

International Students - Grievance and Non-Academic Grievance Policy and Procedure

Purpose:

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

Policy Outline:

Definitions

Student	International Student
Academic Grievance/Complaint	Grievances relating to those matters which relate to academic areas eg student progress, assessment, course content or awards in a VET course of study.
Non-Academic Grievance/Complaint	Grievances relating to those matters which <u>do not</u> relate to academic areas. Non-academic grievances cover issues such as harassment, vilification, discrimination, fee issues, misbehaviour, late enrolment.
Appeal	A request to overturn a decision made by Skills Training Australia. It includes the following issues but not limited to: <ul style="list-style-type: none"> ▪ Outcome of assessment marks/course credit ▪ Refusal of leave of absence/release letter/refund ▪ Intention to Report (ITR) for unsatisfactory course progress/non-payment/ ▪ misbehaviour ▪ Late enrolment
Complainant	Students who have lodged a complaint with Skills Training Australia.
Respondent	The person/s whose decision on an academic or non-academic matter is the subject of the student complaint.
Resolution	Plans to resolve feedback concerns put in place and agreed by Feedback provider
Overseas Students Ombudsman (OSO)	OSO investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The legal basis for the Ombudsman role is the <i>Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011</i> , passed by the Australian Parliament on 21 March 2011. (Source: OSO website)

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.

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.

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Procedure:

Sometimes students may have a complaint or be unhappy about a particular decision or action of Skills Training Australia or of a Trainer/Assessor or other Skills Training Australia staff members. For Academic complaints students should approach the Trainer/Assessor or Lead Educator - Nursing. For any other issues, students should contact the Student Support Officer.

Informal Grievance Procedure

(A = Academic related and B = Non-Academic related)

A: Skills Training Australia recommends students speak to their Trainer/Assessor in the first instance to resolve any issues of concern. There may have inadvertently been a mistake or misunderstanding which can be quickly rectified. Many problems can be resolved by the Trainer/Assessor on the spot and the Trainer/Assessor can give the student information which clears up the problem.

B: For other informal complaints, the student must raise the matter with the Student Support Officer.

If the student is not satisfied with the response or the matter is more serious, the student has the option to lodge a formal grievance.

Formal Grievance/Appeal Guidelines

General principles applying to all stages of the grievance/appeals procedure:

- The complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- At all meetings the student has the option of being accompanied/assisted by a support person if he/she so desires (at the student's cost).
- 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 including but not limited to forms, letters, emails, minutes of meetings at which actions arising from grievances/appeals, will be kept for a period of five years. These records will be kept strictly confidential.
- The outcome and reasons of the grievance/appeal will be stored on the student management system and student's file.
- The complainant shall have appropriate access to these records.
- A complainant shall have access to this internal grievance procedure without charge.
- For academic grievances a complainant may contact Skills Training Australia and speak with the Lead Educator - Nursing for progress updates at any time.
- For non-academic grievances a complainant may contact Skills Training Australia and speak with the Student Support Officer for progress updates at any time.
- If Skills Training Australia considers more than 60 calendar days are required to process and finalise the student grievance/complaint or appeal, Skills Training Australia will inform the student in writing the reasons as why more than 60 calendar days are required and will regularly update student on the progress of the matter.

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- Nothing in this policy and procedure inhibits student's rights to pursue other legal remedies under Federal or State law. Students are entitled to resolve any dispute by exercising their rights to other legal remedies.
- Skills Training Australia will maintain the student's enrolment whilst the grievance/complaints and appeals process are ongoing.
- There is no cost to the complainant and/or appellant for utilising this complaints and/or appeals process.
- Student has the right to appeal a decision made by Skills Training Australia to report his/her unsatisfactory course progress based on the following grounds.
 - Skills Training Australia's failure to record or calculate a student's marks accurately,
 - Compassionate or compelling circumstances; or
 - Skills Training Australia has not implemented its intervention strategy and other policies according to its documented policies and procedures that have been made available to the student.

