

**FIRBANK GRAMMAR SCHOOL POLICIES & PROCEDURES FOR:  
Standard 10-Complaints & Appeals**

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**Purpose**

Firbank Grammar School recognises the importance of fostering positive relationships with parents and families and developing strong school community partnerships. However, it also recognises that in all partnerships there will be times when there are disagreements and issues of concern that will need to be resolved.

Firbank is committed to resolving complaints fairly, efficiently, promptly and in accordance with relevant legislation.

**Application**

This policy provides the framework by which complaints from parents, student, members of the school community and external stakeholders will be dealt with.

This policy will be given to international students before a contract is entered into **or** before an amount of money has been paid **whichever happens first**.

This policy and procedure will be provided in full in the International Student Written Agreement.

Written records of all complaints including the outcomes and appeals will be kept in detail on student files and provided to the student.

All Complaints and Appeals will be handled fairly, professionally, equitably, confidentially, and in a timely manner, with a view to achieving a satisfactory resolution as soon as practicable.

Firbank Grammar School will in the first instance always endeavour to resolve complaints/disputes informally.

**Expectations**

Firbank expects the person raising the concern or complaint to;

- Do so promptly, as soon as possible after the issue occurs
- Provide complete and factual information
- Maintain the respect the privacy and confidentiality of all parties
- Act in good faith and in a calm and courteous manner
- Acknowledge the common goal is to achieve an outcome acceptable to all parties

**Raising the Concern or Complaint**

In the first instance a concern or complaint should be made directly to the school. The complainant should telephone, visit or write to or email;

- The student's teacher or mentor about learning issues and incidents that happen in their class or group
- The Welbeing Leader if students from several classes are involved
- The Head of Campus or Deputy Head about issues relating to staff members or complex student issues
- The Principal about issue relating to school policy, school management, staff numbers or very complex student issues

If a complainant is unsure who to contact in the first instance, contact the Head of Campus or Deputy Head.

**Complaints Resolution**

All complaints received will be noted and acted on promptly by the staff member who receives the complaint. The School will acknowledge the complaint and provide a timeline for investigation. The School will make every effort to resolve a concern or complaint as quickly as possible however, if a complaint involves many students and a range of issues, the School may need more time to investigate and resolve it.

The complaint resolution procedure includes;

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Middle Crescent Brighton  
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**JUNIOR SCHOOL  
SANDRINGHAM**

45 Royal Avenue Sandringham  
Victoria 3191 Australia  
Phone 03 9533 5711  
Fax 03 9521 0365

ABN 69 007 000 419  
CRICOS Provider No 00140K  
enquiries@firbank.vic.edu.au  
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1. Receiving and clarifying the complaint
2. Deciding how to handle the complaint
3. Finding out about the complaint
4. Making a decision about the complaint
5. Review

Depending on the nature of the concern or complaint, an informal or formal process will be adopted.

Often a complaint will be resolved on the first point of contact. Discuss the complaint with the class teacher or mentor and together, attempt to resolve the issue. If unsuccessful, contact the Head of Campus or Principal. The Principal may refer some complaints to a delegate such as the Deputy Principal, Head of Year or Director of Finance and Administration.

If a formal complaint is made, it should be directed in writing to the Head of Campus or Principal. The complaint will be investigated, documented and outcomes will be discussed and communicated to the parties involved taking into account their privacy and confidentiality.

It is expected that a complaint will be resolved when the complainant and the School agree on an appropriate response or remedy. A complaint may be dismissed if after it has been investigated and the investigation has determined that the complaint cannot be substantiated.

Firbank will advise students that are unsuccessful with the School's internal complaints or appeals handling process, within 10 working days of the decision being made, of the student's right to access an external complaints and appeals process at minimal or no cost to resolve the dispute. The School must advise the student the contact details of the appropriate complaints and external appeals body.

It may not always be possible to fully resolve all complaints to the complainant's satisfaction. This could happen if the complainant has unrealistic expectations about the outcome of their complaint or if the Schools' policies and procedures are contrary to their views.

