

Student Grievance Policy and Procedures (ACADEMIC & NON-ACADEMIC) Standard 6: Complaints and Appeals

Date Reviewed: 22/01/2020

Reviewed by: Alicia Drain

Accountability: CEO, Business Manager, Administration Manager, Training Manager

Communication: All Staff

Complaints and Appeals

Clauses 6.1 – 6.6: Manage Complaints and Appeals

Clause 6.1

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- the RTO, its trainers, assessors or other staff
- a third party providing services on the RTO's behalf, its trainers, assessors or other staff or
- a learner of the RTO.

Clause 6.2

- The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

Clause 6.3

The RTO's complaints policy and appeals policy:

- ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- are publicly available
- set out the procedure for making a complaint or requesting an appeal
- ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and

- *provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.*

Clause 6.4

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

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

Clause 6.5

The RTO:

- *securely maintains records of all complaints and appeals and their outcomes, and*
- *identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.*

Clause 6.6

Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

Definitions

For the purposes of this document the following applies:

The Act refers to the *Student loans Act 2016*

Eligible Student refers to students, who are, or would be entitled to VET STUDENT LOANS assistance under Division 2, VET Student Loan Act 2016

Complainant refers to Students (as defined above) who have lodged a grievance.

External Dispute Resolution refers to the requirements outlined in Division 4A of VET Student Loan Act 2016

Academic Grievance refers to grievance regarding academic matters (including matters relating to student progress, assessment, curriculum and awards for an approved course)

Non-academic Grievance refers to grievance regarding non-academic matters (including matters relating to enrolment in a course and personal information held by the provider)

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1. Overview

Atkinson Child Care College is committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all Students. This policy covers both academic and non-academic grievances and appeals.

Policy has been development in compliance with VET Student Loans ACT 2016, VET Student Loan Rules 2016 and Standards for Registered Training Organisations (RTOs) 2015.

Academic matters include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

Non-academic matters include those matters which do not relate to student progress, assessment, course content or awards in a course and include grievances in relation to personal information that the provider holds in relation to a Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.

Complainants are entitled to access the grievance procedures regardless of the location of the campus at which the grievance has arisen, the Complainant's place of residence or mode of study.

This policy does not replace or modify policies or any other responsibilities which may arise under other policies or under statute or any other law. Also, the dispute resolution procedures outlined below in this document do not circumscribe an individual's rights to pursue other legal remedies.

If a Student chooses to access this policy and procedure, ACC will maintain the Student's enrolment while the grievance and appeals process is ongoing.

2. Responsibility

The CEO is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation during staff induction and Students and Complainants are made aware of its availability through student orientation and our website.

3. General principles

These principles, which will be adhered to by ACC, apply to all stages of this grievance procedure:

- The Complainant and any respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and any 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 any respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to 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 any respondent if requested.
- Records of all grievances will be kept for a period of five years to allow all parties to the grievance appropriate access to these records. These records will be kept strictly confidential and stored at ACC, 35 Chapman Street, Charlestown NSW 2290. Access to these records may be requested in writing to the CEO at the aforementioned address.
- A Complainant shall have access to both the internal and external stages of this grievance procedure at no cost.

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4. Informal Grievance Procedure

Students are encouraged initially to attempt to resolve a grievance informally by talking directly with the person concerned to resolve the problem. This step is not mandatory and a Student may proceed directly to the Formal Grievance Procedure.

5. Formal Grievance Procedure

5.1 Stage One

A *Formal Grievances Form* completed by the Complainant, located on the ACC Website or can be requested, should be submitted in writing to the Administration Manager at ACC, PO Box 374, Charlestown, NSW 2290 or as an attachment to email via training@atkinsonchildcarecollege.com.au

The Complainant is invited to include suggestions about how the grievance might be resolved.

All grievances are referred to the Business manager and Training manager for investigation immediately.

The Business manager will notify the Complainant of receipt of the grievance within 5 working days.

The Business Manager and Training Manager will then assesses the grievance, determine the outcome and advise the Complainant in writing of their decision within 20 working days.

The Complainant will be advised of their right to access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

(VET Student Loans Rules 2016; Part 7 (Division 1, Subdivision F).

5.2 Stage Two

If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing within 20 working days of receiving the written response with the CEO at ACC, PO Box 374, Charlestown, NSW 2290. Alternatively a formal letter will be accepted by Email attachment. training@atkinsonchildcarecollege.com.au

The Complainant's appeal will be determined by the CEO who 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 20 working days.

The Complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

(VET Student Loans Rules 2016; Part 7 (Division 1, Subdivision F).

5.3 Stage Three

If the Complainant is not satisfied with the outcome of their appeal they are welcome to refer their matter to the Commonwealth Ombudsman (Vet Student Loans Ombudsman).

Please contact 1300 362 072.

For information about this process please visit.

<http://www.ombudsman.gov.au/about/vet-student-loans-ombudsman>

(VET Student Loans Rules 2016; Part 7 (Division 1, Subdivision F Amendment Education and Other Legislation Amendment Act (No.1) 2017)

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6. Publication

This *Student Grievance Policy and Procedure (Academic and Non-academic)* will be made available to Students and those seeking to enrol with ACC through publication on the website:

www.atkinsontraining.com.au.

7. Approval

This Policy and Procedure was agreed to and ratified by the company's directors on [25/7/17].

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