COMPLAINTS AND APPEALS POLICY AND PROCEDURE

1. POLICY

1.1 Indie Education is committed to ensuring complaints, grievances and appeals relating to its services, employees or contractors are managed fairly, transparently, impartially and accessibly.

1.2 This commitment protects the rights of students, parents and other stakeholders, promotes procedural fairness, provides access to independent review and supports organisational accountability, governance oversight and continuous improvement.

1.3 It also ensures Indie Education meets applicable independent school registration and ASQA requirements and the 2025 Standards for Registered Training Organisations, including Outcome Standards 2.7 and 2.8.

2. SCOPE

2.1 This Policy and Procedure applies to all students, employees (full time, part time, permanent, fixed term and casual), contractors, members of the Board, bodies corporate, and all other associated entities of Indie Education, including Indie School, Indie College, Indie Academy and Indie Services.

2.2 This Policy and Procedure does not extend to personal grievances between parents, guardians, or other members of the Indie Education community.

3. DEFINITIONS

3.1 In this Policy and Procedure, the following definitions apply unless the context otherwise requires:

(a) *Complaint or grievance* – is an expression of dissatisfaction made to Indie Education about an educational/ training and/or operational matter relating to services provided by Indie Education or the behaviour or decisions of a staff member, contractor or volunteer, including misconduct.

(b) *Appeal* – relates to a request for reconsideration of a decision that adversely affects a student (including but not limited to assessment outcomes, enrolment decisions, or administrative determinations).

4. PROCEDURE

4.1 This procedure outlines the requirements and responsibilities for receiving, recording, assessing, resolving and reviewing complaints, grievances and appeals, including escalation and access to independent review where required.

5. CHILD SAFETY AND PROTECTION MATTERS

5.1 If the complaint is about alleged inappropriate physical contact, sexual misconduct, neglect, or psychologically harmful conduct by an adult towards any child or young person. All such matters will be managed in accordance with the relevant legislative frameworks and the *Child Safety and Protection Policy and Procedure* and the relevant State *Child Safety and Protection Procedure* in accordance with section 17.

5.2 If a complaint that concerns the behaviour of a staff member and may constitute reportable conduct, the matter will be addressed by Indie Education's *Child Safety and Protection Policy* and the relevant State *Child Safety and Protection Procedure* in accordance with section 17. These documents are publicly available on the Indie Education website.

5.3 A complaint about a reportable conduct matter may be current or historical.

5.4 Timeframes for investigation of complaints relating to reportable conduct are dependent on the individual matter and may be over an extended period of time, particularly in the case of a historical allegation.

5.5 Indie Education is bound by privacy or other confidentiality requirements when conducting investigations of reportable conduct allegations, which may limit the information that can be shared with the complainant regarding the outcome of an investigation.

5.6 Complainants are not required to assess whether their concern meets the threshold of reportable conduct before making a complaint.

5.7 Any concern about a child's wellbeing or the conduct of an employee, volunteer, contractor or member of Indie Education community may be reported under this policy.

6. WHISTLEBLOWING COMPLAINTS

6.1 This policy does not extend to complaints which are whistleblowing disclosures. The procedure for processing whistleblowing complaints is dealt with in the *Whistleblowing Policy*.

6.2 In summary a whistleblowing disclosure is a disclosure which:

(a) is made by a board member, staff member, an individual who supplies goods or services to Indie Education, an employer of a supplier, a volunteer or a relative of any of these people;

(b) involves alleged misconduct, an improper situation or circumstances, or illegal activity, and

(c) is made to Indie Education's auditor who the organisation has authorised to collect such disclosures.

7. PRINCIPLES GOVERNING COMPLAINTS AND APPEALS

7.1 Indie Education manages complaints and appeals in a fair, accessible, and transparent manner, consistent with regulatory requirements for Australian independent schools and Registered Training Organisations (RTOs).

(a) **Child-safe and student-centred**

Processes prioritise student safety, wellbeing, and best interests, consistent with child-safe standards across all jurisdictions.

(b) **Accessibility**

Students are informed of their right to complain or appeal and how to do so, including their right to a support person.

(c) **Procedural fairness and natural justice**

All parties are given an opportunity to be heard, and decisions are made impartially and without conflict of interest.

(d) **Timeliness**

Complaints and appeals are addressed promptly and within reasonable and clear timeframes.

(e) **Transparency and accountability**

Decisions and their reasons are documented and provided in writing.

(f) **Independence**

Access to an independent or external review is available where requested.

