

Student Grievance and Complaint Procedure



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Approved by	Stanley College Academic Board
Authorised Officer	Registrar
Supporting documents, procedures and forms of this procedure	Student Grievance and Complaint Policy Privacy Policy Information Management Policy and Procedure Complaints and Appeals Form
Related Legislation and Codes of Practice	Education Services for Overseas Students (ESOS) Act 2000 Higher Education Provider Guidelines 2012 Higher Education Standards Framework 2015, Part A: Standard 2.4 (Student Grievances and Complaints) National Code 2018, Standard 10 Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 Privacy Act 1988 Information Privacy Bill 2007 (WA)
Audience	Public

1. PROCEDURE

Stage One: Informal Resolution Procedure (Internal)

- 1.1 A complainant or respondent is not compelled to undertake informal resolution and may at any time invoke the formal complaints process. However, the informal process is preferred, where appropriate, as it aims to:
 - a. Establish if the issue is a misunderstanding or error.
 - b. Achieve a prompt resolution at the local level, and avoid lengthy formal proceedings
 - c. Encourage a consultative approach to resolution.
 - d. Promote the resolution of workplace issues without resorting to official channels until informal resolution has been attempted.
- 1.2 The complainant may seek to resolve the issue with the respondent directly in order to resolve the matter as soon as possible and reach an acceptable outcome. To this end, complainants are encouraged to seek information from, or to calmly discuss issues with, any person or persons whose behaviour (in any form) is seen to be unfair, damaging or contravening codes or policies relating to fair and equitable treatment. Contact may be made either face to face or via email in most instances.
- 1.3 Stanley College staff may, if approached at the informal stage, offer coaching or suggestions for resolution of any issue with another student unless it is determined that the issue is serious enough to warrant escalation to a formal complaint.
- 1.4 For informal complaints of an academic nature (e.g. an assessment grade), the student may speak directly to the lecturer involved or, if preferred, the Program Manager. For informal complaints regarding Stanley College administration (e.g. fees, safety issues, equipment etc.), the student should enquire at reception for advice on a suitable contact person.
- 1.5 Resolution of complaints using the informal process should be reached as soon as practically possible. This should not exceed 10 working days, unless delayed by unavoidable circumstances. If required and agreed to, resolution may proceed up to 20 working days, after which the complaint should be withdrawn or the formal resolution process invoked.
- 1.6 If the student is not satisfied with the outcome of any informal discussion, they may lodge a formal complaint as outlined below.

Stage Two: Formal Resolution Procedure (Internal)

- 1.7 To make a formal complaint, the complainant must contact Reception and seek to speak with the Student Support Manager, or complete the Complaints and Appeals Form (available from Reception and on the Stanley College website). Complainants who are unsure how to proceed may seek assistance and advice from any staff member.
- 1.8 Complainants should lodge a formal complaint within 20 working days of:
 - a. The incident initiating a complaint and where the complainant prefers to use the formal resolution process; or
 - b. Any attempt to resolve the incident informally and which has failed; or
 - c. Any repeat of the behaviour following an attempt to informally resolve the first incident of that behaviour; or

- d. Receiving advice from a Stanley College staff member to consider a formal complaint

1.9 The Registrar may approve an extension of time to lodge a formal complaint where there are exceptional circumstances.

Formal Complaint Process and Initial Assessment

1.10 Stages of a formal complaint:

- a. Complainants outline the incident or issue in writing and endorse the accuracy of notes taken in any subsequent interview with Stanley College assessors.
- b. The desired outcomes of the complainant are discussed with the Stanley College assessor and noted.
- c. The formal grievance is entered in the Student Management System – eBECAS.
- d. Information detailing the complaint is forwarded to the respondent and requires a response within 10 working days
- e. Meetings commence within 5 working days of receipt of the responder’s acknowledgement of the complaint. Meetings may include individuals or all parties. Notes taken in any meeting must be endorsed by all attendees.
- f. Additional meetings may be scheduled, as appropriate.
- g. Additional documentation or written responses may be sought;
- h. All statements are confidential and without prejudice;
- i. Assessment is based on a review of all evidence compiled in the formal complaint process.
- j. A proposed resolution will be developed, and all parties to the grievance will be advised verbally and in writing of the decision and any resulting actions to be taken – this will include rights to Internal Appeal and subsequent External Appeal.
- k. The details and supporting information will be entered into eBECAS.
- l. Wherever possible, formal grievances will be resolved within 20 working days of the grievance being lodged with Stanley College.

Appeal for Review of the Internal Assessment

- 1.11 Any party not satisfied with the outcome of the initial assessment (above) has the right to appeal against the decision using further internal processes. The appeal must be made in writing, clearly stating the grounds for appeal. If the outcome of the internal appeal is not satisfactory, a second appeal may be made to an external assessor (see External Appeal procedures, below).
- 1.12 The Registrar will conduct the Internal Appeal review and adjudicate. Where circumstances warrant, the Registrar may delegate management of the appeal to appropriate Stanley College staff.
- 1.13 The outcome of the Internal Appeal, and any resulting actions, will be communicated to all relevant parties in writing. This communication will include information detailing the right to, and procedures for invoking an External Appeal. All details will be entered into eBECAS, and information added to appropriate files and records as necessary.
- 1.14 The Registrar is the final point of internal appeal within Stanley College.

Stage Three: External Appeal Procedures

- 1.15 If the complainant or responder is not satisfied with the final outcome of the Formal Procedure and the internal appeal, the student is able to lodge a request to have the matter dealt with externally. Stanley College will provide the contact details of the external appeal avenues on the written notification of the formal complaint finding, and will encourage anyone unsatisfied with the internal assessment and any associated internal appeal to lodge an external appeal.
- 1.16 Unless otherwise stated, an appeal with an External Agency is usually free of charge.
- 1.17 An appeal to an external mediator must be made within 20 working days of the notification of the outcome of the Internal Appeal in the Internal Formal complaints process.

