is to be given that they have been resolved. These complaints do not require a complaint form and can be managed at the local level. Complaints assessed as low risk and that are sent directly to the General Manager, will be referred to employees in the appropriate Centre or area for resolution.

HIGH RISK – this is where the allegation names a breach against a CIT or CIT Solutions policy or legislation.

If the complaint involves theft, corruption and a crime such as assault, CIT Solutions, may refer this directly to the Australian Federal Police.

Procedures for low risk complaints

1. When a learner or community member has an issue or concern, he/she should endeavour to resolve it informally through discussion with the relevant person.
2. If the complaint is not resolved, a person can refer it to the relevant facilitator/tutor or supervisor/manager – the complaint manager.
3. The complaint manager should provide the parties with the opportunity to express their complaint, clarify events, listen to and consider the other party's point of view. If during this process a breach of CIT or CIT Solutions policy or legislation is identified, the complaint should be forwarded to the General Manager on the complaint form. CIT Solutions employees may assist the complainant to complete the form, if required.
4. The complaint manager is to decide if any action is required as a result of the complaint.
5. The complainant and respondent should be informed of any action CIT Solutions takes in response to the complaint.

Procedures for high risk complaints

1. The complaint form should be completed by the complainant and forwarded to General Manager for monitoring and reporting purposes. Anonymous complaints can also be logged.
2. The General Manager is to acknowledge the complaint in writing within five working days of receipt, identifying the complaint manager. A copy of the complaint handling procedures is to be provided to the complainant.
3. The complaint manager is to meet with the complainant within 10 working days from receipt of the complaint, providing CIT Solutions employees and complainant availability permit. At the meeting potential witnesses and/or sources of supporting evidence should be identified.
4. The wellbeing of all parties is to be monitored and they are to be advised of the avenues of support that are available to them during the complaint resolution process.

5. Based on the information received on the complaint form, one or more allegations of an identified 'wrong doing' may be identified i.e. a breach of legislation, policy or procedure. If no breach is identified, the procedure for low risks complaints applies.
6. CIT Solutions is to confirm the accuracy of the allegations with the complainant, following the initial meeting.
7. CIT Solutions is to notify the respondent(s) of the allegations against them within three working days of receiving confirmation of the allegations from the complainant. This should be done sensitively and at an appropriate time, preferably in a meeting where a summary of the allegations and the complaint procedures is provided.
8. A written response is to be obtained from the respondent within 10 working days from the meeting. This response should include their version of events and any mitigating circumstances. Only matters relevant to the complaint and the facts are to be given weight in the decision making process.
9. Relevant witnesses are to be identified by the complainant and respondent and signed statements received as necessary.
10. Information relevant to the complaint resolution process such as policies, previous correspondence and expert advice is to be gathered and reviewed.
11. If necessary the complaint manager will meet with the complainant and/or respondent again in order to finalise the complaint.
12. The complaint manager is to provide the General Manager with a brief report which includes:
 - a. the reframed allegations based on the information provided by the complainant;
 - b. a summary of the respondent's response to the allegations;
 - c. a summary of the assessment of the evidence against all allegations and whether allegations were sustained or not; and
 - d. any recommendations.
13. The General Manager is to review and discuss the report with the complaint manager and may amend the draft recommendations based on sound justification.
14. The General Manager is to provide written notification to all parties when the complaint has been finalised. Feedback on the complaint resolution is to be provided in general terms to the complainant and not include specifics on sanctions or outcomes of the internal assessment. Where appropriate the delegate should meet with the complainant and/or respondent to provide this written advice.

Timeframe for the management of the complaint

1. CIT Solutions is committed to providing a timely resolution to all complaints. The timeframes below provide guidance, but may vary based on the nature, complexity and scope of the issues. If timeframes vary, all parties are to be advised.

ACTION	ESTIMATED TIMELINES
Acknowledgement of Complaint	Within 5 working days of receipt
Delegate meeting with Complainant	Within 10 working days of receipt
Notify respondent of Complaint	Within 3 working days of meeting with complainant
Respondent submits a written response	Within 10 working days of notification
Report submitted to delegate	Within 15 working days of response
Delegate finalises response	Within 10 working days receipt of report
Delegate notifies all parties of the outcome	Within 15 working days of receipt of report

Record keeping

1. A confidential CIT Solutions file is to be maintained by the Executive Assistant for all high risk complaints and be retained by the Office of the General Manager for five years.
2. Written records of meetings held, including interviewees and who was present together with resolutions and actions are to be held for all complaints, including file notes of any phone calls. The Complaint Manager can utilise a support person to take notes and assist with this process.
3. A summary of all interviews including agreed outcomes should be provided to the interviewee and be signed off as an accurate summary of the conversation following the initial meeting.
4. The Executive Assistant is to also maintain a register (Complaints Handling System - CHS) for all high risk complaints. The register should include a cross reference to the confidential CIT Solutions files where documents and information pertaining to the complaint are stored.

Outcomes

Typical outcomes for complaints could include:

- resolution of differences or agreement on a compromise between the parties;
- withdrawal of the complaint;
- the complainant receiving a verbal or written apology;
- one or both parties agreeing to participate in some form of counselling and/or mediation;

- provision of an explanation and reasons for existing procedure system or service
- inability to resolve difference and decision by the delegate who may:
 - uphold the complaint and implement specific action to address the concerns;
 - dismiss the complaint and advise that no further action is warranted; and
 - determine that both parties are at fault and implement action to address the concerns.

Review by the General Manager

1. Learners and community members who believe the procedures have not been correctly followed or the decision or outcome is unreasonable, can submit a written request for a review to the General Manager within 10 working days of their notification of the outcome or decision.
2. The General Manager is to nominate an independent senior manager to conduct an internal review. The senior manager may re-interview the parties, if considered necessary, and complete the review within 10 working days.
3. The General Manager is to make a determination within five working days of receiving the recommendation from the senior manager.
4. Where a decision is made that supports the complainant, the decision is to be implemented and/or any remedy or systems improvement taken. All parties are to be advised of the outcome and provided with an explanation for the decision and action(s) taken.
5. Any determination by the General Manager is final, apart from the complainant's right to independently seek an external review.

Contact Details

Correspondence should be addressed to:

The General Manager
CIT Solutions Pty Ltd
PO Box 226
Jamison ACT 2614

External Review

If a party is not satisfied with the decision of the internal review, the party can apply for an external review of the complaint by an agency, appropriate for that purpose.

External Review Agencies include:

➤ The ACT Ombudsman

Contact details are:

Street Address: Level 5, Childers Square, 14 Childers Street, Canberra City

Complaints Ph: 1300 362 072

Fax: (02) 6276 0123

Postal Address: GPO Box 442 Canberra ACT 2601

Email: ombudsman@ombudsman.gov.au

Web: <http://www.ombudsman.act.gov.au>

(A Complaint form is available on the website)

➤ ACT Human Rights Commission

Street Address: Level 4, 12 Moore St. Canberra 2601

Ph: (02) 6205 2222

Fax: (02) 6207 1034

Postal address: GPO Box 158 Canberra ACT 2601

Email: human.rights@act.gov.au

Web: <http://www.hrc.act.gov.au>

(A Complaint form is available on the website)

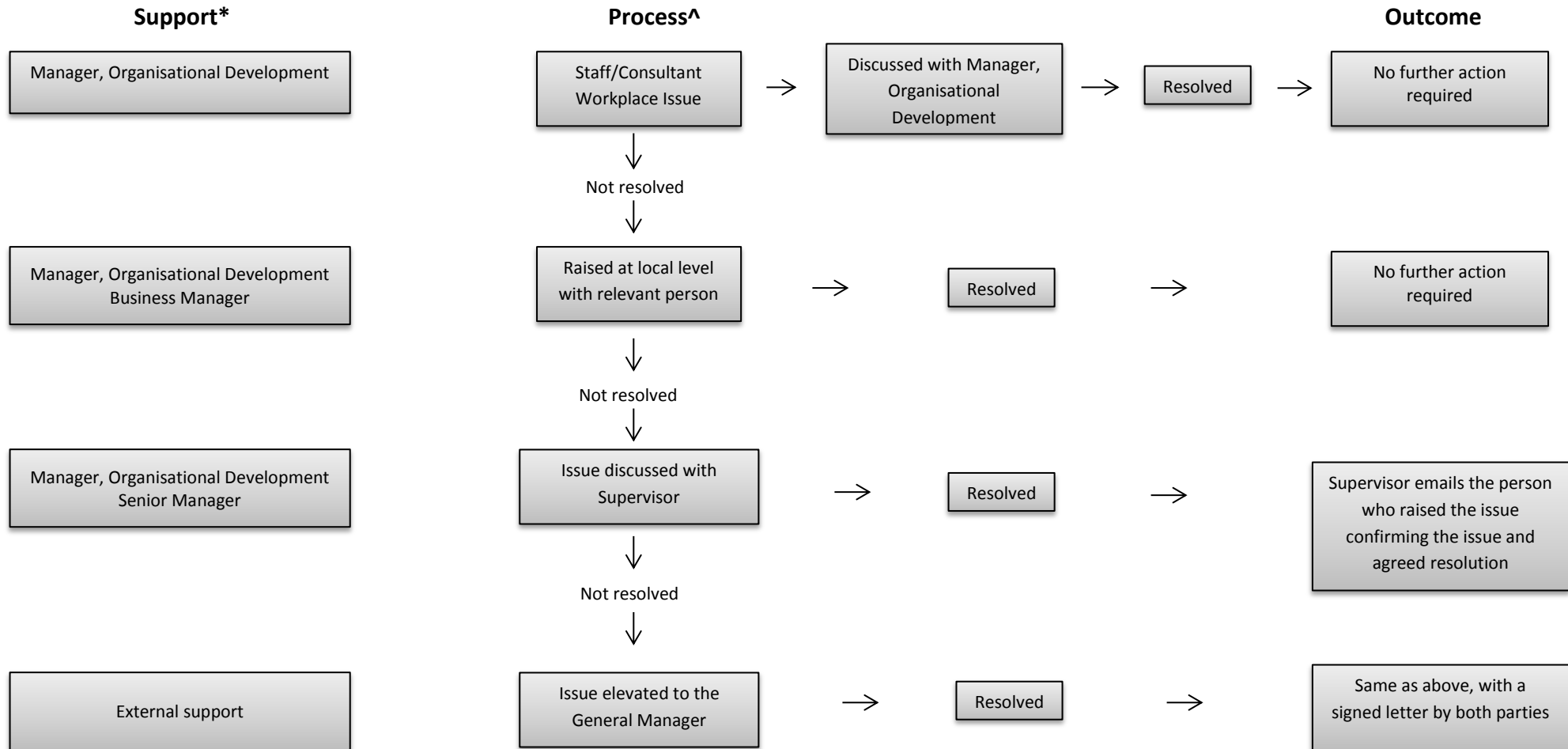
➤ The ACT Civil and Administrative Tribunal (ACAT)

GPO Box 370

CANBERRA ACT 2601

Phone: 6207 1740

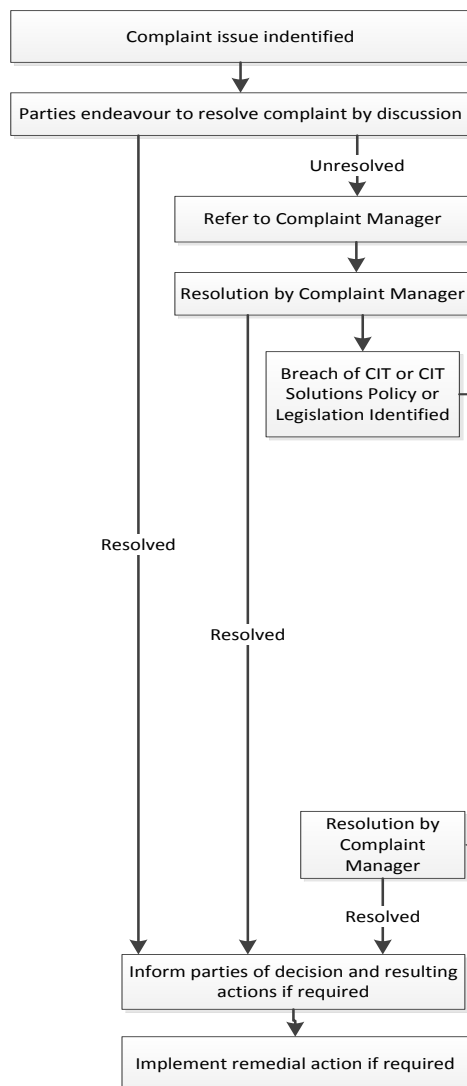
EMPLOYEES ISSUES/COMPLAINTS PROCEDURES



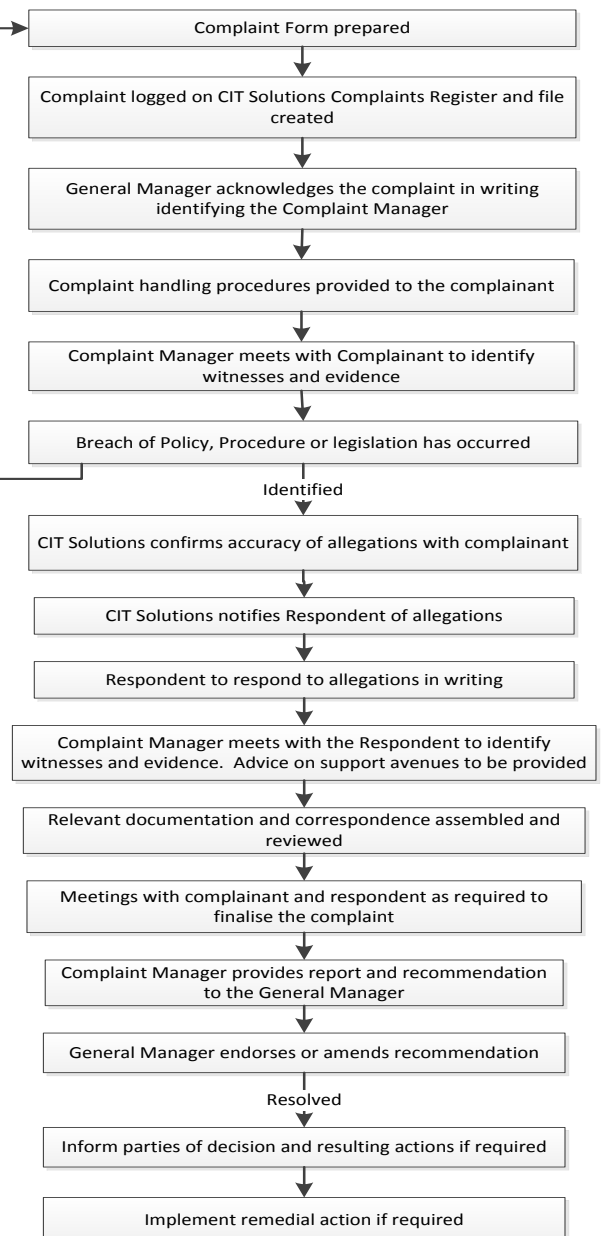
* Support can be accessed to get information about the process, prior to a stage being undertaken or to be involved in the stage

^ Employees / Consultants retain the right to skip 1 or more stages should they feel following the steps would not assist in resolving the issue

