

1. Procedure Scope

This procedure applies to any person who is or has been enrolled or is seeking to enrol in an eligible VET unit or qualification of study with TasTAFE, and who is or would be entitled to VET Student Loan. The procedure applies to any such person regardless of the location of the campus at which the complaint/grievance arose, the person's place of residence or mode of study.

This procedure deals with grievances that are related to both academic and non-academic matters and is to be used by staff in handling the grievances raised.

2. Procedure Purpose

The purpose of this procedure is to outline the processes to grievance resolution.

This procedure relates to:

- 1) *academic* matters which may include, but are not limited to, issues such as progress with study within TasTAFE, the curriculum and courses delivered, the process of assessment and assessment tasks, and/or the results and awards given for work: and
- 2) *non-academic* matters which may include but are not limited to issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities. It also includes grievances in relation to personal information that is held in relation to the student.

Both non-academic and academic grievances can only arise from decisions made by TasTAFE.

The VET Student Loan Academic and Non-Academic Grievance Policies along with this procedure provide students with the opportunity to access a fair, confidential and equitable internal grievance and appeal process. TasTAFE welcomes student feedback as part of the continuous improvement focus of its Quality Management System.

3. Procedure Details

TasTAFE recognises its responsibility to provide a safe, harmonious, fair environment for all students and clients, and does not tolerate any form of discrimination, harassment, bullying or other inappropriate behaviour on its premises, or other places where students are on work placement or other TasTAFE approved activities. In addition TasTAFE is also responsible for providing a productive learning environment.

Those involved in resolution of a student grievance will be guided by the following principles:

- **Confidentiality:** all parties to the grievance and those involved in the resolution process are bound by confidentiality with people only being informed on a need-to-know basis.
- **Natural Justice/Procedural Fairness:** in dealing with grievances, the rules of natural justice will be observed to ensure all parties receive fair, consistent and prompt treatment in order to avoid long standing negative consequences.
- **Timeliness:** grievances should be actioned as quickly as possible with an initial communication back to the Complainant within 5 working days of receiving the grievance. Every endeavour should be made to resolve grievances within a general framework of co-operation that emphasises prevention;
- **Support and advice:** complainants and respondents will have access to Student Counsellors or other support as appropriate.
- **Clear lines of responsibility:** grievances will be handled, as far as possible, within the confines of the relevant program structure with the support of Student Services staff.
- **Focus:** for the resolution is on issues rather than individuals

The steps outlined below provide details of informal and formal processes available to lodge a grievance. Student Services staff are available at any time to advise and assist in the process. You are entitled to have a support person or friend attend any meetings with you during the grievance process. However, the role of the support person is primarily to provide moral support, observe, take notes and assist in clarifying any specific points. It is important that in managing the grievance process TasTAFE staff are confident that you are presenting and confirming your own opinions and facts relating to the grievance.

