

POL007 - Complaints and Appeals Policy

Table of Contents

1. Scope	3
2. Purpose.....	3
3. Complaints & Appeals Process.....	3
3.1 Informal Complaint Resolution	4
3.2 Formal Complaints Process.....	4
3.3 Formal Internal Appeals Process.....	4
3.4 Assessment Appeals.....	5
3.5 Appealing decisions to report breach of student code of conduct, academic course progress, or non-payment of fees:.....	6
3.6 Appealing Deferrals, Suspension or Cancellation of Enrolment Decisions:.....	6
4. External Complaints & Appeals.....	7
5. Associated Documents.....	8
Appendix.....	8
Definitions:.....	8

1. Scope

Danford College seeks to continuously provide a high – quality education and training environment that is safe, fair and free from discrimination. It is committed to implementing effective complaint and appeal resolution procedures within the scope of Complaints and Appeals Policy.

This policy is governed by:

- ESOS National Code 2018: Standard 10
- Standards for RTOs 2015: Standard 6

The policy aims at resolving complaints and appeals which otherwise cannot be resolved in an informal manner. The complaints and appeals policy is applicable to but not limited to all the enrolled students, student support team, administration department, academic department, finance department and compliance department.

2. Purpose

The purpose of this policy is to establish a comprehensive and standardised process for the complaints and appeals. The policy aims to achieve the following objectives:

- Outline the procedure for lodging a complaint with the College;
- Outline the procedure for lodging an appeal against a decision made by the College's Management in a complaints dispute;
- Outline conditions and requirements under which a student can appeal
- Outline the procedure for making an external complaint.

3. Complaints & Appeals Process

The purpose of the complaints and appeals process is to provide a fair and impartial way for students to raise concerns about the Danford College's policies, practices, or decisions.

Danford College does not charge any fees for the Complaints & Appeals process.

In instances where a student has lodged a Complaint or appeal, Danford College will maintain the student's enrolment while the process is ongoing. The student is required to fulfil the student responsibilities as per their student visa conditions while the complaint and appeals process is ongoing.

In handling a complaint and/or appeal, whether formal or informal, following will be maintained:

- All complaints and appeals are treated with confidentiality and the identity of the complainant and/ or appellant is kept confidential;
- Prevent the possibility of a defamation or other legal action;
- Involve minimum number of people possible;
- Treat all parties involved in the issue with respect and will not be victimized or discriminated against during the process.

3.1 Informal Complaint Resolution

Where possible all non-formal attempts shall be made to resolve the complaint, this may include advice, discussions, and general mediation in relation to the issue and the student's complaint. Any staff can be involved in this informal process to resolve issues but once a student has placed a formal complaint the following procedures must be followed.

3.2 Formal Complaints Process

For complaints that cannot be resolved in an informal process, following process will be applicable for a formal complaint:

1. The complainant must complete, sign and submit a Complaint & Appeals Form available on the website www.danford.edu.au in order to lodge a formal complaint;
2. Identify the complainant (the person with the complaint e.g. yourself), the respondent (person you have the complaint against, if applicable), and the nature of complaint;
3. Attach any supporting documents or information;
4. Once a complaint is submitted, a ticket on CRM will be created;
5. Compliance Manager or (delegate) will commence the assessment of the complaint within 10 working day and finalise the outcome as soon as practicable;
6. Assessment of the complaint will be conducted based on the information and evidence provided by the complainant and by reviewing, clarifying, investigating and discussing the matter with other relevant staff at Danford College. Further documentation related to the matter may be requested from the complainant;
7. The Compliance Manager or (delegate) may arrange for a face to face meeting with the complainant to assess the issue and will provide all opportunities to the complainant to provide appropriate explanation and responses. Complainants may be assisted or assisted or accompanied by a support person regardless of the nature of the complaint;
8. After carefully reviewing and assessing the complaint, the Compliance Manager or (delegate) will finalise and provide an outcome as soon as practicable. The outcome will be provided in writing to the complainant via email;
9. Copies of application, evidences, outcome and other relevant documentation will be stored in the student folder;
10. Complainant will also be notified that they have the right of appeal the decision via information provided in the notification of the outcome.
11. All the complaint applications are maintained in the Complaints and Appeals register by the Compliance Manager or (delegate).
12. If the student is dissatisfied with the complaint resolution outcome, the student may initiate the internal appeal process within 20 working days of receiving the complaint outcome at no cost.

