

Title of Policy	<b>Non-Academic Grievances, Complaints and Appeals Policy and Procedure</b>
<p><b>1. Purpose of Policy</b></p>	<p>The College operates on the basis that non-academic decisions (for example, administrative decisions etc.) are entrusted to administrative staff in accordance with proper procedures established by the College.</p> <p>The College, however, recognises that from time to time disputes may arise with respect to non-academic matters. The College is committed to resolving administrative and other non-academic disputes between students and the College and its staff as quickly and as sensitively as possible.</p> <p>This policy and procedure has been put in place to assist all parties to resolve any issues that arise and reflects the College's expectations and responsibilities of the College, its staff and its students in resolving student non-academic grievances, complaints and appeals.</p>
<p><b>2. Scope of Policy</b></p>	<ul style="list-style-type: none"> <li>i) This policy applies to Health Skills Australia (hereafter known as "the College"), its staff and students, or persons who have demonstrated an intention to enrol as a student (hereafter referred to where ever "a student" is referenced) in the College, regardless of the location of the campus of the College at which the grievance or complaint has arisen, the student's place of residence or the student's mode of study.</li> <li>ii) A student who has ceased enrolment with the College will be considered under this policy and procedure for a period of up to 3 calendar months after their enrolment has ceased.</li> <li>iii) The policy and procedure set out in this document does not:             <ul style="list-style-type: none"> <li>a) replace or modify procedures or any other responsibilities which may arise under other external vocational education and training provider policies or under statute or any other law; or</li> <li>b) remove the student's right to take further action under Australia's Consumer Protection Laws, nor circumscribe the student's right to pursue other legal remedies.</li> </ul> </li> <li>iv) This policy and procedure is one of several internal dispute resolution policy mechanisms of the College. These are as follows:             <ul style="list-style-type: none"> <li>a) For a dispute with respect to assessment appeals, students should initially follow the College's processes for appealing an assessment result or final result described the Student Handbook, before perusing the procedure described in the College's Non-Academic Grievances, Complaints and Appeals Policy and Procedure;</li> <li>b) For a dispute with respect to non-academic matters refer to this Non-Academic Grievances, Complaints and Appeals Policy and Procedure. Non-academic matters generally include those matters which do not relate to student progress, assessment, curriculum and awards in a course of study and includes complaints in relation to personal information that the College holds in relation to the student;</li> <li>c) For a dispute with respect to academic matters refer to the College's Academic Grievances, Complaints and Appeals Policy and Procedure. Academic matters generally include student progress, assessment, curriculum, and awards in a course of study;</li> <li>d) For a grievance, complaint or appeal with respect to a refund of an upfront payment made direct to the College refer to the Refund Policy; and</li> <li>e) For a grievance, complaint or appeal concerning the reimbursement of VET FEE-HELP Assistance for a module or unit refer to the VET FEE-HELP Review and Appeals Procedure.</li> </ul> </li> <li>v) The College's above mentioned internal dispute resolution mechanisms extend to make available external dispute resolution processes should the internal dispute resolutions process be exhausted. For details on available external appeal options and contacts, refer to "Stage 4: External Appeals".</li> <li>vi) A student who is unsure which policy mechanism relates to the nature of their</li> </ul>

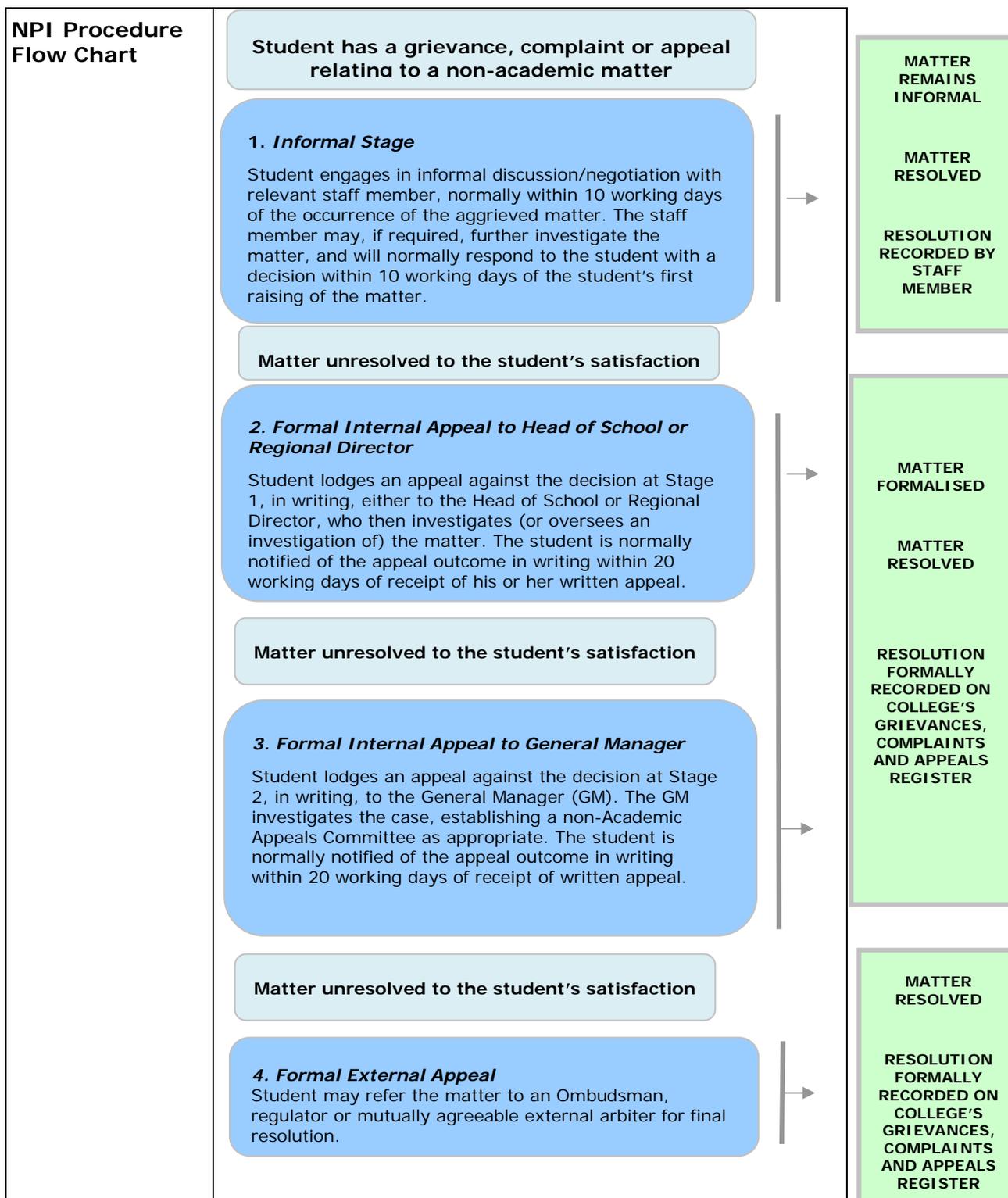
	grievance or complaint should seek advice from the academic coordinator for their course or from the student administration team at their college.
<b>3. Responsibilities</b>	Refer to attached procedure
