

## 5.9. Student Complaints and Appeals Policy

### **Introduction and Purpose:**

Diamond Valley Learning Centre (DVLC) recognises that students will occasionally have a grievance regarding their training course or other administrative matters. DVLC acknowledges that the process of challenge and questioning involved in dealing with complaints and appeals is part of the process of review and continuous improvement. DVLC is committed to ensuring a clear, fair and equitable process aimed at positive resolutions and the restoration of positive and cooperative relationships. The purpose of this policy is to outline the process by which student complaints and appeals are to be managed.

Complaints are when students are dissatisfied with a service offered or treatment received at DVLC. Appeals are when a student believes a decision made by DVLC is unfair or incorrect and wants to have that decision reviewed.

### **POLICY:**

This policy applies to all training and assessment at DVLC.

DVLC will ensure that course participants receive accurate and timely information about:

- course content, course competencies, teachers, venues, dates and times, fees and charges
- specific units including assessment procedures and tasks which must be completed successfully for a certificate or statement of attainment to be awarded.
- changes in the advertised times, venues, teachers and course content, competencies and assessment procedures.

If a student feels these statements have not been achieved, they can lodge a formal complaint. Students may also raise any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, fees and charges, discrimination and other issues that may arise.

All complaints and appeals will be handled professionally and confidentially in order to achieve a fair and satisfactory resolution. DVLC will initiate resolution procedures within five (5) working days of the complaint being formally lodged. DVLC encourages the parties to approach a grievance with an open view and to attempt to resolve problems through discussion and conciliation.

If, after investigation a complaint is found to be valid, the centre will address the issues involved to ensure that the situation is rectified for all students and to prevent it arising again.

DVLC will ensure that all parties have a clear understanding of their rights and the procedures involved in the Complaints and Appeals process. This information will be provided in the Student Handbook which is provided to all students on enrolment or on the commencement of class.

If the complaint or grievance is against anyone who has a nominated role in this policy as a panel member, an alternative member will be appointed by DVLC.



The policy provides an avenue for most complaints to be addressed. However if the complaint involves allegations of criminal actions, the matter will be placed into the hands of police.

### **Responsibilities**

The Centre Manager is responsible for ensuring that any complaints and appeals are dealt with in a timely manner. The Centre Manager also needs to inform the Committee of Management of any complaints and appeals that could have a serious legal, financial or reputable impact to DVLC.

All teachers/ assessors and staff at DVLC must make themselves aware of the student complaints and appeals policies and participate in the process as required.

Students have the responsibility to ensure any problems or concerns are raised with the relevant teacher/ assessor before they initiate a formal complaint or appeal. They also have the responsibility to follow the procedures as outlined in this policy.

All parties involved in the complaints and appeals process should approach any grievance with an open view and attempt to resolve problems in a fair and equitable manner through discussion and conciliation. All parties are also responsible for ensuring that actions or recommendations from the complaints and appeals process are implemented.

### **PROCEDURE:**

#### Complaints

If a learner has a problem or concern relating to training delivery and assessment, the quality of services provided, facilities, discrimination and any other matter that should arise, in the first instance, the student is expected to talk to their teacher about the matter.

If the matter is not resolved after discussions with the teacher, the student is required to document their complaint using the Complaint /Appeals Form available from the relevant Coordinator. The completed Complaints/ Appeals form will then need to be submitted to the Centre Manager.

Upon receipt of the complaints/ appeals form, the Centre Manager will arrange and chair a meeting with the student and the relevant Coordinator. The student is entitled to bring a representative, peer or advocate of their choice to the meeting. DVLC can also request other people attend the meeting if they are able to provide further information or expertise.

The focus of the meeting is to discuss the specific nature and circumstance of the complaint, and to determine the appropriate outcome through conciliation. The meeting will be conducted using the principles of flexibility, respect for all individual/s involved and organisational integrity. The minutes of the meeting will be recorded in writing. The outcomes of this meeting will be communicated to the participant at the end of the meeting and will also be provided in writing by the Centre Manager within 48 hours of the meeting.



If the complaint is not resolved at the meeting with the student, the student can appeal the outcome. The student must lodge an appeal, in writing, within 48 hours of being notified of the outcome.

The appeal will be heard by a panel consisting of the DVLC committee of management chairperson or representative and the Centre Manager (Complaints or Appeals Panel). The student is entitled to bring a representative to the meeting. Students who are under 18 years of age are *obliged* to nominate an adult to attend the meeting with them. At this appeals meeting, the student will have the opportunity to formally present his/her case. A written statement of the outcome, including reasons for the decision, will be given to the student within 48 hours of the appeals meeting.

If the student is still not satisfied with the outcome, the Centre Manager will refer the student to the relevant education and training authority.

It is the Centre Manager's responsibility to address the issues involved in a valid complaint to ensure that the situation is rectified for all students and to prevent it arising again.

#### Assessment Appeals

If the student feels they have been treated unfairly by the assessor, the assessment process was unfair, or the assessment result was incorrect they have the right to appeal. In the first instance, the student is expected to talk to the assessor about the matter.

Students are entitled to be reassessed twice as part of the normal assessment process, before a Not Yet Competent is formally and finally recorded.

If the matter is not resolved after discussions with the assessor, the student is required to document their complaint using the Complaint /Appeals Form available from the relevant Coordinator. The completed complaints/ appeals form will then need to be submitted to the relevant Coordinator.

The relevant coordinator will consult with the assessor about the complaints/ appeal form and will arrange for a meeting to be held with the student, the teacher and the assessor (if they are different). The student is entitled to bring a representative to the meeting.

The focus of the meeting is to discuss the specific nature and circumstances of the appeal and to determine an outcome. The assessor will have the chance to explain specific circumstances and results to the participant.

If the participant is not satisfied with the explanation, the relevant coordinator will organise the student to be assessed by an assessor external to the organisation as soon as possible at the expense of DVLC.

If the participant is still not satisfied with the outcome, the Centre Manager will refer the student to the relevant education and training authority.



**References:**

Human Rights and Equal Opportunity Commission Act 1986  
Racial Discrimination Act 1975  
Sex Discrimination Act 1984  
Disability Discrimination Act 1992  
Information Privacy Act 2000

**Date approved:** 23 September 2009  
**Approved by:** Sandra Macneil (President of Committee of Management)

**To be reviewed:** 23 September 2010



## Complaints and Appeals

**Name**

**Address**

**Telephone:**

**Email**

**Course**

**Describe the details of your complaint or appeal. Please be as specific with names, dates and details as possible.**

**Signed**

**Date**

Please give this completed form to the Program area coordinator or the Centre Manager. You will be given a copy of the DVLC Complaints and Appeals Policy. The policy outlines the procedure that will be followed.