



Global-Mark P/L

Management Document MSP-24

Title: **Complaints & Appeals**

Type of Document: **Procedure**

This document is internal (confidential)





Document Information and Revision History

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Original Author(s)	Herve Michoux

Revision	Date	Author(s)	Notes
1	15/1/2005	Herve Michoux	Original Release
2	26/2/2006	Herve Michoux	Errors in the text
3	20/10/08	Mark Crawford	Section 5 – initial response within 10 working days and finalisation within 30 working days for BRC clients.
4	24/5/2009	Herve Michoux	Updated to include Appeals associated with Learning Solution issues
5	23/6/2009	Herve Michoux	Reviewed based on audit feedback and ISO17021 and removed the MD's involvement in the process
6	16/10/14	Herve Michoux	Updated to include a CTE for Human Service programs
7	7/9/2015	Alex McQualter	Updated to align with ACSQHC requirements
8	24/09/2016 2/11/2016	Julie Peterson Herve Michoux	Updated to meet 17021 and RTO requirements and also address complaints. Added requirement about escalation and non-discriminatory behavior, as per the Accreditation Manual.
9	18/11/2016	Herve Michoux	Updated to include MSP-26 Corrections and improvements
10	12/2/2017	Alex McQualter	Updated to align with FSC-STD-20-001V4
11	30/5/2017	Herve Michoux	Added requirement on confidentiality
12	19/2/2018	Alex McQualter	Updated to align with ASI requirements.
13	22/11/2018	Sami Karki	Updated to replace RABQSA by Exemplar Global
14	28/11/2019	Herve Michoux	Removed MSP 24 as a reference document
15	1/4/2020	Meilyn Michoux	Updated to include additional accreditation requirements, moved improvements to MSP-26 and reviewed grammar and spelling.
16	22/04/2021	Emily Silberberg	Updated to ensure FSC specific requirements
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1. Why we have this document

This procedure describes how clients, members of the public, or other stakeholders can appeal decisions made by Global-Mark Pty Ltd and lodge complaints. This procedure applies to all aspects of Global-Mark's business, including certification and training services.

This procedure must be read and implemented in conjunction with the associated G-M policies, procedures, instructions and guides.

2. Reference Documents

The following documents should be referred to in implementing this MSP:

- P-07 Complaints and Appeals
- MSP-02 Communication and Committee Structure
- MSP-22 Planning and Management Review
- G-00 Welcome Pack
- P-17 Student Handbook

3. Underlying principles

Underlying principles are outlined in P-07 Complaints and Appeals.

4. Guidelines

P-07 describes the complaints and appeals policy. Appeals arise when a stakeholder is not satisfied with a decision that Global-Mark has made. A complaint is an expression of dissatisfaction or concern by a stakeholder about the conduct, standard of service, actions or lack of action by Global-Mark or its staff.

Any stakeholder has the right to lodge a complaint or appeal a decision of Global Mark Pty Ltd. Complainants or appellants (the person or organisation lodging the complaint/appeal) can be a:

- Client, current or potential,
- Student, current or potential,
- Consultant,
- Consumer,
- Regulator,
- Member of the public, or
- Other stakeholder.

Complaints and appeals may be lodged formally or informally, but in all cases, will be investigated at some level.

All parties must abide by the appeals procedure and maintain total confidentiality of the information and the process. Whilst an appeal is being processed no further action should be taken on the matter, including:

- release, update or cancellation of the certificate of approval,
- action on affected Learning Solutions results or certificates.

An appellant has the right to withdraw the appeal.



5. Complaints

Clients and other stakeholders may lodge a complaint. All complaints must be made in English and in writing. The complainant must be identifiable and provide names, telephone number, identify the issue of the complaint and provide supporting documentation (if appropriate). NOTE: if lodging a complaint regarding FSC certification, the complaint must be supported with evidence (photos, documents, emails) to substantiate the complaint. Once received the complaint shall be raised in CorrectIT, categorised (for example, certification activities for which it is responsible) and presented to the MD/GM-MS&HS for review, action and allocation of actions in CorrectIT. The MD/GM-MS&HS will determine whether the complaint relates to certification activities that GM is responsible for, and if so the below process will be followed.

