

Complaints and Appeals Policy and Procedure



Distribution	All Staff and Students
Skills First References	2024-25 Standard VET Funding Contract Skills First Program
Skills First Quality Charter Principles	Quality Charter Principle 6
ASQA References	Standards for NVR Registered Training Organisations 2025 Standards 2.7, 2.8
Legislative Context	Human Rights and Equal Opportunity Commission Act 1986 (Cth) Equal Opportunity Act 1995 (Vic) Privacy Act 1988 Privacy and Data Protection Act 2014 Age Discrimination Act 2004 (Cth) Disability Discrimination Act 1992 (Cth) Human Rights and Equal Opportunity Commission Act 1986 (Cth) Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth). Workplace Relations Act 1996 (Cth) Equal Opportunity Act 1995 (Vic) Occupational Health and Safety Act 2004 (Vic) AS/NZS 10002:2022
Related Documents	Student Handbook Complaints and Appeals Form Support Person Fact Sheet – Student Support Person Guide for Staff

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1. Policy

This Complaints and Appeals Policy and related procedure are designed to ensure that we effectively address individual cases of dissatisfaction. This policy outlines our approach to managing complaints and appeals and ensures that all clients, students, staff and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient, transparent and confidential manner.

VFA Learning is committed to providing its clients with a complaints and grievance process that is transparent, fair and easily accessed and that enables a student or other key stakeholder to transparently progress a grievance and/or a complaint. A grievance and/or complaint may be in relation to an academic or a non-academic matter.

2. Purpose

The intent of this policy and procedure is to provide clear and practical guidelines to ensure that any complaint or appeal against a decision can be resolved in accordance with the principles of natural justice, equitably and efficiency.

3. Scope

This policy applies to all students, including prospective, current and completed students, staff and contractors. This policy will not apply where other specific policies or procedures existing to deal with the matter, e.g., Misconduct, unsatisfactory performance or lack of academic progress.

4. Definitions

Academic Concern which is a concern about academic matters, academic situation or academic process provided by VFA Learning which the student brings to the attention of VFA Learning in an informal way, that is, it is spoken about, not written. Examples include, but are not limited to matters related to:

- Academic progress decisions;
- Attendance procedures, where relevant;
- Application for credit transfer or recognition of prior learning (RPL);
- Assessment issues;
- A decision of a member of academic staff that affects an individual student or a group of students;
- Content or structure of education and training programs or quality of teaching;
- Supervision of a Practical Placement; and
- Issues related to authorship or intellectual property.

Appeals arise when a student is not satisfied with the decision made as a result of the complaint.

Appellant is a person lodging an appeal to the outcome of a complaint or grievance.

Complaint is a written or verbal notification of dissatisfaction with any part of the services provided by VFA Learning. Complaints arise when a student is not satisfied with any aspect of VFA Learning for example:

- The procedures;
- The quality of a product or service provided by VFA Learning;
- The trainers, staff or other students.

In line with the Commonwealth Ombudsman a complaint is “an implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required. This definition is

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broader than, but consistent with, the definition in Australian and New Zealand Standard Guidelines for complaint management in organisations AS/NZS 10002:2022. It includes dissatisfaction with an agency or its contracto's:

- Customer services
- Actions of decisions
- Inaction or delay
- Policy and processes.

Complainant is a person lodging a complaint or grievance. Complainant may also decide to remain anonymous.

External Appeal is an appeal to an external agency against a final decision of the college.

Final Decision is a decision made by the member of staff authorised by the CEO to make that decision and communicated to the complainant in writing when all Internal appeal avenues within VFA Learning's policy and procedures have been exhausted.

Grievance is a complaint of a behavior or action which has or is likely to have an unreasonable negative impact on the student in relation to their studies.

Internal Appeal is an appeal against a decision where the appeal is brought under Stirling Institute policies or where there is a process for appeal within VFA Learning's policies and procedures

Non- Academic Concern which is a concern about non-academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by VFA Learning which the student brings to the attention of VFA Learning in an informal way, that is, it is spoken about, not written down. Examples include, but are not limited to matters related to:

- Provision of student support services such as those associated with the application and enrolment process, and amenities;
- Suspension or cancellation of enrolment for non-academic matters;
- Use or misuse of personal information that the provider holds in relation to the student;
- Grievances about financial matters, fines and payments;
- Exclusions from events and facilities;
- Job placement assistance;
- Perceived discrimination;
- Unfairness and injustice;
- Bullying;
- Sexual harassment; and
- Other forms of harassment.

Respondent is a person responding to a complaint or an appeal

Support Person is an individual who accompanies a student to meetings scheduled with a VFA Learning staff member or placement provider, providing emotional support and assistance throughout the process.

