

# Complaints and Appeals Policy and Procedure

## 1. Policy Purpose

This policy addresses [Standard 10 of the National Code 2018 'Complaints and Appeals'](#), and Standard 6 of the RTO Standards 2015 –managing complaints and appeals which outlines what Registered Training Organisations are required to comply.

- Have and implement an internal complaints and appeals policy and procedure of which the students have 20 working days to access.
- Advise students of their right to access an external complaints and appeals process if the student is dissatisfied with the internal complaints and appeals process, within 10 working days and;
- Implement any decision or recommendation of the complaints and appeals process in favour of the student immediately.

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 web site.

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 and documented.

1.3. All formal complaints and appeals shall be reported to Management and recorded. Details are recorded regarding the actions required to arrive at a satisfactory resolve for all, as part of the continuous improvement register.

1.4. Any student feedback is also documented and reported to Management and entered into the continuous improvement register and actioned as required.

DNA Kingston Training internal complaints, grievances and appeals process is impartial, inexpensive and easily and immediately accessible to all students. Communication is important with complaints, grievances and appeals and can commence with communication without the complication of forms to complete, though they are available. Any student who is dissatisfied with either the services or policies and procedures of our College is encouraged to make use of this process.

## 2. Complaints or Grievances

DNA Kingston Training classifies complaints or grievances as either 'academic' or 'administrative'. The complaints, grievances and appeals process is the same regardless of the classification with the exception of the staff that handle each classification. All academic-related complaints or grievances are handled by the College Manager and all administrative-related complaints or grievances are also handled by the College Manager. Each classification of complaint or grievance is further classified into either 'informal' or 'formal'.

## 3. Informal Complaints or Grievances

In the first instance, DNA Kingston Training encourages students to attempt to resolve their complaint or grievance informally with the other parties involved and, are recommended to have a support

person of their choice with them during this process. The informal complaints or grievances process may include but not be limited to advice, discussions or mediation and, are designed to promote efficient resolutions. It is expected during the informal complaints or grievances process that all parties involved will participate with honesty, integrity and respect for each party's perspective and with the intention of reaching a resolution.

#### **4. Assessment complaints**

Firstly the students who would like to appeal an assessment decision are required to discuss their complaint or grievance with their Trainer. The Trainer, at their discretion, may then choose to re-assess the student if appropriate and regardless will send an email informing the student of the decision to either re- assess or not re-assess and the reasoning behind the decision.

If the student is not satisfied with the informal complaints or grievances process then they are encouraged to lodge a formal complaint with the Complaints and Appeals Lodgement form, email or speak personally with the College Manager to make their formal complaint.

#### **5. Formal internal complaints**

Any student who would like to lodge a formal complaint can submit their Complaints and Appeals Lodgement form or email to the College Manager or present in person for a formal Complaint face to face meeting. Manager from there will log the lodgement into the Complaints Register and send an email to the student confirming the receipt of their Complaints and Appeals Lodgement within 48 hours.

The College Manager will then notify and refer to the relevant staff, such as the Senior Lecturer with any relevant documentation. As part of the formal complaints process, the student and all involved parties are invited to attend a mediation meeting and Students are encouraged to bring a support person of their choice.

DNA Kingston Training endeavours to reach a decision on all formal complaints within 10 working days and maintain communication with student on the progress of their lodgement throughout this time. Please note, all communication regarding the complaint or grievance, including the lodgement of the complaint itself, will be recorded in the student's file. If a decision is unable to be reached within 10 working days, the College Manager will email the student to inform them on the progress of their lodgement at that time. If unable to reach a decision within 60 calendar days, the student will be informed by email with the reasons as to why. Once a decision has been reached the College Manager will send an email to all involved parties informing them of the decision and reasoning behind the decision. If the decision is in favour of the student, DNA Kingston Training will implement the decision immediately and email the Student. If the student is dissatisfied with the decision, the Student will be informed of their right to lodge an appeal.

## 6. Internal Appeals

All students who are dissatisfied with the decision of a formal complaint have the right to appeal the decision. Students may seek to appeal a decision related to but not limited to:

- Assessments or;
- Intention to report to the Department of Home Affairs for breaches in academic performance, course progression or attendance or;
- Deferral, suspension or cancellation of an enrolment as a result of a breach of the Student Code of Conduct, academic performance, course progression or attendance.

Students can submit the Complaints and Appeals Lodgement form, email or arrange a meeting with the College Manager with the grounds of their appeal to the College Manager who will log the appeal into the Complaints Register and send an email to the student confirming the receipt of their Complaints and Appeals Lodgement within 48 hours. The College Manager will then notify associated Staff with any relevant documentation. As part of the appeal process, the College manager will invite the student and all involved parties to attend a mediation meeting and all students are encouraged to bring a support person of their choice.

