

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. The driver and particular approach, content and timeliness of any grievance handling specified in this policy and its procedures are a requirement 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 accordance with Standard 8 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 enrolling or seeking to enrol in Photography Studies College (Melbourne) courses.

Policy

Photography Studies College (Melbourne) is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered to all complainants at no charge.

Photography Studies College (Melbourne) aims to:

- Develop a culture that views grievances as an opportunity to improve the organisation and how it works;
- Set in place a grievance handling system that is client focussed and helps Photography Studies College (Melbourne) to prevent grievances from recurring;
- Ensure that any grievances are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised;
- Ensure that there is 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.

In relation to non-academic matters, these procedures apply to students who are, or would be, entitled to funding under the Skills First Contract or FEE-HELP assistance as well as persons seeking to enrol with Photography Studies College (Melbourne) in a unit of study that meets the course requirements who are, or would be, entitled to or FEE-HELP assistance.

In relation to academic matters, these procedures apply to students who are, or would be, entitled to funding under the Skills First Contract or FEE-HELP assistance.

Procedures

Before an issue becomes a formal grievance

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. Photography Studies College (Melbourne)'s Course Directors are available to assist students to resolve their issues at this level. All records of such conversations are recorded on the student management data base.

Formal Grievance Procedure

This formal procedure can be utilised by students, including enrolled students, or persons seeking to enrol in a course with Photography Studies College (Melbourne) to submit a grievance of an academic or non-academic nature.

Grievances of an academic nature include matters related to student progress, assessment, curriculum and awards in a course of study.

Grievances of a non-academic nature cover all other matters including complaints in relation to personal information that Photography Studies College (Melbourne) holds in relation to the individual.

All steps in this procedure are logged in Photography Studies College (Melbourne)'s Complaints Register which is formally 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 so 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;
- there is no cost to the complainant for utilising this grievance and appeals process.

Stage one – Formal grievance:

Formal grievances must be submitted in writing to the relevant Course Director. Receipt of the grievance will be acknowledged within five working days and the complaints process will commence within ten days of the receipt of the written complaint and all reasonable measures will be taken to finalise the process as soon as practicable.

The Course Director 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 Course Director 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 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 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 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 they may lodge an appeal with the Academic Director (who is senior to the original decision maker). An appropriate person or committee will be appointed to consult with the complainant and other **relevant parties within ten working days**.

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, the Academic Director (or nominee) will provide a written report to the complainant advising the further steps taken to address the grievance, including the reasons for the decision, within ten working days. The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.

Stage three – External mediator:

If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to Photography Studies College (Melbourne) that they wish the matter be dealt with through an external dispute resolution process facilitated by an independent external mediator.

Photography Studies College (Melbourne) will then advise the external mediator in writing of the request within five working days.

The external mediator will arrange for a Round Table Discussion (RTD) to be held between Photography Studies College (Melbourne) and the complainant within ten working days of the written notification from Photography Studies College (Melbourne). The complainant or the respondent may ask another person to accompany them to meetings with the external mediator or the mediator.

Photography Studies College (Melbourne) will bear any costs associated with the mediation.

Contact details for the external mediator:

EdMediation (Kirby & Co)
Education Dispute Mediators
Level 4, 488 Bourke Street, Melbourne, Victoria. 3000
Phone no: (03) 9670 5563 www.kirbyandco.com.au

The external mediator will report to Photography Studies College (Melbourne)'s Academic Director or their nominee, the outcome of the mediation, including any recommendations arising, within fourteen days of the completion of the review.

Once the Academic Director, or their nominee, receives the report of the outcomes from the RTD or independent mediation, they will provide a written report to the complainant within ten working days on the recommended actions to resolve the grievance.

Photography Studies College (Melbourne) agrees to be bound by the independent mediator's recommendations and the Director Communications and Students, or their nominee, will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.

Further action

Higher Education

If a grievance still remains unresolved after the external mediation process, the complainant may 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 mediation process, 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 appeal, the complainant may lodge an appeal with the **Commonwealth Overseas Students Ombudsman**.

Photography Studies College (Melbourne) will provide a written statement of the outcome of the internal and external appeal, 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 (Standard 8 - National Code 2018).

Contact details for the Overseas Students Ombudsman are available from www.oso.gov.au.

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

A written record 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 Academic Director.

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 Academic Director (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 must 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.

Related Documentation

Policies

Fair Treatment and Equal Benefits and Opportunity
Academic Appeals
Student Conduct
Plagiarism
Assessment

Student Progress and Exclusion
Deferral, suspending or cancellation of a student's enrolment International
Monitoring, Notifying & Reporting International Students
Student Support
RPL and Credit Transfer
Student Application and Admissions
Academic Integrity
Privacy and Personal Information
Record Management
Responding to Sexual Assault and Sexual Harassment

Forms and Documents

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

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