



B3.0-WP002 Grievances, Complaints and Appeals Procedure FE

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Student Operations

B3.0-WP002

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1 Introduction

1.1 Purpose

This procedure provides clear and practical guidelines to ensure that grievances, complaints and appeals received about the RTO, about and from students, trainers, staff and/or third parties can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

1.2 Scope

The procedures differ depending on whether we have received a grievance, complaint or appeal request. It is important that the teams follow the correct procedure for each scenario.

1.3 Definitions and Acronyms

Key terms and acronyms used throughout the policy and the procedure include:

Term	Definition
Academic grievances	Academic grievances refer to disagreement about an assessment outcome, the marking process, any training and assessment processes.
Appeal	Appeal - is where a student or staff member or stakeholder or another interested party disputes a decision arising from a complaint, an assessment decision, or another decision made by the RTO.
Complaint	Complaint - is any expression of dissatisfaction with an action or service of the Registered Training Organisation.
Grievance	Grievance - an official statement of a complaint over something believed to be wrong or unfair.
Mediation	Mediation - intervention in a dispute in order to overturn or resolve the original complaint or grievance outcome..
Natural Justice	Natural Justice - principles, procedures, or treatment felt instinctively to be morally right and fair.
Non-academic grievances	Non-academic grievances refer to issues such as harassment, discrimination, related to course fees or payments, the enrolment process.
Person	Person – is the ‘someone’ making the complaint (complainant or appellant) and can be a young person/child and their families, an individual, a group or an entity/organisation.
Third Party	Third Party – A party who is involved in a business agreement and plays a minor role in achieving organisational objectives.
RTO	Registered Training Organisation

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2 Procedure (Grievance)

Should a **person** have a grievance, the following steps are to be followed:

1. Academic grievances are to be raised to relevant faculty, on 1300 130 157 and follow the prompts to the Education Team.
2. Non-academic grievances relating to third parties, service issues, financial and any other non-academic issues are to be raised to the Student Services Department, on 1300 130 157 and follow the prompts to the Student Services Team.
3. Discuss the issue directly with those involved and try to and resolve it informally.
4. If no resolution is reached using the informal means, your request is to be put in writing and sent via e-mail directly to your relevant faculty or the Student Services Department who will consider your grievance and will revert back to you;
 - a. Contact details for Faculty and Student Services:
 - i. Student.Services@foundationeducation.edu.au
 - ii. Dental.support@foundationeducation.edu.au
 - iii. Health.support@foundationeducation.edu.au
 - iv. Business.support@foundationeducation.edu.au
 - v. Childcare.support@foundationeducation.edu.au
 - b. For all Third Parties with a current agreement in place with Foundation Education to contact the relevant Schools Consultant and/or email the following:
 - i. School Representatives to contact:
programsFE@foundationeducation.edu.au
 - c. For all Traineeship related grievances are to be raised to:
 - i. Trainees@foundationeducation.edu.au
5. If this resolves the situation the outcomes will be put in writing. A copy of the outcome will be placed on your student file by the appropriate Faculty or Student Services representative and securely stored.

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3 Procedure (Complaint)

Should a **person** have a complaint, the following steps are to be followed:

1. If there is still no resolution the **person** should provide a formal **written notification** of the complaint to the Student Resolutions Team at student.resolutions@foundationeducation.edu.au. This **written notification** can be made using the Complaints and Appeals form, by email or by letter and must include:
 - A description of the complaint.
 - A statement about whether the **person** wishes to formally present their case.
 - Information about any prior steps taken to deal with the initial grievance.
 - State the preferred outcome of the complaint.
 - Access the Complaints and Appeals form in Appendix 1 of this policy.
2. A written acknowledgement of receipt of the complaint will be forwarded to the student within 48 hours (2) working days.
3. Within two (2) working days from receipt of written notification the Student Resolutions Team will commence an unbiased investigation into the matter. A response/resolution will be presented to the **person** within 10 working days.
4. The Student Resolutions Team will:
 - Undertake a preliminary enquiry to determine nature of the complaint.
 - Inform other relevant parties (if necessary).
 - Provide all parties an opportunity to present their case (with a support **person** and/or parent/guardian if a student is under 18 years of age).
 - Discuss with the parties any resolution and any arrangements required by the RTO.
 - Record the outcome of discussion securely and confidentially within the RTO's Student Management System.
 - Provide the outcome of the discussion in writing to the **person** (and other parties if relevant) within ten (10) working days.
 - All parties involved will receive a written statement of the outcome/s including reason/s for the decision within the ten (10) working day period. If the process is taking longer than 60 days from the **written notification** being received, the **person** will be notified in writing of the reason for the delay and kept informed of all progress.

