POLICY TITLE: Grievance Handling Policy and Procedure (for Academic and Non-Academic Matters)

Purpose

The purpose of this policy is to ensure there is an open and transparent approach to the handling of any grievances. This policy and its procedures are designed to comply with the requirements of the relevant Commonwealth Government Department or Agency under the Tertiary Education Quality and Standards Agency Act 2011, Higher Education Support Act 2003, the National Vocational Education and Training Regulator Act 2011 and the Education Services for Overseas Students Act 2000 (ESOS Act) (in particular Standard 8 & 10 of the National Code of Practice for Providers of Education and Training to Overseas Students, 2018)

This policy applies to all domestic and international students enrolled in or seeking to enrol in Photography Studies College (Melbourne) courses.

Policy

Photography Studies College (Melbourne) is committed to the provision of effective, timely, fair, inexpensive and documented grievance handling and appeals processes.

Photography Studies College (Melbourne) aims to:

- uphold the principles of natural justice
- view grievances as an opportunity to improve the organisation and how it works;
- offer a grievance handling system that is student focused and helps Photography Studies College (Melbourne) to prevent grievances from recurring;
- resolve any grievances promptly, objectively, with sensitivity and in complete confidentiality;
- ensure the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised;
- provide a consistent response to grievances.

A grievance can be defined as a person's expression of dissatisfaction with any aspect of Photography Studies College (Melbourne)'s services and activities, such as:

- **Academic matters**, including:
    - student progress
    - assessment
    - curriculum and awards in a course of study
    - the quality of education provided
- **Non-Academic matters**, including:
    - the enrolment, induction/orientation process
    - handling of personal information including information collected for the purposes of funding under the Skills First Contract or FEE - HELP and repayment of FEE - HELP Loans or information reported via the Provider Registration and International Students Management System (PRISMS)
    - access to personal records

- the way someone has been treated such as bullying, sexual harassment, discrimination.

This Policy and Procedure is designed to ensure that Photography Studies College (Melbourne) responds effectively to individual cases of dissatisfaction from any student (or those seeking to enrol) regardless of where the grievance has arisen, the mode of study or place of residence. It applies to all students enrolled or seeking to enrol in any course or unit provided by Photography Studies College (Melbourne).

Procedures

Before an issue becomes a Formal Grievance

Photography Studies College (Melbourne) welcomes feedback and constructive discussion about any dissatisfaction, complaint or grievance that may have been experienced.

Students or persons seeking to enrol with Photography Studies College (Melbourne) are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned.

If this is not possible, for **academic matters**, the Higher Education Course Director or a Year Level Convenor (for students enrolled in higher education courses or applicants seeking to enrol in these courses) or the VET Training Manager (for students enrolled in VET courses or applicants seeking to enrol in these courses) are available to assist students to resolve their issues at this level. For **non-academic matters**, the Team Leader Student Services is the first point of contact. All details of such conversations are recorded in the student management system (SMS).

Formal Grievance Procedure

If the concern or difficulty cannot be resolved to the satisfaction of the complainant, the formal grievance procedure can be utilised by enrolled students, or persons seeking to enrol in a course with Photography Studies College (Melbourne), by following the procedures specified at Stage One – Formal Grievance below to submit a grievance of an academic or non-academic nature.

All steps in this procedure are logged in Photography Studies College (Melbourne)'s Grievance Register which is formally reported to the appropriate governance board/s of the College and reviewed by management as part of its continuous improvement processes.

During all stages of this procedure Photography Studies College (Melbourne) will take steps to ensure that:

- the complainant and the respondent will not be victimised or discriminated against;
- the complainant has an opportunity to formally present their case, and each party to the grievance may be accompanied and assisted by a support person at any relevant meetings;
- a full explanation in writing for decisions and actions taken as part of the process will be provided, if requested by the complainant or the respondent;
- where the internal or external complaint handling or appeal process results in a decision that supports the complainant, Photography Studies College (Melbourne) will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
- the grievance and appeals process is accessible and inexpensive.

Stage One – Formal Grievance:

Formal grievances must be submitted in writing to:

(i) **Academic matters:** the Higher Education Course Director (for students enrolled in higher education courses or applicants seeking to enrol in these

courses) or the VET Training Manager (for students enrolled in VET courses or applicants seeking to enrol in these courses).

(ii) **Non-Academic Matters:** the Team Leader Student Services for all students or applicants seeking to enrol in any course or unit provided by Photography Studies College (Melbourne).

Receipt of the grievance will be acknowledged within five (5) working days and the complaints process will commence within ten (10) days of receipt of the written complaint and all reasonable measures will be taken to finalise the process as soon as practicable.

The relevant staff member will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them. In each case, the clarification given should be recorded in writing.

The relevant staff member will then endeavour to resolve the grievance and provide a written report to the complainant on the steps taken to address the grievance, including the reasons for the decision, within ten (10) working days.

The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal grievance.

Where Photography Studies College (Melbourne) considers more than sixty (60) calendar days are required to process and finalise the complaint or appeal, Photography Studies College (Melbourne) will inform the complainant in writing the reasons why more than sixty (60) calendar days are required and provide regular updates to the complainant on the progress of the matter.

Stage Two – Internal Appeal

If a complainant is dissatisfied with the outcome of their formal grievance – either academic or non-academic, they may lodge an appeal with the Director of Academic Quality & Standards within five days of completion of Stage 1. The Director of Academic Quality & Standards will consult with the complainant and other relevant parties within ten working days of receipt of the appeal.

Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.

