

## **Draft SV500 Complaints and Internal Appeals Policy**

---

### **1. RATIONALE**

The Friends' School SV500 Complaints and Internal Appeals Policy addresses the obligation of the School to provide SV500 students with the opportunity to address complaints or grievances with the School through a formal appeals process. All students at the School, including SV500 students, have access to a range of support services and staff, who can assist them to resolve grievances in a less formal manner. The School's Grievance Policy also covers all students. Mediation services are available prior to or during the complaints and appeals process.

### **2. SCOPE**

This policy includes the following

- 2.1. SV500 students and parents
- 2.2. Board of Governors
- 2.3. Principal
- 2.4. Deputy Principal
- 2.5. Heads of School (Morris, High School and Clemes)
- 2.6. Director of Residence
- 2.7. K-12 International Student Coordinator
- 2.8. School Psychologists
- 2.9. International Student Coordinator (High School)
- 2.10. Deputy Heads of School (Morris)
- 2.11. Enrolments Manager
- 2.12. All staff as required

### **3. POLICY**

The *SV500 Complaints and Internal Appeals Policy* and process is available to SV500 students and their parents, who feel they have a grievance, which has not been or cannot be resolved by less formal mediation and conflict resolution processes within the School.

- 3.1. It is the School's aim and preference that any grievance be resolved by less formal pastoral care services provided within the School, including mediation.
- 3.2. All SV500 students will be advised of the *SV500 Complaints and Internal Appeals Policy* and their right to access this process as follows:
  - 3.2.1. The Policy, its purpose and process will be explained to students/parents in detail prior to enrolment, as part of the formal offer process, and as part of the International Student Orientation
  - 3.2.2. The policy will be published in the International Student Handbook, which is updated annually
  - 3.2.3. The policy will accompany formal letters of offer and the acceptance contract
  - 3.2.4. The policy will be available to students and parents on the School website
- 3.3. The *SV500 Complaints and Internal Appeals Policy* provides students and parents with the option to lodge a formal complaint and/or formal internal appeal:
  - 3.3.1. About/against a decision made by the School, which directly impacts the student, including but not limited to their well-being, participation in School life, studies, accommodation and welfare arrangements and/or continuing enrolment at the School
  - 3.3.2. About/against a member of the School community

- 3.3.3. About/against any third party working on behalf of, or with the School, including but not limited to education agents, 3<sup>rd</sup> party course providers, homestay hosts or homestay arrangements
- 3.4. The School must advise SV500 students of their right to access the *SV500 Complaints and Internal Appeals Process* and the *SV500 External Appeals Process* concurrent with any of the following:
  - 3.4.1. Advising a student that the School intends to report them for unsatisfactory attendance and/or unsatisfactory course progress
  - 3.4.2. Advising a student that the School will be suspending the student from the school and/or boarding for disciplinary reasons, and is required to report the suspension
  - 3.4.3. Advising a student that the School intends to cancel the student's enrolment for any one of the following reasons (but not limited to):
    - disciplinary reasons
    - unpaid fees
    - not meeting course and/or attendance requirements
- 3.5. The School is not required to offer students access to the *Complaints and Internal Appeals Process* where the School intends to cancel the student's enrolment for any of the following reasons:
  - 3.5.1. The SV500 student is refusing to maintain approved care arrangements
  - 3.5.2. The SV500 student is missing
  - 3.5.3. The School having concerns for a student's medical state, including severe depression or psychological issues which lead the School to fear for the student's wellbeing
  - 3.5.4. The SV500 student have engaged or is threatening to engage in behaviour that is reasonably believed to endanger the student or others
  - 3.5.5. The SV500 student has, or allegedly has, committed or is at risk of committing a criminal offence
- 3.6. The *Complaints and Internal Appeals Process* will include the following key stages:
  - 3.6.1. Lodgement of formal complaint and/or appeal
  - 3.6.2. Complaints and Internal Appeals Committee convened
  - 3.6.3. Complaints and Internal Appeals Committee meets with the student/parent, and a support person/advocate of their choice to hear the student's/parent's case. This process must commence within 10 days of the complaint/appeal being lodged
  - 3.6.4. Complaints and Internal Appeals Committee considers the complaint and makes a decision. This process will be completed as soon as practicable
  - 3.6.5. The School will advise the student and parents of the outcome of the appeal process in writing, including detailed reasons for the outcome
  - 3.6.6. In the case of a decision that does not favour the student/parent, they will be advised of the *SV500 External Appeals Policy*, their right to lodge an external appeal, within 10 days of being notified of the outcome, and the process to do so
  - 3.6.7. In the case that the outcome of the Internal Appeals Process favours the student, the School must immediately implement the decision or

recommendation and/or take the preventative or corrective action required by the decision, and advise the student in writing of that action. The School will also ensure that the student receives appropriate support from School or other professional services, to manage any concerns arising from the complaint, the complaint and appeals process and/or the corrective action