Low Risk Complaints



High Risk Complaints



Responsibilities of all parties	
Complainant	<ul style="list-style-type: none"> Complaints should be made in a reasonable manner free from threats or reprisal to any individual. Act respectfully. Recognise that the respondent has the right to be made aware of the complaint and the right to respond in a fair process. The complaint should only be discussed with the parties involved in its resolution, including those who are assisting. Work constructively towards resolution and participate in the resolution process and with good will.
Respondent	<ul style="list-style-type: none"> Recognise the complainant's right to raise their concerns. Work constructively towards resolution and participate in the resolution process. Avoid behaviour such as to victimise, harass or give adverse treatment to the complainant or others involved in resolving the complaint. Only discuss complaint with the parties involved in its resolution, or those who are assisting.
Complaint Manager(s)	<ul style="list-style-type: none"> Address all complaints professionally. Treat all parties with sensitivity, respect and courtesy. Model behaviour that promotes high standards of behaviour and keeps all parties informed throughout the process. Treat complaints quickly, courteously, fairly and within the CIT Solutions timelines. Advise all parties of how long it will take to deal with the issue and keep them informed of the progress. Advise all parties of support mechanisms available. Advise parties of their right to have a support person present at interviews. Handle complaints according to the principles of natural justice and procedural fairness. Avoid any potential bias or conflict of interest.
Delegate and delegate support employees	<ul style="list-style-type: none"> Complete appropriate training in the handling of complaints. Identify the Complaint Manager to handle complaint. Identify support required for all parties. Lodge the complaint on the CHS and monitor progress. Avoid any potential bias or conflict of interest.

Definitions relating to policy and procedure	
Complaint	An expression of dissatisfaction with an action or decision or service.
Complaint Allegation	A complaint where the complainant perceives that a wrongdoing has occurred such as a breach of a rule or a policy.
Complaint Manager	The delegate of the General Manager assigned to manage the resolution of the complaint.
Complainant	A person raising the complaint.
Confidentiality	<p>All matters raised are confidential. Information regarding an investigation should only be provided on a 'need to know' basis.</p> <p>Complainants should be advised that in some cases due to legislative requirements no absolute guarantee of confidentiality can be given.</p>
Conflict of Interest	Conflict of interest occurs when actions or decisions are influenced by, or perceived to be influenced by, personal considerations.
Natural Justice /Procedural Fairness	<p>Procedural fairness, also called natural justice, applies to any decision (action or inaction) that can affect the rights, interests or expectations of an individual in a direct or immediate way. It requires:</p> <ul style="list-style-type: none"> ➤ individuals are given an opportunity to be heard; ➤ decision makers act without bias or self-interest, ➤ decision makers base their decisions on evidence that is relevant to the facts in issue i.e. <ul style="list-style-type: none"> ➤ All relevant matters are considered when reaching a recommendation/decision ➤ Irrelevant matters are not given weight in reaching a decision.
Parties	The complainant, respondent and those involved in managing the complaint.
Respondent	CIT Solutions or person(s) about whom the complaint is directed and/or lodged.

ATTACHMENT C:

PROCEDURES FOR RESOLVING COMPLAINTS FROM A COMMUNITY MEMBER

Purpose

This document sets out the procedures to be followed when resolving learner and community complaints. It includes:

- a flow chart for raising and responding to complaints from learners and members of the community;
- the responsibilities of all parties;
- support available to all individuals involved in raising and responding to a complaint;
- definitions relating to this policy and procedures;
- the complaint form; and

Procedures for raising and responding to learner and community complaints

1. All Employees have an obligation to act on complaints when requested by learners or members of the community.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from a number of different sources.

For learners this could be:

- immediate facilitator/tutor and/or employees member;
- a CIT Solutions manager;
- CIT Solutions Equity and Diversity Officer
- a work colleague or support person; and
- friend or family member.

For employees this could be:

- a CIT Solutions supervisor or manager;
 - CIT Solutions Equity and Diversity Officer;
 - the Office of the General Manager; and
 - the Employment Assistance Program.
3. As far as practicable, complaints that arise at CIT Solutions should be resolved at a local level through discussions with the relevant person. If this is not possible, the complaint should be discussed with the relevant employees member, CIT Solutions Manager or General Manager.
 4. On receiving a complaint, the CIT Solutions employees member is to determine whether they are the appropriate person to manage the complaint.
 5. The Complaint Manager is to decide if the Complaint should be treated as a low or high risk.
 6. A risk assessment is to be conducted against the allegations documented by the complainant on the complaint form.

LOW RISK – this indicates that no breach has been made against a policy or any legislation. These complaints are usually straight forward to resolve but assurance is to be given that they have been resolved. These complaints do not require a complaint form and can be managed at the local level. Complaints assessed as low risk and that are sent directly to the General Manager, will be referred to employees in the appropriate Centre or area for resolution.

HIGH RISK – this is where the allegation names a breach against a CIT or CIT Solutions policy or legislation.

If the complaint involves theft, corruption and a crime such as assault, CIT Solutions, may refer this directly to the Australian Federal Police.

