

Complaints and Appeals

The Digital Orthodontic College treats complaints and appeals from staff, partner organisations, participants, and other parties very seriously and we will deal with these in an effective and timely manner.

Complaints can be made about **The Digital Orthodontic College**, its staff, other learners or third parties and are typically aiming to resolve all complaints within three weeks.

Appeals can be made about any decision, including assessment decisions made by **The Digital Orthodontic College**. These, like any complaints are intended to be resolved, where possible within a three-week period.

The Digital Orthodontic College will act upon any substantiated complaint or appeals; these will be recorded into our RTO Management System and will lead where appropriate, to continuous improvement activities.

The data entry responsibility including maintaining security of these complaints and appeals lies with the CEO.

In the first instance that a person or organisation is unhappy or dissatisfied with an aspect of our service delivery, they should consult their trainer/assessor. The trainer should be the first point of contact for participants, the aim of this first contact is to resolve the issue quickly. If the participant's complaint is about the trainer, and they are uncomfortable discussing this issue with the trainer then they should contact the CEO.

Should the complaint or appeal not be resolved in the first instance by either contact with the Trainer. Then the complainant is requested to formally lodge a complaint or appeal by completing either the complaint or appeal form, these forms are available from the Trainer, the CEO or Administration Manager. The appellant or complainant can take the form away to complete, but this should be returned within 48 hours so the matter can be promptly investigated.

This formal complaint or appeal will be entered into our Complaints or Appeals register for tracking purposes. This is the responsibility of the CEO, the receipt of the Complaint or Appeal will be formally acknowledged within one business day, in writing by CEO.

If an Appeal is lodged about the decisions made by the CEO, the Administration Manager will manage the process on behalf the RTO. This will include adopting the role of the CEO in recording, advocating

and as described later, in engaging an external to **The Digital Orthodontic College**, Assessor or External Medication Service if required to resolve the Appeal.

Should the nature of the complaint refer to criminal matters or where the welfare of people is in danger, **The Digital Orthodontic College** will, with the permission of the participant, seek assistance from other authorities such the Police, Legal Representatives or other parties as appropriate.

Participant confidentiality will be maintained at all times as is consistent with New South Wales and Australian Law. At all times the principles of good conduct will be upheld, these being:

- That both sides of the complaint will be informed of the complaint and
- That both sides of any complaint will be heard after sufficient time has been provided for both sides to prepare their arguments
- That an investigation will be conducted without undue delay
- The participant will be allowed to continue their course without penalty until such time as the final decision has been determined.

Further details on Good Conduct and Acting Fairly can be accessed from the NSW Ombudsman's office at: http://www.ombo.nsw.gov.au/data/assets/pdf_file/0016/3634/Good-conduct-and-administrative-practice-guidelines-for-state-and-local-government.pdf

The complainant/appellant will remain informed of the progress of their complaint or appeal through written correspondence. **The Digital Orthodontic College** will ensure that the participant's academic progress will remain unimpeded by their complaint or appeal.

Upon receipt of the formal complaint or appeal, the CEO and/or the Administration manager, as appropriate, will be responsible for resolving the issue.

This will involve at least:

- a formal interview with the participant and the trainer, the CEO and/or Administration Manager if appropriate.
- As stated above, if the CEO is party to the complaint or appeal and the matter has not been resolved in the first instance, then the Administration Manager is appointed to resolve the matter in the place of the CEO.
- If the CEO or Administration Manager and the aggrieved party are unable to resolve the matter, then the matter is to be escalated to a mutually agreeable independent person, such as

another trainer external to The Digital Orthodontic College, or an independent Commercial Mediation Service.

Engagement of the chosen external assistance will be the responsibility of the CEO and/or Administration Manager as appropriate. The suitable external trainer or independent Commercial Mediation Service, will need to be agreed upon by the participant and CEO and/or Administration Manager. As stated before, this could be an external Trainer/Assessor arranged by the CEO or the participant, or it could include an independent Commercial Mediation Service such as the Resolution Institute.

