

### 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:

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 Chief Executive Officer (CEO) 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.

### Definitions:

<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>	<p>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.</p> <p>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.</p>
<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.

### 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

##### **Stage One – Formal Grievance/Complaint**

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

1A: Formal academic grievances should be submitted in writing to the Compliance Coordinator of the College including any supporting documentation (if applicable). If the matter is very serious and confidential, the student may wish to make an appointment with the Compliance Coordinator to give notice of the complaint.

1B: Formal non-academic grievances should be submitted in writing to the Compliance Coordinator of the College including any supporting documentation (if applicable). If the matter is very serious and confidential, the student may wish to make an appointment with the Compliance Coordinator to give notice of the complaint.

2A: The complainant will receive notification in writing of acknowledgement of the receipt of the complaint within one to three business days from the Compliance Coordinator.

2B: The complainant will receive notification in writing of acknowledgement of the receipt of the complaint within one to three business days from the Compliance Coordinator.

3A: Upon receiving written notification with supporting evidence, the Compliance Coordinator immediately logs the complaint in the grievance/complaint register and forwards it to CEO within 1 working day.

3B: Upon receiving written notification with supporting evidence, the Compliance Coordinator immediately logs the complaint in the grievance/complaint register and forwards it to Chief Executive Officer within 1 working day.

4A: Within 10 working days of the receipt of a formal complaint the Compliance Coordinator will consider the information provided and may contact the student and/or Trainer/Assessor/staff members if further information is required. The Compliance Coordinator 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 CEO.

4B: Within 10 working days of the receipt of a formal complaint the Compliance Coordinator 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 10 working days of the decision being made. A copy of written outcome is forwarded to the CEO.

If the outcome is in favour of the student, the College 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 CEO.

The Compliance Coordinator refers the complaint to the Chief Executive Officer by the next working day. If the student does not proceed and withdraws the complaint, the Compliance Coordinator proceeds with Skills Training Australia's decision.

### ***Stage Two – Internal Review***

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

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

The CEO 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.

If the outcome is in favour of the student, the College will immediately implement any decision or corrective/preventative actions required and commences the continuous improvement process.

For international students: - 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 CEO.

For students with VET Student Loans: 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 VET Student Loans Ombudsman.

For all other students if the outcome is not in favour of the student, the student can either choose to withdraw the appeal or make contact with Skills Training Australia's regulator, Australian Skills Quality Authority (ASQA).

If the student does not proceed and withdraws the complaint, CEO proceeds with the College's decision

### ***Stage Three – External Appeal***

#### **International Students**

If the complainant is dissatisfied with the outcome of Stage Two, the matter may be referred to the OSO.

The student can initiate the external appeals process to OSO by telephone, in writing, by fax, or using OSO's online complaint form.

Website: [www.oso.gov.au](http://www.oso.gov.au)

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Fax: 02 6276 0123

Tel: 1300 362 072

GPO Box 442 Canberra ACT 2601

Overseas Students Ombudsman (OSO)

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

If the outcome of the external appeal is in favour of the student, the College 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 CEO proceeds with the College's decision and is responsible for ensuring a record is kept in the student management system.

### Students with VET Student Loans

The VET Student Loans Ombudsman can investigate complaints from students regarding the VET Student Loans program and VET FEE-HELP scheme.

If the complainant is dissatisfied with the outcome of Stage Two in regard 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.

**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.

### For All Other Students

If the student is unable to resolve the matter with Skills Training Australia, students may contact Australian Skills Quality Authority (ASQA). The complaint can be submitted via ASQA's online complaints portal (<https://asqaconnect.asqa.gov.au/>).

ASQA is not a consumer protection agency and cannot act as an advocate for individual students.

### **Appeal Against an Official Decision made by the College**

1. Student lodges an appeal against an official decision made by Skills Training Australia by submitting an Appeal Form to the Student Services Officer within 20 working days of receiving the notification.

**Note:** Students with VET Student Loans are provided 28 days to access the appeals process before the cancellation of their enrolment.

- Staff responsible as per the type of appeal (CEO/Program Manager) commences and finalises investigation within 10 working days of the appeal being lodged. Staff will consider the information provided (if applicable) and information about the student in the Student Management System and may contact the student if further information is required. Once the outcome has been finalised the student is informed in writing.

Types of Appeal	Person responsible
Assessment Marks	Program Manager
ITR for Course Progress	Program Manager
ITR for Non-payment	CEO
ITR for Misbehaviour	CEO
Course Credit (RPL/RCC/CT)	Program Manager
Refusal of Leave of Absence	CEO
Refusal of Release	CEO
Refusal of Refund	CEO
Late Enrolment	Program Manager

- 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. Compliance Coordinator keeps a record of the appeal as evidence of the communication to the student.

**If the outcome is not in favour of the student**, the student will choose either to withdraw the appeal or access external appeal process. If student proceeds, he/she must contact the external reviewer within 5 working days of the written outcome and inform the CEO. If student does not proceed and withdraws the appeal, Compliance Coordinator proceeds with the Skills Training Australia's decision and keeps a record.

- If the outcome of the external appeal is in favour of the student, the Skills Training Australia immediately implements any decision or corrective/preventative actions required and commences continuous improvement process. Compliance Coordinator keeps a record of the appeal as evidence of the communication to the student.

If the outcome is not in favour of the student, Compliance Coordinator proceeds with the Skills Training Australia's decision and keeps a record in the student management system.

### General Guidelines

- 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 CEO.
  - The complainant shall have appropriate access to these records.
  - The Compliance Coordinator is responsible for maintaining/updating the complaints register.
  - A complainant shall have access to this internal grievance procedure and external grievance procedure without charge.
  - A complainant may contact Skills Training Australia and speak with the relevant Program Manager for progress updates at any time. Should the Program Manager be unavailable, the Compliance Coordinator will be available to discuss any matter relating to the progress complaint.
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- If Skills Training Australia considers more than 60 calendar days are required to process and finalise student complaint or appeal, the College will inform 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.
  - 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 while the complaints and appeals process are ongoing.
  - Complainant must also enrol his/her course during the complaint and/or appeal process.
  - If the complainant is under the age of 18, the parent or guardian must also be present.
  - The student will have access and receive the outcome of only one external appeal process before the College may report the student to the relevant authorities. Hence the College does not have to await the outcome of multiple external appeals processes which the student may wish to access.

### **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 the College:

The Compliance Coordinator will send a written acknowledgement of the withdrawal to the student. The matter will be concluded and deemed to be resolved.

**Approval Authority:**

This document is approved by the Executive Management as indicated with the electronic control copy maintained within the Quality Management System and as such all hard copies need to be verified.

**Documents Referenced:**

- DOC009 Student Handbook
- National Code 2018
- VET Student Loans Manual for Providers