Procedure for low risk complaints

1. When a learner or community member has an issue or concern, he/she should endeavour to resolve it informally through discussion with the relevant person.
2. If the complaint is not resolved, a person can refer it to the relevant facilitator/tutor or supervisor/manager – the complaint manager.
3. The complaint manager should provide the parties with the opportunity to express their complaint, clarify events, listen to and consider the other party's point of view. If during this process a breach of CIT or CIT Solutions policy or legislation is identified, the complaint should be forwarded to the General Manager on the complaint form. CIT Solutions employees may assist the complainant to complete the form, if required.
4. The complaint manager is to decide if any action is required as a result of the complaint.
5. The complainant and respondent should be informed of any action CIT Solutions takes in response to the complaint.

Procedure for high risk complaints

1. The complaint form should be completed by the complainant and forwarded to General Manager for monitoring and reporting purposes. Anonymous complaints can also be logged.
2. The General Manager is to acknowledge the complaint in writing within five working days of receipt, identifying the complaint manager. A copy of the complaint handling procedures is to be provided to the complainant.
3. The complaint manager is to meet with the complainant within 10 working days from receipt of the complaint, providing CIT Solutions employees and complainant availability permit. At the meeting potential witnesses and/or sources of supporting evidence should be identified.
4. The wellbeing of all parties is to be monitored and they are to be advised of the avenues of support that are available to them during the complaint resolution process.
5. Based on the information received on the complaint form, one or more allegations of an identified 'wrong doing' may be identified i.e. a breach of legislation, policy or procedure. If no breach is identified, the procedure for low risks complaints applies.
6. CIT Solutions is to confirm the accuracy of the allegations with the complainant, following the initial meeting.
7. CIT Solutions is to notify the respondent(s) of the allegations against them within three working days of receiving confirmation of the allegations from the complainant. This should be done sensitively and at an appropriate time, preferably in a meeting where a summary of the allegations and the complaint procedures is provided.
8. A written response is to be obtained from the respondent within 10 working days from the meeting. This response should include their version of events and any mitigating circumstances. Only matters relevant to the complaint and the facts are to be given weight in the decision making process.
9. Relevant witnesses are to be identified by the complainant and respondent and signed statements received as necessary.

10. Information relevant to the complaint resolution process such as policies, previous correspondence and expert advice is to be gathered and reviewed.
11. If necessary the complaint manager will meet with the complainant and/or respondent again in order to finalise the complaint.
12. The complaint manager is to provide the General Manager with a brief report which includes:
 - a. the reframed allegations based on the information provided by the complainant;
 - b. a summary of the respondent's response to the allegations;
 - c. a summary of the assessment of the evidence against all allegations and whether allegations were sustained or not; and
 - d. any recommendations.
13. The General Manager is to review and discuss the report with the complaint manager and may amend the draft recommendations based on sound justification.
14. The General Manager is to provide written notification to all parties when the complaint has been finalised. Feedback on the complaint resolution is to be provided in general terms to the complainant and not include specifics on sanctions or outcomes of the internal assessment. Where appropriate the delegate should meet with the complainant and/or respondent to provide this written advice.

Timeframe for the management of the complaint

1. CIT Solutions is committed to providing a timely resolution to all complaints. The timeframes below provide guidance, but may vary based on the nature, complexity and scope of the issues. If timeframes vary, all parties are to be advised.

ACTION	ESTIMATED TIMELINES
Acknowledgement of Complaint	Within five working days of receipt
Delegate meeting with Complainant	Within 10 working days of receipt
Notify respondent of Complaint	Within three working days of meeting with complainant
Respondent submits a written response	Within 10 working days of notification
Report submitted to delegate	Within 15 working days of response
Delegate finalises response	Within 10 working days receipt of report
Delegate notifies all parties of the outcome	Within 15 working days of receipt of report

Record keeping

1. A confidential CIT Solutions file is to be maintained by the Executive Assistant for all high risk complaints and be retained by the Office of the General Manager for five years.

2. Written records of meetings held, including interviewees and who was present together with resolutions and actions are to be held for all complaints, including file notes of any phone calls. The Complaint Manager can utilise a support person to take notes and assist with this process.
3. A summary of all interviews including agreed outcomes should be provided to the interviewee and be signed off as an accurate summary of the conversation following the initial meeting.
4. The Executive Assistant is to also maintain a register (Complaints Handling System - CHS) for all high risk complaints. The register should include a cross reference to the confidential CIT Solutions files where documents and information pertaining to the complaint are stored.

Outcomes

Typical outcomes for complaints could include:

- resolution of differences or agreement on a compromise between the parties;
- withdrawal of the complaint;
- the complainant receiving a verbal or written apology;
- one or both parties agreeing to participate in some form of counselling and/or mediation;
- provision of an explanation and reasons for existing procedure system or service
- inability to resolve difference and decision by the delegate who may:
 - uphold the complaint and implement specific action to address the concerns;
 - dismiss the complaint and advise that no further action is warranted; and
 - determine that both parties are at fault and implement action to address the concerns.

