

Policy

This policy and procedure helps ensure complaints and appeals are heard and actioned effectively. All complaints and appeals received by Dalton College will be viewed as an opportunity for improvement. All complainants and appellants have the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. The complaints and appeals process will be at no cost to the complainant or appellant, unless the issue escalates to a third external party for resolution and that third party levies a fee for its services.

All complaints and appeals will be handled with natural justice and procedural fairness and in a consistent manner, and with the understanding that complainants or appellants should not be disadvantaged by the complaint or appeal process. **All correspondence relating to complaints and appeals will be kept confidential by Dalton College.** All complainants or appellants will be kept informed of the progress of their complaint or appeal. Students are notified of the Complaints and Appeals Policy and Procedure via Dalton College website and the Student Handbook.

A prior student, staff member or other persons cannot make a complaint if they have ceased their enrolment, employment or other contractual arrangements with Dalton College for more than 12 months.

Related National Standards for Registered Training Organisations

To be compliant with Standards 5 and 6 Dalton College must meet the following:

- 5.2. Prior to enrolment or the commencement of training and assessment, whichever comes first, Dalton College provides, in print or through referral to an electronic copy, current and accurate information that enables the student to make informed decisions about undertaking training with Dalton College and at a minimum includes the following content:
 - d) The student's rights, including:
 - i) Details of Dalton College's complaints and appeals process required by Standard 6.
- 6.1. Dalton College has a complaints policy to manage and respond to allegations involving the conduct of:
 - a) Dalton College, its trainers, assessors or other staff;
 - b) A third party providing services on Dalton College's behalf, its trainers, assessors or other staff; or
 - c) A student of Dalton College.
- 6.2. Dalton College has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by Dalton College or a third party providing services on Dalton College's behalf.
- 6.3. Dalton College's complaints policy and appeals policy:
 - a) Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
 - b) Are publicly available;

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- c) Set out the procedure for making a complaint or requesting an appeal;
 - d) Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
 - e) Provide for review by an appropriate party independent of Dalton College and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.
- 6.4. Where Dalton College considers more than 60 calendar days are required to process and finalise the complaint or appeal, Dalton College:
- a) Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - b) Regularly updates the complainant or appellant on the progress of the matter.
- 6.5. Dalton College:
- a) Securely maintains records of all complaints and appeals and their outcomes; and
 - b) Identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- 6.6. Where Dalton College is an employer or a volunteer organisation whose students solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by Dalton College.

Definitions

Complaint means an initial notification of your dissatisfaction or an issue that has occurred

Appeal means an application to have the outcome of a complaint reviewed due to:

1. dissatisfaction with the decision and/or process that has been followed in dealing with the initial complaint, OR
2. Appealing an assessment decision made by Dalton College.

Procedure - Complaints

An informal complaint can be made at any time by bringing it to the attention of the person that you are aggrieved with, your Trainer/Assessor or the Academic Manager, and discussing possible options for resolution.

Any person may submit a formal complaint to Dalton College with the reasonable expectation that complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party. Formal complaints are made using the Complaints and Appeals Form.

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A complainant wishing to submit a formal complaint must complete the Complaints and Appeals form providing as many details as possible, including:

- Submission date of complaint
- Name of complainant
- Nature of complaint
- Date of the event which lead to the complaint
- Attachments (if applicable)

The completed form is submitted to Student Administration who logs the details in the Complaints and Appeals Register and forwards the documentation to the CEO. It is the CEO’s responsibility to respond to the complaint. The CEO may wish to consult the following personnel regarding the events leading to the complaint:

- Complaints regarding enrolments and training plans - Administration Manager.
- Complaints regarding training, training resources and assessment outcomes - Academic Manager.
- Complaints containing suggestions for improvement to Dalton College policies and procedures - Compliance Manager.

The CEO may wish to meet with the complainant to obtain further information. The complainant may be assisted or accompanied by a support person at this meeting.

The CEO shall make a decision on the complaint and convey the decision to the complainant and all associated persons in writing within **five working days** of the receipt of the completed Complaints and Appeals Form. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal.

The CEO shall ensure that Dalton College will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, Dalton College must immediately implement any decision and/or corrective and preventative action that is required, and advise the complainant of the outcome.

The Complaints and Appeals Register is updated with the details of the decision and outcomes /further action by CEO or delegate. All documentation is placed on the complainants file.

Procedure - Appeals

General Appeals

All complainants have the right to appeal a decision made by Dalton College. This includes students who do not agree with an assessment decision. To commence the appeal, process the appellant is to provide a summary in writing of the grounds the appeal is based upon to the CEO within 5 days of the complaint outcome or assessment decision using the Complaints and Appeals Form

The appellant must clearly identify the reason(s) the appellant feels the decision is unfair needs to be reconsidered. The candidate may seek the assistance of the Administration Manager in selecting words

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that clearly articulate their reasons for appeal. The completed form is submitted via Student Administration. The process for appeals will begin **within five working days** of the appeal being lodged. The CEO shall ensure that Dalton College acts on any substantiated appeal.

The CEO organises a meeting with all parties involved regarding the appeal and attempt to seek resolution where appropriate. The appellant may be assisted or accompanied by a support person at this meeting.

Assessment Appeals

Where a student wishes to appeal against any assessment, they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the candidate to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why specific outcome was granted.

