



## COMPLAINTS AND APPEALS (STUDENT) POLICY

<b>Date Approved:</b>	29 September 2022
<b>Date Effective:</b>	29 September 2022
<b>Policy Category:</b>	Student Support
<b>Policy Owner:</b>	National Manager – Project Operations and Student Support

### 1. Context, Purpose & Key Principles

SEDA Group Pty Ltd (“SEDA”) has been established for the purpose of providing education for young people, consistent with the educational philosophy of the owners who established the company. That philosophy is founded on a belief that an applied and experiential teaching pedagogy is an effective means for students to be engaged in their education and to learn, and this philosophy is reflected in the strategies of SEDA, and the education programs it has developed.

This policy pertains to the management of student complaints and appeals by providing guidance to the procedure to be followed and ensuring that the concern raised is addressed using the appropriate channels to facilitate an equitable, confidential, and prompt resolution. This policy is freely available to Students and past Students.

### 2. Scope

This policy applies to:

- All domestic Students enrolled within a Vocational and Educational (VET) course of study or VET in Schools (VETiS);
- All prospective domestic Students (up to 6 months from the issue arising - non-academic matters only); and
- All former domestic Students of SEDA (up to 12 months after enrolment has ceased).

This policy does not apply to complaints within SEDA relating to alleged discrimination, harassment, bullying or victimisation; refer to **Discrimination, Harassment and Bullying Policy**.

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 1 of 7</i>



### 3. Policy Statement

SEDA is committed to providing high quality education and a high-quality education experience for Students. This includes having a process to enable Student concerns and complaints to be addressed in an effective, timely and fair manner.

SEDA considers it important to be made aware of all complaints and appeals from members of the SEDA community. SEDA aims to respond to complaints and appeals in a fair and equitable manner and to resolve the complaint to the satisfaction of all parties. This Policy is in place to deal with both academic and non-academic complaints and appeals and to guide the actions taken by all parties. This Policy will be published on SEDA's website and MySEDA for the information of current and prospective Students.

In addition, this Policy will be provided to students at course commencement. The National Manager, Training and Compliance is responsible for the training of academic and support staff in the application of the Policy.

### 4. Record Keeping and Confidentiality

Records of all complaints and appeals and their outcomes will be kept strictly confidential and filed in a separate file (not Student or staff files). All related correspondence, both internally and externally, will be maintained in the file and stored in the office of the General Manager (Training Operations). Each file is to be held by SEDA for a minimum period of five years after the Claimant's final dealings with SEDA on the complaint or appeal. The minimum five-year retention provision also applies where the complaint is dealt with externally, with the retention period commencing at the conclusion of the external reviewer's involvement with the complaint. Informal complaint records are not recorded.

Confidentiality is always observed, with records of all complaints, applications for review and the outcomes only available to the parties involved in the complaint under supervised access upon written request to the General Manager (Training Operations). For further information on Confidentiality and Privacy refer to the Privacy Policy.

### 5. Academic and Non-Academic matters

**Academic matters** relate to Student academic progress, assessment, curriculum, quality of course delivery, academic achievement in a course and awards in a course. Without limitation, examples include:

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 2 of 7</i>



- An assessment or grading decision (e.g., failure of an assessment piece or subject);
- Exclusion from study or continual enrolment;
- Results of credit transfer or RPL applications; or
- Findings of allegations of academic student misconduct (e.g., plagiarism or cheating).

**Non-academic matters** do NOT relate to academic decisions or course related matters, but without limitation, can include:

- Breach of personal information;
- Unfair treatment;
- Behavioural issues;
- Concerns about campus facilities, environment, health and safety or equipment;
- Breaches of personal information by SEDA relating to information obtained by SEDA for the purposes of VET Student Loan (VSL) assistance and repayments;
- Financial matters; or
- Operational and administrative decisions.

## 6. Assurances

During all stages of the complaints and appeals process, SEDA will take all steps necessary to ensure that the Claimant will not suffer any disadvantage, victimisation, or discrimination as a result of raising a complaint.

SEDA will maintain confidentiality and only disclose complaint information to those who are legitimately involved in the process of resolving the complaint.

Negotiated solutions will aim to address the key issues and be acceptable to all individuals or parties involved without ascribing blame, victimisation, or discrimination.

This Policy does not replace or modify policies or any other responsibilities that may arise under other SEDA policies or under statute or natural justice. Neither this Policy nor the availability of complaint and appeals processes remove the right of the student to act under Australia's consumer protection laws or the right to pursue other legal courses of action.

## 7. Feedback

Feedback about academic matters or courses offered by SEDA is encouraged and provides SEDA with an opportunity for continuous improvement. This is not viewed as a complaint, unless specific action is requested in the form of a concern raised. The forum for such feedback is via the Course Evaluation survey or via email to [feedback@sedagroup.com.au](mailto:feedback@sedagroup.com.au)

## 8. Stages of Complaint Process

The following steps identify the four key stages through which a Complaint may be processed. SEDA provides the following steps to allow the complaint to be formalised. The Claimant has

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 3 of 7</i>



the right to be heard on the matter of the complaint at any stage and may be accompanied by a nominated support person at their own cost when meeting with SEDA to discuss their particular Complaint.