3.3 Formal Internal Appeals Process

All students have the right to appeal the decisions made by the College where reasonable grounds can be established. The appeal must be lodged within 20 working days of receiving

the decision. The areas in which a student may appeal a decision made by the College may include but not limited to:

- Assessments conducted;
- Reported breaches of the student visa requirement including but not limited to academic course progress, non – payment of fees, etc.
- Reported breaches of student code of conduct as outlined in the POL011_Student Code of Conduct Policy;
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Complaint resolution

Step by step appeal process:

1. Complete, sign and submit the Complaint & Appeal Form available on the website www.danford.edu.au ;
2. The appellant should provide detailed explanation describing the reason to appeal against a decision along with the outcome they seek from the appeal and provide relevant documentation to support the appeal;
3. Once an appeal is submitted, a ticket on CRM will be created;
4. Compliance Manager or (delegate) will commence the assessment of the appeal within 10 working days and finalise the outcome as soon as practicable;
5. Where an appeal is made against a complaint resolution, the appeal application will be processed by the Head of Compliance or (delegate);
6. Assessment of the appeal will be conducted based on the information and evidence provided by the appellant and by reviewing, clarifying, investigating and discussing the matter with other relevant staff at Danford College. Further documentation related to the matter may be requested from the appellant;
7. The Compliance Manager or (delegate) may arrange for face – to -face meeting with the appellant to assess the issue and will provide all opportunities to the appellant to provide appropriate explanation and responses. Appellant may be assisted or accompanied by a support person regardless of the nature of the appeal;
8. After carefully reviewing and assessing the appeal, the Compliance Manager or (delegate) will finalise and provide an outcome as soon as practicable via email. The outcome will be given in a written statement which will include the detailed reasons for the outcome;
9. Copies of application, evidences, outcome and other relevant documentation will be stored in the student folder digitally;
10. Appellant will also be notified that they have the right to appeal the decision externally and the information will be provided in the outcome statement.
11. All the appeal applications are maintained in the Complaints and Appeals register by the Compliance Manager or (delegate).

3.4 Assessment Appeals

- Where a student wishes to appeal an assessment result, they are required to contact their trainer and assessor in the first instance to discuss regarding an alternative option of re-assessment.

- The re-assessment process can be followed as outlined in the POL006_Assessment Policy where the Academic Team Leader may decide to approve the re-assessment as per the policy.
- If the result is still not to the student's satisfaction, the student may wish to formally lodge an appeal by completing and submitting a Complaint & Appeal Application Form via the College website: www.danford.edu.au outlining their reasons for the appeal.
- The appeal will be processed as outlined in section 3.3 above.

3.5 Appealing decisions to report breach of student code of conduct, academic course progress, or non-payment of fees:

- Where a student wishes to appeal the decision of the College to report a breach of student code of conduct, academic course progress or non – payment of fees the student may wish to lodge a Complaint & Appeal Application Form via the College website: www.danford.edu.au outlining the details of their Appeal. The student should have compelling and compassionate circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances. Students failing to provide appropriate evidence may lead to unsuccessful appeal outcome.
- Danford College will maintain the enrolment of the student until the complaints and appeals process is completed. To 'maintain the student's enrolment' means the College will not notify DHA of any change to the student's enrolment status through PRISMS.
- The student and Danford College are required to maintain all relevant responsibilities until the breach has been reported to DHA via PRISMS.
- The appeal will be processed as outlined in section 3.3 above.

