Chapter 21. Complaints

21.1 Introduction
Despite best endeavours, from time to time complaints will arise. This procedure outlines how a complainant may raise a complaint about ATDP implementation and the process by which a formal complaint will be resolved.

This policy and procedures complement, but do not replace the related but separate complaints processes that are administered by the RTO and DVA.

21.2 What is a Complaint?
A complaint is a formal expression of dissatisfaction, made in writing, and resolved formally through the attention of the CFMG Chair usually jointly with the Secretariat, or, if satisfactory resolution cannot be achieved at their level, by the SGB Chair and the Secretary.

21.3 Who Make a Complaint?
A complaint under this procedure may be made by any person who is dissatisfied with any aspect of ATDP activities.

21.4 On What Grounds May a Complaint be Made?
A complaint may be made under this procedure on the grounds of dissatisfaction with:

- policy and procedures regulating ATDP activities
- administration of ATDP activities,
- administration of ATDP,
- access to ATDP courses,
- participation in any ATDP activity (except training – see para 21.7), or
- an ATDP response or action.

The foregoing list is not exclusive, and does not exclude issues arising from decisions or activities by Regional Managers, RIG Members including Regional Mentors, or CoPs.

21.5 What Complaints are not Covered by this Procedure?
A list of the complaints that are not covered by this procedure follows:

- A complaint about ATDP National policy, which is to be referred to the SGB Chair.
- A complaint about 10620NAT Course in Military Advocacy, which is to be referred to the RTO.
- A verbal complaint is not regarded as formal, and cannot be resolved. A complaint must be made in writing.
- Frivolous or vexatious complaints are not covered by this procedure.
A complaint about the advice given, support provided or action taken by an accredited advocate. Such complaints are to be made to the Secretary VITA (see VITA Brochure: https://www.dva.gov.au/search/site/vita%20insurance%20brochure

21.6 What Needs to Be Said?
To facilitate resolution of all complaints, the complainant should:
• provide as much relevant information as possible so that the investigator has the clearest possible picture of the problem;
• be specific, rather than general; and
• advise what action or outcome is recommended to resolve the complaint.

21.7 To Whom Should a Complaint be Made?
To be processed to resolution, a complaint must be made in writing to:
• For all ATDP Complaints: forward directly to the CFMG Chair.
• For all Complaints about 10620NAT: forward to the RTO: see https://www.atdp.org.au/MTShandbook.pdf
• For complaints arising from contact with or action by DVA: see the DVA Complaints, Complements and Feedback Policy: http://www.dva.gov.au/contact_us/Pages/feedback.aspx

21.8 ATDP Complaint Procedure
If a person advises they wish to lodge a complaint about any aspect of ATDP, you should attach to an email a letter saved in pdf format and addressed to the Chair at: cfmgchair@atdp.org.au
The CFMG Chair will, depending on the nature of the complaint and its sensitivity:
• investigate the complaint, or
• forward the complaint to:
  ° the NTM, or
  ° the appropriate Regional Manager, or
  ° the SGB Chair, and
• advise the Secretariat of the complaint and the action taken.

21.9 How Will the Complaint be Processed?
In general, who will investigate a complaint follows:
• For complaints about ATDP Course Delivery: the RTO.
• For complaints about ATDP Course Programming: the NTM.
• For all other ATDP Complaints: the CFMG Chair
• For complaints arising from contact with or action by DVA: The Department of Veterans’ Affairs.

Complaint about ATDP Course Delivery/Content. On receipt of a complaint about course delivery or content, keeping the NTM informed, the RTO will investigate the complaint as mandated by ASQA.

All other Complaints. On receipt of all other complaints, the CFMG Chair will advise the complainant in writing that the complaint has been received, who is responsible for primary carriage of the investigation and the timeframe for the investigation.

All Complaints. The ATDP Member who has primary carriage will make all appropriate inquiries into the complaint, including speaking in person to the complainant. The person with primary carriage of the investigation will keep the CFMG Chair fully apprised of the facts and context at mutually agreed milestones during the investigation.

Investigation of the complaint will be undertaken in accordance with the principles of procedural fairness promulgated by the Commonwealth Ombudsman (see: [http://www.ombudsman.gov.au/docs/brochures/making_complaint.pdf](http://www.ombudsman.gov.au/docs/brochures/making_complaint.pdf)).

If the complaint is about any specific person or appointment holder, natural justice requires that the person or appointment holder be given an opportunity to respond in writing to the complaint through the CFMG Chair.

Once the ATDP Member investigating the complaint judges that all the facts have been discovered, the CFMG Chair and/or the NTM and/or the Secretariat (as appropriate) will jointly review the facts and identify a resolution. Their joint resolution will be communicated in writing to the complainant, as well as to the person or appointment holder where they have been the subject of the complaint. Every reasonable attempt will be made to advise the resolution to the complainant within 14 calendar days of receipt of the complaint.

21.10 What if a Satisfactory Resolution is Not Achieved?
If the complainant is not satisfied with the resolution, they have a right of elevation of the complaint as identified in para 21.2 above.

21.11 Procedural Fairness

21.12 Commonwealth Ombudsman
Should the resolution of the complaint reached by CFMG Chair and the Secretariat not satisfy the complainant, as ATDP is a Commonwealth-funded program, they have a right to lodge their complaint with the Commonwealth Ombudsman.
Details on referral of a complaint to the Commonwealth Ombudsman are outlined at:

21.13 Archiving