

Name: Student Grievance (academic and non-academic) Policy

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Approved by: Julie Elvidge

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Review by: March 2018

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## SECTION 1 - INTRODUCTION

### PURPOSE

Selmar is committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all Students. This policy covers both academic and non-academic grievances and appeals.

Academic matters include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

Non-academic matters include those matters which do not relate to student progress, assessment, course content or awards in a course and include grievances in relation to personal information that the provider holds in relation to a Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.

Complainants are entitled to access the grievance procedures regardless of the location of the campus at which the grievance has arisen, the Complainant's place of residence or mode of study.

This policy does not replace or modify policies or any other responsibilities which may arise under other policies or under statute or any other law. Also, the dispute resolution procedures outlined below in this document do not circumscribe an individual's rights to pursue other legal remedies.

The policy aims to resolve any issues identified by students internally and provides the best outcome of the complaints and appeals lodged by the students.

If a Student chooses to access this policy and procedure, Selmar will maintain the Student's enrolment while the grievance and appeals process is ongoing.

### SCOPE

This Student Grievance Policy and Procedure (Academic and Non-academic) will be made available to Students and those seeking to enrol with Selmar through publication on the website. The policy and procedure is relevant to the following people:

- Students;
- Trainers and Assessors;
- General Manager;
- Senior Leadership Team;
- Quality and Compliance Manager.

### DEFINITIONS

Word/Term	Definition
<b>Complaint</b>	A complaint can be defined as a student's expression of dissatisfaction with any aspect of Selmar services and activities offered to students' academic or non-academic in nature.

<b>Appeal</b>	An appeal can be defined as a petition and/or student's expression of dissatisfaction with the decision of Selmar on a variety of different circumstances such as Suspension or Cancellation of studies, Refusal to Release from current enrolment or an assessment decision.
<b>Student/s</b>	Refers to all persons enrolled or seeking to enrol in a course with Selmar.
<b>Complainant</b>	Refers to Students (as defined above) who have lodged a grievance.
<b>Principles of Assessment</b>	<p>Students are assessed through a wide range of tasks and activities to ensure reliability and validity of assessment. This ensures that a student is assessed on their ability to perform the task(s) and to have knowledge relevant to industry standards. Assessments used by Selmar are validated as per the Validation Cycle Calendar to ensure they meet the following principles of assessment:</p> <ul style="list-style-type: none"> <li>• <b>Fairness</b> - The individual student's needs are considered in the assessment process. Where appropriate, reasonable adjustments are applied to take into account the individual student's needs. The student is informed about the assessment process, and provided with the opportunity to challenge the result of the assessment and be reassessed if necessary.</li> <li>• <b>Flexibility</b> - Assessment is flexible by: reflecting the student's needs; assessing competencies held by the students no matter how or where they have been acquired; and drawing from a range of assessment methods and using those that are appropriate to the context, the unit of competency and associated assessment requirements, and the individual student.</li> <li>• <b>Validity</b> - Any assessment decision is justified, based on the evidence of performance of the individual students. Validity requires: assessment against the unit(s) of competency and the associated assessment requirements, covers the broad range of skills and knowledge that are essential to competent performance; assessment of knowledge and skills is integrated with their practical application; assessment to be based on evidence that demonstrates that a student could demonstrate the skills and knowledge in other similar situations; and judgement of competence is based on evidence of student performance that is aligned to the unit/s of competency and associated assessment requirements.</li> <li>• <b>Reliability</b> - Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.</li> </ul>
<b>Rules of Evidence</b>	<p>Rules of evidence have been identified to ensure that assessment produces evidence that has:</p> <ul style="list-style-type: none"> <li>• <b>Validity</b> - The assessor is assured that the learner has the skills, knowledge and attributes as described in the module or unit of competency and associated assessment requirements.</li> <li>• <b>Sufficiency</b> - The assessor is assured that the quality, quantity and relevance of the assessment evidence enables a judgement to be made of a student's competency.</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Authenticity</b> - The assessor is assured that the evidence presented for assessment is the students own work.</li> <li>• <b>Currency</b> - The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.</li> </ul>
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## LEGISLATIVE CONTEXT

Name	Section
Standards for Registered Training Organisations	Standard 5.2, 6.1,6.2,6.3,6.4,6.5

## SECTION 2 - POLICY

### PRINCIPLES

Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned informally which means through conversation or adjustments on which both the parties agree.

These principles, which will be adhered to by Selmar, apply to all stages of this grievance policy and procedure:

- Develop a culture that views complaints as an opportunity to improve the business and how it operates;
- Set in place a complaints handling and resolution procedure that is student focused and helps the business to prevent complaints from recurring;
- Ensure that any complaints are resolved promptly, objectively and with sensitivity and with complete confidentiality;
- The Complainant and any respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and any respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and any respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or any respondent if requested.
- Records of all grievances will be kept for a period of five years to allow all parties to the grievance appropriate access to these records. These records will be kept strictly confidential and stored at Selmar and 3 Wellington Street, St Kilda Vic 3182. Access to these records may be requested by writing to the General Manager at the aforementioned address.
- A Complainant shall have access to the internal stages of this grievance procedure at no cost. Costs for an external appeal will be shared equally by Selmar and the Complainant.

