

## COPYRIGHT NOTICE

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## GRIEVANCE POLICY AND PROCEDURE

**Issue No:** 5,

**Date of Issue:** February 2018 **Revised and Approved by:** QIS Manager

### PURPOSE:

This policy and procedure covers the requirements of the:

- Standards for Registered Training Organisations 2015, Standard 6
- National Code of Practice 2018, Standard 10
- Higher Education Support Act 2003, clause 19 of Schedule 1A
- VET Provider Guidelines, Chapter 6

Academia International will address each complaint in a confidential, punctual and efficient manner in order to maintain a high level of customer satisfaction. Individuals unsatisfied with the result or conduct of Academia International's internal grievance handling process may access an external appeals process which is independent, impartial and provided at minimal cost.

### SCOPE:

This grievance policy and procedure will cover all academic and non-academic matters for all prospective students and enrolled students. All grievances will be handled professionally in order to achieve a satisfactory resolution.

This policy is designed to cover all complainants including:

- Individuals who are, or would be, entitled to Vet Student Loan assistance (Australian citizens or permanent humanitarian visa holders who are resident in Australia for the duration of a VET unit of study);
- Individuals who are not eligible for Vet Student Loan assistance (permanent residents who are not permanent humanitarian visa holders and New Zealand citizens);
- Individuals who are classified as international students as defined by the *Education Services for Overseas Students Act 2000* (who are not eligible for Vet Student Loan assistance).
- These grievance procedures will be made available to complainants regardless of the location of the campus at which the grievance has arisen, the mode in which they study or their place of residence.

### PRIVACY:

Academia International acknowledges and respects the privacy of individuals. It is required that Academia International complies with the Information Privacy Principles in respect of the collection, use and disclosure of personal information from individuals. Records of any complaint will be treated as confidential as per the provisions of Academia International's Privacy Policy [www.academia21.com](http://www.academia21.com)

### DEFINITIONS:

**Appeal:** dissatisfaction with a decision made by Academia International, requiring further consideration to resolve.

**Grievance or Complaint:** dissatisfaction with an aspect of services received from Academia International, Trainers and Assessors, Other Staff, Education Agents, 3rd parties involved course delivery or relates services, and another student of Academia International/Academia Australia, requiring action to resolve.

**Academic matter:** Academic matters include those which relate to student progress, assessment, curriculum and awards in a VET Course of Study.

**Non-academic matter:** Non-academic matters do not include 'Academic matters' outline above. These may typically relate to decisions or actions by Academia International involving human rights, financial matters, procedures and policies, handling of personal information and access to records or any other matter that is not considered Academic.

### **GENERAL GUIDELINES:**

- Complainants will be given the opportunity to formally present their case.
- All matters arising will be accurately documented and recorded. Records will be kept for a minimum of 5 years and be treated as confidential as per Academia International's *Privacy Policy*.
- A written statement of the outcomes will be issued at each stage of the grievance handling process, providing reasons for decisions reached.
- The complainant and any respondent will have the right to have a representative present during any relevant meetings which form part of the grievance handling process. If the students are using a paid nominee it will be at their own cost. The nominee may be asked present their photo ID to an Academia International staff while accompanying the student.
- The complainant and any respondent will not be subject to any discrimination, victimisation or harassment as a result of actions taken.
- At all stages of the grievance handling process, a current student's enrolment will be maintained.
- Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, Academia International will immediately implement any decision and/or corrective and preventative action required and advises the complainant of the outcome.
- The grievance procedures are located on Academia International website for public access ([www.academia21.com](http://www.academia21.com)) and the *Student Information Handbook for Enrolled Students*.
- Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

### **GENERAL PRINCIPLES:**

The guiding principles of this procedure are that complaints and appeals shall be:

- Treated seriously and with fairness.
- Dealt with quickly and simply at the college level as far as possible.
- Subject to the principles of natural justice.
- Dealt with and resolved, wherever possible, in an informal manner without resorting to the formal stages.

### **PROCEDURES:**

#### **Step 1, Informal resolution**

It is in everyone's best interests for a dispute to be resolved amicably and at an early stage. A difficulty or concern should initially be discussed with the staff member concerned and a satisfactory outcome might be achieved through discussion. If the issue is not resolved then the individual should proceed to Step 2 and commence the formal grievance handling process.

## Step 2, Lodgement of formal complaint

Individuals may lodge a formal written complaint using the approved *Complaints and Appeals Form AI-Form-CAF\**.

*\*This form is available from the Student Services office or [www.academia21.com](http://www.academia21.com)*

The individual should complete this form and attach all the information they have to support the complaint then submit to the Student Welfare Officer in person, or

Email: [swo@academia21.com](mailto:swo@academia21.com)

Post:

Student Welfare Officer

Academia International

Level 8, 399 Lonsdale St

MELBOURNE VIC 3000

## Step 3, Formal complaint

Within ten [10] working days from receipt of the formal complaint the following process takes place.

3.1. The formal complaint is received and initially considered by the Student Welfare Officer. In most cases, the Student Welfare Officer will refer the complaint to an appropriate staff member within Academia International, depending on the nature of the complaint.

If the complaint relates to an 'Academic Matter' as defined in this policy and procedure, the matter will be referred to the *Director of Studies/ Academic Coordinator*. A meeting will then be arranged with the complainant, allowing them to formally present their case.