(g) **No disadvantage**

Students will not be disadvantaged, victimised, or discriminated against for lodging a complaint or appeal in good faith.

(h) **Confidentiality and privacy**

Complaints and appeals are handled confidentially, with records managed in accordance with privacy and record-keeping obligations.

8. ROLES AND RESPONSIBILITIES

8.1 The Principal/ CEO has overall responsibility for complaints and appeals handling, delegated as follows:

8.2 School Context

(a) Senior Staff (Head of School/ Area, Executive Principal/Manager, Deputy CEOs): investigation and resolution including child related concerns of harm complaints

(b) Indie Education Board of Directors: oversight and review of child related concerns where required

8.3 RTO context

(a) Senior Staff (Area Manager, Executive Manager, Deputy CEO): responsibility for RTO complaints and appeals

(b) Coaches (Trainers and Assessors): initial resolution and cooperation in investigations

(c) Independent reviewer: engaged for unresolved appeals as required

9. COMPLAINTS PROCEDURE

9.1 **The Complainant**

9.1.1 A complaint may be made by a student or parent/ carer/ guardian or any member of the wider community.

9.1.2 Indie Education expects that complaints may be resolved wherever possible at the lowest level of management necessary for a proper resolution. Therefore, the Principal/ CEO, will not be directly involved in the resolution of those complaints that are more appropriately handled by others at Indie Education.

9.1.3 Where appropriate, complaints are initially addressed through:

(a) Discussion with the relevant Indie Education employee in the first instance

(b) Involvement of senior site staff as needed

(c) Early resolution to prevent escalation

9.1.4 Indie Education will seek to resolve complaints informally where possible but acknowledges that in some cases an individual may wish to make a formal complaint.

9.1.5 While complaints may be raised by a complainant directly with the individual involved, if the complainant does not feel comfortable doing so or the matter is one where it may not be appropriate to do so a complaint can be made to the line manager of the individual involved or the Head of School/ Area Manager.

9.1.6 Any complaint about the conduct of a staff member in relation to a child safety and protection matter should be raised directly with the Principal/CEO.

9.1.7 Should the matter not be resolved between the parties directly in the first instance, the complainant may raise the matter formally with Indie Education. A formal complaint can be made in writing using the *Complaints and Appeals Form* (refer to Section 12) addressed to the Principal/CEO, via email at reception@indie.edu.au

9.1.8 You may ask for assistance from a person you trust to help you put your complaint in writing.

9.1.9 Where an individual wishes to make a complaint concerning the CEO/ Principal, the complaint should be made in writing to the Chair of the Board/Delegate. In this situation, the references in this policy relating to the role of the Principal/Delegate should be read as references to the Chair of Board/Delegate.

9.2 **Indie Education**

9.2.1 The Principal/ CEO or their delegate will generally acknowledge receipt of a complaint raised with Indie Education in writing as soon as practicable and usually within 5 business days.

10. HANDLING COMPLAINTS

10.1 **Assessing a complaint**

10.1.1 The Principal/ CEO or their delegate generally will assess the complaint and determine:

(a) whether the complaint is one to be addressed under this policy or is a staff grievance or reportable conduct matter, or another matter identified in section 17 which are dealt with by the relevant policies, see section 17; and

(b) the priority of the complaint in accordance with the urgency and/or seriousness of the matter raised; and

(c) whether Indie Education may be required to report the matter to an external regulator, police, or other relevant authorities should the complaint relate to possible unlawful conduct or other reportable matters.

(d) Indie Education is responsible for acting upon the subject of any Complaint found to be substantiated.

10.2 **Managing a complaint**

10.2.1 The Principal/ CEO or their delegate generally will manage a complaint by:

(a) advising the complainant of the likely steps that will be undertaken by Indie Education in relation to the complaint;

(b) if appropriate, advising the relevant parties of the complaint at the relevant time and providing them with an opportunity to respond;

(c) collecting any additional information Indie Education considers necessary to assess the complaint

(d) making a decision about how the complaint will be resolved ("resolution decision"); and

(e) if appropriate, advising the complainant in writing, and any other relevant parties as appropriate, of the resolution decision of the Principal/ CEO or their delegate and if appropriate, any proposed action to be taken.

10.2.2 There may be circumstances where some of the steps outlined above are not appropriate and Indie Education will determine, on a case-by-case basis the most appropriate method of handling the complaint.