Following the consultation and within ten (10) working days the Director of Academic Quality & Standards will provide a written report to the complainant advising the outcome of the appealand/or what further steps have been taken to address the grievance, including the reasonsfor the decision. The report will further advise the complainant of their right to access the external review process if they are not satisfied with the outcome of their internal appeal.

Stage Three – External Review

If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to the Managing Director (or nominee) of the Photography Studies College (Melbourne) for an external review of the decisions made in the internal appeal. The external review will be undertaken by an independent body nominated by the College.

Photography Studies College (Melbourne) is a member of the Resolution Institute which provides a **Student** Mediation Scheme for external reviews. The scheme allows a member

educational and training institution or its students to initiate proceedings with the Resolution Institute. The Resolution Institute's external review services can only be utilised when the internal review process has been exhausted.

Within five (5) working days of receiving the request for an external review, the Managing Director will advise the external review organisation in writing that an external review has been requested by a complainant.

Alternatively, the complainant may initiate external review proceedings using the Application for External Review application on the Resolution Institutes website. External review and dispute resolution costs are shared between the parties unless another arrangement is made.

Contact details:

Nomination Services Officer | Student Mediation Scheme Resolution Institute | Level 2, 13 – 15 Bridge Street | SYDNEY 2000 | 02 92513366 Email: nominations@resolution.institute Web: www.resolution.institute/

Photography Studies College (Melbourne) will acknowledge receipt of an application for external review of a reviewable decision in writing and inform the applicant that, if the external reviewer has not advised the applicant of a decision within forty-five (45) days of receiving the application for review, the reviewer is taken to have confirmed the original decision.

The Managing Director (or nominee) will ensure that any recommendations arising from any external review will be implemented within thirty (30) days following receipt of the recommendations.

Further Action

Higher Education

If a grievance still remains unresolved to the satisfaction of the complainant after the external review, the complainant will be advised by the external reviewer of their right to apply to the Administrative Appeals Tribunal for a review of the reviewable decision and provide the contact details of the closest Administrative Appeals Registry and the approximate costs of lodging an appeal with the Administrative Appeals Tribunal.

The complainant may also decide to refer the matter as appropriate to the:

- **Student Enquiry Line** on 1800 020 108 which can provide general information on Commonwealth supported places, assistance under HELP (Higher Education Loan Program), and the Commonwealth Higher Education Student Support Number (CHESSN).

OR

- **Tertiary Education Quality and Standards Agency (TEQSA)** – www.teqsa.gov.au/complaints

Vocational Education Training

If a grievance still remains unresolved after the external review the complainant may decide to refer the matter to the **Australian Skills Quality Authority (ASQA).**

Complaints must be lodged using ASQA's online complaint form. Evidence must be attached showing confirmation that the complainant has completed Photography Studies College (Melbourne)'s internal and external complaints procedure.

http://www.asqa.gov.au/complaints/making-a-complaint.html

International Students

If a grievance raised by an international student still remains unresolved after the external review, the complainant may lodge an appeal with the **Commonwealth Ombudsman**.

Photography Studies College (Melbourne) will provide a written statement of the outcome of the internal and external reviews including reasons for the outcome and keep a written record of complaints or appeals on the student's file.

Photography Studies College (Melbourne) will not report the student through PRISMS for unsatisfactory course progress or attendance until the outcome of an internal and external complaints handling and appeals process is known, and the decision or recommendation supports the College (Standards 8 & 10 - National Code 2018).

Contact details for international students who wish to contact the Commonwealth Ombudsman are available by clicking this link.

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. 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.

Enrolment Status

Where a student chooses to access this Policy and Procedure, Photography Studies College (Melbourne) will maintain the student's enrolment while the grievance handling process is ongoing.

Record Keeping & Confidentiality

Reasons and explanations for decisions and actions taken under this procedure will be provided in writing if requested. Written records of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties to the grievance appropriate access to these records, upon written request to the Director, Academic Quality & Standards.

All records relating to complaints will be treated as confidential and will be covered by *Privacy and Personal Information Policy* and *Record Management Policy* and associated policies.

Reporting Student Grievances (Academic)

The Director Academic Quality & Standards (or their nominee) will provide a Grievances Complaints Appeals Report to the Academic Board on a quarterly basis in respect of any academic grievances. Any such reports are provided to the Academic Board for its information only. Reports will be provided in writing in accordance with the Grievances Complaints Appeals and Plagiarism Report template and attach written reports of any grievances, complaints, appeals or plagiarism lodged.

Reporting Student Grievances (Non-Academic)

The PSC Audit Committee will receive a written Grievance Complaints Report on a quarterly basis that will include non-academic matters for both Higher Education and Vocational Education and Training (VET).

This Policy and Procedure is made available to students and prospective students through publication in the Student Handbook and on the website.

For the purposes of communicating to staff, this Policy and Procedure forms part of the staff induction process and is included in the Staff Handbook.

Responsible Persons

Higher Education Course Director
VET Training Manager
Director Academic Quality and Standards
Managing Director
Team leader, Student Services

Related Documentation

Policies

Fair Treatment and Equal Benefits and Opportunity
Academic Appeals
Student Conduct
Assessment
Student Progress and Exclusion
Deferral, suspending or cancellation of a student's enrolment International
Monitoring, Notifying & Reporting International Students
Support for Students
RPL and Credit Transfer
Student Application and Admissions
Academic Integrity
Privacy and Personal Information
Record Management
Responding to Sexual Assault and Harassment (Students)

Forms and Documents

Student Handbook
Staff Handbook
Withdrawal Form
Student Grievance, Complaints and Misconduct Register
Grievance Complaints Appeals and Plagiarism Report to the Academic Board
Grievance Complaints Report to the Audit Committee.

Publishing Details

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Julie Moss - Managing Director: