

# ***Complaints and Appeals Policy & Procedure***

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## **Purpose**

This Complaints and Appeals Policy and the related procedure are designed to ensure that DeakinPrime responds effectively to individual cases of dissatisfaction. This policy outlines DeakinPrime's approach to managing complaints and appeals and ensures that all clients, learners, prospective learners, employers and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints, academic and non-academic, to be addressed in a fair, efficient, transparent and confidential manner. DeakinPrime ensures compliance by adhering to the relevant legislation and the VET Guidelines.

## **Definitions**

- **Complaint-** Grievance or Concern – a person's expression of dissatisfaction with any service provided by DeakinPrime.
- **Appeal-** a request to review a decision that has previously been made.
- **Academic matters-** those that relate to learner progress, assessment and curriculum
- **Non-academic matters-** those that relate to financial and personal matters, including issues relating to discrimination, harassment, fines and payments
- **Academic Appeal-** a request to review an assessment decision made by an assessor on a learner's assessment task(s)
- **Organisation-** refers to DeakinPrime as the training provider
- **Complainant-** refers to the person who formally registers a complain, grievance or concern with the organisation

## **Scope**

This policy applies to all learners, prospective learners, clients, employers, staff, contractors and other stakeholders of DeakinPrime.

This policy and related procedure will be made available to all learners regardless of the location of where they are enrolled, the mode in which they study or their location of residence. This policy and related procedure are part of the organisations' induction program and copies are also available for all staff and contractors.

# Policy

## 1. Grievances, Complaints and Appeals System

Despite all efforts of DeakinPrime to provide satisfactory services to its learners, clients, employers and other persons, complaints may occasionally arise requiring formal resolution.

DeakinPrime is committed to establishing and continuing an effective, timely, fair and equitable grievances, complaints and appeals system that is user-friendly and readily available to complainants at no charge.

DeakinPrime aims to:

- Establish a culture that regards grievances, complaints and appeals as an opportunity to review our policies and procedure and for continuous improvement;
- Establish a grievances, complaints and appeals handling system that is client focused and helps DeakinPrime to prevent these events from recurring;
- Ensure that any complaints and appeals are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimised;
- Ensure that there is a consistent response to complaints and appeals.

## 2. Nature of Complaints and Appeals

Complaints and appeals may be made be in relation to any of DeakinPrime's services, activities and decisions such as:

- the enrolment, induction/orientation process
- the quality of training and education provided
- training and assessment matters, including learner progress, assessment, curriculum and awards in a course of study
- non-academic issues such as; access to personal records; financial matters, fees and payments
- decisions made by the organisation or on behalf of DeakinPrime and/or
- the way someone has been treated such as; harassment, vilification or discrimination.

## 3. Resolving Issues before they become a formal complaint

Learners and clients are encouraged, where possible, to discuss grievances, concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. DeakinPrime Learner support staff, administration staff and Managers are available to assist learners to resolve their issues at this level.

#### **4. Lodging a Complaint**

Formal complaints and appeals must be submitted via email to the Quality & Compliance Manager according to the Grievances, Complaints and Appeals Procedure. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and negotiation. DeakinPrime acknowledges the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally.

The organisation has in place a three stage procedure as detailed in the related procedure document.

#### **5. Resolution Process**

The Quality & Compliance Manager will be responsible for handling all submitted grievance, complaints or concerns. The Quality & Compliance Manager will conduct an investigation into the issue and will develop a mutually agreeable resolution for the situation. The actual steps of submitting and resolving a grievance, complaint or concern are provided in the related procedure document.

#### **6. Resolution Timeframe**

All formal complaints and appeals will be responded to efficiently to ensure an effective resolution within a reasonable timeframe, usually within ten business days or as soon as practicable. All responses will be provided in writing, via email by the Quality & Compliance Manager. However in some cases, particularly if the matter is complex, the resolution may take longer.

If the grievance, complaint or concern has not been resolved internally to the satisfaction of the complainant, further recourse can be made to the Head of Learning Operations.

#### **6. Complaints and Appeals Register**

All formal complaints and appeals and their outcomes will be recorded in the Grievances, Complaints and Appeals Register. In addition, the register will be regularly reviewed by the executive management team and used as an opportunity for improvement and reflection.

#### **7. Timeframe for Assessment Appeals**

Learners have the right to make an appeal against the academic decisions made by DeakinPrime.

Appeals against any decisions of a non-academic nature are to be made in writing following the Formal Complaints and Appeals procedure. Appeals against assessment decisions and other academic matters must be made within twenty-one (21) days of the original decision being made.

#### **8. Enrolment status**

Where a learner chooses to access this policy and procedure, DeakinPrime will maintain the learner's enrolment while the complaints handling process is continuing.

## **9. Record Keeping & Confidentiality**

A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all involved persons to the grievance, complaint or appeal appropriate access to these records. All such requests need to be made in writing to the Quality and compliance Manager. All records will be kept confidential.

