

Academic Grievance Policy and Procedure

Policy Purpose

The purpose of this policy is to provide a fair and equitable procedure for students to submit and process an academic grievance.

Policy Scope

The scope of this policy includes students of any of the Think: Colleges Pty Ltd, APM Training Institute Pty Ltd, and/or Billy Blue College of English who wish to submit a grievance about an academic matter. The procedure related to this policy is available to students regardless of the location of the College at which the grievance has arisen, the mode in which they study or their place of residence. Where at all possible, all grievances will be resolved in an informal manner prior to the implementation of this policy and procedure. This policy and procedure may be used by students to lodge a formal grievance and appeal the decision of an Examination Committee.

This policy does not replace or modify policies or any other responsibilities that may arise under other policies or under statute or any other law. Also, the dispute resolution procedures outlined below in this *Academic Grievance Policy and Procedure* do not circumscribe an individual's rights to pursue other legal remedies. This policy does not apply to students enrolled in a course delivered with a University partner or other registered provider. The student will need to refer to the Academic Grievance Policy of the University partner or the registered provider.

Definitions

Refer to *Glossary of Terms*.

Policy Content

During all stages of the Grievance Procedure, the College will take all steps to ensure that the complainant and the respondent will not be victimised or discriminated against. An explanation in writing for decisions and actions taken at any stage of the process will be provided if so requested by the complainant or the respondent.

Feedback from students about academic services and courses offered by the College is encouraged and would not normally be viewed as a grievance, unless specific action is requested. In some cases, however, students may feel that they have experienced unreasonable treatment, disadvantage or distress, which they wish to complain about.

Students are encouraged initially to attempt to resolve the grievance informally (informal grievance) by talking directly with the person concerned to resolve the problem or seeking the assistance of a Program Director or Deputy Head of College.

If the grievance is not resolved through informal procedures, students may access the College's formal academic grievance procedure. There is no cost to the complainant for utilising this grievance process.

Procedure for Implementation

1. Informal Grievance

- 1.1 The student can attempt to resolve the grievance with the person concerned and to seek a resolution of the grievance to the mutual satisfaction of parties concerned.
- 1.2 If the grievance is unable to resolve by both parties then the student can seek assistance from the Program Coordinator (or delegated nominee). The Program Coordinator (or delegated nominee) will discuss with the person who the student has grievance with and try to resolve the grievance.

- 1.3 Program Coordinator (or delegated nominee) will discuss with the student about the outcome and possible resolution. The discussion will be documented in HERMES.
- 1.4 If the student is dissatisfied with the outcome then the student can lodge a formal grievance using the *Formal Academic Grievance Form*. All students have the right to lodge a formal academic grievance. The student (or legal guardian) is the only person who can lodge a grievance.

2. Formal Grievance

- 2.1 Formal grievances must be submitted using the *Formal Grievance Form* to Think: Student Services. The applicant will be sent a written notice from the Head of College (or delegated nominee) within 5 working days, informing them of receipt of their grievance. The written notice will:
 - Advise the complainant of the process that will be followed, the timeframes that will be required and the steps the complainant should take for this stage of the particular grievance.
 - Advise the complainant of their rights of appeal
- 2.2 The grievance resolution process will commence within 10 working days of receipt of the grievance. All reasonable measures will be taken to finalise the process as soon as practicable. The Head of College (or delegated nominee) will investigate the grievance and interview anyone associated with the grievance to gain a full understanding of the issues in order to make a considered decision. Both the complainant and/or respondent(s) may be accompanied and assisted by a third party if so desired during these interviews.
- 2.3 The Head of College (or delegated nominee) will provide a written decision to the complainant within 15 working days, outlining the reasons for the decision and the complainant's right to appeal the decision and the name and contact details of the person they can appeal to, if they are not satisfied with the decision.
 - a. The Group Academic Director (or delegated nominee) is responsible for reviewing appeals relating to grievances in academic matters.
 - b. The contact details for the Group Academic Director are: Think: Education Group, Northpoint Building Level 10, 171 Pacific Highway North Sydney 2060.

3. Appealing the original decision

- 3.1 If the complainant wishes to appeal the initial decision they must do so in writing within 20 working days of being informed of the original decision and addressed to the Group Academic Director (or delegated nominee), Think: Education Group, detailing the reasons for the appeal.
- 3.2 If the student chooses to appeal the original decision, the College will maintain the student's enrolment while the appeal process is ongoing.
- 3.3 The Group Academic Director (or delegated nominee) will acknowledge receipt of the request in writing within 5 working days. The Group Academic Director (or delegated nominee) will refer the appeal to the Chair of the Teaching and Learning Committee to convene a special meeting within 10 working days. Students will be advised of any likely delays.
- 3.4 Where the Teaching and Learning Committee seeks clarification from the student or the respondent in the form of face-to-face interviews, the student or the respondent may ask another person to accompany them.

