



Name:	Complaints and Appeals Policy and Procedures
Endorsed by:	Group General Manager
Date approved:	15 th April 2020
Review Date:	15 th April 2021

PURPOSE

Despite the best efforts of Dynamic Learning Services (DLS) to provide quality services and outcomes to its students, complaints may occasionally arise that require formal resolution. The Complaints and Appeals policy and procedure addresses DLS formal, systematic approach to complaints handling, providing a mechanism for lodging and ensuring a prompt, objective resolution of any complaints and/or appeals.

This policy applies to both academic and non-academic matters from Students, potential Students and other Stakeholders, and includes an informal process and a formal process including:

- lodging a formal complaint;
- an internal appeal or review of the issue; and
- provision for independent review.

Academic matters include, but are not limited to issues which relate to Student progress, attendance, assessment, course content or awards in a VET course of study.

Non-academic matters include, but are not limited to the general performance or decisions of the RTO, its trainers, assessors, other staff or Partners in the delivery of products or services, such as financial matters (fees, refunds and payment terms), Staff and Student behaviour or conduct, management of personal information, or facilities and resources.

SCOPE

This policy applies to students and/or their employers, DLS trainers, assessors, staff and any third party providing services on behalf of DLS. The policy applies, regardless of the training location at which the grievance has arisen, the trainee's place of employment and/or mode of study. The document is available publicly on the DLS website. Information about complaints and appeals has been included in student and staff induction documents.

RELEVANT STANDARDS AND GUIDELINES

This Complaints and Appeals Policy & Procedure specifically addresses Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015.

DEFINITIONS

Appeal An appeal is an application by a student for reconsideration of any unfavourable decision or finding made by the RTO during training and/or assessment.

AQF Australian Qualifications Framework



ASQA	Australian Skills Quality Authority
Complaint	Any expression of dissatisfaction with regard to a product or service that requires action or response.
Complainant	A person or organisation expressing their dissatisfaction.
RTO	Registered Training Organisations (RTOs) are those training providers registered by ASQA to deliver VET services.
VET	Vocational Education and Training.

POLICY

The Complaints and Appeals policy and procedure provides students the opportunity to have any issues relating to a complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This policy and procedure ensures a fair and equitable outcome, with sensitivity to the concerns of the student and in complete confidentiality.

GENERAL PRINCIPLES

- The handling of a complaint or appeal is to commence within ten (10) working days of lodgement of the complaint or appeal. DLS acknowledges the complaint or appeal in writing and all reasonable measures are taken to finalise the process as soon as practicable.
- Each complaint is investigated objectively and without bias. Where it is considered that a party may have any reason to show bias towards any party to the complaint, that person or persons will be removed from involvement in the complaint or appeal process.
- Where an allegation is made against a staff member, another student of DLS or any third party acting on behalf of DLS, that person/party will be given the opportunity to provide a formal response to the allegations.
- Where DLS considers more than sixty (60) calendar days are required to process and finalise the complaint or appeal, DLS:
 - informs the complainant or person lodging an appeal in writing, including reasons why more than 60 calendar days are required; and
 - regularly updates the complainant or person lodging an appeal on the progress of the matter.
- A written record of all complaints and appeals is securely maintained by DLS including all details of lodgement, response and resolution.
- All associated records of grievances are kept for a minimum of five (5) years.
- A complainant or person lodging an appeal is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant or person lodging an appeal may be accompanied and/or assisted by a support person at any relevant meeting.
- The complainant or person lodging an appeal has appropriate access to their records, while ensuring that the records are kept confidential.
- The complainant or person lodging an appeal is to be provided a written statement of the outcome, including details of the reasons for the outcome.
- The complainant or person lodging an appeal is to have the opportunity for a person or a body that is independent of DLS to review his or her complaint or appeal following the internal DLS complaint or appeals process. It is noted that a review of findings by an independent person or body will generally only relate to the appeals process and is less likely to be required in complaints handling.
- DLS shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.



- Decisions or outcomes of the complaint or appeals process that find in the favour of the student shall be implemented immediately.
- Complaints and appeals are to be handled in the strictest of confidence and in line with the DLS Privacy Policy. No DLS representative is to disclose information to any person without the permission of the Group General Manager. A decision to release information to third parties can only be made after the complainant or person lodging an appeal has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.
- Students who are not satisfied with the complete complaints handling by DLS may refer their complaint to the National VET Regulator for consideration. Students are to be advised that the National VET Regulator will require the student to have exhausted all avenues through DLS before taking this option. Please refer to the Complaint Handling Procedure for more information.
- Appeals of assessment decisions are not able to be referred to the National VET Regulator and are to be determined by an approved independent body.

PROCEDURAL FAIRNESS

During all stages of the complaints procedure DLS will take all steps to ensure that:

- student(s) will not be discriminated against with students maintaining their enrolment
- a full explanation for decisions and actions taken as part of the process will be maintained at each stage
- no cost to the student for accessing internal complaints processes
- records relating to complaints are treated as confidential and adhere to the principles of privacy and personal information requirements
- transparent information regarding external organisations is made available

Note: While a student will maintain their enrolment during the complaint process, if the presence of the student/complainant creates an unsafe or hostile environment for staff and other students, the Group General Manager may suspend enrolment till the duration has reached a mutually agreed and understood outcome.

COMPLAINTS HANDLING

Matters that cannot be resolved within a practicable period of time may be escalated by the complainant, by sending a completed 'Complaints and Appeals' form. This form is publicly available at www.dynamiclearningservices.com.au. The completed form should be sent via email to the Group General Manager to admin@dynamiclearningservices.com.au for action. Where email is not available, the complaint can be sent posted to:

Group General Manager
Dynamic Learning Services
PO Box 1047
Terrigal NSW 2260

INDEPENDENT PARTIES

DLS acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the



complainant/appellant unless the decision to include an independent party was made by DLS.

EXTERNAL REVIEW ORGANISATIONS

Other external options available to students include

- National Complaints Hotline 13 38 73
- NSW Ombudsman www.ombo.nsw.gov.au/contact-us
- ASQA - For more information call 1300 701 801, or to complete the online complaints form, go to ASQA's website www.asqa.gov.au

ASQA can directly deal with complaints about:

- the information provided by an RTO about its course/s
- the delivery and assessment of training received
- the qualifications issued or to be issued

The student may go to the external review organisation who will consult with the student and DLS to resolve the complaint. The student may have a support person (not legal) with them during interviews with the external reviewer.

DLS agrees to be bound by the independent reviewer's recommendations. The Group General Manager or delegate will ensure that any recommendations made are implemented immediately upon receipt of the report.

If a complaint still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The NSW Office of Fair Trading <http://www.fairtrading.nsw.gov.au>

RELATED DOCUMENTS

- Complaints and Appeals Form
- Continuous Improvement Policy & Procedures
- Student Handbook
- Consumer Protection Policy and Procedures
- Complaints and Appeals Register
- Continuous Improvement Report
- Recognition Policy and Procedure
- Information Release Form

ADDITIONAL REFERENCES

- Smart and Skilled Contract Operating Guidelines,
- Smart and Skilled consumer protection strategy
- VET (WA) Ministerial Corporation, Purchase of Training Services, General Provisions (Conditions of Contract), 17.4.



Complaints and Appeals Process/Procedure

Student makes a complaint or appeal and DLS attempts to resolve it between the parties involved. Student enrolment will be maintained during this process until final resolution. Student is entitled to have a support person in attendance at any stage throughout the Complaints and Appeals process. Complaint/Appeal is logged in the Complaints and Appeals Register.

