

# COMPLAINTS, GRIEVANCES AND APPEALS POLICY



Fluent Education (Datum College Pty Ltd)  
RTO Number 32243

## PURPOSE

Fluent Education is committed to providing a fulfilling learning experience that enables students to not only achieve their education potential, but to provide additional services that will enable the students to become job-ready.

Fluent Education provides the student with appropriate mechanisms for communicating grievances, complaints and appeals and having these addressed appropriately.

Complaints and grievances arise when a student is dissatisfied with any aspect of Fluent Education and requires action to be taken to resolve the matter.

Appeals arise when a student is not satisfied with a decision or outcome by Fluent Education. Appeals can relate to assessment decisions, but they may also relate to other decisions made by Fluent Education.

## SCOPE

This policy applies to all current and previously enrolled students of Fluent Education.

All complaints, grievances and appeals are treated professionally and confidentially. Fluent Education ensures all complaints are dealt with in a fair, equitable, responsive and accountable manner.

All grievances will be reviewed, and a decision provided within five (5) business days of receiving the grievance.

All complaints and appeals will be reviewed, and a decision communicated in writing within fifteen (15) business days of receiving the written complaint or appeal.

## LEGISLATIVE CONTEXT

[Standards for Registered Training Organisations \(RTOs\) 2015](#)

[National Vocational Education and Training Regulator Act 2011](#)

[Privacy Act 1988](#)

[Higher Education Support Act 2003](#)

[Australian Privacy Principles](#)

# POLICY STATEMENT

## 1. STUDENT COMPLAINTS AND GRIEVANCES

- 1.1** There are three (3) types of complaints/grievances within the scope of this policy:
- Complaints/grievances of an academic nature:
    - [For example]: complaints/grievances about course material, the training methods and progression, and assessment decisions carried out from Fluent Education. (Note that students may send through an appeal rather than a complaint against an assessment decision. Please see [6. Appeals](#) for more information.)
  - Complaints/grievances of a non-academic nature:
    - [For example]: complaints/grievances about a person (Fluent Education representative) or third party representing or affiliated with Fluent Education or another student(s).
    - Complaints/grievances received that constitute a breach of Australian law (e.g. theft; assault) may result in referring the matter onto the authorities after an investigation has taken place.
  - Complaints/grievances about administration, process, and/or access and equity.
- 1.2** Prior to submitting a complaint, students are encouraged to seek resolution to their grievance with the College informally (e.g. in conversation).
- 1.3** All grievances will be heard, and a decision provided within five (5) business days.
- 1.3.1** Should the student be dissatisfied with this response, they will be required to lodge a complaint (refer to [1.5](#)). Fluent Education does not change administration fees to submit a complaint.
- 1.4** Complaints are to be lodged on the Complaint and Appeal Form or may be communicated via email to [quality@fluent.edu.au](mailto:quality@fluent.edu.au).
- 1.5** The following information should be included with all complaints on the Complaint and Appeal Form/email:
- Description of the complaint.
  - Steps that have been taken to address the issue.
  - What the student would like to occur to fix the issue and prevent it from happening again.
- 1.5.1** The completed form or email should be forwarded onto [quality@fluent.edu.au](mailto:quality@fluent.edu.au); however students may send the form/email onto another area within the company. Should this be the case, the person/team that received the email must forward it onto Quality for recordkeeping purposes on the Quality Notification Register.
- 1.5.2** Quality is to forward a copy of the grievance/complaint to Student Support for their records.
- 1.6** All complaints will be heard, internally investigated and a decision communicated in writing (including reasons) within fifteen (15) business days of receiving the written complaint. In the event that an external investigation is being undertaken; this time period will not apply.
- 1.6.1** The staff member appointed to liaise with the complainant should maintain regular contact with the complainant to reassure them that their complaint is being investigated.
- 1.6.2** Records of these communications are to be entered into the student's training record in the Student Management System.
- 1.7** If dissatisfied with the outcome of their complaint, the complainant may wish to commence appeal processes (refer to [6. Appeals](#)).

**1.8** Complaint records must be kept for five (5) years.

**1.9** Any substantiated complaints will be reviewed as part of the Continuous Improvement Procedure

## 2. COMPLAINTS RAISED TO/FROM THE NATIONAL REGULATOR

### 2.1 COMPLAINTS RAISED TO THE NATIONAL REGULATOR

**2.1.1** Should a student/industry body/client/other external party be dissatisfied with any aspect of Fluent Education; they may lodge a complaint to the National Regulator.