Review by the General Manager

1. Learners and community members who believe the procedures have not been correctly followed or the decision or outcome is unreasonable, can submit a written request for a review to the General Manager within 10 working days of their notification of the outcome or decision.
2. The General Manager is to nominate an independent senior manager to conduct an internal review. The senior manager may re-interview the parties, if considered necessary, and complete the review within 10 working days.
3. The General Manager is to make a determination within five working days of receiving the recommendation from the senior manager.
4. Where a decision is made that supports the complainant, the decision is to be implemented and/or any remedy or systems improvement taken. All parties are to be advised of the outcome and provided with an explanation for the decision and action(s) taken.
5. Any determination by the General Manager is final, apart from the complainant's right to independently seek an external review.

Contact Details

Correspondence should be addressed to:

The General Manager
CIT Solutions Pty Ltd
PO Box 226
Jamison ACT 2614

External Review

If a party is not satisfied with the decision of the internal review, the party can apply for an external review of the complaint by an agency, appropriate for that purpose.

External Review Agencies include:

➤ **The ACT Ombudsman**

Contact details are:

Street Address: Level 5, Childers Square, 14 Childers Street, Canberra City

Complaints Ph: 1300 362 072

Fax: (02) 6276 0123

Postal Address: GPO Box 442 Canberra ACT 2601

Email: ombudsman@ombudsman.gov.au

Web: <http://www.ombudsman.act.gov.au>

(A Complaint form is available on the website)

➤ **ACT Human Rights Commission**

Street Address: Level 4, 12 Moore St. Canberra 2601

Ph: (02) 6205 2222

Fax: (02) 6207 1034

Postal address: GPO Box 158 Canberra ACT 2601

Email: human.rights@act.gov.au

Web: <http://www.hrc.act.gov.au>

(A Complaint form is available on the website)

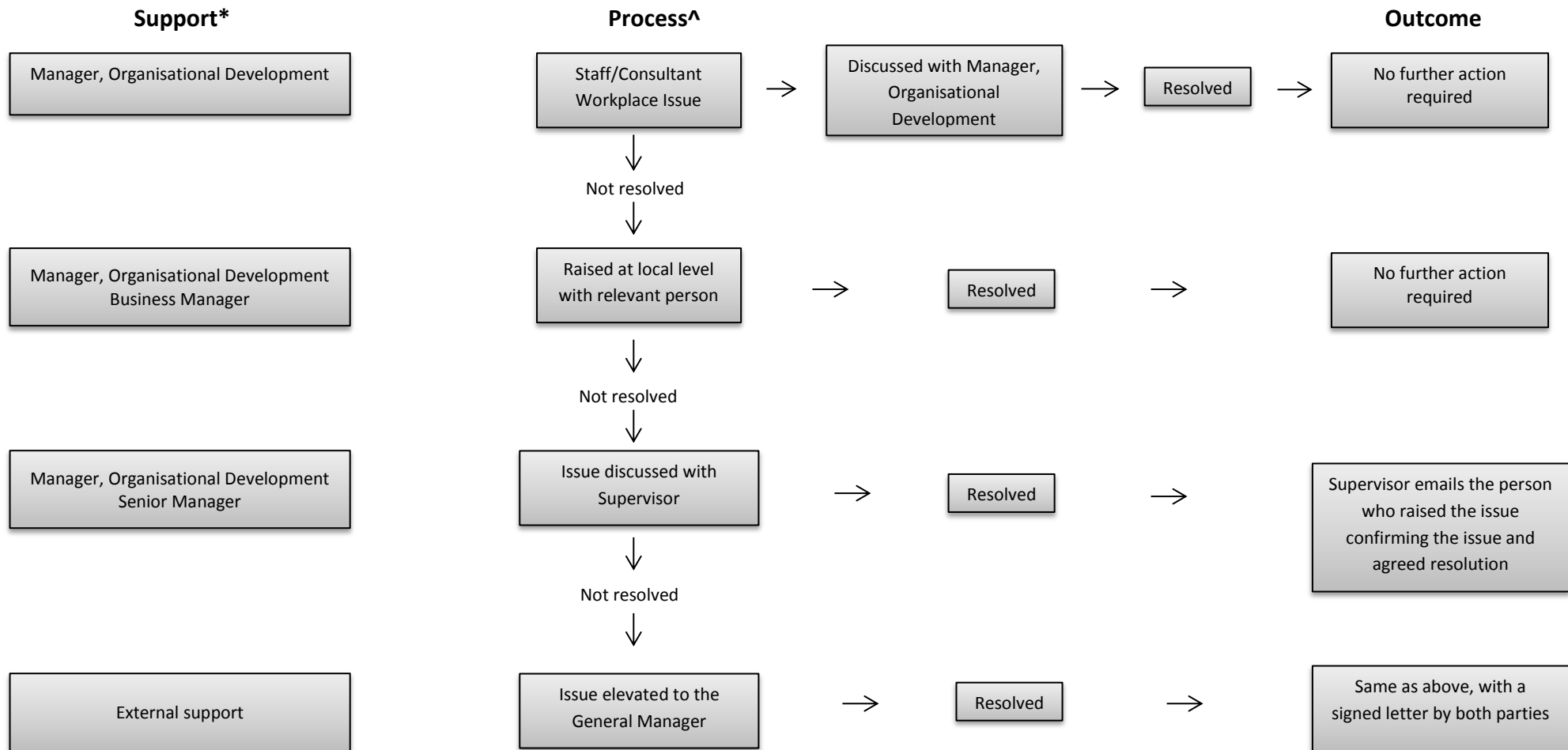
➤ **The ACT Civil and Administrative Tribunal (ACAT)**