### Stage 1 – Informal Resolution Process

Claimants are encouraged to attempt to resolve the complaint informally and amicably at an early stage. This can be done through speaking directly with the person with whom the grievance has arisen or with a member of the academic staff to flag their concerns and ask for direction or guidance with an aim to resolving the concern and obtaining a positive outcome for all concerned.

### Stage 2 – Formal Resolution Process

A Student may lodge a formal Complaint, to raise a matter for the first time, or if a matter cannot be resolved informally. The formal Complaint process begins when a Student lodges a Complaint in writing directly with the National Manager, Project Operations and Student Support via [complaints@sedagroup.com.au](mailto:complaints@sedagroup.com.au). The Complaint should outline the details of the Complaint and attach any relevant supportive documentation.

All formal complaints MUST be lodged individually even if the grievance giving rise to the Complaint is held by more than one Student.

Each Claimant's circumstances are different and as such will be reviewed with the best interests of the individual in mind. As SEDA is committed to quality educational outcomes and excellent student experiences, procedural fairness and continuous improvement, anonymous complaints will not be accepted.

Students under the age of 18 years may have their parent or guardian lodge their complaint and act on their behalf. Written complaints will be acknowledged within seven (7) calendar days of lodgement.

The National Manager, Project Operations and Student Support must consider and decide the Complaint in a timely manner and in doing so, may exercise their discretion as to how to deal with the Complaint so that the matter is addressed and decided in a fair manner. Without limitation, this may include:

- Establishing a timeframe within which to obtain information or further information from the parties.
- Deciding whether to also hear from the parties in person (or via suitable electronic means).
- Facilitating a meeting of the parties in an attempt to resolve the matter via conciliation, to the satisfaction of the parties; or
- Establishing a timeframe within which a decision will be made if the matter cannot be resolved via conciliation.

A decision on the outcome of a Complaint by the National Manager, Project Operations and Student Support must be provided to the parties in writing.

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 4 of 7</i>



### Stage 3 - Appealing the Original Decision

A Student who is dissatisfied with the outcome of their Complaint may appeal to the Decision and Review Panel, by lodging an appeal with the National Manager Project Operations and Student Support, within twenty (20) working days of being informed of the decision. The appeal should outline the decision that is being appealed and attach any relevant supportive documentation.

The Decision and Review Panel will comprise three people, selected from, but is not limited to, the list of people below:

- General Manager, Training Operations (GMTO)
- National Training Manager
- National Manager, Quality and Compliance
- Finance Manager
- Student Representative

The GMTO is responsible for the administration of the appeal and convening the Decision and Review Panel. The GMTO may have regard to the nature of the appeal when deciding who will sit on the Decision and Review Panel.

The Decision and Review Panel:

- will consider the matter as a fresh hearing.
- must consider and decide the appeal in a timely manner and in doing so, may exercise their discretion as to how to deal with the appeal process Complaint so that the matter is addressed and decided in a fair manner. Without limitation, this may include:
  - Establishing a timeframe within which to obtain information or further information from the parties.
  - Deciding whether to also hear from the parties in person (or via suitable electronic means).
  - Facilitating a meeting of the parties in an attempt to resolve the matter via conciliation, to the satisfaction of the parties; and
  - Establishing a timeframe within which a decision will be made if the matter cannot be resolved via conciliation but must aim for the matter to be determined or resolved within 60 days of an appeal being lodged.

A decision by the Decision and Review Panel must be provided to the appellant parties in writing.

### Stage 4 - External Independent Review

If not satisfied with a decision of the Decision and Review Panel, the Student may, within 10 days of receipt of the final decision, submit a request in writing to the National Manager, Project Operations and Student Support to progress to Stage 4 and for the matter to be further reviewed by an external reviewer.

If a request is made by a Student, the National Manager, Project Operations and Student Support must advise the Student of the process and details to seek an external review, including the contact details of the local external independent reviewer and the approximate

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 5 of 7</i>

costs of seeking a review. The application for external review must be lodged within 20 working days of receiving a written notice of the decision by the Decision and Review Panel.

A Student may only seek an external review once they have exhausted the internal review and appeal processes under this Policy.

