

## COMPLAINTS AND APPEALS POLICY AND PROCEDURE

### 1. Policy Purpose

- 1.1. The Complaints and Appeals Process is intended to be easily accessed by students. It is an inexpensive process that is accessible through all managers and administration staff, with further information available on the DNA Kingston Training website.
- 1.2. The Complaints and Appeals policy of DNA Kingston Training shall ensure that all complaints are dealt with in a constructive and timely manner. Most complaints can be dealt with through an informal process with clear, supported communication, (meetings) with Lecturers, Management and Students. These matters remain confidential and are taken very seriously.
- 1.3. All formal complaints and appeals shall be reported to Management in management meetings and client feedback forms shall be raised and recorded on file, detailing the actions required to arrive at a satisfactory resolve for all, regarding each complaint.

### 2. Complaint types

- 2.1. Complaints are divided into two categories:
  - Academic;
  - Non-Academic.
- 2.2. Procedures for both are very similar in format.

#### **Academic**

- 2.3. Academic complaint can include though not limited to:
  - Assessment and results;
  - Student progress;
  - Statement of Attainment and Certificates;
  - Plagiarism, using other students work, cheating in assessments; and
  - Work experience.

#### **Non - Academic**

- 2.4. Non -academic complaint can include though not limited to:
  - Staff issues;
  - Student administration;
  - Marketing and information;
  - Fees and finance; and
  - Welfare and safety.

### 3. Complaint and Appeal Process

#### **Informal**

- 3.1. Students will have open communication to discuss issues with their Lecturer, Management Staff or Student Support Officer. Several meetings can be arranged with different Staff members. Meetings will generally be documented to ensure information clearly understood. These meetings regarding complaints and appeals are taken very seriously and are kept confidential. Successful outcomes and resolution are very common, with confirmation provided to Students in writing within 5 working days

#### **Formal (Internal)**

- 3.2. Should students feel that they have not reached a resolution with the Informal process, the students can then move to the formal process.
- 3.3. Students will be required to lodge a formal complaint in writing, outlining the complaint and the desired outcome.
- 3.4. Management or Students Support Officer will write to the complaint within 5 working days acknowledging receipt of complaint.
- 3.5. Students will then be requested to attend a meeting to resolve the complaint. The student is informed that they may be assisted or accompanied by a support person of their choice at the meeting and that they will be given the opportunity to present their case.
- 3.6. The meeting is held and the complaint heard. This meeting is attended by appropriate Staff and Management. (Minimum of two staff in attendance – one will always include a Manager or CEO) and support person of student if so required. Additional supporting documentation can be presented by the student.
- 3.7. Within 10 working days of the meeting where the complaint was considered, the manager, or Student Support Officer will write to the student to inform them of the outcome of the meeting and the reasons for any decision taken.
- 3.8. A record of the complaint and outcome will be placed in a securely maintained Complaints & Appeals file.
- 3.9. This record will include the potential causes of the complaint and identify corrective action to eliminate or mitigate the likelihood of reoccurrence.
- 3.10. Where there is a decision made in the favour of the student, DNA Kingston Training will advise the student of this and implement any decision and or /corrective and preventive action taken.
- 3.11. Student enrolment will generally be maintained throughout the Internal Complaints and Appeals process unless extenuating circumstances. (Safety issue concerning the college or student). DNA Kingston Training however, can hold the decision to continue offering learning or modified learning opportunities; this will be taken case by case.

### **Formal (External)**

- 3.12. Where a student is not satisfied with the result or conduct of the internal complaints and appeals process, the student has the right to access an external appeals process through an external complaint and appeal process. DNA Kingston Training independent complaints and appeals adjudicator will look at the way in which the internal appeal was conducted and they will not make a determination to what the subject result should be. They are independent to DNA Kingston Training.
- 3.13. The Australian Dental Association W.A. (Education Committee) will collect information and make an analysis with a final decision or outcome. In all the cases a 'complaints resolution' must be completed and signed by the Student and by the Director of DNA Kingston Training.