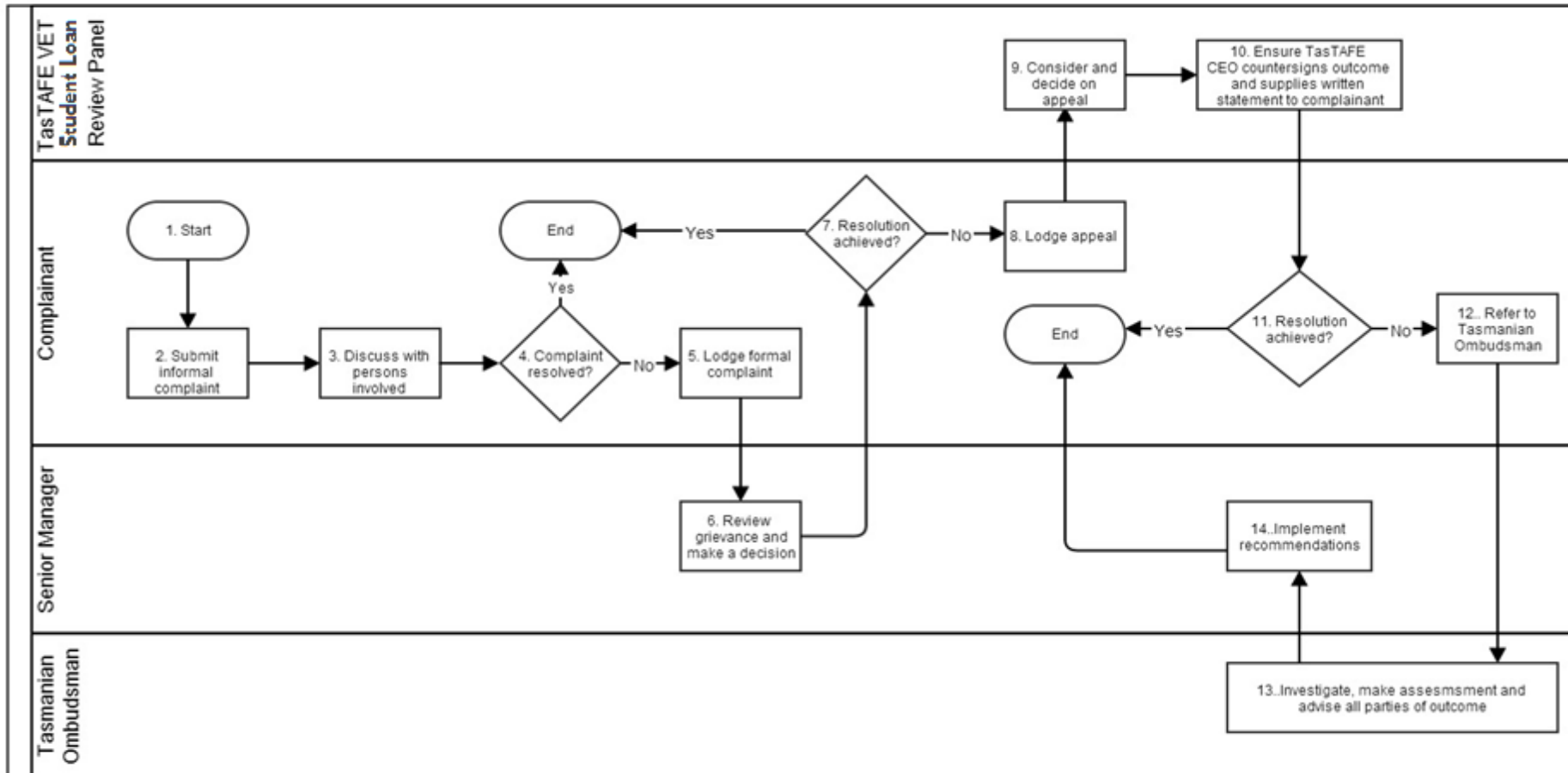
Please note that if at any stage it becomes evident that a serious breach of the Student Code of Conduct or relevant By-Laws may have occurred (which may also involve a breach of criminal law), the General Manager Operations, Organisational and Business Development is advised immediately and may in turn refer the matter to the Chief Executive Officer.

Workflows

The following workflow diagram and procedural tables describe the steps for enacting the TasTAFE VET Student Loan Grievance Procedure.



22/11/2



VET Student Loan Grievance Procedure

ID	Activity	Responsibility	Supporting Documents
1	VET Student Loan Grievance Resolution and Appeals owner	General Manager Operations, Organisational and Business Development.	<ul style="list-style-type: none"> VET Student Loan Academic Grievance Policy VET Student Loan Non-Academic Grievance Policy VET Student Loan Grievance Form VET Student Loan Grievance Appeal Form
2	<p>Informal grievance raised about an unfavourable and/or unreasonable decision.</p> <p>This may be verbal or in writing to the TasTAFE staff member(s) involved.</p> <p>If a Complainant is uncomfortable with submitting a complaint direct to the involved staff member, proceed to step 5.</p>	Complainant	<ul style="list-style-type: none"> VET Student Loan Grievance Form
3	<p>Discuss the matter with the person(s) involved.</p> <p>If this is not possible, proceed to step 5.</p>	Staff member who received the complaint	Nil
4	Complaint resolved?	If yes, end process	Nil
		If no, continue to step 5.	
5	Lodgement of formal complaint to VET Student Loan Coordinator.	Complainant	<ul style="list-style-type: none"> VET Student Loan Grievance Form

6	<p>Record and forward the complaint to relevant staff who will review and make a decision on outcome.</p> <p>Decision is to be made within 30 business days and communicated to the Complainant in writing and will include reasons and a full explanation for the decisions and actions taken.</p>	<p>VET Student Loan Coordinator Relevant Senior Manager</p>	<ul style="list-style-type: none"> VET Student Loan Grievance Form
7	Resolution achieved?	If yes, end process	Nil
		If no, continue to step 8.	
8	<p>If this does not resolve the complaint, submit an appeal in writing by completing a VET Student Loan Grievance Appeal Form.</p> <p>All documentation must be original documents (no photocopies or facsimiles will be accepted), and lodged within 30 days of notification of the decision.</p> <p>Complainant must outline the decision and reasons for the appeal including any compassionate or compelling circumstances and may provide documentary evidence in support of their appeal.</p>	Complainant	<ul style="list-style-type: none"> VET Student Loan Grievance Appeal Form
9	Within 15 business days of receiving the application form, consider the Grievance Appeal and provide the CEO with a letter for the complainant detailing the reasons for the outcome and any actions to be taken.	VET Student Loan Review Panel	Nil
10	Within a further 15 days counter-sign the decision and provide a copy to the Complainant.	Chief Executive Officer	Nil
11	Resolution achieved?	If yes, end process	Nil