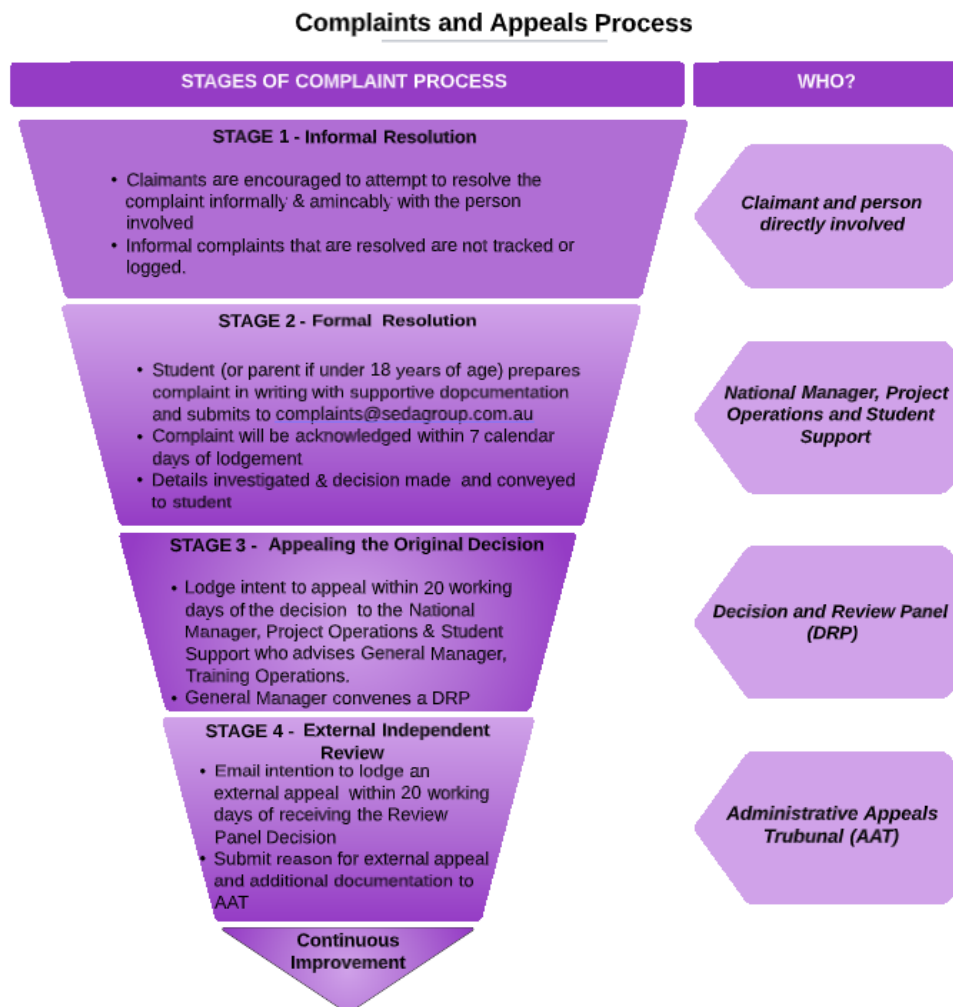
Full details of the application process and the cost of lodging an appeal are available via the AAT Registry’s website: [www.aat.gov.au](http://www.aat.gov.au).

### External Independent Review Decision

SEDA agrees to be bound by the independent external reviewer’s decision and recommendations. The General Manager, Training Operations or delegated nominee will ensure that any recommendations made are implemented within 30 days of receipt of the external reviewer’s report.

### Continuous Improvement

Any improvement action arising from a student complaint or appeal will be recorded in accordance with SEDA’s Continuous Improvement Register. All Complaints and Appeals will be recorded in the Complaints and Appeals Register.



<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 6 of 7</i>

## 9. Definitions

- a. **Claimant** — an individual who has or intends to lodge a formal Complaint or appeal.
- b. **Complaint (Academic)** – a complaint related to a student’s progress, assessment, curriculum, and awards in a Training Product. A complaint is a statement from an individual that they are concerned or not satisfied with a part of their training and assessment.
- c. **Complaint (Non-academic)** – A complaint/grievance that is non-academic in nature. It may be an expression of grievance or dissatisfaction where the Complainant is seeking a resolution or outcome and may include (but is not limited to) the following:
- Unfairness and injustice
  - Student amenities
  - Grievances in relation to enrolment personal information that the RTO holds in relation to the student
  - Dissatisfaction with services provided
  - Financial matters
- d. **Student** – An individual who is enrolled, was enrolled, or is seeking to enroll in a Training Product with SEDA. This also includes a student’s parent or legal guardian if that student was under 18 years of age when enrolled or seeking to enroll with SEDA.
- e. **Training Product** – A qualification, unit of competency, unit of study, skill set, accredited short course or module.
- f. **VET Student Loans** – is an income contingent loan scheme to assist eligible students undertaking certain Vocational Education and Training (VET) courses of study (Diploma, Advanced Diploma, Graduate Certificate and Graduate Diploma course) with an approved VET provider, to pay for all or part of their tuition costs.

Version Number	Date Approved	Effective Date	Owner	Summary of Change(s)
1.0	30 March 2008	30 March 2008	GM	Student Handbook
2.0	06 June 2022	06 June, 2022	NMQC	Removal from Student Handbook to develop standalone Policy which included separate staff and student Complaints and Appeals Policy.
2.1	29 September 2022	29 September 2022	NMPOSS	Insertion of infographic, insertion of procedural fairness, change of ownership of policy

<b>Document Name:</b>	Complaints and Appeals Policy		
<b>Document Owner:</b>	National Manager Project Operations & Student Support	<i>Document control management – Uncontrolled when printed</i>	<i>Page 7 of 7</i>