



Complaints Policy

Students' Complaints & Appeals Policy

SCOPE

This Policy applies to complaints about:

- training and non-training matters relating to ALL Kristella Training &/or DRV4LYF Driving School students and persons seeking to enrol with us in a course or unit of study. Note that Kristella Training and DRV4LYF Driving School are referred to as KT/DRV4LYF.

on allegations involving the conduct of:

- KT/DRV4LYF, its trainers, assessors and other staff
- a third party providing services on KT/DRV4LYF's behalf, its trainers, assessors or other staff;
- KT/DRV4LYF's students

Note: Training matters may include student progress, assessment, and awards in a course. Non-training matters may also include complaints in relation to personal information that is held in relation to the student. Non-training grievances come from decisions made by KT/DRV4LYF's. Non-training grievances cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.

POLICY

- The Complaints and Appeals Policy and Procedures will be reviewed annually and ratified by the CEO after each review.
- The Complaints and Appeals Policy and Procedures will be published on KT/DRV4LYF's website, in the Staff Handbook and Student's Handbook to ensure that staff and students understand their rights and responsibilities.
- Complaints and appeals will be resolved expeditiously and there will be no direct financial cost to the person involved relating to the internal review and appeal processes.
- Any person that is involved in the complaint has the right to have a support person present at any interview or proceeding (the support person may be a legal representative or another person of the student's choosing).
- The complaint and appeals process will be well documented, and the outcome of the complaint of any appeals including details of the reasons for the outcome must be given to the relevant parties in writing and in a timely manner.
- KT/DRV4LYF has a Privacy Policy in place and obeys the Privacy Law and Australian Privacy Principal 2014. While complaints and appeals records are treated as confidential, parties involved in the complaint resolution process have the right to access their own personal information.
- Parties involved in the complaint resolution process will not be disadvantaged as a result of lodging the complaint, investigating the complaint or responding to the complaint.
- A student's enrolment will be maintained while the complaint and appeal process is ongoing.
- Complaints and appeals records will be kept for a minimum of five years.
- The complaint resolution process will be used by KT/DRV4LYF to identify areas for improvement in the quality of services and support it provides to students.

- The complaint resolution process does not circumscribe an individual's rights to pursue other legal remedies.
- Students may choose to have their complaint reviewed externally at any stage of the complaint resolution process.
- Recommendations from any external review will be implemented within 20 working days.

Types of complaint

KT/DRV4LYF employs a four-step approach (see below) in dealing with all student complaints and appeals, though the procedures and timelines for dealing with specific types of complaints may be different.

Unfair treatment

Students with complaints about unfair treatment, discrimination, harassment, victimisation, vilification and/or bullying by another member of the KT/DRV4LYF's community including by other students should discuss this with the Student Support Officer in an attempt to resolve their complaint in the first instance.

Academic Complaints

Academic complaints are complaints about decisions, usually made by academic staff, which involve the exercise of academic judgement. Examples include, but are not limited to, dissatisfaction with:

- an outcome given for an assessment task or with the final result awarded in a unit
- a decision to deny credit transfer or RPL towards a KT/DRV4LYF's qualification
- a decision to deny admission or transfer to a Kristella Training course
- a decision not to award an academic scholarship or prize
- a decision under the Monitoring Course Progress Policy
- determinations made or penalties applied under the Academic Integrity Policy, or
- determinations made or penalties applied under the Student Conduct Policy.

Non-Academic Complaints

Non-training complaints are complaints about the services and facilities provided by Kristella Training, about the conduct of staff or other students, or about non-academic decisions made by Kristella Training, usually by professional staff. Examples include, but are not limited to, dissatisfaction with:

- a decision to deny a request for a refund under Kristella Training's Student Fees Policy
- a decision to impose penalties for the non-payment and late payment of fees
- the administration of admission, enrolment, assessment and graduation
- services and facilities, such as library borrowing, building access, and support services
- health and safety management
- the conduct of KT/DRV4LYF's staff or other students.

Complaint Resolution

KT/DRV4LYF's approach to complaint resolution generally involves:

1. Informal Discussion

Complaints should be resolved informally whenever possible through discussion between the student and the person directly responsible for the decision or behaviour that is the subject of the student's complaint, in accordance with the Informal Complaints Procedure. The complaint should be raised promptly via email, phone or direct conversation. It is the responsibility of both parties to explore options for resolving the issue as soon as possible after it has been raised and to do so in a courteous and respectful manner. It is acknowledged that in some circumstances, students may not feel comfortable raising their complaint directly with the person who is the subject of the complaint. There is no compulsion to do so, and students have the option of requesting a formal review as the first step in the complaint resolution process.

2. Formal Complaint/Review of Decision

If the issue cannot be resolved informally, or if the student is dissatisfied with the initial decision regarding the matter, they may ask for a formal review of their complaint by forwarding a completed *Formal Complaint Form*. The completed form must include a clear statement of the grievance, including all relevant facts, supporting documents and must specify the resolution the student is seeking. These will be reviewed and decided by:

- the Academic Director (or delegated nominee) for academic matters
- the Student Support Officer (or delegated nominee) for non-academic matters

3. Internal Appeal

A student may appeal the outcome of their formal complaint or review if they believe that the results of the formal complaint or review are unfair or incorrect on one of the following two grounds:

- either, the process has been incorrectly followed and/or criteria incorrectly applied, or
- new evidence is available which was not available to the original decision maker

A student can appeal a decision by forwarding a completed Appeals Form to The Student Appeals Committee (SAC) (add email). The Appeals Form will include the following:

- the decision and circumstances the student is appealing against, and
- an outline of how the policies and procedures have not been followed, and/or
- new evidence to support the claim, and the student's desired outcome

The SAC comprises the Board of Directors and another KT/DRV4LYF staff member. The complainant can present their case directly to the SAC and will be given a written statement of the outcome and the reasons for the decision reached. Students can bring a friend or support person if they choose to.

4. External Review or Appeal

A student with a complaint against KT/DRV4LYF may seek an external appeal and review at any stage of the complaint resolution process (though it is usually expected that a student will have accessed KT/DRV4LYF's internal review and appeal processes before referring the complaint to an

external agency). If KT/DRV4LYF receives notification that a complaint is the subject of formal external enquiry or legal action, the internal resolution process will be suspended until the external action is completed or withdrawn.

If a student’s complaint against KT/DRV4LYF has been heard as an appeal, the only avenue for further review or appeal is external. No further internal review or appeal is available.

Domestic students can submit a complaint through the National Training Complaints Hotline.

The National Training Complaints Hotline is accessible on 13 38 73 (Monday to Friday from 8am to 6pm nationally). Or via <https://www.dese.gov.au/national-training-complaints-hotline>

The hotline directs complaints to the appropriate Commonwealth, state or territory organisation for help. Such an organisation may include: Ombudsman, relevant Commission or the Office of Fair Trading. Refer to the *External Appeals Procedure* for the contact details.

5. Timeline of Complaint Resolution

Complaint Resolution Process	Timeline for Resolution
Informal Discussion	Up to 7 working days from receipt of the complaint
Formal Complaint/Review of Decision	Up to 10 working days from receipt of the complaint
Internal Appeal	Up to 10 working days from receipt of the appeal
External Review or Appeal	Implementation of recommendation up to 20 working days

Complaints policy

Version	Date	Reviewed by	Amendments
1	24 Apr 2022	Christopher Dixon	