

Melbourne Rudolf Steiner Seminar Ltd

A.C.N. 081 055 110 RTO 3948 VET Student Loan Provider: 7052

Advanced Diploma of Rudolf Steiner Education

Course code: 10527NAT, CRICOS code 086202A

COMMUNICATION POLICY

Including Complaints Handling and Appeals

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Policy:

This policy reflects the Melbourne Rudolf Steiner Seminar's values concerning communications. The Seminar is committed to communication processes that

- ensure the principles of **natural justice and procedural fairness**,
- are fair and unbiased,
- are sensitive to and able to act upon individual and group needs, both inside and outside the classroom,
- provide appropriate and positive learning experiences, which cater for the range of student's needs and their abilities
- at all times are clear and respectful with definite and well understood boundaries

The Seminar's *Communications including Complaints and Appeals Policy* ensures that the principles of **natural justice and procedural fairness** are adopted at *every stage* of the complaint and appeal process, in line with the *Standards for Registered Training Organisations 2015*. This policy ensures that **substantiated** complaints or appeal are recorded, acknowledged and dealt with fairly, efficiently and effectively in accordance with *Standard 6*.

There is an expectation that communication between all members of the Seminar will be open and respectful at all times. This policy provides clear expectations about and guidelines for clear and open communication to trainers, assessors and staff as well as students and any third party providing services on the RTO's behalf. In so doing it upholds the well established understanding that good communication respects all parties involved. Please read the *Seminar's Student Handbook* and in particular the *Expectations of Student Conduct*.

This policy acknowledges that despite all efforts of the Seminar to provide satisfactory services to its staff and Students, complaints may occasionally arise that require formal resolution. Therefore the Seminar has a complaint and appeal process to manage requests for a review of a decision, including assessment decisions made by the seminar or a third party providing services on the Seminar's behalf.

Therefore this policy:

- Is publicly available
- Has procedures in it for making a complaint and/or appeal that:
 - Are clearly set out and

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- Ensure:
 - Those involved are clearly informed of the allegations
 - Those involved are provided with an opportunity to present their side of the matter
 - The processes operate in a fair and unbiased way
 - Complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
 - There is a provision for recourse to an appropriate third party, independent of the Seminar and the complainant or appellant, if the process fails to resolve the complaints or appeal.
 - There is a provision for review of complaints and appeals by an independent party

The following procedures provide all concerned the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the Student.

Procedure:

GUIDELINES FOR COMMUNICATION

These guidelines are to facilitate the smooth functioning of the Seminar. They support the Seminar's values concerning open and honest communication and complement the regular, informal communications that already take place between members of the Seminar community.

Student/Student

- Clear, respectful with definite and well understood boundaries.
- Critical feedback should always be regarding specific behavior and not the person.

Student/ Trainer

- Clear, respectful with definite and well understood boundaries.

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- Individual meetings are encouraged at mutually convenient times. If a specific issue is to be discussed, prior notice needs to be provided to allow adequate time for prior preparation. Records will be kept.

Trainer to Trainer

- Trainers to attend meetings as requested to ensure regular and up-to-date information, and to participate in pedagogical study.

Trainer to Class/Student

- Clear, respectful, warm, humorous, and enthusiastic with definite and well understood boundaries.
- Give clear understanding of what behaviour is expected and required in class by using well understood group management techniques.
- To provide appropriate and positive learning experiences, which cater for the range of Students needs and their abilities.
- Sensitive to and able to act upon individual and group needs, both inside and outside the classroom.

Professional Experience Supervising Teacher/School Administration/Student

- Clear, respectful, warm, humorous, and enthusiastic with definite and well understood boundaries.
- Give clear understanding of what behaviour is expected and required.
- To provide appropriate and positive learning experiences.
- There are agreements and *Professional Experience Handbooks* in place advising all parties on communication protocols. Should the supervising teacher, the school's administration or the student experience any serious issues or should any complaints arise before, during or after the Professional Experience Placement this **must immediately reported** to the Seminar from where it will be dealt with according to the process outlined below.

PROCESSES FOR COMMUNICATION

The Seminar uses a number of means to communicate with staff and students including the website, the seminar intranet, the Seminar Handbook, trainers meetings, informal meetings, scheduled individual interviews (twice per year) and weekly timetabled Course Review

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meetings. The Administration, Trainers and office staff are available for individual appointments.

Complaints Handling and Appeals

NOTE: For all complaints relating to VET Student Loans refer to the *Complaints Handling and Resolution VET Student Loan Policy*.