The Resolution Institute can be contacted via <http://www.resolution.institute/contact-us>
Suite 602, Level 6, Tower B, Zenith Centre, 821–843 Pacific Highway, Chatswood NSW 2067
Phone: +61 2 9251 3366
Freecall: 1800 651 650
Fax: +61 2 9251 3733
Email: infoaus@resolution.institute

Engagement of an External Assessor is without cost to the participant, however escalation to an independent Commercial Mediation Service is a significant process and incurs significant costs. **The Digital Orthodontic College** is prepared to undertake escalation to independent mediation if **The Digital Orthodontic College** is not able to resolve a dispute with a participant and the participant does not wish to use an independent assessor. Once the need for Independent Mediation is agreed upon with the participant, **The Digital Orthodontic College** will obtain a written quote for this process from the agreed mediation company; this written quote is to be shared with the participant. For the process to proceed, both the participant and **The Digital Orthodontic College** will lodge with the agreed mediator money to the full value of the quote from the mediator. The party whose position is NOT upheld by the mediator pays for the mediation service; the party whose position is upheld will receive a refund from the mediator.

Should a compromise position be determined by the mediator both parties agree to pay respective shares as determined by the mediator. The complainant or appellant will be provided with a formal written statement of the resolution of the complaint or appeal, this will state the reasons for the decision.

At all times will we keep our participants informed of the progress of their complaint or appeal. Should this process take longer than sixty (60) days we will determine the course of the of the delay, attempt to resolve it, and keep the participant informed of these reasons through written correspondence.

Participants are also able to lodge a complaint about The Digital Orthodontic College with ASQA. However, please be aware that ASQA is not an advocacy institute for participants.

The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

- o In relation to consumer related issues, the person may refer their complaint to the NSW Office of Fair Trading; <https://www.fairtrading.nsw.gov.au/buying-products-and-services/buying-services/education-and-training>
- o In relation to the delivery of training and assessment services, the person may refer their complaint to the National Training Complaints Service via the following phone number: 13 38 73 or visit the website at <https://www.dewr.gov.au/national-training-complaints-hotline>
- o The Australian Skills Quality Authority, ASQA; <https://www.asqa.gov.au/students/complaints>
- o In relation to matters relating to privacy, the person may refer their complaint to the Office of the Australian Information Commissioner via the following details:
<https://www.oaic.gov.au/privacy/privacy-complaints> or call on 1300 363 992

A further option available to people and organisations is the National Training Complaints Hotline. **This number is 13 38 73.** More details on the National Complaints Hotline can be found at: <https://www.dese.gov.au/national-training-complaints-hotline>

Assessment Appeals

In rare circumstances, the participant may object to decisions made by **The Digital Orthodontic College**, including assessment outcomes, and wish to appeal these decisions.

Possible grounds for an Assessment appeal could be (and others are possible):

- The correct response was provided however the response was marked incorrect in error.
- The material assessed was not covered in learning materials.
- The response provided by the participant was the response provided in the learning material
- Or any other reason.

In the case of the Assessment appeal, the participant will follow the same basic steps as outlined in the Complaints and Appeals section.

- **Discuss the issue with your assessor and seek their opinion.**
 - If you are still dissatisfied, complete the appeals form and submit it to the CEO

Independent of who you submit your assessment appeal to, you will be:

- **Provided with a written receipt of your case within one business day,**
- **Provided with access to an external review your case with either:**
 - An assessor external to The Digital Orthodontic College
 - An Independent Commercial Mediation Service

The choice of which independent mediation process is the participant's, however they have significantly different costs. Engagement of an External Assessor is without cost to the participant, however escalation to an independent Commercial Mediation Service is a significant process and incurs significant costs.

The Digital Orthodontic College is prepared to undertake escalation to independent mediation if **The Digital Orthodontic College** is not able to resolve a dispute with a participant and the participant does not wish to use an independent assessor.

Once the need for Independent Mediation is agreed upon with the participant, **The Digital Orthodontic College** will obtain a written quote for this process from the agreed mediation company; this written quote is to be shared with the participant. For the process to proceed, both the participant and The Digital Orthodontic College will lodge with the agreed mediator money to the full value of the quote from the mediator.

The party whose position is NOT upheld by the mediator pays for the mediation service; the party whose position is upheld will receive a refund from the mediator. Should the mediator determine a compromise position, both parties agree to pay respective shares as determined by the mediator.

The complainant or appellant will be provided with a formal written statement of the resolution of the complaint or appeal, this will state the reasons for the decision. Irrelevant of the process undertaken to resolve the matter, the appellant will be provided with a formal written statement of the resolution of the appeal and this will state the reasons for the decision.

At all times we will keep our participants informed of the progress of their appeal. Should this process take longer than sixty (60) days we will determine the course of the delay, attempt to resolve it, and keep the participant informed of these reasons through written correspondence.

Complaints and Appeals Process Flow Chart

