



RTO 90424

## COMPLAINTS HANDLING AND APPEALS POLICY

DAPA provides a fair and transparent complaint handling process. In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute will be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

### Procedure

In the first instance, we encourage you to discuss the situation with your tutor or other member of staff involved in the process or situation. This discussion will focus on finding an immediate resolution for the problem in an informal manner.

Should you not be satisfied with the resolution, or should you not be comfortable speaking with your tutor, you have the right to lodge a formal complaint to the RTO Manager of DAPA. The RTO Manager is DAPA's Consumer Protection Officer. You will need to lodge this complaint in writing, either by email or in writing.

You may also make an appointment to talk with DAPA's RTO Manager in person at the head office. If the complaint is made in this format, records of the discussion will be made by the RTO Manager. These records will constitute the formal complaint being lodged.

On receipt of a formal complaint, the RTO Manager will investigate the situation and present evidence and information to DAPA's Board. The RTO Manager's investigation may include interviewing or discussing the situation with other involved parties (eg. other students and staff).

On presentation of evidence and information, the Board will discuss the complaint and determine an appropriate resolution.

The agreed resolution will be provided in writing to the person lodging the complaint.

Should you still not be satisfied with the outcome of the complaint, you may contact the Australian Skills Quality Authority ([www.asqa.gov.au](http://www.asqa.gov.au)) to further your complaint.

All records of complaints and associated processes will be retained on file by DAPA for a period of at least two years.

DAPA will apply the following principles to its complaints handling:

- A written record of all complaints is to be kept by DAPA including all details of lodgement, response and resolution. The complaints register within the student management system is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling will be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.

- The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) days of the lodgement of the complaint.
- Complaints must be resolved to a final outcome within sixty (60) days of the complaint being initially received. Where DAPA RTO Manager considers that more than 60 calendar days are required to process and finalise the complaint, the RTO Manager must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, DAPA should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) days is considered acceptable and in the best interest of DAPA and the complainant.
- DAPA shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the student shall be implemented immediately.
- Complaints will be handled in the strictest of confidence.
- If the complainant is not satisfied with the handling of the matter by DAPA, they have the opportunity for a body that is independent of DAPA to review his or her complaint following the internal completion of complaint handling process.
- A complainant who remains dissatisfied with the process applied by DAPA following review by an independent party, may refer their grievance to the Australian Skills Quality Authority – ASQA Online Complaint Form available at <http://www.asqa.gov.au/complaints/make-a-complaint—domestic-students/make-a-complaint—domestic-students1.html> (domestic students) and <http://www.asqa.gov.au/complaints/make-a-complaint—overseas-students/make-a-complaint—overseas-students-1.html> (international students).

### **Complaints regarding Traineeships**

Employers should first follow the normal complaints procedure of DAPA as outlined above. If not satisfied with DAPA's handling of the complaint and resolution offered, you may then escalate your complaint through the assistance of a Smart & Skilled Customer Support advisor or use of an online form available from <https://smartandskilled.nsw.gov.au> or by contacting 1300 772 104.

### **Appeals handling**

DAPA provides a fair and transparent appeals handling process. An appeal is an application by a student for reconsideration of an unfavourable decision or finding during their time with DAPA. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within twenty-eight (28) working days of the decision or finding is informed to the student.

It is important to note that a student may appeal any decision that DAPA may make. Appeals may relate to assessment decisions, and to administrative decisions that DAPA may make. Examples of this include an appeal of a decision to deny a refund or to deny an application for credit transfer. As the process for handling and assessment appeal compared with an appeal of an administrative decision is slightly different, this difference has been catered for within this policy with adjusted processes for both situations.

DAPA will apply the following principles to its appeals handling:

- A written record of all appeals is to be kept by DAPA including all details of lodgement, response and resolution. The appeals register is to be used to record the details of the appeal and to maintain a chronological journal of events during the appeal handling

process. Records relating to appeal handling must be stored securely to prevent access to unauthorised personnel.

- An appellant is to be provided an opportunity to formally present his or her case at no cost.
- Each appellant may be accompanied and/or assisted by a support person at any relevant meeting.
- The appeals policy must be publicly available. This means that the appeals policy and procedure must be published on the DAPA website.
- The handling of an appeal is to commence within seven (7) working days of the lodgement of the appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The appellant is to be provided a written response to the appeal, including details of the reasons for the outcome. A written response must be provided to the appellant within fourteen (14) days of the lodgement of the appeal.
- Appeals must be resolved to a final outcome within sixty (60) days of the appeal being initially received. Where DAPA's RTO Manager considers that more than 60 calendar days are required to process and finalise the appeal, the RTO Manager must inform the appellant in writing, including reasons why more than 60 calendar days are required.

**Document Owner:** RTO Manager, DAPA

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