The Seminar aims to:

- Develop a culture that views complaints as an opportunity to improve how it operates;
- Set in place a complaints handling and resolution procedure that is Student focussed and helps it prevent complaints from recurring;
- Ensure that any complaints are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant and respondent are respected and that any party to a complaint is not discriminated against nor victimised;
- Ensure that there is a consistent response to complaints.

It is the Seminar's policy to respond promptly and effectively to individual cases of dissatisfaction by utilising the procedure set out in this document.

Definition of a complaint

A complaint can be defined as an expression of dissatisfaction with any aspect of the services and activities of the Seminar including both academic and non-academic matters such as:

- The enrolment, induction/orientation application process;
- The quality of training or assessment provided;
- The way someone has been treated;
- Access to personal records including information obtained by MRSS for the purposes of VET Student Loan Assistance and repayment of HELP loans (for students enrolled in 2016);
- Breaches of personal information by Seminar. *See the Seminar's Privacy Policy.*

Students are entitled to access these complaints handling procedures at any time.

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Complaints Procedure

This procedure is designed to be utilised by anyone who wishes to lodge a formal complaint.

There are two types of complaint handling processes. One relates to general complaints and the second to complaints concerning assessment.

In the case where a student's complaint is related to an assessment, the Seminar will follow the steps outlined in the Assessment Appeals Policy. See the Seminar's *Assessment Appeals Policy*.

The complaints procedure in either case has four (4) clear stages:

1. Informal
2. Formal
3. Appeal
4. External appeal

Informal

Before an issue becomes a formal complaint the Seminar encourages that wherever possible, parties **resolve concerns or difficulties directly** with the person(s) concerned.

The Seminar ensures that at this stage all parties are offered requisite support and opportunities to resolve the matter. All parties involved are provided with an opportunity to present their side of the matter. The coordinators are available to assist the resolution of issues at this level. The Seminar operates in a fair and unbiased way.

Formal

In managing any formal complaint the Seminar ensures that all parties involved are informed of the allegation and provides those involved with an opportunity to present their side of the matter. The coordinators are available to assist the resolution of issues at this level. The Seminar operates in a fair and unbiased way. The complainant and/or respondent may be accompanied and assisted by a third party if desired at any stage of this procedure. A full explanation in writing for decisions and actions taken as part of the procedures will be provided to the complainant.

Complaints must be submitted in writing on a *Complaint and Appeal Form* to the Course Coordinator or other nominated impartial Senior Officer. The receipt of any complaints will be acknowledged in writing within 5 days and the complaints process will commence within

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10 days of the receipt of the complaint. All complaints thus lodged will be recorded on the Seminar *Complaints, Grievance and Appeals Register*.

The Course Coordinator or their nominee (“the Seminar representative”) will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. When such clarification occurs in a face-to-face interview with the complainant, they may ask another person to accompany them. The Seminar representative will then endeavour to resolve the complaint, providing a written report to the complainant within 20 working days on the steps that will be taken to address the complaint, clearly stating the reasons for the decision.

Details of any actions arising and the outcome of the complaint will be recorded on the lodged *Complaint and Appeal Form*. A copy of this form will be provided to the complainant and the original kept on their file.

If the complainant is unsatisfied with the outcome of the complaint, they may appeal the decision in writing to the Coordinator within 15 days of receiving the written report of the outcome.

NOTE: Where a Student lodges a formal complaint, their enrolment will be maintained throughout the process. There is no cost for a Student to lodge a complaint or an appeal and no Student’s enrolment status will change until, if necessary, after the process has been fully completed.

Appeals

This procedure is designed to ensure:

1. that appeals resulting from the complaint procedure are addressed efficiently and effectively;
2. that International Students have an avenue to appeal the Seminar’s decision to report a breach of Visa conditions.

Appeals resulting from a complaint

If the complainant is unsatisfied with the outcome of a formal complaint, they may appeal the decision in writing on a *Complaint and Appeal Form* to the Coordinator within 15 days of receiving the written report of the outcome. All appeals thus lodged will be recorded on the Seminar *Complaints, Grievance and Appeals Register*.

The Student will be notified in writing of the outcome with reasons for the decision, and the ‘Complaints and Appeals Register’ updated to record the decision.

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The Coordinator will appoint a person who was not involved in the original decision to consult with the complainant and other relevant parties. Where possible such consultations should take the form of face-to-face interviews so that the complainant has an opportunity to formally present their case. The complainant may ask another person to accompany them to interviews.

