

# SFC Grievance Procedures

## 1. Document History & Details

Version 1:2  
Produced February 2021

## 2. Introduction

- 2.1.** This document describes the SFC procedure for making and resolving complaints or grievances.
- 2.2.** The SFC grievance procedure supplements the SFC Complaint Management Policy and Procedure.
- 2.3.** Any complaints made via the SFC complaint form under the Complaint Management Policy that relate to SFC will be referred to SFC to be dealt with in accordance with these procedures.
- 2.4.** All current students enrolled in a SFC qualification are entitled to make a complaint or raise a grievance in relation to academic or non-academic matters.
- 2.5.** Persons seeking to enrol in a SFC qualification are entitled to make a complaint or raise a grievance in relation to non-academic matters.
- 2.6.** Persons making a complaint or raising a grievance are entitled to have the matter dealt with sensitively and promptly.
- 2.7.** Students enrolling into SFC qualifications will be given information about complaint and grievance procedures during orientation.
- 2.8.** Complaints or grievances may arise from any aspect of the services provided by SFC in relation to academic and non-academic matters including but not limited to:
  - marks awarded for an assessment
  - results awarded for a subject
  - outcomes of an application for the awarding of credit, recognition of prior learning (RPL) or advanced standing
  - outcomes of an application for admission
  - breaches of conduct and/or legalisation such as:
    - harassment
    - vilification
    - discrimination
    - handling of personal information
    - exclusion from events and facilities.

- 2.9. Any complainant and/or respondent can have an appropriate support person present or be accompanied, assisted and represented by a third party if desired when making the complaint or lodging a grievance and at any related meeting.
- 2.10. SFC will not victimise or discriminate against any complainant or respondent to a complaint or grievance.
- 2.11. It is preferable but not essential that the complainant’s name is included in the complaint or grievance. The complainant should be aware that, in some instances, a complaint or grievance cannot proceed if it is anonymous, or if the complainant requests that their identity be withheld.
- 2.12. At all stages of the process a written explanation will be provided by SFC for decisions and actions taken as part of the complaint or grievance management process.

### 3. Audience and applicability

- 3.1. These procedures apply to:
  - all students enrolled, or seeking to enrol, in SFC courses; and
  - all staff teaching and/or managing SFC courses in SFC

### Definitions

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|---------------------------|--|
| <b>Course Coordinator</b> | The program manager of a SFC course, who has overall responsibility for course and student management at the college.  |
| <b>Complainant</b>        | The person making the complaint or grievance.  |
| <b>Complaint</b>          | A complaint is an expression of dissatisfaction made to SFC where a response or resolution is explicitly or implicitly expected, or required by legislation. |
| <b>Grievance</b>          | A grievance is the event or situation that causes a person to lodge a complaint.   |
| <b>Respondent</b>         | The person the complaint or grievance is made about.   |
| <b>SFC</b>                | SFC is the registered trading name of Schofields Flying Club   |

## 4. Summary of procedures for dealing with complaints and grievances

- 4.1. There are four possible stages involved in resolving complaints or grievances:
  - informal resolution;
  - formal resolution;
  - internal review;
  - external review
- 4.2. If required, support will be provided to the complainant throughout the process.
- 4.3. There are **no fees associated** with lodging a complaint or grievance at SFC however a fee will be charged should the complainant lodge an external review application.
- 4.4. Complaints can be made:
  - orally - in person or by telephone; or
  - in writing - by email or by completing the complaints form available from teaching and administration staff or the online complaints form.
- 4.5. Oral grievances that cannot be resolved informally may need to be put in writing.
- 4.6. Before proceeding with making a complaint or grievance, the complainant should:
  - read and understand the relevant policies and procedures;
  - ensure that all matters are discussed as quickly as possible and as close as possible to the source of the problem;
  - ensure that there are grounds for the complaint or grievance as defined in the relevant policy and procedures.