<b>4. Definition of Terminology</b>	<p>Unless the contrary intention is expressed in this policy, the following words (when used in this policy) have the meaning set out below:</p> <ul style="list-style-type: none"> <li>i) <b>Complaint</b> refers to an expression of dissatisfaction with a decision, action or process within the College in this case regarding non-academic matters.</li> <li>ii) <b>Grievance</b> has the same meaning as complaint in this case regarding non-academic matters (refer to complaint above).</li> <li>iii) <b>Appeal</b> refers to a request to reconsider a non-academic decision made in the context of this document.</li> </ul>
<b>5. Principles</b>	<p>The following principles underpin student grievance, complaint and appeal resolution processes against non-academic decisions:</p> <ul style="list-style-type: none"> <li>iv) <b>Availability</b> This policy is freely available to all students and staff. It is made available through several mechanisms, which include, but are not limited to: <ul style="list-style-type: none"> <li>• publication on the College public website</li> <li>• provision to students at orientation and/or within 5 working days after the student starts attending a College course in which he or she is enrolled, whichever happens first; and</li> <li>• reference in the orientation procedures for permanent and casual academic and administrative staff of the College.</li> </ul> </li> <li>v) <b>Timeliness</b> The College has an intention to resolve any dispute without undue delay. Deadlines prescribed in this policy and procedure should normally always be followed, unless exceptional circumstances prevail. If the deadline is to be exceeded by staff, the student must always be informed of the length of and reason for the delay. If the deadline is to be exceeded by the student, the student must ensure the staff member is always informed of the length of and reason for the delay.</li> <li>vi) <b>Confidentiality</b> The College will treat all student grievances, complaints and appeals confidentially at all stages of the process. Access to information about a grievance, complaint or appeal shall be strictly limited to those staff that “have a need to know” in order to deal with the grievance, complaint or appeal.</li> <li>vii) <b>Without disadvantage</b> The fact that a complaint has been made under this policy will not disadvantage the complainant and/or respondent in any way, especially by way of victimisation or discrimination. That said, the fact that a student has had to complain may of itself cause disadvantage, for example, delay in finalising an enrolment for a module. However, a student should be able to complain under these procedures and feel confident that they will not be disadvantaged or discriminated against in any other way.</li> <li>viii) <b>Procedural fairness</b> Grievances, complaints and appeals will be handled in accord with the College’s Principles of Procedural Fairness Policy.</li> <li>ix) <b>Continuation of College and module enrolment</b> Whether the College will maintain a student’s enrolment throughout a student’s participation in an internal or external appeals process will depend on the type of student and the type of appeal.  <u>Domestic Students</u> A domestic student’s enrolment will be maintained throughout the student’s</li> </ul>

	<p>participation in the internal and external grievance, complaint and appeals process for all types of grievances, complaints or appeals, until the matter has been decided.</p> <p>x) <b>Continuation of learning opportunities</b></p> <p>While the College will maintain a student’s enrolment, as described above, the College reserves the right to decide whether or not to continue to offer learning opportunities to the student throughout the internal or external grievances, complaints and appeals process on a case by case basis (for example, decide, case by case, whether or not the student will be permitted to continue to attend classes, be excluded from attending classes but permitted to continue to undertake and complete class work outside of the classroom environment, etc).</p> <p>The College recognises that decisions to deny learning opportunities to a student throughout the formal grievance, complaint and appeals process may disadvantage the student in their subsequent studies should the appeals process find in the student’s favour, and will normally only undertake such action if determined necessary to maintain the College’s duty of care to its students, staff and other stakeholders of the College.