10.2.3 To ensure that the requirements of natural justice and procedure fairness are met, Indie Education will ensure that:

(a) where the subject of the Complaint is an employee, they will be excluded from any investigation conducted by Indie Education in reviewing the Complaint; and

(b) where any member of Senior Management is a party to the Complaint, they will not take part in any discussions or decisions made by Indie Education and the Complaint will be referred to the Principal/ CEO.

(c) an initial meeting should be held within 10 business days; and if further investigation is required, this should be completed within 60 calendar days.

(d) Each Complainant and Respondent has an opportunity to formally present their case; and is given a written statement of the Complaint outcomes, including reasons for the decision.

10.2.4 If the Complainant is not satisfied with the Complaint outcome, they may escalate the Complaint internally as follows:

(a) to the Executive Principal/ Manager if the Complainant is unsatisfied with the outcome of the Area Manager or Head of School's decision;

(b) to the Deputy Chief Executive Officer if the Complainant is unsatisfied with the outcome of the Executive Principal/ Manager's decision;

(c) to the Chief Executive Officer if the Complainant is unsatisfied with the outcome of the Deputy Chief Executive Officer' decision.

10.2.5 If the is not resolved through the internal escalation process.

(a) The Complainant may request an independent external review by a person or body not associated with Indie Education.

(b) For Indie College RTO-related student complaints and appeals, access to an independent external review will be provided at no cost to the student, in accordance with regulatory requirements.

(c) For complaints that do not relate to RTO student matters, any costs associated with engaging an independent party must be:

- clearly disclosed in advance; and
- agreed to by all relevant parties prior to the review commencing.

(d) There is **no cost** to the Complainant for lodging or participating in a Complaint process with Indie Education.

10.2.6 There is no cost involved in making a Complaint with Indie Education.

10.2.7 Indie Education will:

(a) provide full co-operation to the independent party during their review process; and

(b) take all reasonable steps to ensure that any recommendations made by the independent party are implemented (to the extent that Indie Education considers the recommendations necessary and practicable to resolve the Complaint, acting reasonably).

(b) A complainant and the relevant parties that the complaint is about may choose to have an appropriate support person present at any meeting with representatives of Indie Education about the complaint.

(c) However, Indie Education maintains the right to determine whether the individual's preferred support person is appropriate and may not approve the attendance only where the support person poses a conflict of interest, engages in intimidating or disruptive behaviour, or otherwise undermines procedural fairness."

11. APPEALS FRAMEWORK

11.1 Purpose

11.1.1 Indie Education is committed to ensuring that all students have access to fair, transparent and timely appeal processes in relation to decisions that adversely affect them.

11.1.2 This Appeals Framework explains how appeal rights are managed across Indie Education's operations and ensures compliance with applicable education, training and assessment requirements.

11.2 Structure of Appeals Process

11.2.1 Indie Education operates distinct but aligned appeal mechanisms, reflecting the regulatory frameworks that apply to different programs of study.

(a) RTO Appeals Schedule - Applies to appeals concerning:

(a) assessment decisions in nationally recognised VET units;

(b) decisions made by the RTO, its staff or third-party providers; and

(c) matters regulated under the *Standards for Registered Training Organisations (RTOs)*

(b) Senior Secondary Assessment Appeals - Applies to appeals concerning:

(a) school-based assessment contributing to senior secondary certificates (e.g. HSC, VCE, QCE, SACE, WACE, TCE);

(b) internal assessment marks, rankings and procedural compliance; and

(c) matters governed by state and territory curriculum and certification authorities

(d) All these matters are dealt with under the relevant State's *Assessment Policy*.

11.3 **No Duplication or Conflict**

11.3.1 Each appeal pathway applies only to matters within its regulatory scope.

11.3.2 Where a student is enrolled in both senior secondary schooling and VET programs, the relevant policy or schedule will apply depending on the nature of the decision being appealed.

12. RTO APPEALS PROCESS

12.1 Students may appeal decisions including, but not limited to:

(a) Assessment outcomes

(b) recognition of prior learning (RPL) or credit transfer;

(c) enrolment or progression decisions; and

(d) disciplinary or administrative decisions affecting the student.

12.2 All appeals are managed in accordance with the Principles Governing Complaints and Appeals (Section 6)

12.3 Students may appeal an assessment outcome they believe is unfair, unjustified, or discriminatory, including where they:

(a) disagree with the assessor's decision (including third-party assessors);

(b) seek review by another assessor;

(c) request re-assessment for the same unit;

(d) request a change of unit; or

(e) believe discrimination has occurred.

