



DURBAN INTERNATIONAL COLLEGE PTY. LTD.

CRICOS Provider Number: 02915G

# ***Complaints, Grievances & Appeals***

## ***POLICY & PROCEDURE GUIDELINE***

<b>Governance</b>	NC- Standard 10, Clauses 6.1, 6.2, 6.3, 6.4, 6.5 & 6.6 of SRTO's 2015		
<b>Policy Reference No:</b>	DIC-017	<b>Version No:</b>	3.1
<b>Commencement Date:</b>	January 2008	<b>Review Date:</b>	April 2019
<b>Persons/Areas affected</b>	All staff		
<b>Purpose</b>	<p>The purpose of this policy and procedure is to outline DIC's approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.</p> <p>This policy and procedure ensures compliance with <b>Standard 6</b> of the Standards for registered training organisations 2015.</p> <p>This policy/procedure also supports '<b>Standard 10 – Complaints and Appeals</b>' of the '<b>National Code of Practice for Registration Authorities &amp; Providers of Education &amp; Training to Overseas Students 2018</b>'</p>		
<b>Definitions</b>	<p><b>Appeal</b> means a request for a decision made by DIC to be reviewed</p> <p><b>Complaint</b> means a person's formal expression of dissatisfaction with any product or service provided by DIC.</p> <p><b>Services</b> means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation support</p> <p><b>Standards</b> means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework</p>		

<i>Document Name:</i>	Durban Complaints, Grievances & Appeals Policy & Procedure	<i>Created Date:</i>	January 2008
<i>Document No:</i>	DIC-017	<i>Version No:</i>	V 3.1
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<p><b>Policy</b></p>	<ol style="list-style-type: none"> <li>1. DIC responds to all allegations involving the conduct of: <ul style="list-style-type: none"> <li>• DIC, its trainers and assessors and other staff.</li> <li>• Any student or client of DIC.</li> </ul> </li> <li>2. Complaints may be made in relation to any of DIC’s services and activities such as: <ul style="list-style-type: none"> <li>• the application and enrolment process</li> <li>• marketing information</li> <li>• the quality of training and assessment provided</li> <li>• training and assessment matters, including student progress, student support and assessment requirements</li> <li>• the way someone has been treated</li> <li>• the actions of another student</li> </ul> </li> <li>3. Appeals should be made to request that a decision made by DIC is reviewed. Decisions may have been about: <ul style="list-style-type: none"> <li>• course admissions</li> <li>• refund assessments</li> <li>• response to a complaint</li> <li>• assessment outcomes / results</li> <li>• other general decisions made by DIC</li> </ul> </li> <li>4. DIC is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice.</li> <li>5. Through this policy and procedure, DIC ensures that complaints and appeals: <ul style="list-style-type: none"> <li>• Are responded to in a consistent and transparent manner.</li> <li>• Are responded to promptly, objectively, with sensitivity and confidentiality.</li> <li>• Are able to be made at no cost to the individual.</li> <li>• Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.</li> </ul> </li> <li>6. DIC 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 DIC. The independent party recommended by DIC is <b>Training Advocate</b> who doesn’t charge any fees, however complainants and appellants are able to use their own external party at their own cost.</li> <li>7. Each party may be accompanied and assisted by a support person at any relevant meetings.</li> </ol>
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<p><b>Policy</b></p>	<p>8. Complaints and appeals should be made in writing using the Complaints and Appeals Form, or other written format and sent to DIC’s office at Level 4, 38 Currie Street, Adelaide, and SA 5000 attention to the Student Admin.</p> <p>Appeals must be made within 20 calendar days of the original decision being made.</p> <p>When making a complaint or appeal, provide as much information as possible to enable DIC to investigate and determine an appropriate solution. This should include:</p> <ul style="list-style-type: none"> <li>• The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.</li> <li>• Any evidence you have to support your complaint or appeal.</li> <li>• Details about the steps you have already taken to resolve the issue.</li> <li>• Suggestions about how the matter might be resolved.</li> </ul> <p>9. Where a student chooses to access complaints procedure, DIC will maintain the student’s enrolment while the complaints/appeals handling process is ongoing.</p> <p>10. DIC will commence the process for internal complaint/appeal within 10 working days of receiving the complaint/appeal.</p> <p>11. Complaints and appeals will be finalised within 60 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.</p> <p>12. DIC will maintain a record of all complaints and appeals and their outcomes on the <i>DIC-019 Complaints and Appeals Register</i>.</p> <p>13. IF the internal or any external complaint handling or appeal process results in a decision that supports the student, DIC will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.</p> <p>14. Nothing in this policy and procedure limits the rights of an individual to take action under Australia’s Consumer Protection laws and it does not circumscribe an individual’s rights to pursue other legal remedies.</p>
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Procedure- Complaints	Responsibility
<p><b>A. Receive and Acknowledge Formal or informal Complaint</b></p> <ul style="list-style-type: none"> <li>• <b>Informal complaints:</b> Where possible all non-formal attempts shall be made to resolve the grievance. This may include advice, discussions, and general mediation in relation to the issue and the student’s grievance.</li> <li>• <b>Formal Complaints:</b> Formal complaints are made in writing by the complainant with an attention to the student admin using the DIC-017-F1 Durban Complaints/Appeal Form.</li> <li>• There is ‘no cost’ to the student to submit a complaint or appeal</li> <li>• The admin should review all complaints upon receipt.</li> <li>• Acknowledge receipt of complaint in writing by sending a letter to complainant within 7 working days of receipt. Use <b><i>Complaint/ Appeal Acknowledgement Letter</i></b>.</li> <li>• Record details of the complaint on the <b>DIC-019 Complaints and Appeals Register</b>.</li> </ul>	<p><b>CEO / staff as required</b></p>
<p><b>B. Investigate the Complaint</b></p> <ul style="list-style-type: none"> <li>• Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete.</li> <li>• Further details from the complainant, respondent or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.</li> <li>• The DIC staff will review the information and decide on an appropriate response.</li> </ul> <p><b>Note:</b> The complaint must be completely resolved within 60 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. They must be provided with updates on progress on a weekly basis thereafter until the matter is resolved.</p>	<p><b>CEO/ staff as required</b></p>
<p><b>C. Advise of the Outcome and update records</b></p> <ul style="list-style-type: none"> <li>• Provide a written response to the complainant using Complaint resolution letter outlining: <ul style="list-style-type: none"> <li>– The RTO’s understanding of the complaint</li> <li>– The steps taken to investigate and resolve the complaint</li> <li>– Decisions made about resolution, with reasons for the decisions made</li> <li>– Areas that have been identified as possible causes of the complaint and improvements to be recommended</li> <li>– Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.</li> </ul> </li> <li>• Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint.</li> <li>• Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> </ul>	<p><b>CEO/ staff as required</b></p>