- 3.5 The Teaching and Learning Committee will establish an Appeal Panel independent from the original decision maker to consider the appeal and any additional evidence provided by the student. The Appeal Panel will detail the reasons for their decision and any further actions required to resolve the grievance.
- 3.5.1 The appeal decision may uphold or overturn the original decision.
- 3.5.2 If the original decision is overturned, then the student's grievance is taken to be proved true and further actions required to address the issues will be identified by the Group Academic Director (or delegated nominee) and implemented immediately.
- 3.6 The Group Academic Director (or delegated nominee) will provide a written statement to the student advising the outcome of the appeal and the further steps taken to address the grievance within 28 working days of receipt of the appeal.

4. External Independent Review

- 4.1 If the student is dissatisfied with the outcome of their appeal, the student may make a written request to the Group Academic Director that they wish the matter be dealt with through an external dispute resolution process facilitated by the Australian Council for Private Education and Training (ACPET).
- 4.2 The Group Academic Director (or delegated nominee) will then advise ACPET in writing of the request within 5 working days of receipt of this appeal. ACPET will arrange for a Round Table Discussion (RTD) to be held between the College and the student within 10 working days of the written notification from the Group Academic Director. ACPET do not charge a fee for this service.
- Contact Details for ACPET:
 Australian Council for Private Education and Training (ACPET)
 PO Box Q1076, QVB Post Office, Sydney NSW 1230
 Ph: 1800 657 644 Fax: 02 9264 4550
 Email: acpet@acpet.edu.au
 ACPET, Lennox Commercial Tower, Level 26, 76 Queen Street, Brisbane, QLD 4000
 Ph: (07) 3210 1628
 Fax: (07) 3210 6347
 Email: qld@acpet.edu.au
- 4.3 If the matter remains unresolved after the RTD then ACPET will appoint an independent mediator within 14 working days of the RTD. ACPET plays no role in the actual mediation. The mediator, the student and the College will attempt to resolve the grievance. The College will bear any costs associated with the mediation.
- 4.4 The student or the respondent may ask another person to accompany them to meetings with ACPET or the mediator.
- 4.5 The mediator will report the outcome of the mediation to the Group Academic Director (or delegated nominee) within 14 days of the completion of the review, including any recommendations arising. Once the Group Academic Director (or delegated nominee) receives a report of the outcomes from the RTD or independent mediation, the Group Academic Director (or delegated nominee) will provide a written report to the student within 10 working days of receipt of the report, on the recommended actions to resolve the grievance.
- 4.6 The College agrees to be bound by the independent mediator's recommendations. The Group Academic Director (or delegated nominee) will ensure that any recommendations made are implemented within 30 days of receipt of the mediator's report.

- 4.7 If a grievance still remains unresolved after the external dispute resolution process, the student may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading. Students enrolled in a VET course of study may decide to refer the matter to the NSW Vocational Education and Training Accreditation Board (VETAB) or the National Training Complaints Hotline on 1800 000 674.

Overseas students in Queensland may contact the Chief Executive (of the Department of Education, Training and the Arts) if the student is concerned about the conduct of the College; and the Chief Executive may, under part 2, division 2 of the Education (Overseas Students) Act 1996, suspend or cancel the registration of a provider or course.

Queensland students may apply to the following bodies:

Anti Discrimination Commission Queensland
Level 1, 189 Coronation Drive, Milton, QLD 4064
Telephone: 1300 130 670 (Toll Free)
TTY: 1300 130 680
Fax (07)3247 0960
Email: info@adcq.qld.gov.au

Office of Fair Trading Queensland
Ground floor, Brisbane Magistrates Court, 363 George Street, Brisbane
Telephone: 13 13 04
International callers dial 6 17 3405 0970
Email:
BrisbaneOFT@justice.qld.gov.au
For hearing impaired/deaf:
National Relay Service
133 677
Translation service:
13 14 50

5. Continuous Improvement

- 5.1 Any improvement action arising from a student academic grievance or appeal will be recorded in the *Improvement Action Registry*. This register will be reviewed by the Teaching and Learning Committee at least four times per year and will provide a report to the Academic Board. Individual colleges are required to report all grievances to the Board of Directors.

Record keeping and confidentiality

Records of all academic grievances handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the grievance appropriate access to these records, upon written request to the Group Academic Director.

All records relating to complaints will be treated as confidential and will be covered by the *Privacy Policy and Procedure*.

This policy, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws or the right to pursue any other legal remedies.

Publication

These procedures are to be published for students on the Think: Colleges website which is accessible to students prior to signing a written agreement and referenced in the application form and written agreement. Information on these procedures is discussed at orientation and is published in the Student Handbook distributed to all new students during orientation. Publication in these locations is to ensure current and prospective students have up to date and accurate information publicly available to them.

For the purposes of communicating to and training staff, this Policy and Procedure will form part of the induction process and will be included in the Staff Handbook.

Responsibility	Head of College (or delegated nominee) and Group Academic Director
Record Management	Student File HERMES Formal Grievance Form Academic Grievance Record Improvement Action Registry
Reference	Privacy Policy and Procedure Teaching and Learning Committee Terms of Reference Glossary of Terms
Policy Developed By	Academic Director
Policy Approved By	Board of Directors
Policy Endorsed By	Academic Board
Policy Complies with	HESA National Code 2007 - Standard 8 AQTF 2007 - Element 2.6
Version Number	6.0
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