

CONSUMER PROTECTION POLICY

1. PURPOSE

- 1.1 As per the *Australian Skills Quality Authority's* requirements, the *NSW Quality Framework*, and the *Smart and Skilled* contract; International Child Care College Pty Ltd (**ICCC**) implements a consumer protection and complaints handling system as per this Policy.
- 1.2 This Policy provides clear guidance to students and stakeholders regarding consumer protection matters, including rights and obligations, lodging a complaint, and the processes by which ICCC will seek to address and resolve such matters.

2. SCOPE

- 2.1 In this Policy, “**College**” or “**ICCC**” refers to International Child Care College Pty Ltd.
- 2.2 Students are referred to collectively as “**consumer/s**,” and are covered by consumer protection measures.
- 2.3 This Policy is publicly available to those seeking guidance on consumer rights and/or ICCC's complaints handling process.
- 2.4 Refer to ICCC's Fees and Refunds Policy or Student Appeals Policy for further information on these subjects.

3. DEFINITIONS

- 3.1 **Consumers** are defined as a student or stakeholder engaged in or interacting with ICCC training programs
- 3.2 The **Consumer Protection Officer** is ICCC's senior manager dedicated to complaints handling. This responsibility may change hands to another Case Manager where necessary, including in the event of possible bias or conflict, or at the request of the complainant.
- 3.3 A **complaint** refers to negative feedback regarding ICCC services or staff that has not been resolved locally, that may regard an action, decision, or conduct of an employee or third-party person providing service on ICCC's behalf.
- 3.4 A **complainant** is a student or stakeholder that has or makes a complaint.
- 3.5 A **respondent** is any person whom a complaint is made against.
- 3.6 A **grievance** is any type of problem or concern about training and related decisions, raised by a student. This could include interpersonal concerns regarding other students, workplace supervisors or grievances about employers such as matters relating to employment, leave allocation, performance, or the nature of supervision

4. CONSUMER RIGHTS AND OBLIGATIONS

Consumers

- 4.1 A consumer has the right to:
 - Expect that the training they receive will be of a quality consistent with the VET regulator's requirements (the *Australian Skills Quality Authority*) and the requirements of the *Smart and Skilled* contract;
 - Be informed about personal information that is collected about them and the right to review and correct that information;

- Expect a fair and reasonable refund process where students withdraw from training; and
 - Have access to complaints and appeals systems;
- 4.2 A consumer has obligations that include but are not limited to:
- Providing accurate information to the training provider; and
 - Behaving in a responsible and ethical manner.
 - Conduct themselves appropriately when lodging a grievance or complaint.
 - Maintain confidentiality if made aware of, or involved in the complaint.

ICCC

- 4.3 As the training provider, ICCC has obligations that include but are not limited to:
- Providing the training and support necessary to allow a consumer to achieve competency;
 - Providing a quality training and assessment experience;
 - Ensuring that staff meet public expectations of ethical behaviour at all times;
 - Conduct fair and accurate marketing without any inducement or incentives for enrolment;
 - Ensuring prospective consumers are properly informed about fees and their responsibilities and obligations;
 - Providing clear and accessible feedback and complaint systems; and
 - Maintaining procedures for protecting consumer personal information.
- 4.4 ICCC has a responsibility to:
- Treat all complaints seriously, equitably, and confidentially.
 - Ensure the complainant is provided with support and guidance with a complaint;
 - Refer to a suitably qualified third party to investigate, if required.
 - Consider any continuous improvement opportunities following the information provided.

5. CONCERNS AND GRIEVANCES

- 5.1 In the case of a concern or grievances, ICCC will:
- Clarify the problem as perceived by the person raising the concern
 - Advise the person of the options available to them, including options for submitting a formal complaint or directing the complaint to an external agency;
 - Ensure the person is provided with support and guidance in the event that they wish to proceed with a formal complaint; and
 - Advise of any continuous improvement opportunities following the information provided.

6. GRIEVANCE RESOLUTION

- 6.1 Where a concern or grievance is raised, ICCC should:

Stage 1: Seeking resolution directly.

- 6.2 In the first instance, students are encouraged to undertake the early resolution of a matter by discussing the grievance with their Trainer, identifying the person to whom it relates, and the concerns.

- 6.3 It is recommended that the Trainer document the interactions for their records.
- 6.4 In some instances, it may be appropriate for the Trainer to organise a meeting with involved parties or may discuss the issue with the workplace/ ICCC manager to seek a resolution.
- 6.5 If the issue remains unresolved, or the student is not comfortable meeting with the person directly, the next step is to escalate the issue to the relevant manager. If the issue is with said manager, the matter should be escalated to the next level of management or communicated to relevant authorities such as *Training Services NSW*.
- 6.6 The student should provide details on the matter, including any documentation of the issue and relevant context/information.