If the student is not satisfied with the result or conduct of the School's internal complaints handling and appeals process, Firbank Grammar will assist the student to access independent mediation at minimal or no cost to resolve the dispute.

Nothing in the School's Complaints/Disputes Resolution policy negates the rights of any overseas student to pursue other legal remedies.

Students can contact the Overseas Student Ombudsman directly.

### **Unreasonable Complainant Conduct**

Unreasonable complainant conduct is behaviour that;

- is vexatious (a complaint brought without merit, often to cause annoyance to another person)
- is oriented towards conflict
- is clearly and significantly outside the expectation of confidentiality, co-operation, courtesy and respect
- Calls for staff resources and time unjustified by the nature or significance of the complaint

### **Review of a Decision**

- A request for a decision to be reviewed should be made in writing to the Principal's Office. Upon receipt of the request, the Principal will determine the most appropriate way to review the decision. Once the review is complete, the Principal's decision will be communicated in accordance with privacy and confidentiality principles.

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### Academic complaints/appeals

- Complaints/appeals against **academic decisions will be accepted up to fourteen (14) days from the date an assessment result was received.**
- Assessment will be reviewed having due regard to submissions made by the participant.
- Any substantiated complaint will be acted upon. All complaints and appeals will be recorded in detail including the outcome of each stage.
- A complaint can be forwarded directly to the International Student coordinator: Wellbeing
- Firbank will not report a student for unsatisfactory progress or attendance until the student has been allowed to access our internal and **ONE** external complaints and appeals process.
- The School will await the outcome of this process (and if, in favour of the provider) before reporting the student through PRISMS.
- For appeals on the college 's decision to defer, suspend or cancel a student's enrolment, the college only needs to wait until the internal complaints/appeals process is completed (if in favour of the college) to notify DET/DHA via PRISMS.

### Suspension/Cancellation of Enrolment

- Where the appeal relates to the School's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of rules, the school will only await the outcome of the **internal appeals** process if it supports the school before notifying DET and DHA through PRISMS of the change to the student's enrolment.
- Notification on PRISMS will not occur until the result of the internal **appeals process is known, unless extenuating circumstances relating to the welfare of the student, Staff or other students** apply, such as:
  - The student is at risk of committing a criminal offence or is the subject of investigation relating to criminal matters
  - The student's actual or threatened behaviour poses a threat to other students. The student has medical or psychological problems that may affect their well-being
  - The student cannot be located

### External Complaints and Appeals

- The School will only await the outcome of **one** external appeals process before reporting/taking action against the student for course progress or attendance.
- Where the appeal relates to the college's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of college rules, the college will only await the outcome of the **internal appeals** process if it supports the School before notifying DET and DHA through PRISMS of the change to the student's enrolment.

### Overseas Students Ombudsman

The Ombudsman provides an external complaint and appeals process for overseas students of private education providers.

*If you wish to lodge an external appeal or complain about a decision made by the school, you can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website <http://www.oso.gov.au> or phone **1300 362 072** for more information. Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)*

### Commonwealth RTO and CRICOS Regulator

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If the student is concerned about the actions of the provider they may approach the Australian Skills Quality Authority (ASQA), the Registration Authority for CRICOS RTOs. The Australian Skills Quality Authority (ASQA) has the power to suspend or cancel the provider's registration or a course if a breach of the requirements of registration provision is proved.

To lodge a complaint with ASQA visit <http://www.asqa.gov.au/complaints/make-a-complaint---overseas-students/make-a-complaint---overseas-students-1.html>

#### **Commonwealth ESOS Regulator**

Department of Education and Training (DET) through the ESOS helpline PHONE: 1300 615 262

<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/Pages/ESOEnquiry.aspx>

The student may send through a complaint at any point, including after they have exhausted the provider's internal appeals process and the external appeals process. DET will only intervene where Firbank Grammar appeals process was not conducted correctly or if the Firbank appeals process does not meet the requirements of the National Code. The DET role is not to judge whether the outcome was right or wrong.

**Standard 10 of the National Code must be adhered to at all times.**

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