Stage One – Formal Grievance/Complaint

(A = Academic related and B = Non-Academic related)

1.1A: Formal academic grievances should be submitted in *writing to the Lead Educator - Nursing of Skills Training Australia including any supporting documentation (if applicable). If the matter is very serious and confidential, the student may wish to make an appointment with the Lead Educator - Nursing to give notice of the complaint.

**FM027 Complaints, Grievances, Appeals form is available on the Skills Training Australia website or from Reception. The student to complete the complaints section of the form.*

Alternatively, the student may submit the complaint via email/letter/fax and state that the matter is a complaint.

1.1B: Formal non-academic grievances should be submitted in #writing to the Student Support Officer of Skills Training Australia including any supporting documentation (if applicable). If the matter is very serious and confidential, the student may wish to make an appointment with the Student Support Officer to give notice of the complaint.

#FM027 Complaints, Grievances, Appeals form is available on the Skills Training Australia website or from Reception. The student to complete the complaints section of the form

Alternatively, the student may submit the complaint via email/letter/fax and state that the matter is a complaint.

1.2A: The complainant will receive notification in writing of acknowledgement of the receipt of the complaint within one to three business days from the Lead Educator - Nursing.

1.2B: The complainant will receive notification in writing of acknowledgement of the receipt of the complaint within one to three business days from the Student Support Officer.

1.3A: Upon receiving written notification with supporting evidence, the Lead Educator - Nursing immediately logs the complaint in the grievance/complaint register and forwards it to General Manager within 1 working day.

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1.3B: Upon receiving written notification with supporting evidence, the Student Support Officer immediately logs the complaint in the grievance/complaint register and forwards it to General Manager within 1 working day.

1.4A: Within 10 working days of the receipt of a formal complaint the Lead Educator - Nursing will consider the information provided and may contact the student and/or Trainer/Assessor/staff members if further information is required. The Lead Educator - Nursing shall, if the individual sees fit, make a decision on the matter and advise the student and Trainer/Assessor/staff members (as applicable) in writing the actions/plans and details of the reasons for the outcome within 20 working days of the complaint being lodged. A copy of written outcome is forwarded to the Head of Nursing and International Studies.

1.4B: Within 10 working days of the receipt of a formal complaint the Student Support Officer will consider the information provided and may contact the student and/or Trainer/Assessor/staff members if further information is required. The Student Support Officer shall, if the individual sees fit, make a decision on the matter and advise the student and Trainer/Assessor/staff members (as applicable) in writing the actions/plans and details of the reasons for the outcome within 20 working days of the complaint being lodged. A copy of written outcome is forwarded to the Head of Nursing and International Studies.

If the outcome is in favour of the student, Skills Training Australia immediately implements any decision or corrective/preventative actions required and commences continuous improvement process.

If the outcome is not in favour of the student, the student will choose either to withdraw the complaint or proceed further. If the student proceeds, he/she must, within 5 working days of the written outcome, request the complaint be referred to the Head of Nursing and International Studies. The Lead Educator - Nursing/Student Support Officer refers the complaint to the General Manager by the next working day. If the student does not proceed and withdraws the complaint, the Lead Educator - Nursing/Student Support Officer proceeds with Skills Training Australia's decision.

Stage Two – Internal Review (Appeal)

If the complainant is dissatisfied with the outcome of Stage One he/she may lodge an appeal in *writing with the Head of Nursing and International Studies. The student must submit the appeal within 20 working days of receiving the outcome notification.

**FM027 Complaints, Grievances, Appeals form is available on the Skills Training Australia website or from Reception. The student to complete the appeals section of the form*

Alternatively, the student may submit the appeal via email/letter/fax and state that the matter is an appeal.

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

The General Manager will conduct all necessary consultations with the complainant, the Lead Educator - Nursing/Student Support Officer 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.

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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.