**See SV500 Procedure: Complaints and Internal Appeals**

**3.7. Lodging a complaint or internal appeal**

- 3.7.1. Complaints and internal appeals must be lodged in writing and the School will make available a *SV500 Lodgement of Complaints and/or Internal Appeals Form* for this purpose.
- 3.7.2. All staff will be made aware of this Form and be able to provide the student with a copy, along with the *SV500 Procedure: Complaints and Internal Appeals* document, as requested or advised.
- 3.7.3. In the case of a student lodging a complaint or an appeal, their parent must be advised of the complaint or appeal and be signatory to the Form.
- 3.7.4. Records of the *SV500 Lodgement of Complaints and/or Internal Appeals Form* must be maintained by the School (and the process for this detailed in *SV500 Procedure: Complaints and Internal Appeals*)
- 3.7.5. The K-12 International Student Coordinator and Enrolments Manager to be advised of the lodgement of the complaint and/or appeal, upon receipt by the School, with a view to monitoring the School's compliance and reporting via PRISMS, as required.

**3.8. Time Requirements**

- 3.8.1. The School is required to notify a SV500 student of the School's intent to defer, suspend or cancel the student's enrolment and/or report the student for unsatisfactory achievement or attendance in writing, and at the same time advise the student of their rights to access the School's *SV500 Complaints and Internal Appeals Process*. See *SV500 Deferring, Suspending or Cancelling Enrolment Policy*
- 3.8.2. In the case of a student where the School has advised the student that a Report to PRISMS is pending, e.g. not meeting course and/or attendance requirements, the School is suspending the student's enrolment or the School is cancelling the student's enrolment, the School **must not** report the student through the PRISMS system until:
  - The outcome of the *Complaints and Internal Appeals Process* is complete
  - The outcome of both the *Complaints and Internal Appeals Process* is complete and the *External Appeals Process* (see *SV500 External Appeals Policy*) is completed when the complaint/appeal is about course progress/attendance breaches. Note this is the only situation requiring both appeals processes to be complete before the School can action the suspension or cancellation and must report this through PRISMS
  - Or the student advises in writing, that they will not be accessing the *Complaints and Internal Appeals Process*

- 3.8.3. SV500 students have 20 working days to lodge a formal complaint or internal appeal, following advice from the School of their rights to do so
- 3.8.4. The School is required to begin assessing the complaint or appeal within 10 working days of the student lodging the *SV500 Lodgement of Complaints and Appeals Form*
- 3.8.5. The School is required to assess the complaint and/or finalise the outcome as soon as is practicable
- 3.8.6. In the case of a complaint or internal appeal's outcome that does not favour the student, the School is required (within 10 working days of finalising the *Complaints and Internal Appeals Process*) to advise the student of their rights to access an *External Appeals Process*. (see SV500 External Appeals Policy)

### **3.9. Confidentiality**

All complaints and appeals will be treated with respect and confidentiality.

### **3.10. Complaints and Internal Appeals Committee**

A Complaints and Internal Appeals Committee will be formed based on the circumstances of each case and will comprise 3 staff members as follows:

- 3.10.1. Principal (or nominee), (1<sup>st</sup> member and Chair)
- 3.10.2. The Head of School, which the student is currently attending (Morris, High School, Clemes) or Director of Residence in the case of the complaint or appeal being about Boarding (2<sup>nd</sup> member)
- 3.10.3. The third member to be selected from the following and to be someone not directly involved in the complaint/appeal to this point:
  - Deputy Principal
  - Head of School, which the student is not currently attending (Morris, High School, Clemes)
  - Deputy Head of School (Morris, High School, Clemes)
  - School Psychologist
  - Director of Residence
  - Dean of Students
  - International Student Coordinator (High School)
- 3.10.4. In the case that a complaint or appeal is directly about a staff member, then it is advised that the staff member is not on the committee, but is provided the opportunity to meet with the committee. The staff member is entitled to have a support person or advocate present during these meetings.

