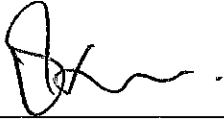





Student Complaints and Appeals Policy and Procedure

Policy number	P-16		
Version number	3.0		
Drafted by	Veronica Kioria		
Responsible person ECM	Veronica Kioria	Signature 	Date: 24/10/18
Approved by the Board:			
On behalf of the Board	David Ling President	Signature 	Date: 24/10/18
Scheduled review date	May 2020		

Basic Beliefs/Purpose

Diamond Valley Learning Centre (DVLC) will treat all student complaints or appeals in a respectful, fair, equitable and timely manner. This policy describes how DVLC will implement a complaints and appeals process that will respond effectively to cases of dissatisfaction. A student-friendly version of the complaints process will be made available on the website and in the Student Handbook.

Scope

This policy and procedure applies to all DVLC students, staff and volunteers.

Policy

DVLC encourages students to provide feedback on all its activities, such as in student surveys and in discussion with teachers and other staff. DVLC views such feedback as an opportunity for improvement in the quality of its services. DVLC recognises that any student who believes that he/she has been adversely affected by its services has a right:

- to complain;
- to be heard respectfully, impartially, and in confidence; and
- to have the matter resolved promptly and efficiently.

DVLC seeks to resolve any dissatisfaction that arises as informally and promptly as possible. Where this is not possible, students will be encouraged to lodge a formal complaint. DVLC will manage this complaint as efficiently as possible according to the process below.

Complaints relating to child safety or harm will be given high priority and managed according to child safety / protection processes identified in DVLC's child safety policies.

DVLC will take the following approach when seeking to prevent, reduce or manage formal complaints and/or appeals:

- DVLC will inform students of the complaints and appeals process during enrolment or at induction, and provide access to the details in written form in the Student Handbook or on the DVLC website. If required, students may also request a printed copy of the process and policy from reception;
- DVLC will ensure that staff and volunteers are made aware of the student complaints and appeals processes at induction and through staff meetings. Staff will be advised of how to access this policy or its details in the DVLC policy folder, Staff handbook or on the website;
- DVLC will treat all student complaints with confidentiality, and those relating to harm or safety will be given priority;
- DVLC will maintain the enrolment record of any student involved in the complaints process;
- Where possible, DVLC will try to resolve student complaints as informally as possible through discussion and/or meetings;
- If an informal resolution is not possible, DVLC will encourage the student to lodge a formal complaint and/or appeal in writing using the DVLC Complaints and Appeals form;
- DVLC will respond within 7 days of receipt of the formal complaint or appeal, and will provide advice about the next steps in the process and expected timeline to resolution;
- If a complaint cannot be substantiated, DVLC may be unable to take further action;
- DVLC will record all student complaints (including informal complaints) and/or appeals on the DVLC Complaints and Appeals Register, and update the record regularly until the issue has been resolved. Supporting documentation will be stored securely;
- The ECM and management team will have oversight of the complaint or appeal and ensure that appropriate action is taken in a timely manner, including resolution;

- DVLC expects that all parties to the complaint or appeal will participate in the process in good faith. DVLC will encourage all parties to approach the issue in an open-minded and conciliatory way, without victimisation or discrimination. DVLC will also advise the parties not to make multiple complaints about the same issue or make counter complaints, and will advise against taking any actions that may unnecessarily extend or complicate the resolution process;
- If the subject of the complaint is a staff member, student or volunteer, DVLC will inform them of the complaint or appeal against them;
- Any student lodging a complaint or appeal may be accompanied by a support person at all stages of the complaints process, regardless of the type of complaint or appeal being made;
- If the student lodging the complaint or appeal engages legal advice or third party support, all associated costs will be for their own account, unless otherwise authorised by the ECM. DVLC will provide advice on complaints agencies or dispute resolution services that are available for free;
- DVLC will keep all parties informed of progress of the complaint or appeal, including expected timelines. In the event that it is expected to take longer than 60 days to resolve, all parties will be advised in writing of the explanation for the longer timeline.
- DVLC will advise all parties in writing of the resolution of the complaint or outcome decision of the appeal.
- Students will be advised of their right to appeal the resolution or decision if dissatisfied with the outcome, and will be given details of the appeals process;
- DVLC will retain documentation of the complaint or appeal for a minimum of 3 years;
- The ECM and management team will ensure that any decisions relating to a complaint or appeal, and corrective or preventative actions resulting from the decision, are immediately implemented.