1. Upon receipt, the MD/GM-MS&HS will formally acknowledge receipt and register the complaint in CorrectIT (the response must be within 5 working days).
2. The MD/GM-MS&HS will then advise the PM and CM involved of the complaint, if appropriate. The MD/GM-MS&HS will appoint an appropriate staff member who is independent from the complaint.
3. The staff member is responsible for gathering and verifying all necessary information to validate the complaint. They will investigate and liaise with the complainant, providing progress reports where appropriate. A time-frame in which the complaint should be resolved should be agreed upon with the complainant.
4. Discussions with the complainant may resolve the issue.
5. Any investigations, outcomes, actions, and discussions with the complainant shall be recorded in CorrectIT, including any actions undertaken in response to them (refer MSP-26).
6. If, and when, the end of the complaints handling process has been reached, Global-Mark will give formal notice to the complainant.
7. If the complaint has not been resolved within the agreed time-frame, the complaint will then be escalated to the MD, GM or OM to manage.
8. All resolved complaints shall be reviewed and verified in CorrectIT by a management representative that was not involved in the complaint handling to ensure compliance with this procedure, and that appropriate correction and corrective action has been taken.

The above process applies, but if at the end of our internal review process, the complainant is still not satisfied with the outcome, the person handling the complaint should:

- Advise the complainant that they may lodge an Appeal
- Advise the complainant that they may refer the complaint to JASANZ, ASI or other relevant regulatory body.

Submission, investigation and decision on appeals shall not result in any discriminatory actions against the complainant.

Complaints regarding a client certified by Global-Mark will be brought to the attention of the client for comments and/or action. Examination of the complaint shall consider the effectiveness of the certified management system. Records shall be kept in CorrectIT. This process applies to valid complaints, and the identity of the complainant may be kept confidential, if this is requested by the complainant.

5.1. Health care specific including NSQHS and RACGP standards

All Health Care Complaints will be managed by the Program Manager – Health.

5.2. Additional requirements relating to complaints regarding FSC certificate holders or applicants

Global-Mark shall treat anonymous complaints and expressions of dissatisfaction that are not substantiated as complaints as stakeholder comments and address these during the next audit.

Global-Mark will provide an initial response, including an outline of the Global-Mark's proposed course of action to follow up on the complaint or appeal, within two (2) weeks of receiving a complaint or appeal.



Global-Mark will investigate the allegations and specify all its proposed actions in conclusion to the complaint or appeal within three (3) months of receiving the complaint or appeal.

The decision resolving the complaint or appeal shall be made by, or reviewed and approved by, person(s) not involved in the evaluation related to the complaint or appeal.

5.3. Aged complaints

If the complaint has not been resolved within 3 months of the agreed time-frame, it will be classed as an aged complaint and shall be referred to JAS-ANZ. Global-Mark shall provide JAS-ANZ with the original complaint, records of the review of the complaint, responses to the complainant, and any other records that inform the background to the complaint.

6. Appeals – Generic Process

6.1. Appeals processing

1. Upon receipt, the CSM will formally acknowledge receipt; register the appeal as a CorrectIT. (For BRC clients the response must be within 10 working days)
2. The CSM will then advise the MG, GM, PM and CM involved of the appeal. The CSM will appoint a member of the Appeals Council to coordinate and manage the process (this person is called the Appeal Coordinator – AC)
3. The AC will seek written explanations from the CM or Officer involved.
4. The CM or officer(s) involved must provide a written reply to the appeal including the history, findings, evidence and conclusions. This should be supported by all available documented evidence (records, notes, photos).
5. The AC will then pass the file (i.e. appeal and correspondence and the response) to an independent PM.
6. The independent PM will review both submissions and decide on whether the appeal is justified or not. His/her decision must be in writing and must be sent to the CSM, MD, PM and CM involved.
7. If the independent PM forms the view that the appeal is justified (i.e. in favour of the appellant) the AC will then confirm in writing to the appellant that the stage 1 of the appeal has been successful, and that the decision of the CM involved will be overturned. The letter should explain reasons why the appeal was successful. A copy of the letter shall be sent to the CM PM involved, MG and Appeals Council
8. If the independent PM forms the view that the appeal is not justified the AC will inform the appellant in writing and the appellant will be given the opportunity to pursue the matter further: i.e. escalate the appeal to the appeals council (Stage 2). The appellant should convey the decision in writing to the CSM.
9. For BRC client's appeals must be finalized within 30 working days.

