

Non-Academic Grievance Policy and Procedure

Policy Purpose

The purpose of this policy is to provide current and prospective students who have a grievance in relation to non-academic matters with a clear process for making their grievance and receiving fair treatment in doing so.

Policy Scope

This policy is applicable to current and prospective students regardless of the location/campus at which the grievance has arisen, the student's place of residence or the mode of study. It applies to all students who study at Think: Colleges Pty Ltd and/or APM Training Institute Pty Ltd. Non-academic matters may include but are not limited to operational, administrative, discrimination and harassment issues. Examples of these include sexual harassment, racial or sexual discrimination, physical or verbal abuse. This policy also extends to complaints about breaches of personal information by the College relating to information obtained by the College for the purposes of FEE-HELP Assistance and repayment of HELP loans. Any student that feels aggrieved on any non-academic matter may use this policy and procedure to formalise their grievance.

This policy does not replace or modify policies or any other responsibilities which may arise under other vocational and higher education provider policies or under statute or any other law. Also, the dispute resolution procedures outlined below in this *Non-Academic Grievance Policy and Procedure* do not circumscribe an individual's rights to pursue other legal remedies. A student who has ceased their enrolment with the College will be considered under this grievance procedure for a period of up to 12 months after their enrolment has ceased. The College will communicate this policy, in writing, to its staff and train staff in its application.

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 College courses, staff, and services is encouraged and would not normally be viewed as a grievance, unless specific action is requested. In some cases, however, students/staff 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 the Student Support Manager or a Program Director.

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

Procedure for Implementation

During all stages of the Non-Academic Grievance procedure, the College will take all reasonable steps to ensure that the complainant and the respondent will not be victimised or discriminated against. The reasons and full explanation in writing for decisions and actions taken will be provided to both the complainant and/or respondent at every stage of the grievance process, if requested. There is no cost to the complainant for utilising this grievance procedure.

1. Informal Grievance

Complainants are encouraged initially to attempt to resolve the grievance informally in the following ways:

- Talking directly with the person concerned to resolve the problem. (e.g. lecturer or administrative staff)
- Seeking the assistance of the Student Support Manager, Program Coordinator (or delegated nominee) or a Division Manager.

Student informal grievances should be recorded in Hermes. If the grievance remains unresolved, the complainant has access to the following formal grievance procedures which is published in the Student/Staff Handbook and on the Think: Colleges website.

2. Formal Grievance

1. This formal grievance procedure begins when a current or prospective student submits a *Formal Non-academic Grievance form* to Think: Student Services. Think: Student Services will enter the formal grievance into Hermes and keep a record on the student's file. The grievance will be forwarded to the relevant Head of College (or delegated nominee) for review.
2. 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 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
3. The grievance resolution process will commence within 10 working days and 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 any persons 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.
4. 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 non-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

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 decision and addressed to the Group Academic Director, Think: Education Group, detailing the reasons for the appeal.
2. If the student chooses to appeal the original decision, the College will maintain the student's enrolment while the appeal process is ongoing (National Code 2007, Standard 8.4).
3. The Group Academic Director, who is senior to and independent from the original decision maker, will acknowledge receipt of the request in writing within 5 days. The complainant will be advised of any likely delays.

4. The Group Academic Director (or delegated nominee) will set up a panel as soon as possible to review the original decision and interview any persons related to the grievance. Both the complainant and/or respondent(s) may be accompanied and assisted by a third party if so desired during these interviews.
5. The decision of the panel will be provided to the complainant in writing, outlining the reasons for the decision within 28 days of receipt of the appeal.
 - a. The appeal decision may uphold or overturn the original decision
 - b. If the original decision is overturned, then the grievance is taken to be proved true and further actions required to address the issues will be identified and implemented (National Code 2007, Standard 8.5).
6. If the appeal is rejected the complainant will be advised of a final step allowing an independent external review of the decision.

4. External independent reviews

1. Where the complainant is dissatisfied of the outcome of their appeal they may request an independent external review of the decision.
2. The College, through its membership with Australian Council for Private Education and Training (ACPET), provides an independent third party to review decisions. This service is free of charge and provides complainants with access to external independent review of grievance decisions for non-academic matters.
3. The complainant has 20 working days from the date they receive the negative decision to appeal to the independent third party. The appeal must be in writing outlining the reasons for appealing the decision and be provided to the Group Academic Director (or delegated nominee) of Think: Education Group.
4. On receipt of the appeal notice the Group Academic Director (or delegated nominee) will initiate the external review process with ACPET.

The contact details of the independent reviewer are as follows:

ACPET, Suite 12, Level 14, 329 Pitt Street, Sydney NSW Australia
Box Q1076, QVB PO, Sydney NSW 1230

Ph: (02) 9264 4490
Fax: (02) 9264 4550

ACPET, Lennons Commercial Tower, Level 26, 76 Queen Street, Brisbane, QLD 4000
Ph: (07) 3210 1628
Fax: (07) 3210 6347
Email: qld@acpet.edu.au

5. The external reviewer will interview all affected parties, independently assess the situation and provide an independent decision on the appeal.
 - a. If the external reviewer is unable to come to a decision they will write to affected parties who will then be free to pursue other remedies available under the law.
 - b. If the external reviewer makes a decision on the appeal they will write to each party setting out the details of the decision. Each party will then write to the other committing to abide by the agreements if the external reviewer's decision.
 - c. Depending on the nature and scope of the appeal the independent review process will be finalised within 30 days of receiving the complainant's appeal letter.

- d. Both the complainant and/or respondent may be accompanied and assisted by a third party if so desired during the external review process.
6. The College and the student agree to be bound by the independent mediator's recommendations. The Group Academic Director (or delegated nominee) will ensure that any recommendations arising from the external review are implemented within 30 days of receipt of the external reviewer's report.

At any point, the complainant may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading and the contact details are as follows:

NSW Anti Discrimination Board	NSW Office of Fair Trading (Sydney Centre)
Level 4, 175-183, Castlereagh Street, Sydney NSW 2000. Phone: 9268 5555 http://www.lawlink.nsw.gov.au/adb	McKell Building, 2-24 Rawson Place, Sydney NSW 2000. Phone: 13 32 20 Fax: (02) 9372 8788 http://www.fairtrading.nsw.gov.au/
QLD Anti Discrimination Commission	QLD Office of Fair Trading
Level 1, 189 Coronation Drive, Milton, QLD 4064 Telephone: 1300 130 670 (Toll Free) TTY: 1300 130 680 Fax (07)3247 0960 Email: info@adcg.qld.gov.au	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

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 studying 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.

5. Continuous Improvement

Any improvement action arising from a student grievance or appeal will be recorded in the *Improvement Action Registry*. This register will be reviewed by the Quality 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 & confidentiality

Records of all 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*.

Non-Academic Grievance Policy and Procedure – Updated March 2009

Think: Colleges Pty Ltd trading as: Australasian College of Natural Therapies, William Blue College of Hospitality & Tourism, APM College of Business & Communication, and Billy Blue College of Design CRICOS Provider No 00246M
APM Training Institute CRICOS Provider No 01897A

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/ Division and Group Academic Director
Record Management	Student File HERMES Non Academic Grievance Records / Registry Improvement Action Registry
Reference	General Misconduct Policy and Procedure Privacy Policy and Procedure Glossary of Terms
Policy Developed By	Group Academic Director
Policy Endorsed By	Academic Board
Policy Approved By	Board of Directors
Policy Complies with	HESA, AQTF 2007 and National Code 2007
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