Stage 2: Escalation

- 6.7 If the student is not satisfied with the outcome of seeking a resolution with the manager, they may seek to escalate their grievance to a formal complaint.
 - Complaints about ICCC should be lodged directly with the ICCC Consumer Protection Officer.
 - ICCC should direct a grievance about an employer or workplace supervisor to the relevant authorities such as *Fair Work*, *ACECQA* or *Training Services NSW*

7. LODGING A COMPLAINT

- 7.1 In the case of a complaint, ICCC will:
 - Investigate the complaint
 - Clarify the problem as perceived by the complainant;
 - Seek to resolve the issue
- 7.2 Formal complaints must be lodged in writing to:

Addressee: Consumer Protection Officer

Address: PO Box 59

Adamstown NSW 2289

Contact: complaints@childcarecollege.com.au
- 7.3 Students who lodge a complaint should continue to work and train as normal, as far as practicable, unless there is a reasonable concern about an imminent risk to their health or safety.
- 7.4 Except for urgent injunctive relief, neither ICCC nor the students will commence any legal proceedings against the other in relation to the dispute unless and until they have first complied with and exhausted this process..

Reasonable Timeframe

- 7.5 In order for the College to effectively handle a complaint, a formal complaint should be brought forward by the complainant within a reasonable timeframe of the issue or incident occurring. A reasonable timeframe may be within a 3 month period.

Response to a Complaint

- 7.6 The Consumer Protection Officer will determine the appropriate resolution outcome for the complaint, on a case-by-case basis.
- 7.7 Complaints will be responded to in writing within 7 working days of the initial receipt. If additional time is needed, this will be communicated to the relevant persons involved.

- 7.8 The response will include information that demonstrates that the matter was thoroughly reviewed, and what actions and outcomes have been identified as a result of the complaint.

Investigation

- 7.9 Investigations may occur where a complaint is serious in nature and requires a third party investigation. The objective of an investigation is to initiate a fair assessment of the reported issue, determine an appropriate outcome for the situation, and ensure the impacted student is supported and protected from further issue.

Follow Up

- 7.10 Upon resolution, ICCC may reach out to the complainant to follow up after the complaint has been resolved. This may include actions such as a written follow up email or a check-in phone call or meeting, to eliminate or mitigate the likelihood of the issue reoccurring.

8. PROCEDURAL FAIRNESS

- 8.1 In the complaints handling or appeals process, procedural fairness shall be applied for the sake of all involved parties. This means:
- Giving someone the opportunity to understand a complaint made against them, and to respond;
 - Providing appropriate support for all individuals involved, such as allowing a support person to be present during any mediation or resolution meeting;
 - Ensuring outcomes are reasonable and proportionate;
 - Maintaining a register of all complaints and appeals submitted, including details of lodgement, response, and resolution; and
 - Maintaining privacy and confidentiality throughout the complaints handling process. All information and associated record-keeping shall be securely filed and only exclusive to individuals who have direct and necessary involvement in the process.

Preventing Victimisation

- 8.2 Victimisation of a complainant will not be tolerated by ICCC. For example, intentionally providing false or unreasonable training and assessment outcomes or feedback.
- 8.3 If an employee is found to have victimised, harassed, or taken reprisal action against a complainant, appropriate disciplinary action will be taken.

Disciplinary Action

- 8.4 Proportionate disciplinary action may be determined as per ICCC's Discipline and Performance Management Policy for complaints made about an ICCC staff member.
- 8.5 Disciplinary actions related to an employer or workplace supervisor will be determined by the relevant authority.

9. FURTHER DISPUTE/EXTERNAL CONTACTS

- 9.1 If a complainant has exhausted all avenues through ICCC and is still dissatisfied, they may refer the matter to be reviewed by an appropriate party independent of ICCC and the complainant.
- 9.2 **Consumer Protection Agencies** can provide information about seeking a refund of a cancellation of course fees. Refer to Consumer Protection Agencies as per State or Territory: <https://consumer.gov.au/contact-0>

9.3 Complaints regarding an issue of the quality of training and/or a potential breach of the Standards for RTOs may be submitted to the National VET Regulatory body (**ASQA**): www.asqa.gov.au

9.4 NSW students who have not been able to resolve the complaint through ICCC may contact **Training Services NSW** or the **Smart and Skilled** customer support centre.

- Training Services NSW will attempt to resolve the matter through information and mediation.

Online Complaint Form <https://www.nsw.gov.au/education-and-training/resources/tsnsw-complaint-or-compliment>

Phone **1300 772 104**

- The **Smart and Skilled** customer support centre can provide information and support for the complaint or dispute, including a mediation service to help resolve the complaint.

Email SmartandSkilled.Enquiries@det.nsw.gov.au

Phone **13 28 11**

10. REVISION HISTORY

Rev	Date	Revision Description	Name
v1	2019 - 2021	Previous Policies	KK/KC
v2	07/11/2023	Revised contents and formatting	KC/HR
V2.1	07/06/2024	Removed Appeals information as this is now in a separate Policy.	HR