

### Purpose:

The purpose of this policy and procedure is to provide information and outline the determination for proceeding with an academic and/or non-academic grievance with Skills Training Australia.

### Policy Outline:

#### Definitions

<b>The Act</b>	Higher Education Support Act 2003
<b>Student</b>	All persons enrolled in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would, be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.
<b>Academic grievances</b>	Grievances relating to those matters which relate to student progress, assessment, course content or awards in a VET course of study.
<b>Non-academic Grievances</b>	Grievances relating to those matters which <u>do not</u> relate to student progress, assessment course content or awards in a course and include complaints in relation to personal information that Skills Training Australia holds in relation to the student.  Non-academic grievances come from decisions made by Skills Training Australia. Non-academic grievances cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.
<b>Complainant</b>	Students who have lodged an academic complaint with Skills Training Australia.
<b>Respondent</b>	The person or committee whose decision on an academic or non-academic matter is the subject of the student complaint.

Skills Training Australia is committed to providing an effective, efficient, timely, fair and confidential academic grievance and non-academic grievances handling procedures for all students.

This policy and procedure applies regardless of the campus at which the grievance has arisen, the complainant's place of residence or mode of study.

The General Manager is responsible for implementation of this policy and procedure and ensuring that all staff is fully trained in its operation and students and complainants are made aware of its availability.

### Procedure:

#### Informal Grievance Procedure

Skills Training Australia recommends students speak to their Trainer/Assessor in the first instance to resolve any issues of concern. If a satisfactory outcome cannot be reached, the student can then approach the staff member responsible for the qualification.

If no resolution can be reached, the students have the option to lodge a formal grievance.

### **Formal Grievance Procedure**

General principles applying to all stages of this grievance procedure which will be adhered to by Skills Training Australia are:

- The complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The complainant and the respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the complainant and/or the respondent.
- Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored within the office of the General Manager.
- The complainant shall have appropriate access to these records.
- The Quality and Administration Manager is responsible for maintaining/updating the complaints register.
- A complainant shall have access to this internal and external grievance procedure without charge.
- A complainant may contact Skills Training Australia and speak with the relevant Training Manager for progress updates at any time. Should the Training Coordinator be unavailable, the Quality and Administration Manager will be available to discuss any matter relating to the progress complaint.

### **Stage One – Formal Complaint**

Formal grievances should be submitted in writing to the relevant Training Coordinator of Skills Training Australia.

The complainant will receive notification in writing of acknowledgement of the receipt of the complaint within 3 business days.

The Training Coordinator within Skills Training Australia will then assess the grievance, determine the outcome and advise the complainant in writing of his/her decision within 10 working days of receipt of the formal grievance.

The complainant will be advised of his/her right to access Stage Two of this procedure if he/she is not satisfied with the outcome of Stage One.

### **Stage Two – Internal Review**

If the complainant is dissatisfied with the outcome of Stage One they may lodge an appeal in writing with the General Manager.

The complainant's appeal will be determined by the General Manager of Skills Training Australia (the reviewer).

The reviewer will conduct all necessary consultations with the complainant and other relevant persons and make a determination of the appeal. The complainant will be advised in writing of

the outcome of their appeal, including the reasons for the decision, within 10 working days of receipt of the appeal.

Should a decision not be reached within 10 working days, the complainant will be advised in writing of all matters relating to the progression of the appeal.

The complainant will be advised of his/her right to progress to Stage Three of the grievance procedure if he/she considers the matter unresolved.

### **Stage Three – External Appeal Resolution Institute**

If the complainant is dissatisfied with the outcome of Stage Two he/she may request that the matter be referred to an external dispute resolution process by a body appointed for this purpose by Skills Training Australia.

The contact details for the external body are:  
Resolution Institute (*Combining LEADR & IAMA*)  
Level 1 and 2  
13-15 Bridge Street  
SYDNEY NSW 2000  
Freecall: 1800 651 650  
<http://www.resolution.institute/>

Resolution Institute's mediation clause states:

- *In the event of a dispute arising both parties shall first meet and attempt to resolve the issues of concern by means of discussion and personal negotiation. If this process does not resolve the issues, they shall refer the matter to mediation.*
- *The parties must endeavour to settle any dispute by way of mediation. Such mediation would be conducted by a mediator who is independent of both parties and appointed by agreement of the parties or, failing agreement within 7 days of receiving any party's notice of dispute, by a person appointed by the Chair of Resolution Institute or the Chair's designated representative.*

Skills Training Australia will give due consideration to any recommendations arising from the external review within 10 working days of receipt of the external body's report. The recommendations will be presented to Executive Management for consideration. An action plan will be put in place by Executive Management for the rectification of the matter in conjunction with Resolution Institute's recommendations and applicable timeframes. Finalisation of the matter will be reported as required.

Should matters not be resolved after Resolution Institute's intervention then students have the right to contact the Victorian Civil & Administrative Tribunal:  
<http://www.vcat.vic.gov.au/>

### **VET Student Loans Ombudsman**

The Commonwealth Ombudsman can investigate complaints about the VET Student Loans program and VET FEE-HELP scheme.

If the complainant is dissatisfied with the outcome of Stage Two in regards to an issue with VET Student Loans or VET FEE-HELP he/she may request that the matter be referred to the VET Student Loans Ombudsman on 1300 362 072.

Skills Training Australia will give due consideration to any recommendations arising from the external review within 10 working days of receipt of the external body's report. The recommendations will be presented to Executive Management for consideration. An action plan will be put in place by Executive Management for the rectification of the matter in conjunction with the VET Student Loans Ombudsman recommendations and applicable timeframes. Finalisation of the matter will be reported as required.

Should matters not be resolved after Resolution Institute's intervention then students have the right to contact the Victorian Civil & Administrative Tribunal:

<http://www.vcat.vic.gov.au/>

**Note:** if more than 60 days is required to finalise the issue, Skills Training Australia will keep the complainant informed in writing and provide further regular updates in writing.

### Communication of Policy and Procedure to Staff

This policy and procedure is communicated to staff via:

- Holding internal training sessions ensuring employees are made aware and understand the processes involved
- email notification; and
- access to the Skills Training Australia intranet

### Publication

This *Academic and Non-Academic Grievance Policy and Procedure* will be made available to students enrolled with Skills Training Australia through publication on the website [www.skillstraining.vic.edu.au](http://www.skillstraining.vic.edu.au); a summary of the information will be included in DOC009 Student Handbook.

### Approval Authority:

This was agreed to and ratified by Skills Training Australia Management Team of Skills Training Australia on 4 July 2017 as indicated and the control copy is one that is maintained within the Quality Management System and as such all hard copies need to be verified.

### Documents Referenced:

- Higher Education Support Act 2003
- DOC009 Student Handbook