Appeals must be lodged in writing, the appellant must be identifiable, provide names, telephone number, supporting documentation, identify the company, person or product subject to the appeal, and the ground for the appeal. Appeals lodged without this information will not be accepted.

Should the appeal fail, the cost of the appeal shall be borne by the appellant. The nominal cost to be paid to Global-Mark is \$2000 plus GST and expenses.

6.2. Referral to the Appeals Council

Refer to the Appeals Council Terms of Reference.

1. The AC is responsible for contacting the chair of the Appeals Council and forwarding all the information to the chair.
2. The chair will then form the Appeals Council to review this appeal, and follow the steps mentioned in the Terms of Reference.



3. For Human Services Programs (DEES, NDAP, HSQF, etc.) the Appeals Council shall include a Consumer Technical Expert.

6.3. Certification services appeals – Additional requirements

All appeals shall be directed to the Customer Service Manager (CSM). Upon receipt of an appeal, the CSM shall:

- acknowledge the appeal (by phone or in writing);
- register the appeal as a CorrectIT;
- advise the CEO, PM and CM involved; and
- appoint an Appeal Coordinator (AC) from the Appeals Council to coordinate and manage the process.
- The CSM shall be responsible for gathering and verifying all necessary information to validate the appeal.
- The CSM shall acknowledge receipt of the appeal and shall provide the appellant with progress reports and the result of the appeal.

Submission, investigation and decisions on appeals shall not result in any discriminatory actions against the appellant.

The appeals-handling process includes at least the following elements and methods:

- an outline of the process for receiving, validating and investigating the appeal, and for deciding what actions need to be taken in response to it, taking into account the results of previous similar appeals;
- tracking and recording appeals, including actions undertaken to resolve them (using the CorrectIT database);
- ensuring that any appropriate correction and corrective action are taken (refer MSP-26).

The decision to be communicated to the appellant shall be made by, or reviewed and approved by, individual(s) not previously involved in the subject of the appeal.

The CSM shall give formal notice to the appellant at the end of the appeals handling process.

6.4. Program specific requirements

6.4.1. BRC Global Standards

For clients under a BRC program (generally only in Food Safety) the response must be provided within 10 working days.

6.4.2. NSQHS and RACGP Standards

NSQHS and RACGP Standards complaints and appeals will be managed by the Program Manager - Health. Upon receipt of an accreditation appeal or complaint the Program Manager – Health shall follow steps outlined in part 4.

For accreditation decision appeals the Health Service Organisation has 20 business days to present documentation to G-M. The G-M appeal process shall be followed with G-M reviewing the documentation within 20 business days and responding to the Health Service Organisation.

Should a resolution not be achieved between the Health Service Organisation and G-M; G-M will notify the Commission or Jurisdictional Body within 10 business days.



6.5. Stage 1 – Informal appeals

Informal appeals will be managed on a case by case basis and are generally escalated to the Program Manager of the scheme or program the client is seeking.

6.6. Stage 2 – Formal appeals

The AC will seek written explanations from the CM or Officer involved.

The CM or officer(s) involved must provide a written reply to the appeal including the history, findings, evidence and conclusions. This should be supported by all available documented evidence (records, notes, photos).

The AC will then pass the file (i.e. appeal and correspondence and the response) to an independent PM.

The independent PM will review both submissions and decide on whether the appeal is justified or not. His/her decision must be in writing and must be sent to the CSM, MD, PM and CM involved.