12.4 An appeal may be lodged where a student believes a decision:

(a) did not follow Indie Education policies or procedures;

(b) was made in error or without sufficient evidence;

(c) involved unfair or improper assessment or administrative processes; or

(d) resulted in unreasonable disadvantage.

12.5 **Lodging an Appeal**

12.5.1 Students may appeal any assessment decision where they believe the assessment or process was invalid or unfair.

12.5.2 Students are encouraged to first discuss the matter with their Coach to resolve the issue informally.

12.5.3 If unresolved, a formal *Complaints and Appeals Form* must be submitted within 5 business days of the discussion.

12.5.4 Appeals must be submitted to the relevant line manager identified on the form. Assistance may be provided by a person you trust.

12.5.5 Students may have a support person involved at any stage of the process.

12.5.6 Written acknowledgement of the appeal will be provided.

12.6 **Handling of Appeals**

12.6.1 Appeals are reviewed by an individual who:

(a) was not involved in the original decision;

(b) acts impartially and without bias; and

(c) bases decisions on evidence and documented standards.

12.6.2 The Lead Coach or Area Manager will:

(a) consult separately with the student and Coach within 10 business days;

(b) determine the outcome, including whether the result is confirmed, amended, or a re-assessment is required; and

(c) notify the student of the outcome in writing within 15 business days.

12.6.3 Where re-assessment is required, it will be conducted by a suitably qualified, independent assessor. Results will be provided within 10 business days of re-assessment.

12.6.4 Internal appeal processes will be concluded unless exceptional circumstances apply. Where timeframes exceed 30 business days, the student will be informed in writing of the reasons for the delay and the revised expected completion date.

12.7 **Outcome and Records**

12.7.1 The outcome will be provided in writing and include:

(a) the decision;

(b) reasons for the decision; and

(c) any resulting actions.

12.7.2 Records of appeals and outcomes are securely maintained by Indie Education.

12.8 **Independent Review**

12.8.1 If dissatisfied with the internal outcome, students will be given access to an independent external review **at no cost and without financial disadvantage**, in accordance with Outcome Standard 2.8.

12.8.2 Indie Education will cooperate fully with the external review process.

12.8.3 Where necessary, a Review Board (which may include external Indie Education representatives) may be convened. Any recommendations will be advisory and not binding.

13. COMPLAINTS AND APPEALS FORM

13.1 The *Complaints and Appeals Form* is located on the Indie Education website and in the VET Student Handbook. It is also available from the Administration Officer on each site or by emailing reception@indie.edu.au . This Policy and associated procedures are publicly available on the website and provided to students prior to or at enrolment.

14. COMPLAINTS AND APPEALS REGISTER

14.1 *Complaints and Appeals Forms* received are to be entered onto the Indie Education Complaints and Appeals Register.

14.2 An Opportunity for Improvement Form (OFI) may need to be completed to identify any improvements to the process that may need to be made.

14.3 All *Complaint and Appeal Forms* are reviewed during monthly Quality and Compliance meetings.

14.4 Indie Education will keep a record of information about all Complaints and Appeals made, including details of the investigation, interviews conducted, relevant documentation, details of any internal or external review process taken, and the outcome of the Complaint or Appeal in a Complaints and Appeals Register.

14.5 The Complaints and Appeals Register will be kept permanently in a restricted access file.

15. CONTINUOUS IMPROVEMENT

15.1 Appeal outcomes are monitored and analysed by Indie Education to:

(a) identify systemic issues;

(b) inform continuous improvement; and

(c) enhance training, assessment and decision-making practices, via Opportunity for Improvement forms and compliance reviews.

16. EXTERNAL COMPLAINT AVENUES

16.1 This policy and procedure does not limit your right to use other available agencies and processes, such as the Privacy Commissioner, the Ombudsman, the workplace regulator or other legal processes.

16.2 Should the internal process be unsatisfactory, and the matter relates to the RTO you can lodge a Complaint to:

(a) Australian Skills Quality Authority (https://www.asqa.gov.au/about/Complaints/Complaints- about-training-providers)

(b) National Training Complaints Hotline (https://www.dewr.gov.au/national-training-complaints- hotline) Phone: 13 38 73, Monday to Friday, 8am to 6pm nationally.