<b>1.</b>	<b>Informal grievance</b>
1.1	<p>Students who are dissatisfied in any way with the services offered by Selmar or a third party delivery training on Selmar behalf which includes but are not limited to:</p> <ul style="list-style-type: none"> <li>• Enrolment process;</li> <li>• Orientation process;</li> <li>• Assessment decision;</li> <li>• Suspension or Cancellation of studies process;</li> </ul>

Student Grievance (academic and non-academic) policy V5 11.01.2017

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	<ul style="list-style-type: none"> <li>Facilities provided by Selmar e.g. toilets, kitchen facilities, resources etc.</li> <li>Staff member including Trainer/Assessor.</li> </ul> <p>Students are encouraged initially to attempt to resolve a grievance informally by talking directly with the person concerned to resolve the problem. This step is not mandatory and a Student may proceed directly to the Formal Grievance stages.</p>
<b>2</b>	<b>Formal Grievance: Stage One</b>
2.1	<p>Formal grievances should be submitted in writing to the General Managers at Selmar and 3 Wellington Street, St Kilda Vic 3182. The Complainant is invited to include suggestions about how the grievance might be resolved.</p> <p>The General Manager will notify the Complainant of receipt of the grievance within 5 working days.</p> <p>The General Manager or their nominee will then, if necessary, seek to clarify the outcome that the student hopes to achieve. At this time the student will be provided with an opportunity to formally present his or her case.</p> <p>The General Manager will then assess the grievance, determine the outcome and advise the Complainant in writing of their decision within 20 working days.</p> <p>The Complainant will be advised of their right to access Stage Two if they are not satisfied with the outcome of Stage One.</p>
<b>3.</b>	<b>Appeals: Stage Two</b>
3.1	<p>If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing within 20 working days of receiving the written response with the Chief Executive Officer at Selmar and 3 Wellington Street, St Kilda Vic 3182. .</p> <p>The Complainant's appeal will be determined by the Chief Executive Officer or a member of the Senior Leadership Team who wasn't involved in stage one, who will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision within 20 working days.</p> <p>The Complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.</p>
<b>4.</b>	<b>Independent Mediator – Stage Three</b>
4.1	<p>If the Complainant is not satisfied with the outcome of their appeal then an independent mediator can be requested through LEADR/ IAMA, the Association of Dispute Resolvers. Complainants can contact LEADR/ IAMA directly as follows:</p> <p>Address: Level 1, 13-15 Bridge Street, Sydney NSW 2000</p> <p>Phone: 02 9251 3366 Freecall: 1800 651 650</p> <p>Fax: 02 9251 3733 Email: <a href="mailto:infoaus@leadriama.org">infoaus@leadriama.org</a></p> <p>Costs of such mediation will be shared equally by Selmar and the Complainant. As a guide mediator's costs would be \$385 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.</p> <p>Selmar will give due consideration to any recommendations arising from the external review of the grievance within 30 days of receipt of the recommendations and the CEO will ensure that they are fully implemented.</p>
<b>5.</b>	<b>Further Action</b>
5.1	<p>If the Complainant has been through all stages of this grievance handling process and remains unsatisfied with the outcome of their grievance, then they may :</p>

- contact the National Training Complaints Hotline on 13 38 73 (Monday–Friday, 8am to 6pm nationally) or by email: [skilling@education.gov.au](mailto:skilling@education.gov.au)
- contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: [www.asqa.gov.au](http://www.asqa.gov.au)

## SUPPORTING DOCUMENTATION

### Forms and Records Management

Register	Retention Time	Retention Location
Complaints Record Form (SMF1)	5 years	Complaints folder and students file
Appeals Record	5 years	Complaints folder and students file
Written Outcome from complaint or appeal	5 years	Complaints folder and students file

### Related Material

Name	Location	Document Type
Moderation and Validation Policy	Intranet	PDF

## SECTION 4 - GOVERNANCE

### RESPONSIBILITY

<b>Policy Owner</b>	CTG General Manager – Quality & Compliance
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### VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
1	27 January 2010	Marcus Sellen	Creation of Policy
2	15 August 2010	Marcus Sellen	Change reference to SMP 17 Assessment Appeals Policy to new TAP 1 Vocational Assessment Policy which encompasses appeals.
3	21 June 2011	Marcus Sellen	Change external appeal option for international students from ACPET to the international Student Ombudsman.
4	30 August 2013	Marcus Sellen	Review of policy & creation of procedure. Update external appeal option for domestic students from ACPET to ASQA.
5	7 October 2014	Marcus Sellen	Review of policy, update of titles & removal of reference to international.
6	11 February 2015	Marcus Sellen	Policy review & updated to new standards.
7	18 May 2015	Marcus Sellen	Review & update & ratification by Selmar Directors.
8	6 January 2016	Julie Bowry-Needham	Review of policy & include academic and non-academic in title.
9	11 January 2017	Julie Elvidge	Review of policy & change of approver name

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## POLICY & PROCEDURE DIRECTORY REQUIREMENTS

CATEGORY	
Student Management Policy (SMP)	Q:\Student Management\Policy\ SMP1 Student Grievance Policy & Procedure

KEYWORDS
Complaints, assessment decision appeal, internal appeals, external appeals.