



# **COMPLAINTS AND APPEALS POLICY**

**V7. July 2020**

# 1. Complaints

During the course of a training program, participants may have some concerns or complaints with a particular aspect of the program. McDonald's provides complaints mechanisms that allow for the fair and equitable resolution of issues.

McDonald's Complaints procedures ensure that:

- Each complaint and its outcome is recorded in writing using the Customer Complaints Register.
- The participant will receive a response to the complaint within 14 days of their submission.

McDonald's has a number of different communication channels available to employees to raise concerns or pass on comments in relation to any issue.

These include communication (RAP) sessions (for crew and/or managers), crew and manager meetings, performance reviews, our Open Door policy and the Personal Action Letter (PAL) program. The McDonald's Australia RTO Customer Service Hotline is also available at:

Phone: 02 9875 7100

Email: [mcs33dback@au.mcd.com](mailto:mcs33dback@au.mcd.com)

*Please refer to the following documents for further information:*

- *Crew Essentials/Welcome to our Team Handbook and*
- *Restaurant Policies and Procedures Manual.*

McDonald's Australia RTO complaints process is available to manage and respond to allegations involving the conduct of:

- McDonald's Australia RTO, its Trainers, Assessors or other personnel; or
- A McDonald's Australia RTO contracted third party providing services of McDonald's Australia RTO, including the third-party representatives Trainers, Assessors or other personnel; or
- A participant of McDonald's Australia RTO.

Allowing participants to easily engage with the personnel of McDonald's Australia RTO about any concerns they have can stop minor issues becoming larger. There is no fee or charge levied for any complaint processed.

McDonald's Australia RTO will maintain a participant complainant's enrolment during any appeal process.

McDonald's Australia RTO's complaints process is publicly available on the McDonald's Australia RTO website, and is provided to all prospective clients via the relevant handbook for each stakeholder group prior to enrolment. Where McDonald's Australia RTO uses third parties to deliver services, complaints information is also made available to prospective clients of these third-party representatives.

McDonald's Australia RTO's complaints process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by McDonald's Australia RTO, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

## 1.1. Complaint & Grievance Procedure

The following problem resolution framework has therefore been implemented for all stakeholders raising a complaint or issue, with a desire to resolve matters as positive adults. This procedure applies to all complaints about:

- Academic matters from participants;
- Non-academic matters from participants; and
- Non-academic matters from persons seeking to enrol with the McDonald's Australia RTO in a VET course or unit of study.

1. In the first instance a participant should discuss the matter with the personnel member or responsible person concerned. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with McDonald's Australia RTO management.

If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

2. Any client may submit a formal complaint to McDonald's Australia RTO in writing. Complaints are to include the following information:
  - Submission date of complaint;
  - Name of complainant;
  - Nature of complaint;
  - Date of the event which lead to the complaint; and
  - Any other relevant information or attachments (if applicable).

There is no fee applicable to the submission of complaints.

3. The McDonald's Australia RTO Chief Executive Officer will acknowledge receipt of the complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
4. The Chief Executive Officer will investigate the complaint or refer the matter to appropriate McDonald's Australia RTO personnel to investigate. In either case, the investigation will be resolved, and decisions made on the complaint within 20 working days of the complaint being received in writing.

In all cases, each party may be accompanied and assisted by a third party at any relevant meeting.

5. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
6. If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to the McDonald's Australia RTO Chief Executive Officer.
7. Escalated complaints are to include the following information:
  - Submission date of complaint;
  - Name of complainant;
  - Nature of complaint;
  - Reasons why the complainant is not satisfied with the outcome of the original complaint; and
  - Any other relevant information or attachments (if applicable).
8. The McDonald's Australia RTO Chief Executive Officer will acknowledge receipt of the escalated complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
9. The Chief Executive Officer will investigate the complaint or refer the matter to an external dispute resolution process by a body appointed for this purpose by McDonald's Australia RTO. The *default* external body available is:

Resolution Institute  
Student Mediation Scheme  
1800 651 650  
[leadr@leadr.com.au](mailto:leadr@leadr.com.au)

In either case, the investigation will be resolved, and decisions made on the escalated complaint within twenty working days of the complaint being received in writing.

10. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

11. If the complainant is not satisfied with the outcome, and the complaint is yet to be mediated by an external dispute resolution process, they may escalate the complaint in writing to the McDonald's Australia RTO *Chief Executive Officer*. In this situation, the *Chief Executive Officer* will:

- Acknowledge receipt of the escalated complaint in writing within five working days; and
- Refer the matter to an external dispute resolution process by a body appointed for this purpose by McDonald's Australia RTO.
- McDonald's Australia RTO will give due consideration to any recommendations arising from the external review within ten working days of the receipt of the recommendations.
- The investigation will be resolved, and decisions made on the complaint within thirty working days of the escalated complaint being received in writing.

12. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

All stages of the complaints process are documented, and notes provided to all parties involved, including the outcomes of the complaint at each stage and reasons for the decisions made. Each complaint and its outcome is recorded in writing and stored on the *Complaints Register*. This register is located within the JIRA system.

If at any stage McDonald's Australia RTO considers more than 60 calendar days are required to process and finalise the complaint, McDonald's Australia RTO:

- Informs the complainant in writing, including reasons why more than 60 calendar days are required; and
- Regularly updates the complainant on the progress of the matter.