</p> <p>xi) <b>Record-keeping and access to records</b></p> <p>a) A staff member in receipt of documentation in stage 2, 3 or 4 of the non-academic grievance, complaint or appeal procedure, including emails, letters and supporting materials, is responsible for prompt forwarding of the documentation, in an organised, clear and confidential manner, to the Registrar.</p> <p>b) Records of grievances, complaints and appeals and their outcomes will be kept strictly confidential and filed in a separate file, with a unique folio identifier and stored in the Office of the Registrar for a period of at least five years.</p> <p>c) The complainant and/or respondent will have a right of supervised access to all documents held by the College concerning his or her grievance, complaint or appeal.</p> <p>d) The Registrar shall maintain a <i>Register of Formal Grievance, Complaint and Appeal Cases</i> that records the unique folio number of the case, the date the case was first lodged by the student, the policy and procedure/s under which the case was considered, the procedural stages at which the case was considered, and the date the matter was resolved. Senior staff of the College and staff of Commonwealth and State Government agencies, who may not necessarily have had direct involvement in the formal grievance, complaint and appeal case/s, may access this register if required to do so in their normal work undertakings.</p> <p>xii) <b>Resolution</b></p> <p>Given the nature of many non-academic grievances and complaints, the College expects that most concerns will normally be resolved at the informal stage (stage 1). This form of resolution provides an ideal opportunity for open and direct dialogue between the student and staff member. Additionally, informal resolution normally provides the most time effective mechanism for resolving non-academic grievances and complaints.</p> <p>xiii) <b>Cost</b></p> <p>In stages 1 to 3 of the academic grievance, complaint and appeal procedure there will be no charge to the student. At stage 4, where a student elects to lodge a complaint with a mutually agreeable independent external arbiter, the student will be liable for any fees payable, which the College may reimburse to the student if the appeal is found in the student's favour.</p> <p>In cases where the student lodges their complaint with an external regulatory authority, the student is responsible for ascertaining whether or not he or she will incur charges at that stage.</p>
<p><b>6. Policy</b></p>	<p>i) A non-academic grievance or complaint may be made against any non-</p>

	<p>academic decision, action or process of the College.</p> <p>ii) Types of non-academic grievances, complaints or appeals may include, but are not limited, to:</p> <p>a) matters arising from administrative admissions, enrolment or timetabling processes;</p> <p>b) matters arising from decision made by the College concerning a non-academic misconduct matter;</p> <p>c) matters relating to the financial status of a student, except those relating to Tuition Fee refunds or FEE-HELP reimbursements (<i>refer to item 2(iv) (d) and (e) above</i>);</p> <p>d) discrimination, harassment, bullying or intimidating behaviour towards an intending, current student, staff member, educator or any other person associated with the College; and/or</p> <p>e) complaints regarding personal information the College holds in relation to the student.</p> <p><i>Note: Matters concerning a student's unsatisfactory course progress or unsatisfactory course attendance fall under the College's Academic Grievances, Complaints and Appeals Policy.</i></p> <p>iii) In seeking to resolve a non-academic grievance, complaint or dispute, students and staff should normally first exhaust the dispute resolution mechanisms described in this document.</p> <p>iv) All students of the College dissatisfied with a non-academic decision, action or process within the College have the right to have the matter or decision reviewed and to appeal the decision.</p> <p>v) Non-academic grievances or complaints should normally be lodged up to 10 working days from the date of occurrence of the aggrieved matter.</p> <p>vi) A student making a grievance, complaint or appeal should clearly and objectively identify the issue, provide evidence in support of his or her grievance or complaint where possible to do so, and organise any evidence in a clear and logical manner.</p>	
<b>7. Policy Procedures</b>	Refer to Attachment	
<b>8. Records</b>	Grievance records, complaints records, appeals records, and/or investigation records	
<b>Administrative Information and Document Control</b>		
