Grievances, Appeals and Reviews

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Introduction

Purpose
To ensure that a transparent, fair and equitable grievance, appeal and review process is followed within the Institute with respect to both academic and non-academic matters.

Scope
This Procedure applies to grievances, appeals and reviews initiated by Federation Training customers.

Rationale

Principles/Statement
All customers have the right to a transparent, fair and equitable grievance, appeals and reviews process. This procedure details the process for Federation Training customers who wish to pursue a grievance or appeal a decision relating to academic or non-academic matters.

Access to this procedure is available regardless of the customer’s place of residence, the location of the campus at which the grievance has arisen, or, where relevant, the mode of study.

As a Registered Training Organisation (RTO) and provider of Nationally Recognised Training we encourage feedback from customers of Federation Training. Without this feedback we cannot improve our processes on a continual basis.

Federation Training will deal with grievances effectively and promptly without prejudice or bias and will at all times be honest and fair in dealing with customers.
Federation Training offers appeal processes where satisfactory resolution cannot be achieved.

All customers, clients, contractors and staff are advised of this procedure and of the processes available for handling and resolving grievances. This procedure will be published and available on Federation Training’s publicly accessible website.

All policies, procedures and required documentation and information relating to VET FEE-HELP will be published on the Federation Training website and will therefore be accessible to members of the public and customers at all times. Customers may request assistance from a Bubble representative to complete their application for review of VET FEE-HELP decisions.

The Institute acknowledges that a complainant may request to be assisted and/or accompanied by a third party during any part of the grievance process and agrees to this request. The Institute’s student support staff are also available to assist a complainant.

There will be no cost associated with lodging a grievance unless an independent arbitrator is required or the Administrative Appeals Tribunal (AAT) is engaged.

As an RTO, Federation Training undertakes to comply with Standards for RTOs 2015 at all times. The Institute is subject to robust scrutiny of its processes and documentation on a continual basis. Issues identified during reviews are addressed through our internal business improvement process.

Procedure

Student Grievance, Appeal and Review Procedure - including VET FEE-HELP decisions

In the first instance, Federation Training will endeavour to resolve any grievance, whether of an academic or non-academic nature, through informal processes of discussion and negotiation between the customer and relevant staff and/or management.

Where this process fails to achieve resolution of the grievance, customers may utilise Federation Training’s formal complaint process, as set out in policy and procedure CM006 Complaints and Feedback Procedure. Complaints, comments or compliments may be lodged about any matter to do with the operation of the Institute. They can be lodged in a variety of forms and should be directed to the Manager Policy and Quality.

Where a customer remains dissatisfied and having exhausted informal avenues and/or the complaints process, they are entitled to lodge an appeal or seek review of the original decision with the Federation Training Appeal and Review Panel.

The appeals procedure includes three key steps:

1. A written application for review is lodged with the Executive Director Education Programs, Quality and Compliance
2. Review is conducted by the Federation Training Appeal and Review Panel
3. The applicant is informed of the outcome of the review and advised accordingly.

There is no standard application template, although an application must include the following information:

1. A clear and concise description of the grievance. Applicants are encouraged to focus on up to three key issues that they feel aggrieved about
2. A clear and concise description of the outcome(s) sought (i.e. what would make the applicant feel that the grievance had been resolved?)

The Federation Training Appeal and Review Panel (3 members) will be chaired by the Executive Director Education Programs, Quality and Compliance or appropriate delegate and will consist of the Manager Student Management Centre and an appropriate representative from the Bubble. Panel members must ensure they fully understand the VET FEE-HELP process.

The Chair of the Appeal and Review Panel will confirm in writing the receipt of a written application for review as soon as the application is received. The applicant must also be informed at this time that if Federation Training has not advised the applicant of a decision within 45 days from receiving the Request for Review, that Federation Training is confirming the original decision.

The Review Panel will meet within no more than five (5) working days from receipt of the application for review. The Panel will review the original application or grievance and the details as to why the applicant believes there are grounds for a change of decision.

The panel decision will be by majority vote. The panel will endeavour, wherever possible, to reach a decision at the conclusion of the Review meeting. If no decision is made at the conclusion of the meeting, it must be made within five (5) working days after the Review meeting.

The grievance, appeals and review process is undertaken on the basis of written evidence; however the Panel may invite the customer to provide additional evidence in person.