3.2. Meeting day: If the complainant has further supporting documents other than those supplied with the *Complaints and Appeals Form*, they should bring those to the meeting. The complainant is welcomed and encouraged to bring a support person with them to this meeting, or any other related meetings.

At the meeting, the Student Welfare Officer and Director of Studies/ Academic Coordinator will be present to hear the complainant's case. Where possible, Academia International will appoint staff independent to the reason for the complaint.

The complainant's support person may present or assist with presenting the case.

3.3. Investigation and outcome: After hearing the complainant formally present their case, Academia International will investigate and make a decision on the complaint. Academia International will advise the complainant of the outcome in writing within five [5] working days from the date of the meeting. If the outcome does not favour the complainant, Academia International will also advise in writing of the complainant's right to engage the Internal Appeals process as outlined at Step 4.

## Step 4, Internal Appeal

If the complainant is not satisfied with the decision at Step 3 of this procedure they may lodge an appeal to Academia International. This appeal must be submitted within twenty [20] working days of receipt of the notification from Step 3. This internal appeal process will also be followed if the students are appealing against a warning of Academia International's intention to report for unsatisfactory progress as per The VET - Policy and Procedure for Monitoring Academic Progress or ELICOS - Policy and Procedures for Monitoring Attendance.

4.1 The Compliance Manager shall acknowledge receipt of the appeal within five [5] working days and contact the appellant to arrange the date, place and time for the appeal hearing.

4.2 The Appeals will be heard by Compliance Manager. Compliance Manager may request another staff member and/or the Director to be present in the appeal hearing or participate in the decision making process. Students will be informed of the same.

4.3 Student will be informed of the appeal outcome in a written statement, including reasons for the outcome within [10] working days after the hearing of the appeal.

4.4 If the appeal outcome is in favour of the student, Academia International/Academia Australia must immediately implement the decision or recommendation and/or take preventative or corrective action required by the decision/recommendation, and advise the student in writing of that action.

4.5 If the appeal outcome is a decision not in favour of the student, student will be informed of the next steps in the grievance procedure to request External Appeal through Overseas Student Ombudsman [International Students] or External Review by an Independent Mediator [Domestic Students] as outlined at Step 5 and 6. This notice is required within ten [10] working days.

**Step 5a, External appeal through the Overseas Student Ombudsman [International Students]:**

Complainants who are International Students wishing to lodge an external appeal may do so through the Overseas Student Ombudsman. The website detailing the process is found at:

<http://www.oso.gov.au/making-a-complaint/> . The Ombudsman's services are free of charge and you may lodge the appeal as follows:

**Online**

You can make your complaint online by using their online complaint form.

**Telephone**

You can contact them by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST). In Australia, call: 1300 362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 6276 0111.

**Fax**

You can send them a fax. In Australia: 02 6276 0123. Outside Australia: +61 2 6276 0123.

**Mail**

You can write a letter and post it to: Overseas Students Ombudsman

GPO Box 442, Canberra ACT 2601, AUSTRALIA

Academia International agrees to be bound by the Overseas Student Ombudsman's recommendations and the Directors will ensure that any recommendations made are implemented within 30 days of receipt of the report.

### **Step 5b, External Review by an Independent Mediator [Domestic Students]**

Academia International is a member of the LEADR Student Mediation Scheme. If the student is dissatisfied with the resolutions proposed in the above steps by Academia, they can access the Student Mediation Scheme provided by LEADR.

#### **Contact details for LEADR:**

Address: Level 1, 13-15 Bridge Street Sydney NSW 2000, Phone: 02 9251 3366, Fax: 02 9251 3733

Email: [leadr@leadr.com.au](mailto:leadr@leadr.com.au), Website: [www.leadr.com.au](http://www.leadr.com.au).

Students will be given a copy of the *LEADR Student Mediation Scheme Rules* and the contact details of LEADR if they wish to access this service.

The charges and costs for Student Mediation Scheme will be shared between Academia International and the student and Academia International is committed to implement the mutually agreed recommendations from the external review.

### **Step 6, Outcome of External Review**

6.1 If the appeal outcome is in favour of the student, Academia International/Academia Australia must immediately implement the decision or recommendation and/or take preventative or corrective action required by the decision/recommendation, and advise the student in writing of that action.

6.2 If the appeal outcome is a decision not in favour of the student, student will be informed of the finalisation of the process and may consider further options listed below.

#### **Further Options:**

Australian Skills Quality Authority (ASQA), see <http://www.asqa.gov.au/complaints/making-a-complaint.html>

National Training Complaints Hotline, see <https://www.education.gov.au/NTCH>

Queensland Training Ombudsman, see <http://trainingombudsman.qld.gov.au/>

VET Student Loans Ombudsman, see <http://www.ombudsman.gov.au/about/vslo>

#### **ACCESS TO RECORDS:**

Upon written request a complainant is able to access the records relating to the complaint or appeal for a period of no less than five [5] years after completion of this procedure.

Applications for access to records should be made to:

The Director  
Academia International  
Level 8, 399 Lonsdale St  
MELBOURNE VIC 3000  
AUSTRALIA

#### **STAFF ACCESS AND TRAINING:**

All Academia International staff members are made aware of and trained in this procedure as part of the compulsory Staff Induction and Orientation Program.

Academia International grievance procedures remain accessible and readily available for all staff on the Quality Management System (Knowledge.NET) within Academia International campuses.

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