<b>Policy Stakeholders</b>	HSA College Council; HSA staff and students	
<b>Related Documents</b>	Principles of Procedural Fairness Policy, Academic Grievances, Complaints and Appeals Policy and Procedure, Non-Academic Misconduct Policy, Privacy of Student Personal Information Policy, Staff Disciplinary Policy & Procedure, Staff Induction Policy.	
<b>Related laws and regulations</b>	National Vocational Education and Training Regulator Act 2011; associated Commonwealth and State legislation.	
<b>Author/s</b>	National Operations Manager, NPI Registrar	
<b>Policy Endorsed by</b>	Head of School of Nursing	<b>Endorsement date</b> 23/01/2014
<b>Policy Approved by</b>	General Manager	<b>Approval date</b> 05/02/2014
<b>Current Version</b> 1.2	<b>Next review date</b> January 2017	<b>Initial approval date</b> 05/02/2014

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**ATTACHMENT 1: Non-Academic Grievances, Complaints and Appeals Procedure**



<p><b>HSA Procedure</b></p>	<p><b>Stages of the Non-Academic Grievances, Complaints and Appeals Resolution Process</b></p> <p>i. There are four stages in the processes associated with the resolution of a non-academic grievance, complaint or appeal with each stage representing an increase in the level of formality with which the grievance, complaint or appeal is managed. The stages of the process are:</p> <p><b>Stage 1: Informal Discussion/Negotiation</b> between the student and staff member involved, and/or the supervisor of the staff member involved.</p> <p><b>Stage 2: Formal Internal Grievance/Complaint/Appeal</b> to either the Regional Director of the campus or Head of School of the faculty in which the student is enrolled.</p> <p><b>Stage 3: Formal Internal Appeal</b> to the General Manager</p> <p><b>Stage 4: Formal External Appeal</b> normally to an independent external arbiter nominated by the College or student to undertake an External Review; or to the applicable VET regulatory authority.</p> <p>ii. When escalating an appeal to a higher stage, the student must present evidence that the previous determination was lacking in either judgement and/or due process. If unsure about the kind of evidence to present to support their case, complainants should seek advice from the National Operations Manager.</p> <p>iii. For each stage of the process, both the complainant and respondent have the right to be represented by a third party.</p> <p>iv. For each stage of the process, both the complainant and the respondent have the right to receive a full explanation in writing for decisions and actions taken as part of the procedures.</p>
<p><b>Stage 1. Informal discussion/negotiation</b></p>	<p>Normally between student and <b>staff member</b> involved and/or the <b>supervisor</b> of the staff member involved.</p> <p>Normally within 10 working days of the occurrence of the non-academic grievance or complaint the student should liaise with the staff member concerned and discuss/negotiate their concerns with a view to arriving at a mutually agreeable resolution.</p> <p>The student is responsible for ensuring that, in entering this informal discussion/negotiation, they make clear the nature and grounds of the non-academic grievance or complaint and, where applicable, provide evidence to support any claims.</p> <p>Following the discussion, the staff member will investigate the grievance or complaint with procedural fairness, and may consult with relevant academic and administrative staff, as well as students of the College as part of these investigations, and may engage in further informal discussion with the student.</p> <p>The staff member shall normally respond to the student, normally in writing via email, within 10 working days of the student's initial raising of their grievance or complaint. This response will briefly outline the nature and grounds of the student's grievance or complaint and the staff member's decision on the matter. This response will also include a copy of the College's Non-Academic Grievances, Complaints and Appeals Policy and Procedure.</p> <p>If the student is satisfied with the response at this stage, no further action is required. If the student is dissatisfied with the response, or the decision outcome or the time taken to resolve the matter, he or she should proceed to Stage 2.</p>
<p><b>Stage 2. Formal Internal Grievance/Complaint/Appeal to a Senior</b></p>	<p><b>FORMAL RECORDING OF NON-ACADEMIC GRIEVANCES, COMPLAINTS AND APPEALS COMMENCES FROM STAGE 2</b></p> <p>A student at this stage may:</p>

