

AGTV Complaints and Appeals Policy V3b

Purpose

The AGTV Complaints and Appeals Policy outlines the way the Committee will deal with complaints about matters related to the Association and its services.

Scope

This policy applies to those members, support staff, volunteers, students, third-party service providers and others involved in a complaint related to the Association and its services, including the AGTV BJR Student Exchange program.

This policy also applies for those wishing to appeal a decision made in response to a complaint.

Policy

The Committee is committed to providing professional, safe and inclusive services to support the teaching and learning of German. The AGTV is a child safe organisation and has zero tolerance of child abuse, harm and racism.

As part of this commitment, the Committee acknowledges that complaints may arise from time to time. We recognise that addressing complaints in a respectful, timely and responsible manner benefits everyone involved and contributes to the continuous improvement of the Association.

The Committee will act on reports of any breaches of AGTV policies or codes of conduct.

We will call out racism and will respond immediately to disclosures, suspected, alleged or incidents of child abuse or harm as a critical incident and report these to authorities. We will cooperate with law enforcement and respect the confidentiality of parties involved, offering support where appropriate.

Suspected, alleged or incidents of child abuse or harm

If a child or young person is in immediate danger or there is an incident or allegation of sexual or physical abuse, we will **call Victoria Police on triple zero: 000**

If a person believes on reasonable grounds that a child or young person is in need of protection, they must call Department of Families, Fairness and Housing (DFFH) Child Protection Services:

- **Call 13 12 78** for 24-hour child protection services

In addition, anyone who suspects or receives a disclosure or report about **child abuse or harm** related to an AGTV service must inform the President or Vice-Presidents as soon as possible to enable an immediate critical incident response (See Step 1 below).

- complaints@agtv.vic.edu.au

All reports and allegation or child abuse or harm will be handled under our **Child Safety Reporting Policy and Procedures** and the **CCYC Reportable Conduct Scheme**.

If the incident or allegation of child abuse relates to the **AGTV BJR student exchange program**, the President or AGTV Coordinator must also **notify the VRQA** as soon as practicable about the incident or allegation and the action that has been taken in response.

AGTV Complaints and Appeals Procedures

The Committee is committed to providing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedures, the Committee ensures that complaints and internal appeals:

- are accessible to any person involved in the AGTV and its services
- are responded to in a consistent and transparent manner
- are responded to promptly, objectively, with sensitivity and confidentiality
- are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.

Procedures in the complaint management process:

- Grievance (informal complaint or concern)
- Complaint (formal)
- Appeal (internal)
- External Body for resolution

The complainant or appellant has the right to pursue other legal remedies.

Grievances under the Rules of the AGTV

If the complaint relates to the Rules of the AGTV, the Committee will follow the grievance process outlined in Division 3 of the Model Rules.

Grievances relating to the AGTV BJR Exchange Program

Exchange students and host families are given information about how to make a complaint in the AGTV Guidelines for the AGTV BJR Student Exchange prior to submitting a formal application to be part of the reciprocal exchange program and in the orientation booklets for inbound and outbound exchange students. In Victoria, people with concerns or complaints should contact:

- AGTV Coordinator at: bjr@agtv.vic.edu.au

If you are uncomfortable or feel unable to do that, or the matter remains unresolved, you may make an informal complaint by contacting a member of the executive:

- <https://agtv.vic.edu.au/about/contact/> ; or
- request a formal complaint form at: complaints@agtv.vic.edu.au

If there is a concern about the conduct of the AGTV as a Registered Student Exchange Organisation (SEO), contact the Victorian Registration and Qualifications Authority (VRQA):

- vrqa.schools@education.vic.gov.au

General Procedures for Making and Handling Complaints

Any individual wishing to make a complaint about AGTV and our services will be forwarded this policy or directed to this policy published on the AGTV website.

- <https://agtv.vic.edu.au/about/policies/>

All grievances, complaints and appeals will be dealt with confidentially and in a timely manner.

Face to Face Meetings

Any face to face meetings should be held at a mutually agreeable time and may be held online.

The person with the concern may have a support person at face to face meetings if they wish.

Concerns Grievances / Informal Complaints

If an individual involved in the services provided by the AGTV is unhappy about a matter, they are encouraged, wherever possible, to discuss the matter directly with the person/s concerned or person in charge of the event or service to find a resolution.

Questions or informal complaints could be raised by phone, email, face to face online or in person. Any concern, grievance or informal complaint is expected to be resolved either at time of the incident or shortly after receiving the complaint, and no longer than 14 days after the grievance was raised.

If you are uncomfortable or feel unable to do that, or the matter remains unresolved, you may make an informal complaint by emailing the President and Vice-Presidents at:

- complaints@agtv.vic.edu.au

or another member of the executive:

- <https://agtv.vic.edu.au/about/contact/>

Questions or grievances dealt with in this way do not become part of the formal complaint process but may be recorded to assist in monitoring the resolution of a matter, or to inform evaluations and improvements to our services.