5. Requirements, Process & Procedures

VFA Learning's Complaints and Appeals Policy and Procedure applies to all complaints, grievances and appeals managed by VFA Learning, either informally or formally.

There are four (4) steps in the VFA Learning's Complaints and Appeals Policy & Procedure:

- **Step 1:** Informal Complaint/Discussion

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- **Step 2:** Formal Complaint
- **Step 3:** Internal Appeal
- **Step 4:** External Appeal.

All students or potential students can access each phase independently at any time without having to go through the sequential numbered order phase 1 to 4. However, it is strongly recommended that each phase of the policy is completed before escalating to the next phase.

Confidentiality must be maintained at all times as it relates to those involved in the complaint process, except where there is a concern for the safety of the individual or others or Stirling Institute is legally required to pass information to relevant authorities. Students can decide to remain anonymous when accessing the complaint process.

Step 1: Informal Complaint/Discussion

Prior to initiating a formal complaint process, the parties involved will attempt to resolve concerns directly where possible. It is expected that many concerns can be resolved in this manner and students are encouraged to raise concerns directly with their trainer, particularly where the concerns are adversely affecting the learning environment.

Informal complaints are usually minor disputes or difficulties that (in most cases) could reasonably be expected to be resolved without an independent assessment or assistance. These are defined by VFA Learning as a grievance.

- The student will be encouraged to resolve the problem directly with their trainer or homeroom trainer. Students will be made aware of whom their homeroom trainer is at the start of the course as well as the homeroom trainer's responsibilities.
- All complaints need to be taken seriously by the homeroom trainer/ trainer. Remember that all individuals think differently and have varying levels of sensitivity and values.
- If the trainer/homeroom trainer feels that the issue is above their understanding, skill set or outside their comfort zone they will need to involve the Student Journey Co-ordinator or Department Head.
- It is important the trainer/ homeroom trainer establishes a timeline in relation to when a decision/ action will be taken in relation to the complaint.
- The length of time to remedy an issue will often vary depending upon the issue. However, all staff need to attempt to resolve issues as quickly as possible to prevent the complaint from escalating.
- The complaint, although informal, must be documented (e.g., a File Note in the student's file) by the trainer / homeroom trainer and added to the Complaints Register. Where applicable, the details of the complaint might also be added to the VFA Learning Continuous Improvement Register.
- If the issue is more serious, the complaint may go straight to Stage 2.
- At all times, the complainant is encouraged to resolve the problem directly between the complainant and the appellant. Homeroom trainers have been designated to the class to provide pastoral care and students are encouraged to use them for support. Most issues can be remedied at this level.

Step 2: Formal Complaint

Stage one

Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged in writing using the Complaints and Appeals Form. The form is available on the VFA Learning Website and is available upon request and records the following information:

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- Complainant's full name and contact details
- Details of the complaint
- The complainant's desired outcome
- Reasons outlining the escalation to a formal process
- If the complaint relates to another party, that party's full name and position

The completed form can be emailed to privacy@vflearning.vic.edu.au or mailed directly to VFA Learning – 78 Yarra Street, Geelong VIC 3220.

Complaints can also be received without a completed form via email or a letter providing the authenticity of the written correspondence can be verified.

The Data, Quality and Compliance Manager or appointed delegate will:

- Acknowledge receipt of all complaints in writing within 2 business days. The acknowledgement outlines the anticipated review period.
- Notify the CEO of the complaint
- Commence the investigation into the complaint
- Record details of the complaint in the Complaint and Appeals Register

Under the guidance of the Operations Manager, the investigation process will commence no later than 5 business days after submission and including the following:

- Assess the complaint
- Speak with the complainant and where applicable the respondent
- Discuss the complaint with any staff members involved or named in the complaint
- Offer to arrange conciliation and mediation where applicable
- Determine the outcome, and advise the Complainant in writing of their decision, including the reasons for the decision within 10 business days.

If more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be advised in writing, outlining reasons why more than 60 calendar days are required, and provide regular updates on the progress of the matter.

Step Three – Internal Appeal

If the complainant is not satisfied with the outcome of Stage One, the complainant may lodge an appeal in writing to the Operations Manager.

Where the complaint directly involves the Operations Manager, the CEO will appoint a suitable, independent person (internal or external) to assess the complaint and determine the outcome.

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The Operations Manager or suitable independent person will conduct all necessary consultations with the Appellant and other relevant persons and make a decision within 10 business days. The complainant will be advised in writing of the outcome, including the reasons for the decision, within 10 business days thereafter.

During this stage of the procedure, each party has the option to be accompanied or assisted by another person, at that party's cost and the Appellant will be advised of their right to progress to Step Four of the complaints' procedure if they consider the matter unresolved.

