

## Health Education and Training Institute Higher Education Student Grievance Procedure

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### Document History

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v0.1	17 February 2016	Draft	Mirella Gordon	Initial draft
v0.2	18 February 2016	Draft	Gerry Durcan & Rhonda Loftus	Updates
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v1.1	25 May 2017	Draft	Geoff Murphy	Amendment FEE-HELP and Tuition Assurance
v1.2	5 June 2017	Draft	Rhonda Loftus	Added Stages 14-28 for staged grievance management and removed formal grievance flowcharts

v1.3	8 June 2017	Draft	Rhonda Loftus	Extended the objectives
v1.4	13 June 2017	Draft	Rhonda Loftus	Feedback from Governing Council
v2.0	13 June 2017	Final	Rhonda Loftus	Governing Council Out of Session Approval

# Health Education and Training Institute Student Grievance Procedure

## Objectives

1. The objective of this procedure is to ensure:
  - a. Students have ready access to effective and fair grievance processes;
  - b. Students are encouraged to provide feedback about any aspect of Health Education Training Institute (HETI) Higher Education's operations without fear of reprisal;
  - c. All grievances will be treated with sensitivity and with due regard to confidentiality and procedural fairness including review by an appropriate independent third party if internal processes fail to resolve a grievance;
  - d. All views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised;
  - e. The complainant has an opportunity to formally present their case and each party to a grievance may be accompanied and assisted by a support person at any relevant meetings at that party's own cost;
  - f. 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 a respondent;
  - g. Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, HETI will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
  - h. A complainant shall have access to the internal stages of this grievance procedure at no cost. Costs for an external appeal will be free or at a reasonable cost.

## Overview

2. The Health Education and Training Institute is committed to providing a safe and rewarding student experience. Feedback is welcomed as a mechanism for continuous improvement. Students have access to academic appeals and grievance processes that are conducted with the aim of speedy and effective resolution.

3. In relation to non-academic grievances, the term “complainant” applies to both current students of HETI Higher Education and prospective persons seeking to enrol with HETI Higher Education. Complainants are entitled to access the grievance procedures set out in this procedure regardless of the location of the campus of HETI Higher Education at which the grievance has arisen or the mode in which they study.

## **Student Complaints Procedure**

4. HETI Higher Education promotes a culture of collaboration, openness, and respect and encourages wherever possible complaint resolution by a process of discussion and mediation. Students are welcome to raise grievances about any aspects of HETI Higher Education’s operations or in regard to any of its staff regardless of their designation or employment type. These may be raised and dealt with through either informal or formal approaches as appropriate.

### **Informal approach**

5. Informally raising a complaint often (but not always) indicates that the grievance is not serious or complex in nature. This grievance should be directed to the staff member closest to the source of the issue in question. In most cases for students, this will be the Education Support Officer or Unit Coordinator. For those seeking to become students an initial point of contact could be the administration staff, contactable on (02) 9840 3833. The complaint should be made as soon as possible after the issue in question has arisen to pursue effective and timely resolution. Even though it is not mandatory for complainants to raise a grievance formally it is highly recommended.
6. A resolution to the complaint may be sought as quickly as possible. If the student is dissatisfied with the outcome of their direct attempts at informal resolution further resolution may be sought using the formal approach outlined in the following section.
7. The staff member may use discretion to determine if any informal complaint should be logged in the HETI Higher Education Complaints Register. The purpose of the register is to ensure a record of significant complaints for review and future improvement opportunity. This register will importantly also be used to record finalisation of registered matters.

## **Formal Approach**

8. This is a formal process for more serious or complex grievances, or for matters unresolved or inappropriate to deal with informally. All formal complaints will be submitted in writing using the complaints/grievances form available from the Education Support Officer or from Administration. These will be entered in the HETI Higher Education Complaints Register.
9. Student grievances can fall into two categories: academic and non-academic.

## **Academic Grievances**

10. Academic grievances or complaints deal directly with the student's learning experience and might be general in nature or relate to matters covered in the HETI Higher Education Academic Policies. These latter issues would be matters concerning grievances in relation to: course admission; the granting of advanced standing; progression in a course; applications for the review of grades achieved; special consideration requests; and the investigation of allegations of academic misconduct. Where these issues are in dispute the Academic Policies concerned provide guidance on dispute resolution.
11. In the first instance all formal academic complaints will be forwarded to the appropriate Framework Coordinator who will investigate the grievance and attempt to resolve the issue or as needed support the student to use the grievance resolution processes included in the Academic Policies. If this is not possible or appropriate, the grievance will be forwarded to HETI Higher Education Director Education and Training to attempt to resolve the matter by mediation or other means. Unresolved complaints and/or appeals will be escalated to the Teaching and Learning Committee.