If the independent PM forms the view that the appeal is justified (i.e. in favour of the Appellant) the AC will then confirm in writing to the appellant that the stage 1 of the appeal has been successful, and that the decision of the CM involved will be overturned. The letter should explain reasons why the appeal was successful. A copy of the letter shall be sent to the CM PM involved, MG and Appeals Council

If the independent PM forms the view that the appeal is not justified the AC will inform the appellant in writing and the appellant will be given the opportunity to pursue the matter further: i.e. escalate the appeal to the appeals council (Stage 2). The Appellant should convey the decision in writing to the CSM.

For BRC client's appeals must be finalized within 30 working days.

6.7. Stage 3: referral to the Appeals Council

Refer to the Appeal Council Terms of Reference.

The AC is responsible for contacting the chair of the appeals council and forwarding all the information to the chair.

The chair will then form the appeal council to review this appeal, and follow the steps mentioned in the Terms of Reference.

For Human Services Program (DEES, NDAP, HSQF, etc.) the Appeals Council shall include a Consumer Technical Expert.

7. Learning Solutions - Complaints and appeals

Learning Solutions appeals may be categorised as either an assessment appeal or a procedural appeal. An assessment appeal is where the student is appealing the result of an assessment. A procedural appeal is where rules, policies or procedures have not been followed by those administering or delivering the training, and this has unfairly disadvantaged the student (appellant).

- an informal complaint or appeal
- a formal complaint or appeal

Information for students on lodging a complaint or appeal is contained in the Student Handbook. All appeals and complaints shall be notified to the CSM who shall acknowledge the appeal (in person, by phone or in writing).

- advise the Trainer involved, and if appropriate, advise the RTO Manager and.
- appoint an Appeal Coordinator (AC) from the Appeals Council to coordinate and manage the process.
- register the appeal as a CorrectIT;



7.1. Assessment appeals

Upon receipt of an assessment appeal, the CSM shall assign an independent assessor to review the student's assessment. This assessor must

10. If the student is still dissatisfied with the outcome, they can escalate their appeal and lodge a formal complaint.

Lodging an informal complaint or appeal

1. All parties must abide by the complaints/appeals procedure rules and maintain total confidentiality of the information and the process.
2. The initial stage of any complaint shall be for the student to communicate directly with the trainer or Customer Service Manager.
3. Students dissatisfied with the response to the informal complaint may initiate a formal complaint.

Lodging a formal complaint or appeal

1. All formal complaints or appeals must be directed to the Customer Service Manager
2. Upon receipt, the Customer Service Manager will acknowledge receipt (within 2 working days) and register the complaint or appeal in CorrectIT to drive the process and document steps and records.
3. The Customer Service Manager will then advise the Managing Director and related parties of the complaint or appeal.
4. The Customer Service Manager will seek written explanations from the related parties.
5. The related parties must provide a written reply to the complaint or appeal including the history, findings, evidence and conclusions. This should be supported by all available documented evidence.
6. The Customer Service Manager will then pass the file (complaints, appeals, correspondence and response) to an independent party e.g. Managing Director.
7. The independent party will review both submissions and decide on whether the appeal is justified or not. The decision must be made in writing and sent to the Customer Service Manager and related parties.
8. If the independent party forms the view that the complaint or appeal is justified (i.e. in favour of the student), the Customer Service Manager will then confirm in writing that the first stage of the appeal has been successful. The letter should explain reasons why the complaint or appeal was successful. A copy of the letter shall be sent to the related parties and the Managing Director and independent person.
9. If the independent party forms the view that the complaint or appeal is not justified, the Customer Service Manager will inform the student in writing and refer the student to ASQA, www.asqa.gov.au/complaints or Exemplar Global www.exemplarglobal.org

8. Reviewing, and data analysis

CorrectIT data from complaints and appeals will be collated and reviewed at GRC committee meetings to ensure any trends are identified and improvements planned. Refer to MSP-26.



9. Output Records

Record Title	Paper or Electronic	Where are they kept	How long for (years)	Access restrictions	Comments
Appeals Correspondence	E	CorrectIT and Client Bank	E	Nil	
Correct IT records	E	CorrectIT database	E	Nil	
Trend analysis	E	MPower database	E	Nil	

End of document