As a general guideline for resolving matters before they escalate:

- address the matter
- clarify the matter
- bring the parties together to talk
- identify a solution
- monitor and follow up to confirm the matter is resolved

If the complainant is not satisfied with the outcome, they may make a formal complaint.

Formal Complaint

Individuals who are not satisfied with the outcome of an informal process or who want to register a formal complaint related to the AGTV or its services, can email the Committee and a Complaints and Appeals form will be emailed to the complainant:

- complaints@agtv.vic.edu.au

There is no cost to complainants for lodging a formal complaint with the AGTV.

Response Step 1: Formal complaints will be **acknowledged as received by email** by the President or one of the Vice-Presidents as soon as practicable after receipt.

Formal complaints will be recorded in the Complaints and Appeals register. Each matter will be categorised as Level 1, 2 or 3 under our **Risk Management Policies** and **Risk Management Plans**.

If the matter is a **Level 3 critical incident**, it will be handled under the **Critical Incident Policy**. In the case of **child abuse or harm**, the matter will be handled under our **Child Safety Reporting Policy and Procedures** and the **CCYC Reportable Conduct Scheme**.

Response Step 2: The President and Vice-Presidents will review the complaint to identify who is involved, what is the complaint about, and what action to take. If the complaint involves the President or Vice-Presidents, then a conflict of interest must be declared, and that person must not make any decisions about the outcome of the complaint. The conflict of interest will be recorded in the Conflict of Interest register by the Secretary.

The complainant should expect to **hear from the Committee in writing within 14 days** of the receipt of the complaint or earlier about how the matter is being investigated and addressed.

The complainant will be kept informed of any decisions or outcomes concluded or processes in place to deal with the complaint. All formal complaints must be reported to the Committee.

The investigation may involve a series of actions including meetings with the complainant (and support person if they choose to do so) or others involved, or seeking legal advice.

Response Step 3: Any **final decision or outcome** will be **notified in writing** to the complainant, who will also be informed about the option to appeal.

Respecting the privacy of the parties concerned, all formal complaints, breaches of Codes of Conduct, actions and outcomes will be recorded in a register and reported to the Committee.

Internal Appeal

Individuals have the right to appeal a decision about a formal complaint at no cost.

Appellants must **notify the Committee in writing within 14 days** of receiving the outcome of their complaint of their appeal using the AGTV Complaints and Appeals form. They must state the reason for the appeal and explain why they do not agree with the result of the outcome.

- complaints@agtv.vic.edu.au

The President and Vice-Presidents will **acknowledge the receipt of the appeal**, notify the Committee of the appeal, and record the details in the Complaints and Appeals register.

The President and Vice-Presidents, in consultation with the Committee, will consider the reasons for the appeal, review the matter again, and, determine if the original decision will stand or a new decision will be made or negotiated with the appellant. Any decision made about the appeal must be formally endorsed by the Committee and recorded in the Complaints and Appeals register.

The appellant will be **notified in writing** of the outcome of the appeal **within 30 days** of the receipt of the appeal, unless both parties agree in writing to an extension of time.

If the appellant does not accept the outcome of the appeal, they may request that the matter be dealt with through an external review process.

External Appeal

If an appellant to a decision made by the Committee is dissatisfied with the decision, there is an option to have the dispute dealt with by an external service for mediation.

Disputes Settlement Centre Victoria (DSCV)

Phone 1300 372 888

Complete an online form for a response from DSCV within 5 business days:

- <https://www.disputes.vic.gov.au/about-us/contact-us>
- <https://www.disputes.vic.gov.au/about-us/how-and-when-we-can-help>

Resources, related Policies and Registers

Child Safety

Commission for Children and Young People (CCYP)

- <https://ccyp.vic.gov.au/>

CCYP Reportable Conduct Scheme

- <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

DFFH Child Protection Contacts

- <https://services.dffh.vic.gov.au/child-protection-contacts>

The Orange Door

- <https://www.vic.gov.au/about-the-orange-door>

Department of Education

- Report Child Abuse <https://www.schools.vic.gov.au/report-child-abuse-schools>

AGTV Registers

- Complaints and Appeals register
- Exchange Incident register
- Critical Incidents register
- Conflict of Interest register

AGTV Forms

- Complaints and Appeals Form
- Recording Responses to Child Abuse

AGTV Policies

- AGTV Risk Management Policy
- AGTV Risk Management Plan
- AGTV Critical Incident Policy
- AGTV BJR Risk Management Plan
- AGTV Child Safety and Wellbeing Policy
- AGTV Child Safety Reporting Policy and Procedures
- AGTV Digital Media Policy
- AGTV BJR Student Digital Use Policy
- AGTV Code of Conduct
- AGTV BJR Student Code of Conduct
- AGTV Privacy Policy
- AGTV Recordkeeping Policy