**2.1.1.1** The National Regulator may instruct the student/industry body/client/other external party to undertake a formal complaints process through the College (unless already undertaken).

**2.1.1.2** The Regulator investigates complaints depending on the risk assessment assigned (focusing on the most serious complaints received); so any complaints received by the Regulator may not be acted upon in a timely manner.

### 2.2 COMPLAINTS RAISED FROM THE NATIONAL REGULATOR

**2.2.1** The National Regulator may contact Fluent Education in response to any complaints received about the College or any of its third parties.

**2.2.1.1** Where this occurs, Fluent Education will investigate the complaint based on the information provided within any communicated timeframes outlined by the National Regulator.

## 3. CLIENT COMPLAINTS

**3.1** Clients may lodge a complaint where they are dissatisfied with a service that Fluent Education is providing. This may include, but is not limited to:

- Not meeting the terms of a training agreement.
- Unsatisfactory/poor student or client service.
- Unacceptable behaviour or attitude of Fluent Education representative(s).
- In response to their own internal complaints processes, where an employee has lodged a complaint against the College to the client.

## 4. THIRD PARTY COMPLAINTS

Fluent Education enter into written agreements with persons/organisations deemed as a 'third party' under the Standards for Registered Training Organisations (RTOs) 2015. This written agreement and any subsequent training provided by the College outlines the responsibilities that the third party has to the Standards for Registered Training Organisations (RTOs) 2015 and that their actions and operations must adhere to our compliance requirements.

**4.1** Under the Standards for Registered Training Organisations (RTOs) 2015; Fluent Education is responsible for all actions/operations undertaken by its third parties.

**4.2** All third parties are made aware that in the event of a complaint made by a student or the National Regulator that they may be called upon to provide evidence and may be contacted directly by the National Regulator.

**4.3** Third parties will typically have their own process for documenting and dealing with complaints, grievances and appeals.

**4.4** Third parties conducting training and assessment services on behalf of the College are to follow Fluent Education processes.

## 5. PRIVACY COMPLAINTS

**5.1** Refer to the Fluent Education Privacy Policy

## 6. APPEALS

- 6.1** This policy covers the following appeals:
- Appeal against an assessment/competency decision by a Fluent Education Trainer/Assessor.
  - Appeal against course fee or debt incurred under a loan or funding agreement.
  - Appeal against a process or other decision regarding enrolment, cancellation or variation of enrolment status.
  - Appeal against a previously closed complaint or against the outcome of a complaint.
- (1) The College has a two (2) step appeal process that students may elect to follow. This process must be followed in sequential order
- (2) The student lodges an appeal to the College which is internally reviewed, and a response provided (refer to [6.3](#)). Students should always lodge an appeal to the College in the first instance.
- (3) Third party resolution (Cost born by the student) is instigated where a student is not satisfied with an appeal outcome. The external party reviews the appeal and provides a response to the student and Fluent Education.
- 6.2** The student will be given the opportunity to formally present his or her case to the College. All formal appeals should be lodged by sending either a completed Complaint and Appeal Form or Assessment Appeal Form to [quality@fluent.edu.au](mailto:quality@fluent.edu.au). Students may send the form/email onto another area within the company. Should this be the case, the person/team that received the email must forward it onto Quality for recordkeeping purposes on the [Quality Notification Register](#).
- 6.2.1** Quality is to forward on a copy of the appeal to Student Support for their records.
- 6.3** The following information should be included on the form by the student:
- Description of the appeal.
  - Steps that have been taken to address the issue.
  - What the student would like to occur to fix the issue and prevent it from happening again.
  - Whether the student wishes to formally present their case.
- 6.4** All appeals will be heard, internally reviewed and a decision communicated in writing (including reasons) within fifteen (15) business days of receiving the written appeal. Should the issue not be resolved to the student's satisfaction after internal review, Fluent Education will make arrangements for an independent external person to resolve the issue if requested by the student.
- 6.5** In the event that an external review is being undertaken by a third party; this time period will not apply.
- 6.6** Appeal records must be kept for five (5) years.
- 6.7** Any substantiated appeals will be reviewed as part of the Continuous Improvement Procedure

## 7. COMPLAINT/APPEAL RECORDKEEPING

- 7.1** All complaints, grievances and appeals are to be recorded on the company's internal register – the Quality Notification Register for a period of five (5) years.