GPO Box 370

CANBERRA ACT 2601

Phone: 6207 1740

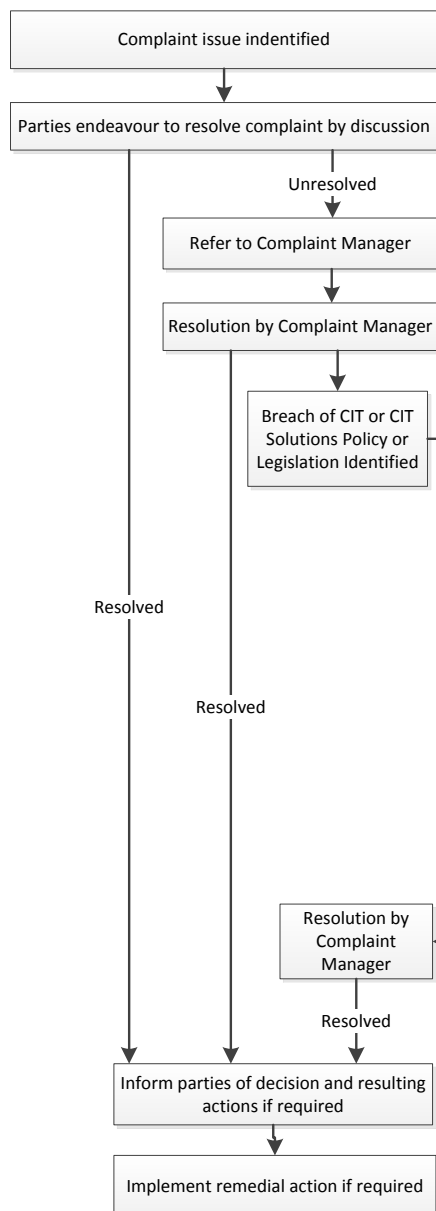
EMPLOYEES ISSUES/COMPLAINTS PROCEDURES



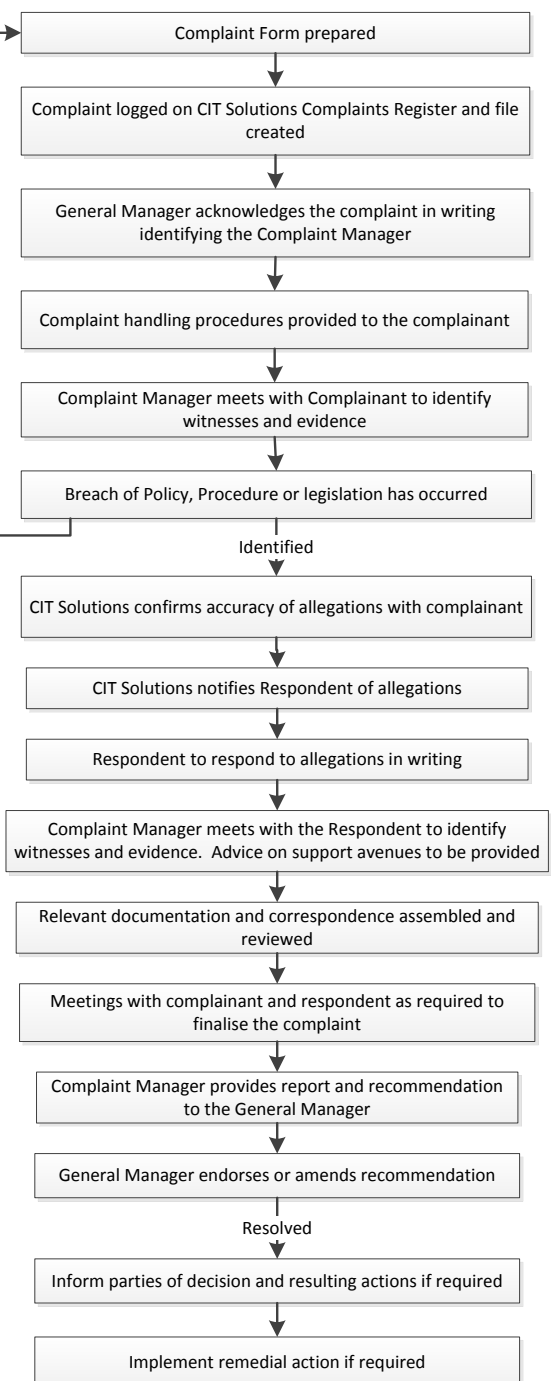
* Support can be accessed to get information about the process, prior to a stage being undertaken or to be involved in the stage

^ Employees / Consultants retain the right to skip 1 or more stages should they feel following the steps would not assist in resolving the issue