If this is still not satisfactory to the student, they can formally lodge an appeal in writing **within 5 days** of discussing the assessment with their Assessor to the CEO using the Complaints and Appeals Form. Students must provide details of the assessment, the grounds the appeal is based upon and course of action that the student wishes to have Dalton College take regarding the assessment, being either:

1. Dalton College changes the assessment result to “competent” (pass),
2. Dalton College re-assesses the assessment via an alternate internal or external Assessor,
3. Allow the student to re-submit one or more parts of an assessment within an agreed timeframe,
OR
4. Allow the student to re-submit the assessment within an agreed timeframe.

The Form is lodged with Student Administration who updates the Complaints and Appeals Register.

The CEO notifies the Academic Manager to provide details from the Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating:

1. The assessment decision stands
2. The Academic Manager is directed to appoint an alternated Assessor to re-assesses the assessment,
3. The Assessor is directed to allow the student to re-submit one or more parts of an assessment within an agreed timeframe,
4. The Assessor is directed to allow the student to re-submit the assessment within an agreed timeframe. OR
5. The CEO appoints a ‘third party’ to re-assess the assessment.

The appellant shall be notified in writing of the outcome with reasons for the decision by the CEO, including the option of using the external appeals process if they are not satisfied with the outcome.

Student Administration updates the ‘complaints and appeals register’. The appellant is required to notify Dalton College, **within 5 working days** of receiving the appeal outcome in writing, if they wish to proceed with an external appeals process.

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External Appeals

The purpose of the external appeals process is to consider whether Dalton College has provided a fair and equitable process and adhered to its complaint and appeals policy procedure, not to change the decision already made in regards to initial complaint or appeal.

For example, if an appellant appeal against his or her assessment outcomes and appeals the decision, the external appeals process (if accessed) will consider the way in which the internal appeal was conducted; it would not make a determination change the assessment outcome.

The student can appeal externally to ASQA or to the Overseas Student Ombudsman who investigates complaints about the actions and decisions of private registered education providers in connection with overseas students.

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| Organisation: | Overseas Student Ombudsman (http://www.ombudsman.gov.au/) |
| Contact point: | <p>Online Complaint Form: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form</p> <p>Call: 1300 362 072 (within Australia) Outside Australia call +61 2 6276 0111. Enquiries 9 am to 5 pm Monday to Friday (AEDT)</p> <p>Postal: GPO Box 442 Canberra ACT 2601.</p> <p>Melbourne Office: Level 6, 34 Queen Street, Melbourne VIC 3000</p> |

Following the receipt of the outcome of the external appeal Dalton College must immediately:

1. Implement the decision
2. Convey the outcome to the appellant
3. Update the complaints and appeals register
4. Place a copy of the documentation on the appellant’s file, and
5. Initiate any improvement actions arising from the complaint

In the event that Dalton College considers that more than **60 calendar days** are required to process and finalise the complaint or appeal, the CEO informs the complainant or appellant in writing **within 5 working days of receiving the complaint or appeal**, including reasons why more than 60 calendar days are required; and instructs the Administration Manager to regularly update the complainant or appellant on the progress of the matter.

Where Dalton College is informed that the international student has accessed external appeals processes Dalton College will maintain a student’s enrolment until the external appeal process is finalised.

Dalton College will comply with the findings of Overseas Student Ombudsman or ASQA.

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The decision of this independent mediator is final and any further action the student wishes to take is outside Dalton College's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.

All Other Appeals

The CEO makes a decision based on the grounds of the appeal. The appellant is notified in writing of the outcome with reasons for the decision. The appellant is also provided the option of initiating an external appeals process. The appellant is required to notify RTO, within 5 working days of receiving the appeal outcome in writing that they wish to proceed with the external appeals process.

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Complaints and Appeals Form

This form must be completed in order to make a formal complaint or appeal at Dalton College.

Important Information

- Please read Dalton College complaint and appeal policy carefully before lodging a formal complaint or appeal.
- Please attach supporting documents relevant to this application, if any.
- Processing time varies depending to the nature of complaint or appeal.

Please tick one of the following as applicable

- Complaint against initial notification of an issue
- Appeal against a decision that has been made by Dalton College

| | | |
|--|-------------------------|----------------------|
| Student No: | | Date: |
| Mr/Mrs/MS etc. | Surname or Family Name: | Other or Given Name: |
| | | |
| Residential Address: | | |
| Contact Phone Number: | Email: | |
| | | |
| Course Enrolled in: | | |
| Describe your complaint (include details, information etc.) | | |
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |
| Describe your appeal (include details, information etc.) | | |
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |
| Do you want to bring any support person who would like to assist you? Please provide their | | |

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| details below. | | | |
| Name: _____ | | | |
| Relationship: _____ | | | |
| Student Declaration: | | | |
| I declare the information provided in this application is true and valid and I have read and understood the Dalton College complaint and appeal policy and procedure. | | | |
| Student Name: | | Student Signature: | |
| Date: | | | |
| FOR OFFICE USE ONLY | | | |
| Received By (Name) | | | |
| Position | | | |
| Signature | | | |
| Date | | | |
| Action Taken: | | | |
| | | | |
| Date of notification sent to complainant: | | | |
| Please provide details of how the complainant was advised of the outcome: | | | |
| | | | |
| Actioned by (Name) | | | |
| Position | | | |
| Signature | | | |
| Date | | | |
| Details of any further action required: | | | |
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Version Control:

| Version | Date | Superseded by (Date) | Comments |
|---------|-------------|----------------------------|---------------|
| 1.0 | August 2015 | Version 1.1 (May 2016) | Minor Changes |
| 1.1 | May 2016 | Version 1.2 (January 2018) | Minor changes |
| 1.2 | Jan 2018 | Version 1.3 (January 2022) | Minor changes |

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