

## Complaints and appeals

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This procedure describes the process by which students and prospective students may have problems of a non-academic and Academic nature addressed effectively, efficiently, professionally and confidentially.

All disputes or complaints will be handled professionally and confidentially in order to achieve a satisfactory resolution. All parties will have a clear understanding of the 3 stages involved in the grievance procedure.

Each appellant/complainant will be provided with the opportunity to present his or her case at each stage of the grievance process. All grievances will be managed fairly and equitably and as efficiently as possible. The complainant and respondent will not be victimised or discriminated against in any of the stages set out in this policy, or as a result of a grievance being raised.

FYI will encourage the parties to approach a grievance with an open view and attempt to resolve issues through discussion and conciliation. The policy provides an avenue for most grievances to be addressed. However, where a grievance cannot be resolved through discussion and conciliation following the stages set out internally, FYI acknowledges the need for an appropriate external and independent agent to moderate between the parties, as set out below.

FYI will endeavour to resolve any grievance referred to it by the ASQA within ten working days of its receipt of the complaint.

This policy is communicated to academic and support staff through our policy and procedure Manual and the FYI Training's website on the FAQ page. The Training Manager is responsible for the training of academic staff in the application of the policy.

At all stages of the process, the complainant and/or respondent have the right to be represented by a third person (such as a family member, friend, counsellor, or other professional support person) if they so desire.

Discussions relating to complaints, grievances and appeals are to be recorded in writing during each stage of the process. Reasons and a full explanation in writing for decisions and actions taken as part of the procedures will be given, if requested, by the complainant and/or respondent.

A grievance, complaint or appeal is deemed to be dissatisfaction with the procedures, outcomes or the quality of service provided by employees of FYI in relation to academic matters. Academic matters arise from events occurring at a provider or from decisions made by a provider and will cover issues such as:

- Student assessment
- Decision regarding student progress
- Curriculum and awards in a course

A grievance, complaint or appeal is deemed to be a formal grievance, complaint, or appeal when it is lodged in writing with FYI Training.

Students of FYI are entitled to use the grievance procedures set out in this policy, regardless of the location of the campus of the school at which the grievance has arisen, the student's place of residence or the mode in which they study.

## **Student Privacy**

FYI acknowledges and respects the privacy of students. It is required under the Privacy Act to comply with the national Information Privacy Principles in respect of the collection, use and disclosure of personal information from individuals.

Records of all grievances, applications for review of decisions and outcomes of the grievance process will be kept for a period of five years. These records will be strictly confidential and filed in a separate file (not kept on the student or staff file) and stored in the office of the CFO for a period of five years.

## **Informal complaints**

Any complaints about the way a person/s has been treated by any representative of FYI Training should first be directed to the staff member involved. A complaint may be in writing (email or letter) or verbal. Where possible, that person will discuss the complaint informally with complainant and try to resolve it. When there is a reluctance to talk directly to the person or they are unable to resolve the complaint, there will an opportunity to speak with a supervisor. Alternatively, serious matters may be raised directly as formal complaints.

## **Formal Complaint process**

### Stage 1

- For non-academic complaints, initially complaints and grievances should be discussed with the person/s involved. If this is impracticable or unsatisfactory, students should communicate with the Trainer/Assessor
- For academic complaints, the complaint should be initially discussed with the Trainer/Assessor.
- The complaint will be documented and a resolution will be sought within 14 days of receipt of the complaint.

### Stage 2

- If dissatisfied with the response to the complaint or the time taken to resolve the matter under stage 1, the complainant may submit the complaint in writing to the Training Manager.
- For non-academic complaints, the Training Manager will deal with the complaint within a reasonable time, normally within 10 days of receipt of the complaint
- For academic complaint relating to assessment outcome, the Training Manager will arrange for a second assessment by another assessor within a reasonable time, normally within 15 days of receipt of the complaint

### Stage 3

- If not satisfied with the decision of the Training Manager in stage 2, the complainant may request that the matter be escalated to FYI Training's CEO for further impartial review.
- The CEO will seek a resolution within a reasonable time, normally within 15 days of receipt of the complaint

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- If dissatisfied with this response, the complaint will be forwarded on to an external party and a resolution will be sought by the body appointed by FYI for that purpose.

The details of this external body and contact person are as follows: Dispute Settlement of Victoria

This final stage will be addressed within 30 days.

If the independent mediator makes recommendations in relation to a complaint they have reviewed, the Training Manager or delegate will ensure that the recommendations are implemented within 21 days.

### **The Disputes Settlement Centre of Victoria.**

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#### **Dispute Settlement Centre of Victoria**

4/456 Lonsdale Street

Melbourne Vic 3000

Telephone: 1300 372 888

Email: [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)

#### **Where More Than 60 Calendar Days Are Required**

In the event that FYI Training considers that more than 60 calendar days are required to process an academic or non-academic complaint or appeal, FYI Training will inform the complainant or appellant in writing and will outline the reasons as to why this amount of time is required.

Until the complaint or appeal has been finalised, FYI Training will keep in regular contact with the complainant or appellant via writing to keep them informed on how the matter is progressing.