Examples of types of Appeals	Staff involved in the appeal process <i>(may also include other relevant persons)</i>	Staff responsible for appeal
Assessment marks	Lead Educator - Nursing	General Manager
ITR for Course Progress	Lead Educator - Nursing	General Manager
ITR for Non-payment	Student Support Officer	General Manager
ITR for Misbehaviour	Student Support Officer	General Manager
Course Credit (RPL/RCC/CT)	Lead Educator - Nursing	General Manager
Refusal of Leave of Absence	Student Support Officer	General Manager
Refusal of Release Letter	Student Support Officer	General Manager
Refusal of Refund	Student Support Officer	General Manager
Late enrolment	Student Support Officer	General Manager

If the outcome is in favour of the student, Skills Training Australia immediately implements any decision or corrective/preventative actions required and commences the continuous improvement process.

If the outcome is not in favour of the student, the student will choose either to withdraw the appeal or access an independent external appeal process conducted by the Overseas Student Ombudsman (OSO). If the student proceeds, he/she must contact the OSO within 5 working days of the written outcome and inform the Head of Nursing and International Studies. The General Manager will advise the CEO of this decision.

If the student does not proceed and withdraws the complaint, General Manager proceeds with Skills Training Australia's decision.

Stage Three – External Appeal

If the complainant is dissatisfied with the outcome of Stage Two the matter may be referred to the Overseas Student Ombudsmen (OSO).

The OSO investigates and informs the student and Skills Training Australia of the outcome. The appeal procedure will be determined by the independent mediator. If required, all documentation from the student and Skills Training Australia related to the appeal will be forwarded to the independent body.

If the outcome of the external appeal is in favour of the student, Skills Training Australia immediately implements any decision or corrective/preventative actions required and commences the continuous improvement process.

If the outcome is not in favour of the student, the General Manager proceeds with Skills Training Australia's decision and is responsible for ensuring a record is kept in the student management system.

External Appeal

The student will have access and receive the outcome of only **one external appeal process** before Skills Training Australia may report the student to the relevant authorities. Hence Skills Training Australia does not have to await the outcome of multiple external appeals processes which the student may wish to access. However, Skills Training Australia will inform the student that they could refer to the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a grievance or want to lodge an external appeal about a decision made by their private education or training provider. The student can initiate the external appeals process to OSO by telephone, in writing, by fax, or using OSO's online complaint form.

Overseas Students Ombudsman (OSO)
GPO Box 442 Canberra ACT 2601
Tel: 1300 362 072
Fax: 02 6276 0123
Email: ombudsman@ombudsman.gov.au
Website: www.oso.gov.au

Withdrawal of Grievance/Complaint or Appeal

The student may withdraw a grievance/complaint or appeal at any time during the resolution process. The student must make the withdrawal in writing and submit it to the relevant staff member. Alternatively, the student may send an email to the relevant staff member using his/her email address that is registered with Skills Training Australia:

Grievance Type or Appeal	Relevant Staff Member
Academic Grievance	Lead Educator - Nursing
Non-Academic Grievance	Student Support Officer
Academic/Non-Academic Appeal	General Manager

The relevant staff member will send a written acknowledgement of the withdrawal to the student. The matter will be concluded and deemed to be resolved.

Documenting Grievance/Complaint or Appeal

The General Manager is responsible for keeping records of the following, where applicable:

- Actions taken to address the root cause of complaint/appeal;
- Minutes of meetings at which actions arising from complaint/appeal were agreed upon;
- Changes to systems and/or processes to address the inadequacy that led to the complaint/appeal or to improve operations.

The General Manager will ensure the complaint and its resolution is recorded in Skills Training Australia grievance/complaints register that will allow identification and detail of the following:

- Submission date of complaint
- Nature and description of complaint
- Date/s when cause of complaint occurred
- Attachments, if applicable
- Determined resolution including reasons for any decision
- Date of resolution
- Date written statement of outcomes was sent to student

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The outcome of the complaint/appeal and the reasons for the outcome will be placed in the student file and recorded on the student management system.

The General Manager will monitor and annually review the complaints and appeals as part of the continuous improvement process.

Approval Authority:

This Policy is approved by Skills Training Australia Management as indicated and the quality controlled copy is one that is maintained within the Quality Management System and as such all hard copies need to be verified.

Documents Referenced:

- FM027 Complaints, Grievances, Appeals
- FM173 International Students – Grievance/Complaints Register
- National Code of Practice for Providers of Education and Training to Overseas Students 2017