If the internal or external complaint handling or appeal process results in a decision that supports the participant, McDonald's Australia RTO immediately implements any decision and/or corrective and preventative action required and advises the participant of the outcome.

At all times records of complaints and grievances are maintained confidentially. McDonald's Australia RTO retains records of all complaints and grievances for a period of at least five years, allowing parties to the complaint or grievance appropriate access to these records.

## 1.2. Complaints Key Contacts

If the participant is still not satisfied with the resolution of the complaint, they are directed to seek further assistance from the following additional parties:

Organisation	Details
ASQA	1300 701 801

	<a href="mailto:enquiries@asqa.gov.au">enquiries@asqa.gov.au</a>
Skills Canberra	<a href="https://www.skills.act.gov.au/">https://www.skills.act.gov.au/</a>
NSW Department of Education & Training	<a href="http://www.training.nsw.gov.au">www.training.nsw.gov.au</a>
Department of Education NT	<a href="https://education.nt.gov.au/">https://education.nt.gov.au/</a>
Department of Employment, Small Business and Training	<a href="https://desbt.qld.gov.au/training">https://desbt.qld.gov.au/training</a>
South Australia Skills Gateway	<a href="http://www.training.sa.gov.au">www.training.sa.gov.au</a>
Skills Tasmania	<a href="http://www.skills.tas.gov.au">www.skills.tas.gov.au</a>
Victoria Skills Gateway	<a href="http://www.skills.vic.gov.au">www.skills.vic.gov.au</a>
WA Department of Training and Workforce Development	<a href="http://www.dtwd.wa.gov.au">www.dtwd.wa.gov.au</a>

### 1.3. Improvement Actions

McDonald's Australia RTO confirms its commitment to investigate and act on any complaint raised, and also to take appropriate action in any case where complaints are substantiated. In cases where a complaint is upheld, McDonald's Australia RTO endeavours to identify the cause of the complaint and implement steps to prevent the situation happening again.

All improvement actions arising from complaints are raised via an Improvement Record. McDonald's Australia RTO maintains a Continuous Improvement Register on the JIRA system for recording the receipt and management of improvement records.

Once improvement records are raised, activities review complaints and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

## 2. Appeals

McDonald's Australia RTO provides all participants with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in the assessment process. Other grievances or issues not pertaining to assessments should be referred to McDonald's Australia RTO's complaints processes.

McDonald's Australia RTO's appeals process facilitates requests for a review of decisions, including assessment decisions, made by McDonald's Australia RTO or a third-party representative providing services on McDonald's Australia RTO's behalf.

McDonald's Australia RTO's appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by McDonald's Australia RTO, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

McDonald's Australia RTO's process ensures that the decision-maker is independent of the decision being reviewed (for example, an Assessor does not consider or decide an appeal against an assessment decision they made). If a participant objects to actions taken or decisions made by McDonald's Australia RTO personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Participants also have the right to lodge an appeal against competency decisions made if:

- They believe the outcome is invalid; or
- They feel the process was invalid, inappropriate or unfair.

## 2.1. Appeals Process

McDonald's Australia RTO's appeals process is publicly available on the McDonald's Australia RTO website.

Before making a formal appeal, participants are required to discuss the matter with the relevant McDonald's Australia RTO personnel in an effort to reach an agreement. McDonald's Australia RTO personnel will undertake to reassess the decision that has been made.

If a participant is still unhappy, they must lodge a formal appeal in writing to McDonald's Australia RTO National RTO Administration Manager. There is no fee for lodging an appeal.

Upon receiving a formal appeal, McDonald's Australia RTO National RTO Administration Manager will:

- Acknowledge receipt of the appeal in writing within five working days; and
- Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third party is not binding to either party.

The independent member will review the information provided by all parties and either reject or uphold the appeal. The participant will be advised of the outcome of the appeal in writing within 10 working days of lodging the appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

If a participant, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the McDonald's Australia RTO CEO. The McDonald's Australia RTO CEO will:

- Acknowledge receipt of the further appeal in writing within five working days; and
- Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the participant. This second registered training organisation will:
- Uphold the appeal;
- Reject the appeal; or
- Recommend further evidence gathering by either party.

The participant will be advised of the outcome of the appeal in writing within 20 working days of lodging the further appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

If a participant, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:

- Their relevant State Training Authority (STA) in each state and territory if an apprenticeship/traineeship-based course; or
- Alternatively, to the Australian Skills & Quality Authority (ASQA) via the appropriate process:  
<https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>

If at any stage McDonald's Australia RTO considers more than 60 calendar days are required to process and finalise the appeal, McDonald's Australia RTO:

- Informs the appellant in writing, including reasons why more than 60 calendar days are required; and
- Regularly updates the appellant on the progress of the matter.

All stages of the appeals process are documented, and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made. Each appeal and its outcome is recorded in writing and stored on the Appeals Register. This register is located in the JIRA platform.

## **2.2. Improvement Actions**

McDonald's Australia RTO confirms its commitment to investigate and act on any appeal raised, and also to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, McDonald's Australia RTO endeavours to identify the cause of the appeal and implement steps to prevent the situation happening again.

All improvement actions arising from appeals are raised via an Improvement Record. McDonald's Australia RTO maintains a Continuous Improvement Register in the JIRA system for recording the receipt and management of improvement records.

Once improvement records are raised, activities review appeals and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