## 5. Informal resolution

- 5.1. Attempts should be made to resolve the complaint or grievance informally at the campus.
- 5.2. Complaints or grievances in relation to academic matters should be discussed with the course coordinator in the first instance.
- 5.3. Complaints or grievances in relation to non-academic matters should be discussed with a relevant SFC staff member in the first instance. This could be the course coordinator, the Head of Operations or the Chief Ground Instructor.
- 5.4. The SFC staff member at the campus will record the concerns so they can be dealt with confidentially and promptly.
- 5.5. The SFC staff member handling the complaint or grievance will advise the complainant in writing of the outcome of the complaint or grievance, and options for appeal, within four weeks of receiving the complaint or grievance.

## 6. Formal resolution

- 6.1. If a complaint or grievance cannot be resolved informally at the college, complainants can submit a formal written complaint or grievance to the RTO Manager.
- 6.2. The formal complaint or grievance must be lodged within two weeks of the date of the decision of the informal review.
- 6.3. The RTO Manager will review the complaint or grievance on its merits and may request further information from relevant SFC staff and/or the complainant.
- 6.4. The RTO Manager will advise the complainant in writing within four weeks of receiving the complaint or grievance of the outcome of the complaint or grievance, reasons for the outcome and options for appeal.

## 7. Internal review

- 7.1. If a complaint or grievance cannot be resolved through formal procedures or if the complainant is unhappy with the outcome of the formal resolution process, the complainant can submit a written request for review of the complaint or grievance to the CEO within four weeks of the date of the written response under Sections 6.5 and 7.4 above.
- 7.2. The request for review of the complaint or grievance must include valid and sufficient reasons for requesting the review.
- 7.3. The CEO may nominate an independent and impartial review officer to undertake an internal review of the complaint or grievance.
- 7.4. The CEO or nominee will review the grievance on its merits and may request further information from relevant SFC staff and/or the complainant.
- 7.5. The CEO will advise the complainant in writing of the outcome of the complaint or grievance, and options for appeal, within four weeks of receiving the complaint or grievance.
- 7.6. If the complainant is not satisfied with the outcome of the internal review, the complainant may request that the matter be dealt with through an external review process.

## 8. External review

- 8.1. If not satisfied with the outcome of the internal review, the complainant may seek a review through independent external avenues of appeal.

- 8.2.** External bodies that the complainant can appeal to, depending on the nature of the grievance, include:
- NSW Ombudsman
  - Overseas Students Ombudsman
  - Anti-Discrimination Board of NSW
  - Australian Human Rights Commission

## **9. Procedural fairness**

- 9.1.** SFC will ensure procedural fairness at all times during the managing of a grievance.
- 9.2.** SFC has a zero tolerance approach towards harm, abuse or threats directed towards SFC employees or third parties by complainants. Conduct of this type will be dealt with in accordance with the SFC Complaint Management Policy and Procedure and in accordance with TAFE NSW's duty of care towards its staff and others and its obligation to manage workplace safety.
- 9.3.** Unreasonable complaints and/or repeated complaints will be managed in accordance with SFC Complaint Management Policy and Procedure and may result in SFC restricting or terminating a complainant's access to SFC on the grounds of unreasonable conduct.

## **10. Records management**

- 10.1.** All written documentation in relation to complaints or grievances will be retained by TAFE NSW.
- 10.2.** SFC maintains a register of complaints and grievances and responses.

## **11. Further information**

- 11.1.** Students requiring further information about this procedure or how to lodge a complaint or grievance should contact their course coordinator.

## **12. Roles and responsibilities**

- 12.1.** The RTO Manager and Course Coordinator have overall responsibility for relevant staff compliance with this policy and for the training of staff in these procedures.
- 12.2.** The guidelines set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.

### **13. Related documents**

SFC Complaint Management Policy and Procedure

### **14. Monitoring and evaluation**

This document will be reviewed and updated regularly in line with the SFC Quality Assurance and Continuous Improvement Framework.

### **15. Publication of this procedure**

The current version of this procedure is published on the SFC internet.

Where appropriate it will be quoted, paraphrased or cited in Subject Guides and on the SFC Manual of Standards.

### **16. Approval**

The SFC CEO approved these procedures in February 2021.