## **10. Non-limitation of policy**

This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

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## Procedure

### Stage 1 – Formal Complaint

	Action	Details	Responsibility
1.1	Make complaint in writing	<p>a) Formal complaints should be made via email and made attention to the Quality &amp; Compliance lead of the organisation</p> <p>clienthelpdesk@deakinprime.com</p> <p>Quality and compliance Manager DeakinPrime Level 3, 550 Bourke Street Melbourne, Vic 3000</p> <p>b) When making a complaint, provide as much information as possible to enable the Quality &amp; Compliance Manager to investigate appropriately and determine an appropriate solution.</p> <p>c) The complainant is invited to include suggestions about how they feel the matter might be resolved.</p>	Complainant
1.2	Acknowledge receipt of complaint and commence process	<p>a) The organisation will provide receipt of the complaint to the complainant within five working days.</p> <p>b) The Quality &amp; Compliance Manager will commence the complaints and appeals process within five days of receipt of the written complaint. All reasonable measures must be taken to finalise the process as soon as possible. If the matter is particularly complex and goes onto stage 2 of the complaints process or further, the matter may take longer to resolve.</p>	Quality & Compliance Manager
1.3	Investigate and review the complaint	<p>a) Upon receiving the complaint, the Quality &amp; Compliance Manager may request further details from the complainant. This may be obtained by written or verbal request or by holding a face-to-face interview with the relevant parties to the complaint</p> <p>b) When a face-to-face interview is held, the parties being interviewed may have another person accompany them.</p> <p>c) Investigation into the matter will take place to ensure the Quality &amp; Compliance Manager has accurate, complete and relevant information.</p> <p>d) The Quality &amp; Compliance Manager will review the information and decide on the appropriate actions to be taken.</p>	Quality & Compliance Manager
1.4	Recommend resolution and provide report to complainant	<p>a) The Quality &amp; Compliance Manager will resolve the complaint and will provide a written report to the complainant on the steps taken to resolve the complaints and will include their recommendations and reasons for their decision.</p> <p>b) The report will further advise the complainant of their right to access further appeals processes if they are not satisfied with the outcome of the formal complaint.</p>	Quality & Compliance Manager

### Stage 2 – Internal Appeal

	Action	Details	Responsibility
2.1	Escalate complaint – lodge appeal to Head of Learning Operations for review.	<p>a) If the complainant is dissatisfied with the outcome, they may lodge an appeal with the Head of Learning Operations (who is senior to the original decision maker).</p> <p>b) The Head of Learning Operations will be appointed to consult with the complainant and other relevant parties within a suitable timeframe.</p> <p>c) Where possible such consultations should take the form of in person meetings. The complainant or the respondent may ask another person to accompany them to these interviews.</p> <p>d) Following the consultation, the Head of Learning Operations will provide a written report to the complainant within ten working days, advising the further steps taken to address the complaint, including the reasons for the decision.</p> <p>e) The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.</p>	<p>Quality &amp; Compliance Manager</p> <p>Head of Learning Operations</p>

### Stage 3 – External Appeal

	Action	Details	Responsibility
3.1	If required, escalate to external mediator for review	If the complainant is dissatisfied with the outcome of their appeal, they may make a verbal request to the National Training Complaints Hotline on 13 38 73 and advise that they wish the matter be dealt with through an external dispute resolution process facilitated by that organisation.	Complainant
3.2	Advise mediator in writing within five working days	The Head of Learning Operations will advise the mediator in writing of the complaint within five working days and provide all evidence if requested to the mediator to assist in the resolution of the complaint.	Head of Learning Operations
3.3	Report to the Head of Learning Operations	<ul style="list-style-type: none"> <li>The mediator will report back to the organisations' Head of Learning Operations or nominee, the outcome of the mediation, including any recommendations, within fourteen days of completion of the review.</li> <li>The organisation agrees to be bound by the independent mediator's recommendations and the head of Learning Operations will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.</li> </ul>	Independent mediator
2.2	Respond to complainant.	After receiving the report, the Head of Learning Operations will respond to the complainant within ten working days, and provide a written summary of the actions recommended by the external parties to resolve the complaint.	Head of Learning Operations

## Academic Appeals

	Action	Details	Responsibility
3.4	Request an official review	<ul style="list-style-type: none"> <li>A student may request an official review of any assessment decision made by an of the organisation's Assessors</li> <li>The request must be made within 14 days of receiving the assessment decision</li> <li>Appeals should be made in writing and made attention to the Quality &amp; Compliance Manager of the organisation either via post or email</li> </ul> <p>clienthelpdesk@deakinprime.com</p> <p>Quality &amp; Compliance Manager DeakinPrime Level 3, 550 Bourke Street Melbourne, Vic, 3000</p>	Learner
3.5	Review of assessment	The Quality & Compliance Manager will delegate an alternate qualified and experienced assessor to review the student's submitted work and the assessment decision awarded	Quality & Compliance Manager & Assessor
3.6	Outcome	The Quality & Compliance Manager will provide written notification of the outcome of the appeal within 21 days of the request.	Quality & Compliance Manager

## Records of Complaints and Appeals and their outcomes

	Action	Details	Responsibility
5.1	Record complaint and outcomes.	<p>a) Following the complaint, appropriate actions will be taken by the organisation to prevent the problem from recurring through its Continuous Improvement and Quality Assurance policy and procedures.</p> <p>b) The complaint details and outcomes will be logged on the organisation's Complaints and Appeals Register for review by the Executive Management Team.</p>	Quality & Compliance Manager