Step Four – External Appeal

Where the complainant is dissatisfied with the outcome of the internal review they can appeal and request a review of the decision from an independent external third party at their own cost. Appeals or requests for independent third-party review of decisions are to be lodged in writing within 20 business days of the appeal decision. Requests for appeal or review of decisions are referred to an independent third party or external mediator, determined by the CEO.

VFA Learning will acknowledge receipt of the request for independent third-party review in writing. The acknowledgement outlines the anticipated review period and the independent review officer. The review process and review officer are recorded in the Complaints and Appeals Register and discloses any costs associated with a third-party review, so all parties are aware of any costs they may incur. The independent review officer makes a decision to VFA Learning and the complainant. Decisions or outcomes of the appeal or review process that find in the favour of the appellant are implemented immediately and the CEO, Operations Manager and Data, Quality and Compliance Manager are notified of any actions to be implemented. All documentation is securely filed, and the outcome and continuous improvement action noted in the Complaints and Appeals Register.

Use of Support Person

Students have the right to bring a support person along to any meetings regarding their course progress, disciplinary action or during the complaints and appeals process.

A fact sheet outlining the purpose and role of the support person is available to all students and information is included in the Student Handbook.

A guide is also available for VFA Learning staff.

A support person is able to provide support to the student and seek clarification but they are not permitted to speak on behalf of the student.

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National Training Complaints Hotline

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint.

Consumers can register a complaint with the National Training Complaints Hotline by:

Phone: 13 38 73 select Option 4, Monday–Friday, 8am to 6pm nationally.

Email: ntch@education.gov.au

Australian Skills Quality Authority (ASQA)

If any student (complainant) is not satisfied with the outcome of the formal complaint and appeal process they can escalate the complaint to ASQA at:

Web: <https://asqa.gov.au>

Email: enquiries@asqa.gov.au

Call: ASQA info line on 1300 701 801

If students have concerns regarding services and/or business practices of training providers they can make a tipoff report using the tip-off function within ASQA's website (Make a Report).

Address: The Australian Skills Quality Authority: GPO Box 9928, Brisbane. QLD. 4001

6. Responsibility

The Data, Quality and Compliance Manager is responsible for effective implementation and management of this policy as well as provision of information on ways to resolve complaints of breaches of this policy.

VFA Learning's CEO has the overall responsibility for final approval and review of this policy.

Any complaints or breaches in relation to this policy should be reported to the Data, Quality and Compliance Manager in person or by email to: privacy@vfalearning.vic.edu.au

7. Review Date

12 months from the date of this version, or as required.

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8. Major Version History

Version Number	Date	Reason for change	Prepared By	Approved By
1	2014	Newly created policy	Linda S (Compliance Manager)	Glenn Hanegraaf (Director)
2	2015	See version control register	Linda S (Compliance Manager)	Glenn Hanegraaf (Director)
3	2016	See version control register	Linda S (Compliance Manager)	Glenn Hanegraaf (Director)
4	03.2017	See version control register	Cheryl W (Compliance Manager)	Glenn Hanegraaf (Director)
5	05.2018	See version control register	Cheryl W (Compliance Manager)	Glenn Hanegraaf (Director)
6	13.6.2019	Update formatting and addition of 'privacy' e-mail address	Angie Morgan (Head of Compliance)	Glenn Hanegraaf (Director)
7	1.10.2020	Wording and formatting updated to ensure efficacy of use and ability for staff to use and follow	Angie Morgan (Head of Compliance)	Glenn Hanegraaf (Director)
8	21.2.2021	Minor formatting changes.	Pierrin Vogeli (Compliance Manager)	Emily Sicura (General Manager)
9	10.3.2022	Changes to contract reference	Pierrin Vogeli (Compliance Manager)	Emily Sicura (General Manager)
10	13.12.2023	Updated to reflect 2024-2025 Skills First Contract.	Miranda Biamis (National Compliance Manager)	Emily Sicura (General Manager)
11	20.4.2024	Changed logo to remove CRICOS registration number.	Nicola Weber (Quality and Compliance Leader)	Emily Sicura (General Manager)
12	1.7.2025	Significant changes to formatting, keeping all of the same information included. Addition of terms to definition section. Addition of National Training Complaints Hotline and ASQA contact details. Change of staff position titles, change of reference for revised Standards for RTOs 2025	Nicola Weber (Data, Quality and Compliance Manager)	Rathini Sonnadara (CEO)
13	11.08.2025	Addition of Support Person sub heading, definition and reference to forms	Nicola Weber (Data, Quality and Compliance Manager)	Rathini Sonnadara (CEO)