

Complaints, Appeals and Grievance Policy and Procedure (VET Courses)

Statement

AIHFE is committed to continuous improvement by providing students with a mechanism for lodging grievances, complaints or appeals with respect to successful resolution or positive outcomes for prospective and domestic students in VET FEE-HELP (now replaced by VET Student Loans) enabled courses.

AIHFE will ensure prospective or domestic students grievances, complaints and appeals are dealt with in a timely manner.

Complainants are entitled to access the grievance procedures set out in this policy at which the grievance has arisen, the mode in which they study or their place of residence.

Scope

This policy applies to all AIHFE staff dealing with VET FEE-HELP (now replaced by VET Student Loans) enabled courses, prospective students and those students who are or would be entitled to VET FEE-HELP (now replaced by VET Student Loans) assistance under clause 43 of Schedule 1A of the Higher Education Support Act 2003 (HESA).

Objectives

- Ensure that procedural fairness is applied to all parties involved in a grievance;
- Ensure that decisions are impartial, transparent and capable of review;
- Minimise personal and organisational dysfunction arising from unresolved grievances;
- Ensure student complaints, grievances and appeals are dealt with in a timely manner and in accordance with the principles of fairness and equity;
- Ensure complaints, grievances and appeals are managed consistent with the requirements of the relevant Department and Tertiary Education VET FEE-HELP (now replaced by VET Student Loans) Provider Guidelines and the Higher Education Support Act 2003.

Definitions of Grievances and Complaints:

Academic Grievance: grievance/s which relate to student progress, assessment, curriculum and awards in a course of study.

Complaint: an expression of dissatisfaction regarding an established procedure, which affects the quality of services offered by the organisation. Complaints are managed through the Continuous Improvement Section.

Complainant: In relation to non-academic grievances, the term “complainant” applies to both current students of the Organisation and students as in prospective students seeking to enrol with the Organisation.

Grievance: a serious problem or concern of an academic or non-academic nature raised by an enrolled student or prospective student, which is believed by that student, to disadvantage them in the course of their study at AIHFE.

Non-Academic Grievance: grievance/s which do not relate to student progress, assessment, curriculum and awards in a course of study. Non-Academic Grievances includes complaints in relation to the following:

- Discrimination
- Unfairness and injustice
- Vilification
- Sexual harassment
- Other forms of harassment
- Student amenities
- Complaints in relation to personal information that the provider holds in relation to the student
- General complaints including dissatisfaction with services
- Complaints about financial matters
- Fines and payments, application procedures, exclusions from events and facilities and the use or misuse of personal information.
- Fellow Students

Principles of grievances/complaints

- Responses to formal grievances and complaints lodged are coordinated by the Registrar within AIHFE.
- All complainants associated with VET FEE-HELP (now replaced by VET Student Loans) enabled courses making a complaint, grievance or appeal are provided with the opportunity to present their case at each stage of the grievance process.
- All grievances are managed fairly, equitably and as efficiently as possible, at no cost to the complainant.
- That the complainant and any respondent is not victimised or discriminated against at any of the stages set out in this policy, nor as a result of a grievance being raised.

- A full explanation in writing for decisions and actions taken as part of the process will be provided if so requested by the complainant or a respondent;
- Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, AIHFE will immediately implement a decision and/or corrective and preventative action required and advise the complainant of the outcome;
- If the grievance is resolved, the Registrar will provide a formal written response to the complainant outlining the agreed outcome to the grievance or complaint or appeal and forward a brief report or copy of the outcome with accompanying documents to the Director.
- This policy is applicable regardless of the campus at which the grievance has arisen, the persons' place of residence or mode of studies.
- Information in relation to this policy and procedure and necessary training will be provided to all the staff at the staff induction procedure.

Publication

- This policy and procedure was agreed and ratified by the Directors of the Australian Institute of Higher and Further Education Pty Ltd on 07/11/2017. This policy and procedure will be disseminated by publication in the student hand book and on Australian Institute of Higher and Further Education Pty Ltd's website.

Student Privacy

Aggrieved student/s must be reasonably identified for formal proceedings to commence under the grievance policy and procedure. AIHFE acknowledges and respects the privacy of students.

It is required under the Privacy Amendment (Enhancing Privacy Protection) Act 2012 to comply with the information Privacy Principles in respect of the collection, use and disclosure of personal information from individuals. Records of all grievances, applications for review of decisions and outcomes of the grievance process are kept for a period of five years.

These records are kept strictly confidential and stored securely at AIHFE. All students are able to access their personal information held by AIHFE under the Freedom of Information Act 1982.

Grievance Procedures

This grievance procedure can be utilised by clients to submit a grievance of an academic or non-academic nature. Grievances of an academic nature include issues related to a client's progress, assessment, curriculum and awards in a Vocational Education Training (VET) course of study. Grievances of a non-academic nature cover all other matters including grievances in relation to personal information that AIHFE in relation to the client.