## **4. The Commonwealth Student Ombudsman**

- 4.1. The Office of the Commonwealth Ombudsman investigates complaints that international students have with private education providers. A private education provider can be a school, college or university in Australia.
- 4.2. If students are not satisfied with a decision or action taken by DNA Kingston Training and have been through the Internal Complaints and Appeals processes and have not been satisfied with the result, you can complain to the Ombudsman.

They provide support to future, current or former students.

Service is free and they do not charge for making a complaint. [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### **The Ombudsman can:**

- investigate complaints about **private** education providers in Australia;
- provide information about best practice complaint-handling; and
- publish reports on issues in international education.

### **They can help you with:**

If you have a complaint about private education provider if you believe they may not have followed the rules or treated you fairly. Complaints might be about:

- refusing admission to a course;
- fees and refunds;
- course or provider transfers;
- course progress or attendance;
- cancellation of enrolment;
- accommodation or work arranged by your provider; and
- incorrect advice given by an education agent.

### **Basic dispute resolution pathway**

1. Student is unhappy with their private education provider's decision or action.
2. Student should:
  - check their written agreement;
  - talk to their provider; and
  - check their provider's website for details about how to complain.
3. Student lodges a complaint with their provider.
4. If the student is not satisfied with the outcome of their complaint, they can ask their provider to review the decision (appeal).
5. If the student is still not satisfied with the decision, they can contact our Office to lodge a complaint.

## **5. How to make a complaint**

- 5.1. Consumers can register a complaint with the National Training Complaints Hotline by:  
**Phone:** 13 38 73, Monday–Friday, 8am to 6pm nationally.  
**Email:** [skilling@education.gov.au](mailto:skilling@education.gov.au)
- 5.2. The National Training Complaints Hotline uses the services of the Translating and Interpreting Service and National Relay Service.

## **6. Correspondence**

- 6.1. All information, documented meetings and reports associated with the Complaints and Appeals process are to be filed at DNA Kingston Training, placed on student individual file and provided to students and Guardians / Parents if the students are under 18 years.

## **7. Fair and Equitable**

- 7.1. All complaints are handled with fairness in accordance with the principles of natural justice. DNA Kingston Training is committed to ensuring that students do not experience any victimization as a result of making either an informal or formal complaint.

## **8. Natural Justice**

- 8.1. Duty to act fairly will include – Fairness dealing and No bias. All parties are provided with the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person. In addition, a decision maker must have no personal interest, beyond the scope of their role in this process and must be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process. The procedure shall have regard to the duration of an overseas students stay in Australia.

## **9. Defamation**

- 9.1. A definition for Defamation can include the publication or making of false statements about another, which damage that person's reputation. They can be in the form of libel or slander. Can include defamatory statement spoken, written word, pictures, visual form, broadcasting over radio or television or other transitory form. It is reminded to all parties involved in a complaint and appeal process that they ensure that they limit their public discussions regarding details of the complaint.

## **10. Dissatisfaction with complaints and appeals processes**

- 10.1. Students are eligible to go through the normal Consumer Protection channels.

## **11. Provision of information to Students**

- 11.1. Information regarding this policy and procedure is provided to students at enrolment, on orientation day, student handbook and on the website.

## **12. Provision of information to Staff**

- 12.1. Information regarding this policy and procedure are provided to staff through induction, on the z drive, web site, Organization manual. Amendments are provided through Staff Memo's on email and staff meetings.

## **13. Review**

- 13.1. Documented outcomes recorded, scanned and filed accordingly in Corporate portfolio and are used for quality assurance, to review policies and processes to avoid the same issues arising again.

Kingston Training and Employment Pty Ltd



Provider No: 6811 CRICOS Provider No: 02899B

<b>Policy Title</b>	Complaints and Appeals Policy and Procedure
<b>Policy Renewal</b>	Every 2 years
<b>Responsibility</b>	Compliance Manager

### Record of updates and changes

Version No.	Issue Date	Nature of Amendment
Version 01		Materials Designed
Version 02	May 2015	Changes to format
Version 03	May 2015	Removal of information of international students
Version 04	April 2017	State Ombudsman closed
Version 05	March 2019	Updated National Ombudsman details and services
Version 06	July 2022	Recording of issues new location, general review