Procedure - Appeals	Responsibility
<p><b>D. Receive and Acknowledge Appeal</b></p> <ul style="list-style-type: none"> <li>• <b>Internal Appeals:</b> All students have the right to appeal decisions made by the DIC where reasonable grounds can be established. The areas in which a student may appeal a decision made by the DIC may include: <ul style="list-style-type: none"> <li>- Assessments conducted</li> <li>- Reported breaches of academic performance or attendance requirements</li> <li>- Deferral, suspension, or cancellation decisions made in relation to the student’s enrolment</li> <li>- Or any other conclusion that is made after a complaint has been dealt with by the DIC in the first instance.</li> </ul> </li> <li>• To activate the appeals process the student is to complete an ‘appeal’ application which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from student administrations department.</li> <li>• Acknowledge receipt of appeal in writing by sending a letter to appellant within 7 working days of receipt. Use <i>Complaint/Appeal Acknowledgement Letter</i>.</li> <li>• Record details of appeal on the <i>Complaints and Appeals Register</i>.</li> </ul>	<p><b>CEO/ staff as required</b></p>
<p><b>E. Respond to assessment appeals</b></p> <ul style="list-style-type: none"> <li>• In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again.</li> <li>• The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.</li> <li>• Advise the student of the outcome of the appeal as per point G below</li> </ul>	<p><b>CEO/ staff as required</b></p>
<p><b>F. Respond to appeals against non-academic decisions</b></p> <ul style="list-style-type: none"> <li>• Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.</li> <li>• Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.</li> <li>• DIC’s staff will review all relevant information and decide on an appropriate response. <b>Note:</b> The appeal must be resolved within 60 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved.</li> <li>• The CEO shall be notified and shall seek details regarding the initial documentation and about the decision made based on the grounds of the appeal.</li> </ul>	<p><b>CEO/ staff as required</b></p>