Once the Coordinator receives a report of the Appeal consultation procedure, they will provide a written report to the complainant on the further steps taken to address the complaint, clearly stating the reasons for the decision.

If the complainant is unsatisfied with the outcome, they may make a written request to the MRSS that they wish the matter be dealt with externally.

International Student appealing deferrals, suspension or cancellation of enrolment.

Where a Student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they have 20 working days to lodge, in writing, a letter outlining the details of their appeal. All appeals thus lodged will be recorded on the Seminar *Complaints, Grievance and Appeals Register*.

A Student may appeal on the basis of **extenuating** or **compassionate** or **compelling** circumstances as to why the decision should be reviewed and **must supply some documentation** supporting their appeal.

Compassionate or compelling circumstances are generally those beyond the control of the Student and which have an impact upon the Student's course progress or wellbeing. These could include, but are not limited to:

- **serious illness or injury**, where a medical certificate states that the Student was unable to attend classes;
- **bereavement** of close family members such as parents or grandparents;
- **major political upheaval or natural disaster in the home country** requiring emergency travel and this has impacted on the Student's studies;
- a **traumatic experience** which could include:
 - involvement in, or witnessing of a serious accident; and
 - witnessing or being the victim of a serious crime and this has impacted on the Student (these cases should be supported by police or psychologists' reports)

Please note that the above are only some of examples of what may be considered compassionate or compelling circumstances. The Seminar uses professional judgment and assesses each case on its individual merits. When determining whether compassionate or compelling circumstances exist, we consider **documentary evidence** provided to support the claim. Copies of this evidence will be kept in the Student's file.

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The appeal must be lodged with the Coordinator and it will be entered into the 'Complaints and Appeals Register'. The Seminar will respond to this appeal within 10 working days of receipt of the appeal.

The Student may be provided the option of activating the external appeals process if they are not satisfied with the outcome. The Student is required to notify the Seminar if they wish to proceed with the external appeals process.

External Appeals

If the complainant is unsatisfied with the outcome of their appeal, they may make a written request to the Melbourne Rudolf Steiner Seminar that they wish the matter be dealt with through an external dispute resolution process facilitated by appropriate third party, independent of the Seminar and the complainant or appellant, such as:

Momentum-Changing Mindsets

PO Box 3108

Hawthorn East Vic 3123

03-9882 2977

The Melbourne Rudolf Steiner Seminar will then advise the external mediator in writing of the request within 5 working days.

It is then up to the mediator, the complainant and Melbourne Rudolf Steiner Seminar to resolve the complaint.

The complainant and/or respondent may ask another person to accompany them to meetings with the mediator.

The mediator will report to the Melbourne Rudolf Steiner Seminar the outcome of the mediation, including any recommendations arising. Once Melbourne Rudolf Steiner Seminar receives the report of the outcomes from the independent mediation, they will provide a written report to the complainant within 10 working days on the recommended actions to resolve the grievance.

The Melbourne Rudolf Steiner Seminar agrees to be bound by the independent mediator's recommendations and will ensure that any recommendations are referred to the Continuous Improvement Committee for action.

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Further Action:

If the complaint still remains unresolved, the complainant may decide to contact the National Training Complaints Hotline.

Consumers can register a complaint with the National Training Complaints Hotline by:

- Phone: 13 38 73 – Please select option 4.
- Email: Please see the process for submitting an email complaint at <https://www.education.gov.au/NTCH>

International Students can contact the *Overseas Students Ombudsman*. This service is free and fully independent. The *Overseas Students Ombudsman* may be contacted on:

Phone 1300 362 072 (Calls from mobile phones at mobile phone rates) or through the website <http://www.ombudsman.gov.au/about/overseas-student-ombudsman-landing-page>.

The Coordinator will ensure that the Seminar will act immediately on any substantiated appeal. If the internal or any external complaint handling or appeal process results in a decision that supports the Student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required, and advise the Student of the outcome.

Continuous Improvement

Any areas for improvement which arise where a complaint is found to be substantiated are documented in a Continuous Improvement Report and handled according to the Continuous Improvement Policy and Procedure.

Record Keeping and Confidentiality

Secure records of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon written request to the Seminar.

All records relating to complaints will be treated as confidential and will be covered by the Seminar's Privacy Policy.

Publication

This *Communications Policy and Procedure* will be published on the Seminar's website and included in the Student orientation process. For the information of Staff this policy and procedure will be referred to in the Seminar Handbook and in the staff professional development and induction processes.

Communications Policy Reviewed, 2018, Next Review 2019