3.6 Appealing Deferrals, Suspension or Cancellation of Enrolment Decisions:

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge a Complaint & Appeal Application Form via the College website: www.danford.edu.au outlining the details of their Appeal. Students should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their Appeal.
- Danford College will maintain the enrolment of the student until the complaints and appeals process is completed. To 'maintain the student's enrolment' means the College will not notify DHA of any change to the student's enrolment status through PRISMS.
- The student and Danford College are required to maintain all relevant responsibilities until the change in enrolment status has been reported to DHA via PRISMS.
- The appeal will be processed as outlined in section 3.3 above.

4. External Complaints & Appeals

If the student has exhausted the above internal complaints and/or appeals processes and the dispute is unresolved or they feel dissatisfied with the outcome, the student may wish to raise their complaint and/or appeal with the Office of the Commonwealth Ombudsman (“Commonwealth Ombudsman”). The complainant or appellant has an opportunity to formally present his or her case at no cost to student.

Commonwealth Ombudsman contact details:

<https://www.ombudsman.gov.au/>

GPO Box 442

Canberra ACT 2601

Email: ombudsman@ombudsman.gov.au

Tel (in Australia): 1300 362 072 Tel (outside Australia): +61 2 6276 0111

Danford College will advise the student of their right to access an external complaint and/or appeals process in the outcome statement provided when the internal complaint and/or appeal is finalised.

If the student wishes to access the external complaints and/or appeal process, they must do so within 10 working days of the outcome provided for the internal complaints and/or appeals and inform Danford College regarding the external complaints and/or appeal application via email.

Overseas students are advised that in most cases, the purpose of the external appeals process is to consider whether the registered provider has followed its policies and procedures, rather than make a decision in place of the institution.

Danford College and Commonwealth Ombudsman’s Decision:

- Danford College will maintain the student’s enrolment until the outcome of the external complaints and/or appeals process is provided and will not notify DHA of any change to student’s enrolment or report the student via PRISMS. The student and Danford College are required to maintain all relevant responsibilities while the external complaints and/or appeals process is conducted;
- Where a decision or outcome is in favour of the student, Danford College shall follow the required action to satisfy the student’s complaint and/or appeal as soon as practicable as advised in the outcome;
- Where a decision or outcome is in favour of Danford College, Danford College will follow the respective process regarding the student enrolment as outlined in the outcome statement of internal complaints and/or appeal;

This policy, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

5. Associated Documents

- POL006_Assessment Policy
- POL008_Course Completion and Course Progress Policy
- POL009_Deferment, Suspension or Cancellation of Student Enrolment Policy
- POL010_Overseas Student Transfer Policy
- POL011_Student Code of Conduct Policy
- POL012_Student Fees & Charges Policy
- POL013_Student Fees Refund Policy
- POL016_Privacy Policy
- FOR003_Complaints & Appeals Form
- Complaint and appeal Outcome Letters

Appendix

Definitions:

- 1) **RTO Manager**: RTO Manager is a College Management system used by Danford College for day – to – day operations to access and maintain portals for students, trainers, agents, etc.
- 2) **PRISMS**: Provider Registration and International Student Management System (PRISMS) is a computer system developed by the Department in association with the Department of Home Affairs for the purpose of receiving and storing information about accepted overseas students that is given to the Secretary under section 19 of the ESOS Act.
- 3) **Complainant**: a person, group, or company that makes a complaint
- 4) **Appellant**: A person who appeals against a decision for reversal
- 5) **DHA (Department of Home Affairs)**: The Department is responsible for central coordination, and strategy and policy leadership in relation to cyber and critical infrastructure resilience and security, immigration, border security and management, counter-terrorism, the protection of our sovereignty and citizenship and social cohesion.
- 6) **Ombudsman**: The Commonwealth Ombudsman safeguards the community in their dealings with Australian Government agencies. The Commonwealth Ombudsman's office handles complaints, conducts investigations, performs audits and inspections, encourages good administration, and carries out specialist oversight tasks.

Commonwealth Ombudsman contact details:

<https://www.ombudsman.gov.au/>

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Canberra ACT 2601

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