



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	#8	Next review	Feb 2019
What law applies?	<p>The RTO Standards 2015: Standard 6.</p> <p>The National Code 2018 (ESOS): Standard 10.</p>		
Who is affected by this policy?	Who has rights?	Who has responsibilities?	
	<p>Staff</p> <p>Trainers</p> <p>Students</p>	<p>Director</p> <p>Head of Film</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 are 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.

A complaint of an academic nature can 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 will 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

The principles of natural justice and procedural fairness and transparency are adopted at every stage.

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 required to be kept of the resolution of these informal matters, however informal records (e.g. file notes) may be kept for future reference by SFS staff.
- If the issue cannot be resolved through an informal process, the complainant will have 20 working days to lodge a formal complaint/assessment appeal as outlined in 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 Head of Film (email: mmclennan@sydneyfilmschool.com) who will acknowledge receipt of the complaint or assessment appeal in writing to the complainant.
- The Head of Film 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 Head of Film will inform the complainant that they have the right to be accompanied and assisted by a support person at this meeting.
- The Head of Film 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 Head of Film 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 (as outlined in Stage 4 below) 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 Head of Film.

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 SFS Director (bferris@sydneyfilmschool.com) who will acknowledge receipt of the complaint in writing to the complainant.
- The SFS 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 SFS Director will inform the appellant that they have the right to be accompanied and assisted by a support person at this meeting.

- The SFS 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 SFS 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 (as outlined in Stage 4 below) 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 SFS Director.

Stage 4 – Requesting an External Complaints Body:

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:

The Resolution Institute

Freecall: 1800 651 650

Website: www.resolution.institute

Resolution Institute 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.

Where the complainant is an overseas student, SFS will not report the student through PRISMS for unsatisfactory course progress until the decision or recommendation supports SFS.

Stage 5 – Action After Referral to External Provider

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

Outcomes

Outcomes are recorded in the Complaints and Appeals Register, and referred to the

Course Improvement Committee for consideration of continuous improvement.

Where the complainant is an overseas student, SFS will only report the student for unsatisfactory course progress in PRISMS after:

- the internal and external complaints processes have been completed and the breach has been upheld;
- the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period;
- the overseas student has chosen not to access the external complaints and appeals process; or
- the overseas student withdraws from the internal or external appeals process, by notifying SFS in writing.

If the complainant is not satisfied with the outcome of either SFS' internal appeals process or the external appeals process, they can access multiple external appeals. However, SFS does not have to assist the complainant with finding further appropriate appeals processes.

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
Senior Management Meeting	7	22 September 2017
Senior Management Meeting	8	4 September 2018