

## Complaints and Appeals Procedure – Student Information

During your time studying with Daniels Associates (HIA), you might have a concern about your course, your teachers, other staff or Daniels Associates (HIA) policies and procedures.

We encourage you to contact your the RTO Manager if you want to make a complaint or a suggestion.

If you do have a complaint, we recommend you talk to someone as soon as the situation arises. This way, it won't escalate unnecessarily into a bigger problem. Most concerns can be solved by talking to a staff member because they know your situation and can respond to your concerns promptly.

### Definitions

**Grievance** - Any complaint presented by an individual, or a group, based on the opinion that they are, or have been, receiving treatment that differs from the treatment received by other individuals or groups.

*Discrimination - is defined as:*

a) **Direct Discrimination** - any decision or action which specifically excludes a person or group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it, because a personal characteristic irrelevant to the situation is applied as a barrier.

b) **Indirect Discrimination** - attitudes and assumptions which are incorporated into rules, policies and practices, which appear to be neutral or to treat everyone equally, but may in fact disadvantage one group.

- Complainant - Person who lodges a grievance.
- Respondent - Person who it is alleged undertook the behaviour, which resulted in the grievance.
- Grievance Procedure - A prescribed set of actions to be followed when a grievance is presented.

### Appealing Assessment Decisions

Applicants who undertake an assessment with Daniels Associates (HIA) are eligible, and have the right under the VET Quality Framework, to dispute an unsuccessful assessment decision.

Student learner have three (3) attempts to successfully complete an assessment for a unit of competency (subject). After three (3) attempts the student shall be notified of the outcome and will be required to review the learning materials, and may require some additional assistance to re-sit an assessment. There is an additional cost of \$95 per unit of competency to re-sit an assessment.

Applicants wishing to apply for a re-assessment must pay a fee of \$95 for the re-assessment.

Any student/learner who wishes to lodge an appeal of the assessment decision will be required to do so within seven (7) business days of receiving written notification (letter email) of the unsuccessful outcome.

Daniels Associates (HIA) will conduct a review of the initial assessment decision, and if deemed appropriate, conduct a reassessment of the applicant within fourteen (14) business days of lodgement of the appeal by the applicant.

Re-assessment involves a second trainer/assessor reviewing the assessment outcomes with the students/learners trainer/assessor and notifying the RTO Manager of the assessment outcome.

Daniels Associates (HIA) will notify the applicant of the outcome of the appeal within five (5) business days of completion of the reassessment process.

## **How to make complaint**

It is best to discuss your concerns with your trainer/assessor first. Make an appropriate time to speak with them, send them an email requesting a time to speak.

If you are not happy with the result, or if you do not feel it is appropriate to talk to them, phone and make an appointment to discuss your concerns with the RTO Manager.

If your complaint cannot be resolved in an informal way, we may ask you to put it in writing. It is important that you include specific details of the situation and tell us what you would like to happen as a result of your complaint.

## **Recording of formal complaints**

There should be a written record for all formal complaints made by student/learners. Appendix A – Grievance Complaint Appeal Form should be used for recording all formal complaints and appeals. Record of the complaint/grievance/appeal should include:

- The nature of the complaint;
- The name of the person(s) against whom the complaint is made;
- The date the complaint is made;
- The date(s) the behaviour resulting in the grievance took place;
- Brief description of the nature of the complaint;
- Summary of follow-up actions taken.

Should a complaint be made by two or more student/learners concerning academic or teaching staff, the complainants should be immediately lodged with the RTO Manager.

## **What can you expect?**

How your complaint is managed depends on what it is about.

Most complaints can be resolved quickly and informally to everybody's satisfaction simply by talking to the trainer/assessor concerned or the RTO Manager.

You will be told the name of the person who is dealing with your complaint.

Occasionally more serious or complex complaints require investigation. These can take a longer time to resolve. If this happens, you should be informed of the progress and the outcome of your complaint by phone or in writing at regular intervals until the matter is resolved.

If you have not heard from the person handling the complaint within a reasonable time, call to ask them what is happening.

## **Will my complaint be confidential?**

The person dealing with your complaint will advise you if confidentiality applies to your case, but generally it can't be guaranteed. If your complaint is about another person they have a right to know the allegations and be given a chance to respond.

### **Can I make an anonymous complaint?**

Yes, you can make your complaint anonymously. However, it may be difficult to resolve an anonymous complaint if you do not provide your contact details and further information is required.

### **What are the possible outcomes?**

1. The complaint is upheld (in part or in full) and where appropriate, one or more of the following actions may be offered to you:
  - action to fix or improve the situation
  - an apology
  - an explanation
  - an admission that the situation could have been handled differently or better
  - an assurance that the event complained of will not recur
  - an explanation of the steps that have been taken to ensure that it will not happen again, and/or
  - an undertaking to review the Daniels (HIA) policies in light of the complaint.
  
2. Your complaint is not upheld. The reasons for this should be clearly given.

If you are not happy with the result, you may ask for a review of your complaint by contacting the RTO Manager.

### **What if I am still not satisfied with the outcome?**

If you feel that you haven't been treated fairly or that the result is unreasonable, you may wish to seek a review from an independent organisation. The new (January 2015) National Training Complaints Hotline is accessible on 13 38 73 (Monday to Friday from 8am to 6pm nationally) or via email at [skilling@education.gov.au](mailto:skilling@education.gov.au).

The hotline directs complaints to the appropriate Commonwealth, state or territory organisation to assist the student/learner in resolving the complaint.

## Appendix A – Grievance Complaint Appeal Form

Complete this form and email or fax back to Daniels Associates Administration Office to the attention of RTO Manager.

Email: [bruce@danielsassociates.com.au](mailto:bruce@danielsassociates.com.au)

Fax: (02) 4962 4465

Mail: PO Box 738, Newcastle NSW 2300

<b>Section (1) Your Details</b>	
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other – please specify
Surname	
Given Name(s)	
Address	
Best contact number	
Email	
Relationship with Daniels Associates	<input type="checkbox"/> Student <input type="checkbox"/> Employee <input type="checkbox"/> Visitor <input type="checkbox"/> Other – please specify _____
<b>Section (2) Complaint Details</b>	
Nature of your complaint Appeal (please write as much detail as possible. Use additional pages if necessary.	
Have you raise this matter with anyone else	<input type="checkbox"/> No <input type="checkbox"/> Yes .... With who? _____ When (date) _____
<b>Section (3) Authorisation to investigate</b>	
You are required sign and date this form for the matter to be investigated	
Signature:	
Date:	