All the Grievances and the action taken will be recorded in the Grievance Register and will be maintained by the Registrar.

During all stages of this procedure, AIHFE will take all steps to ensure that:

- the client and any respondent will not be victimised or discriminated against
- the client has an opportunity to formally present his/her case and each party to a grievance may be accompanied and assisted by a support person at any relevant meetings
- a full explanation in writing for decisions and actions taken as part of the process will be provided if so requested by the client or a respondent
- where the internal or external grievance handling or appeal process results in a decision that supports the client, AIHFE will immediately take any decision and/or corrective and preventative action required and advise the client of the outcome
- there is no cost to the client to utilise this grievance procedure.

Stage one - Formal Complaint and Grievance

Formal complaints and grievances must be submitted in writing marked to the attention of the Registrar as follows:

There is no cost for accessing the internal complaint and grievance process.

The Registrar
Australian Institute of Higher and Further Education
862 North Lake Road
Cockburn Central
WA 6164

Receipt of the grievance will be acknowledged in writing within five working days. The grievance handling process will commence within ten working days of the receipt of the formal complaint and grievance and all reasonable measures will be taken to finalise the process as soon as practicable.

The Registrar or her nominee (who must be independent of the grievance) will then, if necessary, seek to clarify the outcome that the client hopes to achieve.

Such clarification may be sought by written or verbal request or by a face to face interview with the client. When such clarification occurs in a face to face interview, both the client and any respondent may ask another person to accompany them.

The Registrar, or her nominee, will then endeavour to resolve the grievance and will provide a written report to the client within 20 working days of receipt of the grievance on the steps taken to address the grievance, including the reasons for the decision. The report will further advise the client of his/her right to access the internal appeals process if the client is not satisfied with the outcome.

Stage two - Internal review and appeal

If the client is dissatisfied with the outcome of his/her formal complaint and grievance, the client may lodge an appeal within 20 working days of receiving notification of the outcome.

There is no cost for accessing the internal review and appeal process.

Appeals must be submitted on writing marked to the attention of the Director as follows:

The Director
Australian Institute of Higher and Further Education
862 North Lake Road
Cockburn Central
WA 6164

The Director will convene an Appeals Panel within 15 working days of receipt of an Appeal. This panel is to comprise appropriate individuals relevant to the nature of the appeal. To ensure independence no person involved in the original grievance process may be a member of an Appeals Panel.

The Appeals Panel will make a determination by reviewing the original decision and the basis of the appeal. Where the Appeals Panel meets with the client or any respondent in the course of its review, both the client and any respondent may ask another person to be present at these meetings.

Following the decision of the Appeals Panel, the Director will provide a written report to the client within 20 working days of receipt of the appeal advising the further steps taken to address the grievance, including the reasons for the decision. The report will further advise the client of his/her right to access the external appeals process if he/she is not satisfied with the outcome.

Stage three - External appeal and review

If the client is dissatisfied with the outcome of his/her appeal, the client may lodge an external appeal to an external mediator within 20 working days of receiving notice of the outcome.

AIHFE agree to be bound by the External Reviewer's recommendations and the Chief Executive Officer will ensure any recommendations made are implemented within 30 days of receipt of the report from the External Reviewer.

External Mediation Services

Resolution Institute

Resolution Institute provides Student Mediation Scheme to provide educational and training institutions with an external appeal process. The Scheme allows a member educational and training institution or its student to refer to Resolution Institute as the external review body once their internal grievance system has been exhausted. Resolution Institute appoints a suitably qualified mediator, liaises between the parties as necessary and manages the process.

Contact details:

Nomination Service Officer,

Resolution Institute,

Level 2,13 – 15 Bridge St, Sydney 2000

Telephone: (02) 9251 3366

Email: nominations@resolution.institute

Costing for Mediation:

Upon referral of a dispute and appointment of a mediator, the mediator will charge an initial fee for the first 4 hours of their services (\$440.00), or part thereof. This includes premediation services. Subsequent hours are billed at an hourly rate of \$165.00, or part thereof. For the costing details please visit



<https://www.resolution.institute/membership-information/table-of-fees>. The costs for mediation should be shared between the college and the student in equal portions.

Client should be aware that external services will typically only become involved if he/she can confirm to them that he/she has exhausted all options made available to him/her by AIHFE. They may contact AIHFE to validate the client's claim that this has happened.

Contact details for such services are available in our training facilities.

The procedure set out in this document does not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any law. Nothing in this policy and procedure limits the client's rights to take action under Australian Consumer Law. Also, these procedures do not circumscribe the client's right to pursue other legal remedies.

Enrolment Status

Where the client chooses this policy and procedure, AIHFE will maintain his/her enrolment while the grievance handling process is ongoing.

In an unlikely event, where it takes, more than 60 calendar days to process and finalise the complaint or an appeal the RTO will:

- Inform the complainant in writing, including the reasons why more than 60 calendar days are required.
- regularly update the complainant or appellant on the progress of the matter.