Appointment of an Independent Review body

In the event that the applicant remains unhappy with the outcome of the review and seeks further review, Federation Training nominates the following organisation as its independent external arbitrator.

Contact person:  Mr Warwick Spargo
RSM Bird Cameron
Level 8, Rialto Towers
525 Collins Street
Melbourne Vic 3000

The applicant and Federation Training will jointly share the cost of an independent review, which will be arranged by the Executive Director Education Quality and Compliance

Administrative Appeals Tribunal

Should the review decision not be in favour of the applicant, the applicant will be advised that they may wish to contact the Administrative Appeals Tribunal (AAT)

The AAT can be contacted as follows:

Deputy Registrar
Administrative Appeals Tribunal
Level 16, HWT Tower
Southgate, 40 City Road
SOUTHBANK VIC 3006
Tel: (03) 9282 8444

Applications to the Administrative Appeals Tribunal for review of a decision may include an application fee in excess of $750.
Applications cannot proceed until the application fee is paid or the fee has been waived. The application fee is refunded when the review is completed if the AAT decides that it is finalised in the applicants favour. In certain circumstances, the application fee is not payable.

**Records Management**

Review outcomes will be recorded and documented and a full explanation of the decision will be provided to the applicant should they request it. Executive Director Education Programs, Quality and Compliance will notify the applicant within two (2) working days of the outcome of the appeal.

All grievance-related documentation, including review outcomes, is treated as confidential.

A copy of the Review outcome will be sent to the Institute’s Student Records area and will be retained on record for at least five (5) years. In accordance with the CM 023 Privacy Procedure, parties to the complaint will have appropriate access to their records.

**Continuous Improvement**

Upon resolution of the complaint any identified issues that require instigating a new policy or procedure or changes to an existing one, will be pursued as per procedure CM006. This will ensure that the issue will not re-occur with the same outcome.

**Grievances regarding Academic Assessment**

Where a grievance is more specifically focused on issues regarding academic assessment students should utilise the Federation Training assessment appeals process.

Prior to lodging a formal appeal under this process students should attempt to resolve grievances specifically concerning academic appeals with the teaching staff and Manager responsible for the area. Where there is no satisfactory resolution and every attempt has been made to resolve the concern a formal appeal may be commenced.

Grounds for appeal, assessment process and panel composition are addressed in detail in policy and procedure TL 007 Assessment Appeals.

**Grievances regarding Student Behaviour**

Where a student wishes to appeal a decision with respect to student misconduct this should be addressed via the Federation Training student misconduct appeal process.

Grounds for appeal, assessment process and panel composition are addressed in detail in policy and procedure TL 012 Managing Inappropriate Behaviour Procedure.

**Reference and Supporting Information**

**Definitions**

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<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Academic</td>
<td>Includes those matters which relate to student progress, assessment,</td>
</tr>
<tr>
<td>matters</td>
<td>curriculum and awards in a Federation Training course of study.</td>
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Non-academic matters
Includes those matters which do not relate to student progress, assessment, curriculum and awards in a Federation Training course of study and includes complaints in relation to personal information that Federation Training holds in relation to the student.

Customer
For the purposes of this Procedure, a customer means exclusively a student of, or a person seeking to enrol with, Federation Training. Their respective entitlements to access this Procedure differ, as follows:

- Students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Higher Education Support Act 2003 (the Act) are entitled to access these grievance procedures in relation to academic and non-academic matters.
- Persons seeking to enrol with Federation Training in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act and who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act are entitled to access these grievance procedures in relation to non-academic matters.

The Bubble
The Institute student support team

Appeal
Appeals may arise when a customer is not satisfied with a decision made as a result of the grievance

Supporting Documents
Signed and dated records of appeals and reviews.

External Legislative Context
Higher Education Support Act 2003
ASQA Standards for RTOs 2015

Internal Policy and Procedures
Federation Training Procedures

- Complaints and Feedback Procedure CM 006
- Assessment Appeals TL 007
- Managing Inappropriate Behaviour Procedure TL 012
- Privacy Procedure CM 023
- VET Fee Help Refund and Student Review Policy TL 029

Responsibility
- Executive Director Education Programs, Quality and Compliance has responsibility for the maintenance / ownership of this procedure.

Please Note: For further information or assistance regarding policies and procedures contact:
The Policy Unit | Email: s.columbus@federationtraining.edu.au | Phone: 5152 0706 | URL: www.federationtraining.edu.au