Complaints Process for Students

1. If you have a complaint, please approach a DVLC staff member to discuss the issue.
2. If this does not resolve the matter, you are encouraged to submit a formal, written complaint using the DVLC Complaints and Appeals form on the website, or available from reception. Please ensure that you complete and sign the form, and add or attach any supporting details you think are necessary. There is no fee associated with lodging a complaint or appeal.
3. Hand in your completed form at reception or give it to the Executive Centre Manager (ECM), or any other DVLC manager. You may also email your complaint to courses@dvlc.org.au or post your complaint to Diamond Valley Learning Centre, 1 Diamond Creek Road, Greensborough, VIC 3088. Using the

postal service may delay the complaints process.

4. You will be contacted by a DVLC staff member within 7 days of DVLC receiving your complaint. You may be requested to attend a meeting with DVLC, or may be advised of the progress of the complaint and the expected time to completion.
5. You may bring a support person with you at any time, but you will need to cover any costs incurred yourself.
6. If you have not heard from us in more than 7 days of submitting your complaint, please call us on 9435-9060 and ask to speak to the ECM about your complaint.
7. A DVLC staff member will contact you regularly with a progress report until your complaint has been resolved. If the complaint is likely to take longer than 60 days to resolve, DVLC will write to you to explain the situation and advise when it will be resolved.
8. You will be notified in writing as soon as your complaint is resolved.
9. If you are unhappy with the outcome of the complaint, or any decision made by DVLC about the complaint, you have 7 days to lodge an appeal. Please complete the DVLC Complaints and Appeals form and identify that this is an appeal. Add any relevant documents to the form and submit your appeal to DVLC as in point 3 above.
10. You will be contacted within 7 days by the ECM or a DVLC manager, who will explain what will happen next.
11. You will be notified in writing about the result of your appeal.
12. If you are not satisfied with the appeal decision, you may choose to seek legal advice (at your own cost), or submit an application with an external dispute resolution process, or contact the Victorian VET Regulator:

The Dispute Settlement Centre of Victoria (DSCV) is a free dispute resolution and mediation service funded by the Victorian Government and may be able to assist in the resolution of any outstanding complaint or issue. Further information can be found at www.disputes.vic.gov.au/.

**Level 4, 456 Lonsdale Street
Melbourne VIC 3000
Tel: 1300 372 888
Fax: 8684 1311**

The **Victorian Registration and Qualifications Authority (VRQA)** is the VET Regulator in Victoria. Further information can be found on at www.vrqa.vic.gov.au/complaints/. You can submit a complaint to them by completing an online complaint form or writing a letter and posting it to the VRQA at:

Level 4, Casselden, 2 Lonsdale Street

Melbourne Vic 3000

Assessment Appeals Process for Students

1. If you are unhappy about an assessment decision made by DVLC, you should approach your teacher to discuss the issue.
2. If you are still unhappy, you may lodge an assessment appeal. This must be lodged within 7 days of being advised of your assessment outcome.
3. Please submit your appeal on the DVLC Complaints and Appeals form and hand it to DVLC reception, the Executive Centre Manager (ECM), or any other DVLC manager. You may also email your assessment appeal to courses@dvlc.org.au or post it to Diamond Valley Learning Centre, 1 Diamond Creek Road, Greensborough, VIC 3088. Using the postal service may delay the assessment appeals process.
4. A DVLC staff member will contact you within 7 days of receiving your assessment appeal and tell you what action is to be taken.
5. If DVLC decides that an external assessor will be required, you may be asked to take the assessment again.
6. You will be advised in writing of the outcome of the review of the DVLC assessment decision as soon as possible.
7. If you are not satisfied with the appeal decision, you may choose to seek legal advice (at your own cost), or submit an application with an external dispute resolution process, or contact the Victorian VET Regulator. For further details, please read point 12 of the Complaints Process above.

Procedure for DVLC staff to follow for student complaints and appeals

1. If a student raises an issue with you, meet with them to discuss it and attempt to resolve it as soon as possible.
2. If this is unsuccessful or not possible, ask and assist the student to lodge a formal complaint using the DVLC Complaints and Appeals Form available from the website or reception.
3. The DVLC staff member who receives the formal written complaint should check that the following details have been supplied with the application:
 - a. student name, contact details and course of study;
 - b. date of complaint or event;
 - c. nature of the complaint or event;
 - d. submission date of the complaint; and
 - e. supporting documentation where required.
4. If the student has not provided enough detail, please contact them directly to request the missing information, then update the Complaints and Appeals

Register with a record of the complaint.