Low Risk Complaints



High Risk Complaints



Responsibilities of all parties	
Complainant	<ul style="list-style-type: none"> Complaints should be made in a reasonable manner free from threats or reprisal to any individual. Act respectfully. Recognise that the respondent has the right to be made aware of the complaint and the right to respond in a fair process. The complaint should only be discussed with the parties involved in its resolution, including those who are assisting. Work constructively towards resolution and participate in the resolution process and with good will.
Respondent	<ul style="list-style-type: none"> Recognise the complainant's right to raise their concerns. Work constructively towards resolution and participate in the resolution process. Avoid behaviour such as to victimise, harass or give adverse treatment to the complainant or others involved in resolving the complaint. Only discuss complaint with the parties involved in its resolution, or those who are assisting.
Complaint Manager(s)	<ul style="list-style-type: none"> Address all complaints professionally. Treat all parties with sensitivity, respect and courtesy. Model behaviour that promotes high standards of behaviour and keeps all parties informed throughout the process. Treat complaints quickly, courteously, fairly and within the CIT Solutions timelines. Advise all parties of how long it will take to deal with the issue and keep them informed of the progress. Advise all parties of support mechanisms available. Advise parties of their right to have a support person present at interviews. Handle complaints according to the principles of natural justice and procedural fairness. Avoid any potential bias or conflict of interest.
Delegate and delegate support employees	<ul style="list-style-type: none"> Complete appropriate training in the handling of complaints. Identify the Complaint Manager to handle complaint. Identify support required for all parties. Lodge the complaint on the CHS and monitor progress. Avoid any potential bias or conflict of interest.

Definitions relating to policy and procedure	
<i>Complaint</i>	An expression of dissatisfaction with an action or decision or service.
<i>Complaint Allegation</i>	A complaint where the complainant perceives that a wrongdoing has occurred such as a breach of a rule or a policy.
<i>Complaint Manager</i>	The delegate of the General Manager assigned to manage the resolution of the complaint.
<i>Complainant</i>	A person raising the complaint.
<i>Confidentiality</i>	<p>All matters raised are confidential. Information regarding an investigation should only be provided on a 'need to know' basis.</p> <p>Complainants should be advised that in some cases due to legislative requirements no absolute guarantee of confidentiality can be given.</p>
<i>Conflict of Interest</i>	Conflict of interest occurs when actions or decisions are influenced by, or perceived to be influenced by, personal considerations.
<i>Natural Justice / Procedural Fairness</i>	<p>Procedural fairness, also called natural justice, applies to any decision (action or inaction) that can affect the rights, interests or expectations of an individual in a direct or immediate way. It requires:</p> <ul style="list-style-type: none"> • individuals are given an opportunity to be heard; • decision makers act without bias or self-interest, • decision makers base their decisions on evidence that is relevant to the facts in issue i.e. <ul style="list-style-type: none"> ➤ All relevant matters are considered when reaching a recommendation/decision ➤ Irrelevant matters are not given weight in reaching a decision.
<i>Parties</i>	The complainant, respondent and those involved in managing the complaint.
<i>Respondent</i>	CIT Solutions or person(s) about whom the complaint is directed and/or lodged.

CIT Solutions Complaint Form

Part A: Applicant information	
Name:	Date:
Name of the Section/Centre of CIT Solutions your complaint concerns if applicable and known:	
Your contact number:	Alternate contact number:
Your address:	Email:
Part B: Information about your complaint	
What is your complaint about? (please circle the category it concerns)	
Curriculum and/or assessment	Harassment and/or bullying (including sexual harassment)
Discrimination	Interpersonal conflict and difficulties
Administration and/or fees	Breach of human rights
Poor communication	Quality of teaching
Actions and behaviours of CIT Solutions employees	Breach of privacy
Other (please describe):	
<p>If your complaint is about a particular person or persons, please identify the person, their position and how they relate to you.</p> <p>(For example: My complaint is about Joe Bloggs, the current facilitator of my course.)</p>	

Please briefly state your allegation(s), the alleged 'wrong doing' only. Some examples are provided.

1. I have been subjected to harassment by my facilitator, Fred Jones over the last six months on several occasions.
2. I was not provided with the assessment requirements for my course in a timely manner.
3. My facilitator Julia White consistently turns up late for class and is disorganised and unprepared.

Allegation(s):

Please provide specific details of the events that occurred, in chronological order, and name the person(s) your complaint concerns. If your complaint relates to a specific incident (or incidents it is useful to provide approximate dates, times and records of what was said (as far as you can recall). And please attach additional information as required.

Date:	What happened:

Have there been any witnesses to any of the events? If so, please list their name and contact number:	
Name:	Contact number:
Name:	Contact number:
Name:	Contact number:
Name:	Contact number:
Are you a learner at CIT Solutions? If not please provide further details:	
What do you think would resolve your complaint? (For example, an apology or a meeting to discuss the issues.)	

<p>Has this happened before? Yes / No</p> <p>If 'yes', please provide details of the previous incidents:</p>	
<p>Have you told anyone at CIT Solutions (for example, your facilitator or centre manager) about your complaint either informally or formally? Yes / No</p> <p>If 'yes', who have you told about your complaint and what action (if any) have they taken?</p>	
<p>Is there any other information you would like to include?</p>	
Signature:	Date:

Note: If you do not have sufficient space on this form, please attach additional pages.

Please post or email your completed form to:

The General Manager

CIT Solutions Pty Ltd

PO Box 226

JAMISON ACT 2614

Email: Catherine.ng@cit.edu.au