		If no, continue to step 12.	
12	<p>If the Complainant is not satisfied with the outcome of the TasTAFE VET Student Loan Review Panel, they are then able to take their case to an external independent body.</p> <p>Complainants may refer their appeal to the Tasmanian Ombudsman's Office</p> <p>The Complainant must notify the VET Student Loan Coordinator within 5 business days of receiving their outcome notice if they intend to refer the matter to the Ombudsman.</p>	Complainant	Nil
13	<p>Investigate the case and make an assessment.</p> <p>The Tasmanian Ombudsman will investigate whether TasTAFE has followed relevant policies and procedures, and whether these have been fair.</p> <p>If further information is required of TasTAFE in relation to the complaint, the VET Student Loan Coordinator will be contacted to provide this additional detail through a document request.</p>	TasTAFE Ombudsman VET Student Loan Coordinator	Nil
14	Implement any recommendations within 30 days of Ombudsman decision	Relevant Senior Manager	Nil

4. Responsibilities

TasTAFE organisational and local level induction processes for staff and students will include information about this procedure and the related policy. Communicated to staff and students on first day of induction.

5. Legislative/Statutory Requirements

Current legislation and Standards for NVR Registered Training Organisations are provided by the **National Vocational Education and Training Regulator Act 2011** at <http://www.comlaw.gov.au/Details/C2011A00012> The Australian Skills Quality Authority may impose sanctions on Registered Training Organisations for breaches of registration requirements; for example, suspension or cancellation of RTO registration.

6. Associated Documents

- ▶▶ VET Student Loan Academic Grievance Policy
- ▶▶ VET Student Loan Non-Academic Grievance Policy
- ▶▶ VET Student Loan Grievance Form
- ▶▶ VET Student Loan Grievance Appeal Form
- ▶▶ Documentation within the TasTAFE Quality Management System

7. Measure of Procedure Effectiveness

At a minimum this procedure will be measured for effectiveness by:

- The timely management and resolution of student grievance
- Consistency of practice in management of student grievance

8. Definitions/Acronyms

See Appendix I

Version History

Procedure Reviewed Every: (Maximum 12 months from implementation or date of last review)		Next Review Date: 8 January 2017
Version	Date	Changes - section and description
PRVF01 V1.8	08/01/2016	N/A
V1.9	22/11/2016	Updated VET Fee HELP Reference to VET Student Loan

Appendix I – Definitions

Academic matters

Academic matters may include, but are not limited to, issues such as progress with study within TasTAFE, the curriculum and courses delivered, the process of assessment and assessment tasks, and/or the results and awards given for work.

Appeal

Request by a complainant to have a matter heard and/or re-considered after receiving an unfavourable decision.

Complainant

A student or person seeking to enroll that is, or would be entitled for VET Student Loan assistance, who makes a grievance to TasTAFE

Confidentiality

The process of ensuring that the privacy of the parties involved in a grievance is protected as much as legally possible, to minimise the grounds for possible defamation action and to facilitate a positive grievance resolution process.

Formal Grievance

If a person is still aggrieved at the completion of an informal process they may lodge a formal grievance that will be reviewed by a senior manager within TasTAFE.

Grievance

An expression of an issue, resentment or displeasure about a decision service or product. This will be a cause of dissatisfaction where the complainant has an honest belief, based on reasonable grounds, that a non-academic decision and/or action, or the behaviour of another student or staff member associated with academic matters, is unfair and/or unreasonable.

Informal Resolution

If a person wishes to lodge a grievance it is recommended the matter is first discussed directly with the respondent. Informal grievance resolution often proves to be quick and effective when a person is encouraged to resolve the matter.

Natural justice and procedural fairness

These are terms used interchangeably and, in the context of grievance resolution, mean that people have:

- The right to be heard, that is the right to have a fair hearing and the opportunity to present one's case;
- The right to have a decision made by an objective and unbiased decision maker;
- The right to have a decision based on relevant evidence

Non-academic matters



Non-academic matters may include but are not limited to issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities. It also includes grievances in relation to personal information that is held in relation to the student.

Ombudsman

The Tasmanian Ombudsman's Office is an independent complaints investigation agency. The Ombudsman investigates complaints about the actions and decisions of public authorities and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.

Respondent

The respondent is the person against whom the grievance is raised.

Review

When a complainant asks to have a decision heard and reconsidered after receiving an unfavourable decision

TasTAFE VET STUDENT LOAN Review Panel

A panel formed to hear VET STUDENT LOAN Grievance Appeals. The panel will comprise of the General Manager VET and/or the General Manager Operations, Organisation and Business Development, a Business Centre Manager and the Manager of Student Services provide none of these persons has been previously involved in the matter being appealed.

VET Unit/s of Study

A subject or collection of subjects that a person may undertake with TasTAFE as part of a VET qualification of study.

Victimisation

The act or acts of treating someone unfairly either because they have made a grievance or because they were the subject of a grievance. It does not include appropriate sanctions imposed following proper and fair processes.