### **3.11. Student support person or advocate**

- 3.11.1. The student and/or parent are able to invite a support person/advocate of their choice to accompany them to Complaints and Internal Appeals Meetings. This person may be a staff member, student or other member of the School community, or someone independent of the School community.

### **3.12. Interpreter/Translator**

- 3.12.1. As required by the student, their parent and/or support person, the School will arrange for a professional interpreter and translator to be available to support the student/parent/support person and the School in this process.

### **3.13. Complaint/Appeals Meetings and Consideration**

- 3.13.1. The School acknowledges and supports the right of students and/or parents to be given the opportunity to formally present their case, at minimal or no cost
- 3.13.2. The School is committed to conducting the assessment of any complaint or appeal in a professional, fair and transparent manner
- 3.13.3. The School is committed to hearing complaints and making a decision in a timely manner, subject to the complexity of the decision

### **3.14. Records of Complaints and Appeals Process**

- 3.14.1. A copy of the SV500 complaints and Internal Appeal Lodgements form, signed by students and their parents
- 3.14.2. Notes of the assessment process
- 3.14.3. Statement of the outcome and reasons for the outcome.

### **3.15. Appeals related to Suspension or Cancellation of Enrolment**

See *SV500 Deferment, Suspension and Cancellation Policy* for study, accommodation and welfare arrangements during any related appeals process.

### **3.16. Welfare and accommodation of SV500 student**

- 3.16.1. The School will at all times be mindful of the wellbeing of the students during any complaints and appeals process
- 3.16.2. In the case of an SV500 student in the care of a parent, 'nominated guardian' or homestay, the School will advise the appropriate authorities, of any concerns for the safety and wellbeing of the student and/or the any risk that the students poses to the safety and wellbeing of others.
  - As required, in the case of a student in homestay, whereby the School has approved the CAAW, the School will invoke its *Emergency Welfare and Accommodation Plan* for the duration of complaints and appeals process, if required. See *International Student Welfare Policy*
- 3.16.3. In the case of an SV500 student for whom the School is responsible for the CAAW, and resident in boarding, the School will maintain the student's welfare and accommodation, for the duration of the complaints or appeals process, including the student remaining in boarding, with the following exceptions:
  - the School is concerned and/or advised that the student is a risk to their own safety and wellbeing, including possible risk of self harm
  - the School is concerned and/or advised that the student is at risk of harming others or the safety of others
  - The student is missing
  - The student has committed or is at risk of committing a crime

In any of these situations the School will invoke its *Emergency Welfare and Accommodation Plan*. See *International Student Welfare Policy*

### **3.13 External Appeals**

If a student is not successful in the School's internal complaints and appeals process, the School will advise the student, within 10 days of concluding the internal review, of their right to access an external appeals process.

4. **DEFINITIONS**

- 4.1. See definitions documents

5. **LEGAL AND OTHER REQUIREMENTS**

- 5.1. ESOS Act 2000
- 5.2. National Code 2018
- 5.3. National Code 2018 Factsheets
- 5.4. Australian Consumer Law
- 5.5. Children, Young Persons and Their Families Act 1997
- 5.6. Personal information Protection Act 2004

6. **ASSOCIATED POLICIES, PROCEDURES, GUIDELINES AND FORMS**

- ❖ **SV500 Procedure: Complaints and Internal Appeals**
- ❖ **SV500 Complaints and Appeals Lodgement Form**
- ❖ Attendance Policy
- ❖ Critical Incident Management Policy
- ❖ Grievance Policy
- ❖ Homestay Policy
- ❖ International Student Accommodation Policy
- ❖ International Student Handbook
- ❖ International Student Support Services Policy
- ❖ International Student Welfare Policy
- ❖ SV500 Course Delivery and Duration Policy
- ❖ SV500 Course Progress Policy
- ❖ SV500 External Appeals Policy
- ❖ SV500 Fees Policy
- ❖ SV500 Letter of Offer and Acceptance Agreement (contract)
- ❖ SV500 Refund policy
- ❖ SV500 Visa Requirements Policy