Options and contacts for an external appeal

- 1.18 There are a number of avenues for external dispute resolution, depending on the nature of the complaint. Stanley College will recommend the appropriate agency for managing the external appeal.

a. External Conciliation

Should the internal appeal procedures listed above not resolve the grievance to the satisfaction of the complainant, provision is made for external, independent grievance resolution by reference to the Council of Private Higher Education (COPHE). COPHE will act to appoint an external reviewer who is independent of Stanley College. The COPHE-appointed reviewer must make a determination and advise the Registrar, the complainant and COPHE within 30 days, providing in writing the reasons and rationale for any decisions and/or actions to be taken. If the COPHE-appointed reviewer makes recommendations in relation to a reviewed grievance, the Registrar will ensure that the recommendations are implemented within 20 working days. Decisions of the COPHE-appointed reviewer shall be final and binding on all parties.

The contact details for COPHE are:
Suite 612, Level 6, 198 Harbour Esplanade
Docklands VIC 3008
Phone (03) 9642 5212
www.cophe.edu.au

b. Overseas Student Ombudsman

In addition to 1.18.a above, international students making complaints about Stanley College may lodge an appeal with the Overseas Students Ombudsman at no cost. The Overseas Student Ombudsman investigates complaints that international students have with private education providers in Australia.

The Overseas Student Ombudsman can be contacted from 9.00am to 5.00pm Monday to Friday, Australian Eastern Daylight Time.

Contact details are:

Phone:	1300 362 072 (Calls from mobile phones at mobile phone rates)
International:	+61 2 6276 0111
Complaints:	Online Complaint Form
Website:	http://www.ombudsman.gov.au/about/overseas-students

Post: Commonwealth Ombudsman, GPO Box 442, Canberra ACT 2601

Enquiries: The [Enquiry Form](#) can be used to order publications, media enquiries, make an FOI request, request a guest speaker, or lodge a complaint about the Commonwealth Ombudsman.

Indigenous Line: 1800 060 789 (Calls from mobile phones at mobile phone rates)

Translating and Interpreter Service (TIS):

Non-English speaking students can get help through the Translating and Interpreter Service (TIS) on 131 450.

National Relay Service:

Students who are deaf, or hearing impaired or speech impaired can contact the National Relay Service:

- TTY users phone 133 677 then ask for 1300 362 072
- Speak and Listen users phone 1300 555 727 then ask for 1300 362 072
- Internet Relay users connect to the National Relay Service then ask for 1300 362 072

Information sheets in many community languages are available here:

<http://www.ombudsman.gov.au/publications/brochures-and-fact-sheets>

c. ***Western Australian Ombudsman***

The Western Australian Ombudsman's office is open from 8.30am to 5.00pm Monday to Friday.

Contact details are:

Telephone: (08) 9220 7555
Free call: 1800 117 000 (toll free for country callers)
Facsimile: (08) 9220 7500
Email: mail@ombudsman.wa.gov.au

Street Address: Level 2, Albert Facey House, 469 Wellington Street, PERTH WA 6000

Postal Address: Ombudsman Western Australia PO Box Z5386, St Georges Terrace, PERTH WA 6831

National Relay Service: TTY or modem users phone 133 677 and quote 9220 7555.
Voice-only (speak and listen) users phone 1300 555 727 and quote 9220 7555.

Interpreter Service: Translating and Interpreting Services (TIS) National on 131 450.

Web-links to the Western Australian Ombudsman:

http://www.ombudsman.wa.gov.au/Complaints/Overseas_Student_Complaints.htm
http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Complaints_by_overseas_students.pdf

Information booklets from the ombudsman are also made available at the campus.

d. ***Australian Competition and Consumer Commission (ACCC)***

Australian legislation encoded in the *Competition and Consumer Act 2010* governs how all businesses in Australia must deal with their competitors, suppliers and customers.

If a person cannot resolve a complaint with Stanley College that is related to the *Competition and Consumer Act 2010*, the complaint can be referred to the ACCC via the following link:
<https://www.accc.gov.au/consumers/complaints-problems/make-a-consumer-complaint>

e. ***Tertiary Education Quality and Standards Agency (TEQSA)***

Students studying with a Higher Education Provider are able to contact TEQSA to register a complaint about education quality issues: <http://www.teqsa.gov.au/complaints>

Implementation of External Review Decisions

1.19 Following an External Appeal:

- a. The external mediator will submit written findings of the outcome of the review and actions to be taken;
- b. Within 5 working days of receiving the external mediator's findings, the Registrar will confirm receipt with the mediator and advise the parties involved in writing, providing necessary details of the implementation of the recommendations from the external appeal review;
- c. All parties are required to abide by the decision of an external appeal. If a respondent to any complaint does not accept the outcome of the complaints and appeals processes Stanley College reserves the right to take any action consistent with the findings of the external reviewer. This does not remove the right of any party involved in a complaint to take further action under Australia's Consumer Protection laws or through any other legal remedies;
- d. Depending on the specific contents of the advice, Stanley College will implement the outcomes and any necessary further actions as soon as possible but within 20 working days of the receipt of the advice. Where any course of action cannot be implemented within 20 working days, Stanley College will communicate to all involved parties, a revised timeframe for that course of action; and
- e. The Registrar will also consider the outcomes of complaints and appeals in relation to Stanley College policy and procedures in order to actualise Stanley College's commitment to improvement. Where a complaint or appeal leads to a review or amendment of any Stanley College policy or procedure, the appropriate governance process will be followed to change any Stanley College policy.