5. The ECM and management team will appoint a staff member to deal with the complaint and respond directly to the student within 7 days.
6. If a staff member is the subject of the complaint, the ECM or another manager will advise the staff member of the complaint and the process to be followed. If the ECM is the subject of the complaint, the management team will advise the Board President and take any actions required by the Board.
7. The delegated staff member will keep the student abreast of the progress of their complaint and the expected timeline to resolution. This may include arranging meetings or mediation.
8. The delegated staff member will advise all parties in writing when the complaint has been resolved, and the right to appeal, and process to follow if required.
9. The delegated staff member will update the Complaints and Appeals Register and will securely store all related documentation in the student file.
10. If the student lodges an appeal within 7 days of the complaint decision, the ECM or a member of the DVLC management team will be responsible for responding within 7 days and taking any further actions toward resolution, including a written notification of the appeal decision.
11. If the student is still not satisfied with the appeal decision, he / she may wish to seek legal advice (at their own cost), or submit an application with an external dispute resolution process, or contact the Victorian VET Regulator as in point 12 of the Complaints process above.

Procedure for DVLC staff to follow when a student appeals an assessment decision

1. If a student approaches you to discuss their dissatisfaction with an assessment decision made by their DVLC teacher, please ask and assist them to approach the teacher to discuss the issue.
2. The DVLC teacher should explain the reasons for the assessment decision and discuss whether the student may be able to provide additional evidence to support a different assessment decision. If this is possible and/or desirable, the DVLC teacher should make arrangements for the student to be partially or wholly reassessed and a new assessment outcome recorded.
3. If this does not satisfy the student, the DVLC teacher must assist the student to lodge a formal assessment appeal as soon as possible, using the DVLC Complaints and Appeals Form available from the website or reception.
4. The DVLC staff member who receives the formal written complaint should check that the following details have been supplied with the application:
 - a. student name, contact details and course of study;
 - b. date of assessment and unit of competency details;

- c. grounds for requesting an appeal;
 - d. submission date of the appeal; and
 - e. supporting documentation where required.
5. When advised of the assessment appeal, the DVLC teacher may decide to review the assessment outcome to ensure that the process has met all requirements. This may involve requesting further evidence from the student. The DVLC teacher will document the review in a report to the ECM and outline the reasons why the assessment decision has or has not been revised. If the DVLC teacher declines to review the assessment, and DVLC management feels that an assessment review is required, the ECM must arrange for an external assessor to review the assessment decision.
 6. The ECM or a delegated manager will advise the student of the outcome of the review and provide him/her with a copy of the report.
 7. If the student is satisfied with the assessment review, the student's training record will be updated to reflect the new results as soon as possible.
 8. If the student is not satisfied with the assessment review and chooses to appeal the decision, the ECM and management team will immediately review the appeal and determine whether or not an external assessor should be retained to review the assessment decision. A delegated staff member must respond to the student within 7 days and advise what action is being taken to resolve the matter.
 9. The delegated staff member will advise the student in writing as soon as possible of the outcome of the appeal and update the DVLC Complaints and Appeals Register.
 10. If the student is still dissatisfied with the outcome, DVLC will provide advice on how to take the matter further with external authorities such as the VRQA.

Definitions

A **Complaint** is any expression of dissatisfaction with an action, product or service at DVLC, including complaints about:

- teachers, trainers, other staff members or volunteers;
- the quality of training and assessment at DVLC;
- DVLC processes or operations;
- how a student has been treated; and
- student conduct.

An **Appeal** is an application for the review of the outcome of a complaint or any decision made by DVLC.

An **Assessment Appeal** is an application for the review of an assessment decision made by a teacher at DVLC.

Related Policies

P-8 Student Services and Welfare Policy

P-10 Continuous Improvement Policy

P-26 Access, Anti-Discrimination, Equity, Diversity and Empowerment Policy

P-30 Assessment Policy

P-31 Student Safety and Security Policy
P-35 Mandatory Reporting and protection of Children Policy and Procedure
P-40 Child Safe Policy
P-42 Consumer Protection Policy
P-43 Privacy Policy

Related Documents

F-035 Complaints and Appeals Form
D-037 Complaints and Appeals Register
D-009 Child Safety Statement of Commitment
D-028 Student Handbook
Staff Handbook
Skills First Quality Charter

Legislation

Child Wellbeing and Safety Act 2005
Consumer and Competition Act 2010
Privacy Act 1988
Privacy and Data Protection Act 2014 (Vic)

Mapping Information

AQTF Standard 2
VRQA Guidelines 2.7, 2.8