(c) Office of Fair Trading NSW (https://www.fairtrading.nsw.gov.au/)

(d) QLD Training Ombudsman (https://trainingombudsman.qld.gov.au/)

(e) Consumer and Business Services SA (https://www.cbs.sa.gov.au/)

(f) Consumer, Building and Occupational Services TAS (https://www.cbos.tas.gov.au/)

(g) Consumer Affairs VIC

(h) https://www.consumer.vic.gov.au/consumers-and-businesses/business- resources)

(i) Consumer Protection WA (https://www.commerce.wa.gov.au/consumer-protection

16.2.2 Should the matter relate to the school, you may escalate as per Appendix A.

16.2.3 Note: State and territory regulators consider complaints only where the matter relates to compliance with registration or legislative requirements. They do not act as general appeal bodies for individual school decisions.

17. POLICY REVIEW

17.1 In accordance with Indie Education's policy review protocol, this Policy and Procedure will be reviewed annually. If there are material changes to circumstances before the 12-month review period, this Policy and Procedure will be reviewed immediately to ensure its contents remain effective and up to date.

18. RELATED POLICIES AND DOCUMENTS

(a) Complaints about reportable conduct will be addressed in accordance with Indie Education's *Child Safety and Protection Policy* and *Child Safety and Protection Procedures*.

(b) Whistleblowing Complaints are dealt with under the *Whistleblowing Policy.*

(c) Complaints regarding a grievance between students will be addressed in accordance with Indie Education's *Student Code of Conduct* and/or *Behaviour Management Policy* and/or *Bullying and Harassment Prevention Policy.*

(d) Complaints regarding a grievance between employees and contractors about work matters, including work relationships and decisions made by other employees and contractors which impact on their work, will be addressed in accordance with the *Employee Complaints and Appeals Policy*

(e) Complaints regarding unlawful discrimination, harassment or bullying between staff are generally addressed in accordance with Indie Education's *Workplace Treatment Policy*.

(f) Complaints regarding teacher accreditation processes will be addressed in accordance with Indie Education's *Teacher Accreditation/ Registration Procedure.*

(g) Appeals that relate specifically to Senior Secondary Assessment will be addressed by the relevant State's *Assessment Policy*.

18.1 This Policy should be read in conjunction with:

- Standards for Registered Training Organisations (RTOs) 2025
- VET Student Handbook
- Records Management Policy

19. AUTHORISATION

19.1 This Policy and Procedure has been reviewed and approved in accordance with the delegations set out in the Chief Executive Officer Limitations Policy and is available to the Board and the Chief Executive Officer for ongoing consideration.

APPENDIX A

The jurisdictional regulators listed below handle complaints only about registration or legal compliance. **They do not review school decisions.**

State / Territory	EXTERNAL REGULATOR FOR NON-GOVERNMENT SCHOOLS
New South Wales (NSW)	If a complaint cannot be resolved through the School's internal complaints procedures, or if there is a compelling reason why internal processes cannot be exhausted, the complainant may raise the matter with the NSW Education Standards Authority (NESA). NESA considers complaints that relate to non-compliance with the registration and accreditation requirements for non-government schools.
Victoria (VIC)	If a complaint cannot be resolved through the School's internal complaints procedures, the complainant may refer the matter to the Victorian Registration and Qualifications Authority (VRQA). The VRQA considers complaints relating to a school's compliance with the minimum standards for registration.
Queensland (QLD)	If a complaint remains unresolved after the School's internal processes have been completed, the complainant may raise the matter with the Non-State Schools Accreditation Board (NSSAB). The NSSAB considers complaints that relate to accreditation and compliance requirements for non-state schools.
Western Australia (WA)	Where a complaint cannot be resolved through the School's internal complaints procedures, the complainant may refer the matter to the relevant authority of the Western Australian Department of Education. The Department considers complaints relating to the registration and regulatory compliance of non-government schools.
South Australia (SA)	If a complaint cannot be resolved through internal processes, the complainant may raise the matter with the Education Standards Board (ESB) of South Australia. The ESB considers complaints that relate to compliance with school registration requirements.
Australian Capital Territory (ACT)	If a complaint remains unresolved following the School's internal complaints process, the complainant may refer the matter to the ACT Education Directorate (or relevant ACT registration authority). The Directorate considers complaints related to compliance with school registration and regulatory requirements.
Tasmania (TAS)	If a complaint cannot be resolved through the School's internal complaints procedures, the complainant may raise the matter with the Tasmanian Registration and Accreditation Board (TRAB). TRAB considers complaints that relate to compliance with the requirements for school registration.
Northern Territory (NT)	Where a complaint cannot be resolved through the School's internal complaints process, the matter may be referred to the Northern Territory Government authority responsible for the registration of non-government schools. This authority considers complaints relating to regulatory and registration compliance.