<p><b>G. Appealing decisions to report breach of academic requirements</b></p> <p>Where a student wishes to appeal the decision of the DIC to notify DHA of a breach of academic requirements the student shall lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances.</p> <p>The appeal shall be lodged with student administrations department and the appeal shall be entered into the ‘complaints and appeals register’.</p> <p>The CEO shall be notified and shall seek details regarding the initial documentation of the breach and notified about the decision made based on the grounds of the appeal.</p> <p>The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.</p> <p>Where a student has decided to access the appeals process in relation to a reportable breach, the DIC will not report the breach until the appeals process has been undertaken. The DIC is required to maintain all relevant responsibilities until the breach has been reported to DIAC via PRISMS.</p>	<p><b>CEO/ staff as required</b></p>
<p><b>H. Appealing deferrals, suspension or cancellation of enrolment decisions</b></p> <p>Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal.</p> <p>The appeal shall be lodged this with student administrations department and the appeal shall be entered into the ‘complaints and appeals register’.</p> <p>The CEO shall be notified and shall seek details regarding the initial documentation of the breach and notified about the decision made based on the grounds of the appeal.</p> <p>The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.</p> <p>Where a decision or outcome is in favour of the student the RTO shall follow the required action to satisfy the student’s grievance as soon as practicable.</p>	<p><b>CEO/ staff as required</b></p>
<p><b>I. Advise appellants of the outcome and update records</b></p> <ul style="list-style-type: none"> <li>• Provide a written response to the appellant outlining: <ul style="list-style-type: none"> <li>– The RTO’s understanding of the reasons for the appeal</li> <li>– The steps taken to investigate and resolve the appeal</li> <li>– Decisions made about resolution and reasons for the decisions</li> </ul> </li> <li>• Areas that have been identified as possible causes of the appeal and improvements to be recommended</li> </ul>	<p><b>CEO/ staff as required</b></p>

<ul style="list-style-type: none"> <li>• Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal.</li> <li>• Keep a copy of the appeal and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> </ul>	
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Procedure - Independent Reviews by external party	Responsibility
<p><b>J. External Complaint or appeal</b></p> <ul style="list-style-type: none"> <li>• If the matter is still unresolved after the above procedures have been implemented and the internal appeals process exhausted, students may wish to contact the following organisations at no cost to the student.</li> </ul> <p><b>The Office of the Training Advocate</b>  <b>131 Grenfell St, Level 5, corner of Grenfell Street and Hyde Street</b>  <b>Adelaide.</b>  <b>Office hours:</b>  <b>Monday to Friday 9.00am – 5.00pm</b>  <b>Phone: (toll free) 1800 006 488</b>  <b>email: <a href="mailto:trainingadvocate@sa.gov.au">trainingadvocate@sa.gov.au</a></b></p> <p style="text-align: center;"><b>OR</b></p> <p><b>Call: 1300 362 072* within Australia.</b>  <b>Outside Australia call +61 2 6276 0111.</b>  <b>Enquiries 9am to 5pm Monday to Friday (AEST)</b>  <b>Fax: 02 6276 0123 within Australia.</b>  <b>Outside Australia +61 2 6276 0123.</b>  <b>Email: <a href="mailto:ombudsman@ombudsman.gov.au">ombudsman@ombudsman.gov.au</a></b></p> <ul style="list-style-type: none"> <li>• DIC will not update the student’s status via PRISMS until the appeals process is completed. The DIC is required to maintain all relevant responsibilities until the change in enrolment status has been reported to DHA (Department of Home Affairs) via PRISMS.</li> <li>• Where a decision or outcome is in favor of the student DIC shall follow the required action to satisfy the student’s grievance as soon as practicable.</li> </ul>	<p><b>CEO/staff as required</b></p>

**Approval Authority:**

**Chief Executive Officer**

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SUMMARY OF CHANGES:

ISSUE DATE	CHANGE
April - 2008	Version 1.1 - Partial Revision
June – 2009	Version 1.2 – Partial Revision
July – 2010	Version 1.3 – Partial Revision
July – 2011	Version 1.4 – Partial Revision
August - 2012	Version 2.0 - Full Revision ( NVR Standards 2011)
February - 2013	Version 2.1 - Partial Revision(NVR Standards 2012)
March – 2013	Version 2.2- Partial Revision (links )
April – 2015	Version 3.0 – Full Revision
April – 2018	Version 3.1 – Partial Revision