

## Complaints and Appeals Policy and Procedure – HGS

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### 1. Scope

This Policy and Procedure apply to all students, prospective students, and staff of Holmes Grammar School. This also includes dealings with Education Agents or any related party that Holmes Grammar School has as an arrangement the delivery of a student's course or related services.

### 2. Purpose

This Policy and Procedure is in place to ensure that Holmes Grammar School has established a fair, objective and accessible dispute resolution principles and procedure to resolve grievances, complaints and appeals effectively and with a spirit of conciliation.

**For any Child Safety Related complaints please refer to our Child Safety Reporting and Complaint Policy that can be found at: [www.holmesgrammar.vic.edu.au](http://www.holmesgrammar.vic.edu.au)**

### 3. Policy Principles

- 3.1 It is the policy of Holmes Grammar School that any complaint lodged by a student will be resolved as swiftly as possible with fairness and equity to all concerned and at no cost to the student.
- 3.2 The school will ensure that it will respond to any complaints made by the student in relation to us as provider, or registered agent or third party for course delivery or related services.
- 3.3 The school will ensure that all privacy and employment law obligations are met when responding to complaints.
- 3.4 All student, care provider or agent complaints are to be taken seriously.
- 3.5 Records of the decision-making process of the complaint and the appeals will be maintained in the Student Management System and student eFiles.
- 3.6 The complaints and appeal process is based on the principles of natural justice.

- 3.7 Anonymous complaints and appeals will not be accepted. Each complaint and appeal must address a specific issue, or set of issues, regarding a specific student.
- 3.8 An appeals will incur no cost to the student.
- 3.9 The School views complaints and appeals as an opportunity to improve its operations. When a decision results in favour of the student, the student will be informed in writing, and the corrective plan will be implemented immediately.
- 3.10 HGS will take steps to avoid any conflicts of interest. When a complaint is about a staff member, a different staff member will investigate the complaint. Staff members managing complaints will report any conflict of interest and recuse themselves from investigations and decisions regarding that grievance or complaint.
- 3.11 No member of the appeal process will have previously been involved in investigating or resolving the previous complaint or making the previous decision.
- 3.12 Students have a right to escalate an issue to an external dispute resolution service (See Clause 4.12), if all avenues for appeal at HGS are exhausted.

#### **4. Complaints Management**

- 4.1 The School Principal has overall responsibility for ensuring efficiency and effective management and administration of the school's complaints handling processes.
- 4.2 The Head of School shall be the first point of contact for all student complaints. If the complaint is about the Head of School, then it should go immediately to the Principal.
- 4.3 If the complaint cannot be made at the Head of School level, then the matter is referred to the Principal.
- 4.4 All school staff and volunteers are responsible for responding appropriately to a complaint by referring the matter to the Head of School.
- 4.5 Complaints and appeals are managed promptly, fairly and objectively with sensitivity, privacy and in-confidence.
- 4.6 Complaints and appeals are managed with an open mind, without prejudice arising from any past history with the student.

#### **5. Procedure Principles**

##### **Lodging a complaint**

- 5.1 In the first instance, the students are encouraged to informally raise the matter with the Head of School/Principal. If the issue raised by the student cannot be solved by an informal process of discussion and resolution, the student can lodge a formal complaint through submitting the completed Grievance Form to the Head of School/Principal.
- 5.2 Within 10 working days of a complaint being received HGS will commence an internal review. The complaint will be reviewed by the reviewer (Head of

School/Principal depending on the nature of the complaint) who will also record details of the complaint in the Complaints and Appeals Register.

- 5.3 The reviewer will conduct the initial investigation. The student may be invited to provide further information or discuss the matter with the reviewer.
- 5.4 Generally, a decision will be made and conveyed to the student by the reviewer within 20 working days of the formal complaint being acknowledged. When resolution takes longer than the 20 working days the student will be informed in writing of the complaint's progress.
- 5.5 Within 10 days of the matter being resolved all parties will be notified of the resolution and outcomes of the complaint in writing. The correspondence will also outline avenues of appeal in the event the student is dissatisfied with the outcome.
- 5.6 If the student's complaint is upheld the School will take immediate action to remedy the situation depending on the type of complaint.
- 5.7 At each stage in the grievance procedure student will be given every opportunity to present his/her case and to be accompanied by a representative of his/her choice.

