

COMPLAINTS AND GRIEVANCE POLICY

This policy explains how complaints and grievances involving Raewyn Fernandez's training, services and business relationships will be received, considered and resolved fairly.

Purpose

Raewyn Fernandez is committed to responding to concerns respectfully, promptly and consistently. Wherever possible, concerns will be resolved at the earliest appropriate stage while protecting the wellbeing, privacy and legal rights of everyone involved.

Scope

This policy applies to complaints or grievances raised by or involving:

- Students, course participants, clients and customers
- Employees, volunteers, contractors and guest facilitators
- Suppliers, venues and other service providers
- Members of the public affected by the business's activities

A complaint may relate to conduct, communication, discrimination, harassment, safety, course delivery, assessment, administration, privacy, payments, contracts, services, professional boundaries or another aspect of the business relationship.

Guiding principles

Complaints and grievances will be managed according to the following principles:

- Procedural fairness and natural justice
- Impartial consideration of available information
- Confidentiality, subject to safety and legal obligations
- Respectful communication and freedom from victimisation or retaliation
- Reasonable accessibility, including a support person or reasonable adjustment where appropriate
- Timely communication and written records
- Outcomes proportionate to the circumstances

The person responding to a complaint will disclose any actual or perceived conflict of interest. Where the complaint concerns Raewyn Fernandez directly, or impartial internal review is not reasonably possible, the matter may proceed directly to an independent external reviewer or mediator.

How to raise a concern

A concern may initially be raised verbally or in writing. Formal complaints should be submitted in writing to Raewyn Fernandez and include, where possible:

- The complainant's name and contact details
- A clear description of the concern and when it occurred
- The names of people involved and any relevant documents, messages or supporting information
- Any steps already taken and the outcome or resolution being sought

Anonymous complaints may be considered where sufficient information is available, although anonymity may limit the ability to investigate or respond.

Informal resolution

Where appropriate and safe, the parties may first attempt to resolve the concern through respectful discussion, clarification, an apology, correction of information or another mutually acceptable action. Participation in informal resolution is voluntary. A person is not required to approach the subject of a complaint directly where they feel unsafe, uncomfortable or believe the matter is serious.

If the concern is resolved informally, the agreed outcome may be recorded in writing. If it is not resolved, the complainant may proceed to the formal process.

Formal complaint process

1. Acknowledgement and initial assessment

A formal complaint will normally be acknowledged in writing within five business days. The complainant will be advised of the next steps, the person responsible for managing the matter and any further information required.

An initial assessment will consider the nature and seriousness of the complaint, any immediate safety concerns, conflicts of interest, applicable contracts or policies, and whether another authority or process is more appropriate.

2. Response and investigation

The person whose conduct or decision is the subject of the complaint will generally be informed of the substance of the allegations and given a reasonable opportunity to respond. Relevant information may be gathered from the parties, witnesses and available records.

The investigation will be proportionate to the matter. All participants are expected to provide truthful information, maintain appropriate confidentiality and engage respectfully.

3. Outcome

A written outcome will normally be provided within 20 business days of receiving all information reasonably required. If more time is needed because of the complexity, availability of participants or another reasonable cause, the complainant will be told why and given progress updates.

Possible outcomes may include clarification, an apology, correction, further training, modification of a service or assessment, reconsideration of a decision, a refund or other remedy where required, changes to procedures, performance management, disciplinary action, contractual remedies, referral to another body, or a finding that the complaint is not substantiated.

Review or appeal

A complainant or respondent who believes the process was procedurally unfair, relevant evidence was not considered, new evidence is available, or the outcome was unreasonable may request a review in writing within 10 business days of the outcome.

Where reasonably possible, the review will be conducted by a person who was not responsible for the original decision. A written review outcome will normally be provided within 15 business days after all necessary information has been received.

External mediation

If a complaint or grievance cannot be resolved through the internal process, the parties will be invited to participate in mediation with an independent external mediator.

The mediator will be appropriately qualified, independent of the parties and mutually agreed where practicable. Depending on the nature of the dispute, mediation may be arranged through a nationally accredited mediator, the NSW Small Business Commissioner where the matter is eligible, or another suitable independent dispute-resolution service.

Mediation is a confidential process in which the mediator assists the parties to identify issues, consider options and work towards a mutually acceptable resolution. The mediator does not impose a decision unless the parties have separately agreed to another form of determination.

The mediator's professional fees and the way those fees will be allocated will be disclosed and agreed in writing before mediation begins. Each party is ordinarily responsible for their own legal, advisory, travel or preparation costs unless otherwise agreed or required by law.

Any agreement reached through mediation should be recorded in writing and signed by the parties. If mediation does not resolve the matter, either party may pursue any external right or remedy available to them.

Urgent, serious or external matters

The informal process may be bypassed where a complaint involves immediate safety risks, serious misconduct, discrimination, harassment, violence, criminal conduct, child safety, significant privacy concerns or another matter requiring urgent action.

Nothing in this policy prevents a person from seeking legal advice, contacting emergency services, reporting a matter to police, SafeWork NSW, the Fair Work Ombudsman, the Fair Work Commission, NSW Fair Trading, a professional association, insurer, regulator, court or tribunal, or exercising any other legal right.

Confidentiality and support

Information will be shared only with people who reasonably need it to assess, investigate, respond to or resolve the matter, or where disclosure is required for safety, insurance or legal reasons. Absolute confidentiality cannot be guaranteed where the allegations must be put to another person or disclosure is required by law.

A participant may request a support person at meetings. The support person's role is to provide personal support, not to answer questions or advocate in place of the participant unless otherwise agreed.

Protection from victimisation

No person will be disadvantaged, threatened or subjected to retaliation for raising a genuine concern, participating in a complaint process or supporting another person. Deliberately false, malicious or misleading allegations may be addressed separately, but a complaint will not be treated as malicious merely because it is not substantiated.

Records and continuous improvement

Appropriate records of formal complaints, investigations, outcomes, reviews and mediated agreements will be stored securely and retained in accordance with applicable privacy, employment, contractual, insurance and legal requirements.

Complaint information may be reviewed in a de-identified form to identify recurring issues, improve training and services, strengthen safety and prevent similar concerns arising in the future.

Contact

Complaints, grievances and review requests should be submitted in writing to Raewyn Fernandez using the contact details below:

Email: hello@raewynfernandez.com.au

Phone: +61 433 424 864

Website: www.raewynfernandez.com.au