



SYDNEY FILM SCHOOL

Name	Complaints and Appeals		
What is the purpose of this policy?	<p>To outline Sydney Film School's (SFS) mechanisms for dealing with student or staff complaints and appeals.</p> <p>This policy is designed to manage and respond to allegations about the conduct of SFS, its trainers, assessors and other staff members, its students and any other third party providing services on behalf of SFS including agents.</p>		
Version	#6	Next review	July 2017
What law applies?	<p>The RTO Standards 2015: Standard 6.</p> <p>The National Code 2007 (ESOS): Standard 8.</p>		
Who is affected by this policy?	Who has rights?		Who has responsibilities?
	<p>Staff</p> <p>Trainers</p> <p>Students</p>		<p>Director of Education</p> <p>Artistic Director</p> <p>Executive Chairman</p>

Policy

SFS has an internal complaint handling and appeals process that satisfies the following requirements:

- a) a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept;
- b) each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself;
- c) each party may be accompanied and assisted by a support person at any relevant meetings;
- d) the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome;
- e) the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable;
- f) where more than 60 calendar days are required to process a complaint or appeal, the complainant or appellant will be notified in writing of the reasons for delay and will be regularly updated in writing of the complaint or appeal process;
- g) arrangements in place for a person or body independent of and external to SFS to

hear complaints or appeals arising from SFS's internal complaints and appeals process or refer complainants to an existing body where that body is appropriate for the complaint or appeal.

Definition of a Complaint

A complaint can be defined as a person's expression of dissatisfaction with any aspect of SFS' services and activities, or services and activities provided by a third party on SFS' behalf, including both academic and non-academic matters.

Complaints of an academic nature include matters relating to:

- course progress, assessment (including appeals against assessment decisions), curriculum and awards in a VET course of study;
- the enrolment, induction/orientation and withdrawal process;
- deferral, suspension or cancellation of enrolment decisions made by SFS;
- the quality of education provided.

Complaints of a non-academic nature cover all other matters, including complaints in relation to:

- handling of personal information and access to personal records;
- the way someone has been treated.

Definition of an Appeal

Where a person is not satisfied with the decision made by SFS in dealing with their complaint, they may appeal SFS' decision.

Process Outcome

If the complainant is not satisfied with the result or conduct of the internal complaint handling and appeals process, SFS must advise the complainant of his or her right to access the external appeals process at minimal or no cost.

If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, SFS must immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome.

Enrolment/Employment Status

If a student chooses to access this policy, SFS will not terminate the student's enrolment while the complaint and appeals process is ongoing.

Similarly, if a staff member chooses to access this policy, SFS will not terminate the staff members' employment while the complaints and appeals process is ongoing.

Procedure

Stage 1 – Informal Complaints:

- In the first instance, SFS encourages the complainant to attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- Complainants should directly talk to the person with whom they have the issue or someone else to whom they feel comfortable talking with.
- No formal complaint record is kept of the resolution of these informal matters.
- If the matter cannot be resolved through mediation, the matter will be referred to Stage 2 of the Complaints procedure.

Stage 2 – Lodging a Formal Complaint or Requesting an Assessment Appeal:

- Formal complaints and assessment appeals must be submitted in writing to the Director of Education (email: kmilliss@sydneyfilmschool.com) who will acknowledge receipt of the complaint or assessment appeal in writing to the complainant.
- The Director of Education will then arrange a Dispute Resolution meeting with the complainant to clarify details of the complaint or assessment appeal and the outcome that the complainant hopes to achieve. The Director of Education will inform the complainant that they have the right to be accompanied and assisted by a support person at this meeting.
- The Director of Education will then endeavour to resolve the complaint or assessment appeal and provide a written report to the complainant on the steps taken to address the complaint or assessment appeal, within ten working days.
- Where more than 60 working days are required to process a complaint or assessment appeal, the Director of Education will notify the complainant in writing of the reasons for the need for more than 60 days and will regularly update them of the progress. The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal complaint or assessment appeal.
- All complaints or assessment appeals and outcomes, along with any supporting material, will be recorded in the *Complaints & Appeals Register* by the Director of Education.

Stage 3 – Requesting an Internal Appeal:

- If a complainant is dissatisfied with the outcome of their complaint or assessment appeal they may lodge an appeal in writing with the Artistic Director (bferris@sydneyfilmschool.com) who will acknowledge receipt of the complaint in writing to the complainant.
- The Artistic Director will then arrange an Appeals meeting with the appellant to clarify details of the initial complaint and appeal and the outcome that the appellant hopes to achieve. The Artistic Director will inform the appellant that they have the right to be accompanied and assisted by a support person at this meeting.
- The Artistic Director will then endeavour to resolve the appeal and provide a written report to the appellant on the steps taken to address the initial complaint, within ten working days. Where more than 60 working days are required to process an appeal, the Artistic Director will advise the appellant in writing for the reasons

and will regularly update them of the progress. The report will further advise the appellant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.

- All appeals and outcomes, along with any supporting material, will be recorded in the *Complaints & Appeals Register* by the Artistic Director.

Stage 4 – Requesting an Appeal to External Mediator:

If the complainant is dissatisfied with the conduct or result of the internal SFS' complaints procedure, they may seek independent mediation through an external provider.

The purpose of the external appeals process is to consider whether SFS has followed its complaints and appeals procedure, not to make a decision in substitution of the SFS' decision.

It is in the best interests of a complainant to notify SFS if the complainant is going to seek independent mediation through an external provider.

The external provider SFS nominates in respect of independent mediation sought by international students is:

OVERSEAS STUDENT OMBUDSMAN (OSO)

Phone: 1300 362 072

Website: www.oso.gov.au

The OSO provides services free of charge on request.

The external provider SFS nominates for all other complaints is:

LEADR

Freecall: 1800 651 650

Website: www.leadriama.org

LEADR provides students a referral to a mediator who will charge for their services. There is a fixed fee for the first four hours and thereafter an hourly rate applies. The cost of the mediator will be shared equally by SFS and the complainant.

Stage 5 – Action After Referral to External Provider

SFS will participate in any mediation and will abide by the outcome of the mediation and implement any recommended or agreed outcomes within 30 days.

Continuous Improvement

In accordance SFS' *Continuous Improvement Policy and Procedure*, all complaints and appeals will also be recorded in SFS' Continuous Improvement Register to enable SFS to use the complaints and appeals for the purpose of reflecting on SFS' practices and the continuous improvement of its services.

Version Control

Approved by	Version #	Date
Management Committee	3	24 October 2009
Policy and Procedure Committee	4	26 March 2015
Education Operations Interface	5	1 July 2015
Policy and Procedure Committee	6	19 April 2016