



## **Policy and Procedure for the Student Complaint and Grievance**

The purpose of this policy is to ensure that Velocity Education and Training (The College) has implement documented policies and procedures for complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved as per National Code 2018, Standard 10.

### **Policy:**

This policy is to enable students enrolled or seeking to be enrolled in VET programs at the College to pursue perceived grievances of either an academic or non- academic, personal nature, by following procedures which allow for any alleged or perceived grievances, disputes or complaints to be effectively resolved.

The policy and procedures are based on the principles of fair and just process and the resolution of perceived grievances in a timely and constructive manner. They are accessible in the Student Handbook, on the College website, and may be obtained from the Student Support Officer.

### **DEFINITIONS**

ACADEMIC GRIEVANCES relate to student academic progress, assessment, subject/unit content or academic/attendance records in a program or course of study.

NON-ACADEMIC GRIEVANCES relate to those of a non-academic or personal nature, and could refer to such issues as tuition fees, health insurance, visa processing, accommodation etc.

The processes and procedures of the College do not replace or modify processes, procedures or responsibilities which may arise under other provider policies, or under statute or other legal obligations within the relevant Australian legal system.

The college will have an appropriate internal complaint handling and appeals process that satisfies the following requirements:

- a. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself
- b. each party may be accompanied and assisted by a support person at any relevant meetings
- c. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
- d. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.
- e. the college has arrangements in place for an independent person or body to hear complaints or appeals arising as internal complaints



- f. If a complaint or appeal takes longer than 60 days, written notification will be given to inform all relevant parties of the reason for the delay
- g. If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the college will advise the student of his or her right to access the external appeals process at minimal or no cost.
- h. If the student chooses to access the registered college's complaints and appeals processes as per this standard, the registered college must maintain the student's enrolment while the complaints and appeals process is ongoing.
- i. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the college will advise the student of the outcome and immediately implement any decision and/or corrective and preventative action required. The process will commence within 10 working days of the formal lodgement.

### **Procedure:**

The college will have designed an appropriate student complaint grievance, and appeal procedure to address the scope and allegations involving of each complaint by adopt the principles of natural justice and procedural fairness

### **ACCESS TO GRIEVANCE PROCEDURES:**

All students enrolled or seeking to enrol in courses conducted under the auspices of the College are entitled to avail themselves of the College's procedures and policy for any alleged grievance or complaint

All alleged grievances and complaints are seriously considered, and dealt with as soon as possible. In the normal course of events, there is no fee or charge for student access to these procedures.

### **BEFORE AN ISSUE BECOMES A FORMAL GRIEVANCE:**

Where a query or complaint is of a simple or straightforward nature, the student may raise it with the relevant officer(s) of the College, to seek its effective resolution.

Examples could include misunderstandings or confusion about whether fees have been paid, correct enrolment information supplied and recorded, assignments handed in etc.

### **LODGING A FORMAL GRIEVANCE**

Where a complaint cannot be satisfactorily resolved by informal means, or is of a sensitive, complex or serious nature, the College's formal grievance procedures may be accessed.



These involve lodging a written complaint, using the College's complaints form, with supporting information and documentation wherever possible.

- Complaints/grievances of an academic nature should be addressed to The Academic Manager
- Complaints/grievances of a non-academic/personal nature should be addressed to the STUDENT SERVICES MANAGER

If needed, College staff will assist students to direct a grievance in the appropriate manner.

If deemed necessary, an appointment can be made for the student to meet with either the Academic Manager or the Student Services Manager, as appropriate.

### **INITIAL GRIEVANCE PROCESS:**

#### **(i) GRIEVANCES OF AN ACADEMIC NATURE**

The Academic Manager will meet with the student as soon as possible at times convenient for both parties, to consider options to resolve the grievance in a satisfactory manner.

The Academic Manager will consider the student's case, and a written statement of the outcome will be provided to the student within ten (10) working days of formal lodgement of the grievance.

Where an academic grievance relates to unit/assessment grade outcomes/results, The Academic Manager will arrange for them to be re-assessed by two independent assessors, who were not involved in determining the original grade/result.

If these assessors agree that the original grade/result was inappropriate, they will advise The Academic Manager and the original grade/result will be adjusted accordingly. Otherwise, the original grade/result will stand.

#### **(ii) GRIEVANCES OF A NON-ACADEMIC/PERSONAL NATURE**

The Student Services Manager will meet with the student as soon as practicable for both parties, to consider options to resolve the grievance in a satisfactory manner. The Student Services Manager will consider the student's case, and a written statement of the outcome will be provided to the student within ten (10) working days of the formal lodgement of the grievance.