As with all complaints and grievances, DNA Kingston Training endeavours to reach a decision on all appeals within 10 working days and maintain communication with student on the progress of their appeal throughout this time. Please note, all communication regarding the appeal, including the lodgement of the appeal itself, will also be recorded in the student's file. If a decision is unable to be reached within 10 working days, the College Manager will email the student to inform them on the progress of their appeal at that time. If unable to reach a decision within 60 calendar days, the student will be informed by email with the reasons as to why more than 60 calendar days will be required to reach a decision on their appeal.

## 7. Intention to report to the Department of Home Affairs **International student only**

If a student is dissatisfied with decision to notify the Department of Home Affairs for a breach or breaches in academic performance, course progression or attendance they must contact and arrange a meeting with the College Manager within 20 working days of being notified. During this meeting, the student must provide all documentation pertaining to their grounds for appeal and any extenuating, compassionate or compelling circumstances that led to the breach or breaches. Please note, if a student submits an appeal DNA Kingston Training will not report the breach or breaches to the Department of Home Affairs until the completion of the appeal process.

### Deferral, Suspension or Cancellation of Enrolment

If a student is dissatisfied with the decision to defer, suspend or cancel their enrolment due to a breach or breaches of the Student Code of Conduct, academic performance, course progression or attendance they must provide all documentation of any extenuating, compassionate or compelling circumstances that led to the breach or breaches upon the submission of the Complaints and Appeals Lodgement form, email or present in person.

Please note, if a student submits an appeal DNA Kingston Training will not report the breach or breaches to the relevant authorities until the completion of the appeal process. Furthermore, the student's enrolment will be maintained until the completion of the appeal process, if the decision to defer, suspend or cancel the student's enrolment is maintained.

## External appeals

If a student is dissatisfied with the internal appeal process, DNA Kingston Training will inform Students of their right to lodge an external appeal within 10 working days. If the decision of an external appeal body is in favour of the student, DNA Kingston Training will implement the decision immediately.

### Domestic Students

Domestic Students can lodge an appeal with our External Appeals independent body.

The external independent body can also provide specific independent review of complaints and review about issues not covered by the Australian Competition and Consumer Commission (ACCC) or the Commonwealth Ombudsman.

### International Students

International students can lodge an appeal with the Commonwealth Ombudsman [Commonwealth Ombudsman](#) . Please note, if the external appeal is in relation to intention to notify the Department of Home Affairs for a breach or breaches in academic performance, course progression or attendance, DNA Kingston Training will not report to the Department of Home Affairs until the completion of the external appeal process, if the decision to report is maintained by the external appeal body. If the external appeal is in relation to our College decision to defer, suspend or cancel their enrolment due to a breach or breaches of the Student Code of Conduct, academic performance, course progression or attendance, DNA Kingston Training will maintain the student's enrolment until the completion of the external appeal process, if the decision to defer, suspend or cancel the student's enrolment is maintained by the external appeal body. These requirements are in accordance with the National Code 2018 in Related Documents.

All students have the right to seek independent legal advice at their own expense if they are dissatisfied with the decision reached by the external appeal body.

## Implementation

Any decisions reached in any of the appeal processes within this policy that favour the student will not only be implemented immediately but will also be incorporated into the continuous improvement register regarding the services and policies and procedures we provide.

The College Manager is in charge of identifying the causes of complaints and appeals and implementing appropriate improvements to either eliminate or at least mitigate the likelihood of such a complaint or appeal reoccurring.

## Record keeping

The College Manager is in charge of maintaining all records pertaining to all complaints, grievances and appeals including their lodgement, communication throughout all complaints and appeals processes and the decisions reached in both the Complaints Register and student's file.

## DNA Kingston Training

<b>Complaints and Appeals Policies and Procedures</b>	
<b>Policy Title:</b>	Complaints and Appeals Policy and Procedure
<b>Policy Number:</b>	Vol:4: 02 2024 SL
<b>Policy Date:</b>	Feb 2024
<b>Policy Renewal:</b>	Feb 2025
<b>Responsibility:</b>	Compliance Manager

### Record of updates and changes

Version No.	Issue Date	Nature of Amendment
Version 1.0	Feb 2022	Materials Designed
Version 2.0	June 2022	Changes to format
Version 3.0	June 2023	Font changed, General review of document
Version 4.0	Feb 2024	External independent body reviewed