



## STAR RATING SCHEME COMPLAINTS PROCEDURE

### WHAT IS A COMPLAINT?

The Institute defines a complaint as more than purely an objection to the merits of a decision or action. A complaint is a claim of impropriety, irregularity, misconduct, poor performance or ineffectiveness. In other words, a complaint is concerned with the manner in which a decision has been made or action taken, rather than with the decision or action itself.<sup>1</sup>

Complaints against the Institute's Star Rating Scheme may trigger a formal investigation.

The matters raised in complaints are also taken into account in the ongoing training of Star Rating Scheme evaluators, and are reviewed as part of the Institute's continuous improvement processes. The Institute Board receives a regular report from the Institute Secretariat which includes an update on all complaints about the Star Rating Scheme process and recommendations to address any adverse trends.

The Institute also seeks feedback from RTOs that have been through the evaluation process via an on-line survey to ensure that the Scheme continues to improve over time. Links to the survey are provided to each RTO at the conclusion of their evaluation.

This procedure, however, relates to formal complaints rather than feedback.

### COMPLAINTS AGAINST THE STAR RATING SCHEME EVALUATION PROCESS

The Institute is committed to working in an open and accountable way that builds the trust and respect of all our stakeholders. This includes dealing with complaints fairly, promptly, confidentially and without prejudice and learning from their lessons.

Under the Star Rating Scheme, the Institute does not allow a right of appeal against the **outcome** recommended by the evaluation team. However RTOs do have the opportunity to submit a complaint if they consider that the evaluation **process** was flawed. If, through an investigation, the process is found to have been flawed, a re-evaluation may be recommended. The re-evaluation may or may not recommend a different rating.

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<sup>1</sup> Definition borrowed from the Higher Education Funding Council for England [www.hefce.ac.uk](http://www.hefce.ac.uk)

## HOW TO MAKE A COMPLAINT

Complaints against the evaluation process must be submitted to the Institute in writing to Level 2, 71 York St, Sydney NSW 2000, fax to (02) 9262 5763 or email to <[info@itse.com.au](mailto:info@itse.com.au)>.

Complaints must be lodged within 28 days from the date of receipt of the confidential report provided to each RTO.

The complaint must contain sufficient factual information and objective evidence to substantiate the claims. When drafting the complaint, the complainant may wish to refer to the Star Rating Scheme *Guide for Applicants, Terms and Conditions* and *Guide for Evaluators* which are published on the Institute website [www.itse.com.au](http://www.itse.com.au).

When correspondence is classified as a formal complaint requiring investigation, the complaint will first be considered by the Scheme Administrator. If the Scheme Administrator determines either that the complaint is frivolous, or that it is most unlikely that even if upheld it would have affected the result of the evaluation, the complaint will not be investigated further.

## WHAT THE INSTITUTE FOR TRADE SKILLS EXCELLENCE WILL DO

Complaints will be acknowledged by letter within seven days.

Complaints will be referred to an independent investigation panel. The panel will fully investigate the complaint, and convey its decision to the CEO of the Institute for Trade Skills Excellence. The RTO will be notified of the decision within two months of the date of the complaint.

## THE INVESTIGATION PANEL

The investigation panel will be chaired by a nominee of the Chair of the ITSE Board, and comprise an evaluation expert from the Star Rating Scheme Administrator and one external member drawn from a pool of Institute accredited evaluators. At least one member of the panel will have experience in the relevant industry. Members of the relevant Industry Reference Group and staff of the supporting industry association are excluded from membership of the investigation panel.

Panel members will be required to declare if they have a vested interest or personal involvement in a matter and if so, they will be asked to step aside. RTOs will be informed of the membership of the panel and may raise an objection about a particular member. Any objections will be considered and an alternative member may be appointed.

## THE INVESTIGATION PROCESS

The panel may meet face to face or by teleconference to investigate the complaint. If the panel identifies gaps in the information provided then it may approach the complainant to supply further information. All information will be treated confidentially.

Complainants will have the opportunity to present their case to the investigation panel either face to face, or by teleconference. At the discretion of the investigation panel, the evaluation team involved in the complaint (or one or more of its members) may be offered this opportunity. They will be given at least five working days' notice.

When the panel has considered the complaint, its decisions and reasons will be sent to the RTO, the Institute's CEO and the Chair of the Industry Reference Group responsible for the evaluation.

If, after notification of the panel's decision, the RTO wishes to submit any fresh information, it must provide this within five working days. Any fresh information will be put forward to the panel and it will review its decision, if appropriate.

## RE-EVALUATIONS UNDER THE STAR RATING SCHEME

If the investigation finds that

- a) the Star Rating Scheme evaluation process was flawed,  
AND
- b) that this may have had an impact on the evaluation outcome,

a partial or full re-evaluation process may be recommended.

The decision on whether a re-evaluation will be carried out will be made by the CEO of the Institute for Trade Skills Excellence. In the case of a new evaluation, a new team will be appointed by the Scheme Administrator, and the RTO will be consulted on a suitable time to undertake the re-evaluation. The re-evaluation may recommend the same or a different rating.