### **APPEALS PROCEDURES**

If the student is not satisfied with the result of the grievance process as followed, the student may submit an Appeal, in writing, with all relevant documentation, addressed to the Academic Manager. Having received such an appeal, The Academic Manager will:

- A. Acknowledge its receipt within five (5) working days
- B. Dismiss the appeal, giving reasons, in writing, to the appellant or



- C. Convene an Appeals Panel to consider the appeal. In this case, The Academic Manager will so inform the appellant, in writing, within five (5) working days.

### CONVENING AN APPEALS PANEL

- The College's Principal Executive Officer (PEO) will establish an Appeals Panel, comprising three (3) members of the Committee, who have had no previous involvement in the particular grievance
- The Panel must meet within ten (10) working days of receiving the documentation on which the Appeal is based
- The Panel will meet prior to any proposed Hearing of the Appeal, to determine how it will conduct the Hearing, consistent with the principles, processes and procedures approved by the College, and to ensure that the Panel has an informed understanding of all the facts, allegations and circumstances involved
- Having gained this informed understanding, the Panel may ask the Academic Manager, the Appellant (the student appealing against the decision made about his/her original grievance) and the Respondent (the person about whom the original grievance was made), and any other relevant person(s) to attend a Hearing, and/or to provide any relevant documentation or information for consideration at such Hearing
- Written notice of the Hearing must be given to all parties directly involved, within five (5) working days of its proposed date
- When giving such notice, the Panel will indicate the names of all those invited to attend and copies of written documentation to be considered. This information is to be provided at least five (5) working days in advance of the proposed Hearing
- The Appellant and/or Respondent may nominate a support person(s) to attend the Hearing. The name(s) and contact details must be notified to the Chair of the Panel at least three (3) days prior to the Hearing
- Formal legal representation is permitted only in very exceptional circumstances, and then only with the prior approval of the Chair of the Panel
- Both the Appellant and Respondent and, if necessary, their support person(s) may address the Hearing, and/or question any person(s) involved in the Hearing, including the Chair and Panel
- Any relevant person unable to attend the Hearing may, subject to the Panel's approval, submit a written statement to the Panel
- Where all reasonable steps have been taken, without success, to contact the Appellant and/or Respondent, the Panel may decide to conduct the Hearing in their absence, provided that the Panel believes there is sufficient information and documentation for a fair and reasonable decision on the appeal to be made
- Following the Hearing, the Panel will meet in private, to make its final deliberations and decision



The Chair of the Panel will report its decision, in writing, within five (5) working days, to the College's PEO, with copies to all parties directly involved in the Appeal

### **APPEALS: GRIEVANCES OF A NON-ACADEMIC/PERSONAL NATURE**

If a student wishes to appeal against the College's dealing with a grievance of a Non-Academic/Personal nature, the student may write to the College's PEO, advising that he/she wishes the matter to be dealt with by the Australian Council for Private Education and Training's (ACPET) External Appeals Service.

- If the student is an Australian, (by birth, citizenship or permanent resident status), the student may contact ACPET by email to [student.appeals@acpet.edu.au](mailto:student.appeals@acpet.edu.au) or by post to Student Appeals, ACPET, PO Box 551, East Melbourne VIC 8002.
- If the complainant is an overseas student, he/she may contact the Overseas Students Ombudsman (OSO) who offers a free and independent service for overseas students who wish to appeal against a decision made by their private education or training provider in Australia.

The relevant website is [www.oso.gov.au](http://www.oso.gov.au) and the telephone number is 1300 362 072.

NOTE: The Overseas Students Ombudsman's service is free of charge to both providers and students.

- If the ACPET/050 external review process supports the student, the College will implement any decision and/or actions required and so advise the student in writing.

If the ACPET/050 external review process does not support the student, the College will so advise the student in writing, with reasons as provided.

### **APPEALS AGAINST CANCELLATION OF ENROLMENT**

If an appeal is against the College's decision to cancel a student's enrolment for:

- a) Unsatisfactory academic progress,
- b) Unsatisfactory attendance,
- c) Non-payment of due fees and charges, or
- d) Deferment or suspension of a student's enrolment, because of misbehaviour

The College will not take action against the student until the external appeals process has been completed and its findings have supported the College's decision.



The major issue occurs from the compliant, grievance, and appeal decision outcome will be forwarding along into monthly management meeting for management decision rectification.

### **FAIR AND JUST PROCESS**

No complainant, appellant or respondent will be victimised or discriminated against during the carrying out of the complaints, grievances and appeals processes, either internal or external, delineated in this policy.

### **RECORDS AND CONFIDENTIALITY**

Records of all complaints, grievances and appeals will be maintained, in strict confidence, in the student's, and, where relevant, respondent's, personal file and in a Central Appeals Register, for a period of seven (5) years.