#### **Lodging an appeal**

- 5.8 If the student is unsatisfied with a decision made by Holmes Grammar School, he/she has the right to appeal to the School Council.
- 5.9 The appeal must be in writing and received within 20 working days of the initial decision being made. This time restriction may be waived at the discretion of the School Council where there are compelling or compassionate circumstances.
- 5.10 The appeal must set out the grounds of appeal and provide evidence supporting the grounds of appeal or any new information not previously provided in support of the complaint. It should also specify the outcome sought.
- 5.11 Within 10 days of receiving a formal appeal the school will commence an assessment of the appeal and record details of the Appeal in the Complaints and Appeals Register.
- 5.12 Every attempt will be made to resolve the dispute within 20 working days of the notice of the appeal. Where this is not possible due to the nature of the appeal the student will be kept informed as to the progress of the matter.
- 5.13 Within 10 days of a decision being made on the appeal, the student will be provided with a written statement outlining the outcome of the appeal and giving reasons for the decision. The student will also be advised that they can access external appeals processes for review of the decision should they see fit.
- 5.14 The school will ensure that the student is given an opportunity to formally present their case at no cost with the right to be accompanied by a support person at any

relevant meetings.

**Lodging an external appeal**

5.15 If the appeal is still not resolved it may be taken to an appropriate external and independent authority. Provided below is a list of contacts that students may approach for external resolution of complaints and/or appeals regarding their study at Holmes Grammar School. The list is not exhaustive. Before contacting these groups, students should ensure they have exhausted internal avenues within the School. These services are confidential and impartial.

Provider	Service	Contact
Commonwealth Student Ombudsman (Overseas Student Ombudsman)	Services include: <ul style="list-style-type: none"> <li>• To provide support to future, current or former international students.</li> <li>• investigate complaints about private education providers in Australia</li> <li>• provide information about best practice complaint-handling</li> <li>• publish reports on issues in international education.</li> </ul>	<ul style="list-style-type: none"> <li>• online through <a href="#">online complaint form</a></li> <li>• by phone on 1300 362 072 (note this is not a toll-free number and calls from mobile phones may attract additional charges)</li> <li>• in person at one of their office locations</li> <li>• in writing at GPO Box 442, Canberra, ACT 2601</li> </ul>

5.16 The student’s enrolment will remain active throughout the appeals process. That is, the enrolment or COE will not be cancelled while there is an ongoing appeals procedure. However, Holmes Grammar School reserves the right to restrict access to study opportunities should it deem it appropriate. At any time throughout the resolution process the student may have present at any or all discussions a representative of their choosing.

Holmes grievance procedures do not circumscribe the student’s right to pursue other legal remedies.

**Complaints and Appeal Outcomes**

If either the internal or external complaints or appeals result in a decision or recommendation in favour of the student, the school will immediately implement the decision or recommendation as part of preventive and corrective action. The overseas student will be advised accordingly.

## Refunds

5.17 Requests by students for refunds of fees paid are to be forwarded to the Principal of the School.

## 6. Record Management

6.1 Any determination made in relation to a formal complaint or an appeal will be documented in the Complaints and Appeals Register.

6.2 Complaints and Appeals records will be maintained for five years for audit purposes. For any related Child Safety complaint please refer to the Child Safety Reporting and Complaints Policy – 11.6 – for record retention.

## Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

<b>Responsible Officer</b>	School Council		
<b>Implementation Officers</b>	School Principal/Head of School		
<b>Review Date</b>	February 2029		
<b>Approved by</b>			
School Council			
<b>Associated Documents</b>			
Holmes Grammar School Staff Manual Key Documents Development and Review Policy and Procedure Communication Policy and Procedure Child Safety Reporting and Complaints Policy Student Study Planner			
<b>Version</b>	<b>Brief Description of the Changes</b>	<b>Date Approved</b>	<b>Effective Date</b>
1	New Policy	01/01/2005	01/01/2005
1	• Desktop Audit – Self Assessment Tool	08/04/2011	08/04/2011
1	• Desktop Audit- Self Assessment Tool	17/04/2015	17/04/2015
2	• Clarity to reporting process • Statement re confidentiality	12/08/2021	12/08/2021

3	<ul style="list-style-type: none"> <li>• Clarification of timeframes for assessing complaints/appeals</li> <li>• Addition of record management requirement</li> </ul>	November 2023	November 2023
4	<ul style="list-style-type: none"> <li>• Change of name from Grievance Procedure to Complaints and Appeals Policy and Procedure to align with nomenclature throughout organization.</li> </ul>	March 2025	March 2025
5	<ul style="list-style-type: none"> <li>• Update Independent Authority details</li> <li>• 3.2 Consideration of complaints by all related third parties</li> <li>• 4.12 Pertaining to appeals process at no additional cost and right to a support person</li> <li>• Insert section regarding Complaints and Appeals outcomes</li> <li>• 3.3 Privacy and Employment Law obligations are met</li> <li>• Added Section 4 – Complaints Management</li> <li>• Widen the scop of the policy to include Education Agents or Third Party Providers of courses or related services</li> </ul>	February 2026	February 2026