## **Non-Academic Grievances**

12. All complaints deemed non-academic are likely to deal with other aspects of the student experience and could cover a range of corporate or procedural matters. These should be dealt with initially with the staff member concerned. If the complaint is about the staff member with whom the student is dealing, it may be directed to the staff member's supervising officer for resolution. If the student is not satisfied with the

resolution the grievance will be forwarded to the HETI Higher Education Director Education and Training. Unresolved matters will be escalated according to the following:

### **Stages of Formal Grievance Management**

13. Formal grievances must be submitted in writing marked to the attention of the Director Education and Training and sent to: [complaints@heti.edu.au](mailto:complaints@heti.edu.au).
14. Receipt of the grievance will be acknowledged in writing within five working days and all reasonable measures will be taken to finalise the grievance handling process as soon as practicable.
15. The Director of Education and Training, or their nominee, will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve.
16. 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.
17. The Director of Education and Training, or their nominee, will then endeavour to resolve the grievance and will provide a written report to the complainant on the steps taken to address the grievance, including the reasons for the decision, within twenty working days of receipt of the grievance. 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.

### **Stage two – internal appeal for formal grievances:**

18. If a complainant is dissatisfied with the outcome of their formal grievance they may lodge an appeal with the Executive Director (who is senior to the original decision maker) within twenty working days of receiving notification of the outcome of their formal grievance. The Executive Director will appoint an appropriate person or committee to consult with the complainant and other relevant parties within ten working days.

19. 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.
20. Following the consultation, the Executive Director, or their 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 twenty working days of receipt of the appeal. 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 appeal grievances**

21. If the complainant is not satisfied with the outcome of their appeal then an independent mediator can be requested through the Resolution Institute. Complainants can contact the Resolution Institute directly as follows:

**Address:** Level 1 & 2  
13-15 Bridge Street  
Sydney NSW 2000

**Phone:** 02 9251 3366  
**Free call:** 1800 651 650  
**Fax:** 02 9251 3733

**Email:** [infoaus@resolution.institute](mailto:infoaus@resolution.institute)

Costs of such mediation will be shared by HETI and the complainant as per Clause 1(h). As a guide mediator's costs would be \$385 (as at June 2017) for the first four hours (or part thereof). Subsequent hours would be \$137.50 per hour. It is common for most disputes to be resolved within the initial four hour allocation.

22. HETI will give due consideration to any recommendations arising from the external review of the grievance and the Executive Director will ensure that they are fully implemented within 30 days of receipt of the recommendations.

## Further action

23. If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading.
24. 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

25. Where a current student chooses to access this policy and procedure, HETI Higher Education will maintain that person's enrolment while the grievance handling process is ongoing.

## Record keeping & confidentiality

26. 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 Executive Director HETI Higher Education. These records will be maintained at:

HETI Higher Education  
North Parramatta Campus  
5 Fleet Street  
North Parramatta, NSW 2151, Australia

27. All records relating to grievances will be treated as confidential and will be covered by HETI's Higher Education Privacy and Personal Information Policy.

## Other responsibilities

28. Students may withdraw grievances at any time during the grievance resolution process, and the grievance will be deemed to be resolved.
29. Students having grievances concerning the application of Chapter 3 – Assistance to Students – FEE-HELP of the Higher Education Support Act 2003, may have a right to apply to the Commonwealth Administrative Appeals Tribunal (see Student Fees Policy for information on such appeals) for a review in relation to decisions concerning grievances about their FEE-HELP support, including when decisions are delayed.
30. The Teaching and Learning Committee will review academic issues in the Complaints Register on a regular basis to ensure appropriate outcomes and identify improvement opportunities as possible. All grievances related to non-academic matters will be reviewed by the HETI Higher Education Executive Group for determination of quality improvement measures to reduce the likelihood of raised grievances.

## Related Documents

- HETI Higher Education Admissions Policy
- HETI Higher Education Advance Standing
- HETI Higher Education Articulation Pathways
- HETI Higher Education Assessment Policy
- HETI Higher Education Enrolment
- HETI Higher Education Progression and Unsatisfactory Academic Progress
- HETI Higher Education Review of Grades
- HETI Higher Education Special Consideration
- HETI Higher Education Student Fees
- HETI Higher Education Complaints Form
- HETI Higher Education Grievances/ Complaints Register
- HETI Higher Education Tuition Assurance Policy and Statement

### Acknowledgement:

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