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4 Procedure (Appeal)

Should the issue still not be resolved to the **person's** satisfaction and wishes to appeal the decision, will be sent to the Student Experience Manager for further review and response.

The Student Experience Manager will:

- Review the findings of the Student Resolutions Team to determine nature of the appeal.
- Inform other relevant parties (if necessary).
- Provide all parties an opportunity to present their case (with a support **person** and/or parent/guardian if a student is under 18 years of age).
- Discuss with the parties any resolution and any arrangements required by the RTO.
- Record the outcome of discussion securely and confidentially within the RTO's Student Management System.
- Provide the outcome in writing to the **person** (and other parties if relevant) within ten (10) working days.
- All parties involved will receive a written statement of the outcome/s including reason/s for the decision within the ten (10) working day period. If the process is taking longer than 60 days from the **written notification** being received, the **person** will be notified in writing of the reason for the delay and kept informed of all progress.

5 Mediation

Should the internal appeal not be satisfactory, a written request is to be sent to the Chief Executive Officer of Foundation Education to make arrangements for mediation through an independent party to resolve the issue. The **person** will be given the opportunity to formally present their case. The cost of this process will be shared between the parties. The time frame for this process may vary depending on information provided and the context of the situation but should take no longer than ten (10) working days.

- a. The independent party has the power to affirm, vary or set aside the decision taken by Foundation Education.
- b. A request for review by the independent party needs to be received within 28 days of receipt of the outcome from the Foundation Education.
- c. All parties involved will receive a written statement of the outcomes, including reasons for the decision within a reasonable time frame as indicated by the mediator.

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6 Tribunal and Ombudsman

If the **person** is dissatisfied with the decision made in the appeal from the internal independent process and all internal mechanisms have been exhausted, the next step is for the **person** to engage in communication with the relevant Civil and Administrative Tribunal or Ombudsman or as appropriate per state:

6.1 Civil or Administrative Tribunal

- QLD – QCAT - <https://www.qcat.qld.gov.au/>
- NSW – NCAT - <https://www.ncat.nsw.gov.au/>
- ACT – ACAT - <https://www.acat.act.gov.au/>
- SA – SACAT - <http://www.sacat.sa.gov.au/>
- VIC – VCAT - <https://www.vcat.vic.gov.au/>
- WA – SAT - <https://www.sat.justice.wa.gov.au/>
- NT – NTCAT - <https://ntcat.nt.gov.au/#>
- TAS - <https://tascat.tas.gov.au/>

6.2 Ombudsman

- QLD – <https://trainingombudsman.qld.gov.au/>
- NSW – <https://www.ombo.nsw.gov.au/>
- ACT – www.ombudsman.act.gov.au
- SA – <https://www.ombudsman.sa.gov.au/>
- VIC – <https://www.ombudsman.vic.gov.au/>
- WA – <http://www.ombudsman.wa.gov.au/>
- NT – <http://www.ombudsman.nt.gov.au/>
- TAS – <https://www.ombudsman.tas.gov.au/>

7 Continuous Improvement

From any substantiated grievances, complaints and appeals, the causes will be reviewed as part of the RTO's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded on the Continuous Quality Improvement Register.

Any grievance, complaint or appeal that is related to illegal or fraudulent activity will be immediately referred to the appropriate authority.

All documentation relating to grievances, complaints or appeals will be stored securely and confidentially on our internal student management system.

The Student Experience Manager will be personally responsible for the implementation and maintenance of this policy.

A copy of this procedure is available to the public, all stakeholders, students and staff via the Foundation Education website and is also available in the Student Handbook. Information and contact details of external authorities who may be approached is included.

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