<p><b>Officer</b></p>	<p>a) lodge a formal appeal against the outcome of the non-academic grievance or complaint that was made at Stage 1; or</p> <p>b) lodge a formal non-academic grievance or complaint.</p> <p>The student should normally lodge their formal grievance, complaint or appeal within 10 working days of the grievance or complaint occurrence or the student's receipt of the staff member's decision at Stage 1, as applicable.</p> <p>This is the first of the formal grievance, complaint and appeal stages. As such, the student must express the nature and grounds of their grievance, complaint or appeal, in writing, either via email or letter, to either the <b>Head of School</b> of the faculty in which the student is enrolled or to the <b>Regional Director</b> of the campus.</p> <p>The student should, in this written communication:</p> <ul style="list-style-type: none"> <li>• make clear the nature and grounds for his or her grievance, complaint or appeal;</li> <li>• indicate whether or not he or she has pursued Stage 1 of this procedure, and if not briefly make clear the reasons for not doing so;</li> <li>• provide the date of the Stage 1 decision (if applicable);</li> <li>• explain why a reconsideration is being requested (if applicable);</li> <li>• attach copies of any written communication between the student and the staff member that took place at Stage 1 (if applicable); and</li> <li>• attach evidence that supports his or her grounds for grievance, complaint or appeal, where available (which may include new evidence).</li> </ul> <p>The Regional Director or Head of School (as applicable) will investigate (or oversee the investigation of) the case presented with procedural fairness and may:</p> <ul style="list-style-type: none"> <li>• designate any staff member, at the same organisational level or lower who has not had prior involvement in the case, to assist with the investigation;</li> <li>• consult with relevant academic and administrative staff at the same organisational level or lower, as well as students of the College, on matters pertaining to the case; and/or</li> <li>• request the student to meet with them in person or via teleconference to discuss the case.</li> </ul> <p>The Regional Director or Head of School (as applicable) will respond to the student, in writing via email or letter, within 20 working days of receipt of the student's written grievance, complaint or appeal.</p> <p>If the student has lodged an initial grievance or complaint, this response will make clear the decision of the Regional Director or Head of School (as applicable) and the reasons for the decision.</p> <p>If the student is appealing a decision made by a staff member at Stage 1, this response will make clear whether, as a result of the findings from the investigation, it has been decided to:</p> <p>a) confirm the original decision; or</p> <p>b) vary the original decision, stating the details of the variance; or</p> <p>c) set the decision aside and substitute a new decision, stating the new decision.</p> <p>This communication will also include a copy of the College's Non-Academic Grievances, Complaints and Appeals Policy and Procedure.</p> <p>If the student is satisfied with the response at this stage, no further action is required. If the student is dissatisfied with the response, or the decision outcome or the time taken to resolve the matter, he or she should proceed to Stage 3.</p>
<p><b>Stage 3. Formal Internal Appeal to the General Manager</b></p>	<p>A student may formally appeal a decision made at Stage 2, normally within 10 working days of their receipt of the written response from the Head of School or Regional Director (as applicable).</p> <p>At this stage, the student must express the nature and grounds of their appeal, in writing either via email or letter, to the <b>General Manager</b>. The student should, as part of this communication:</p> <p>a) make clear the nature and grounds for his or her grievance, complaint or appeal;</p>

	<p>b) indicate whether or not he or she has pursued Stage 1 and/or Stage 2 of this procedure, and if not briefly make clear the reasons for not doing so;</p> <p>c) provide the date of the initial decision (if applicable);</p> <p>d) explain why a reconsideration is being requested (if applicable);</p> <p>e) attach copies of any written communication between the student and the staff member that took place at Stage 1 and/or Stage 2 (if applicable); and</p> <p>f) attach evidence that supports his or her grounds for grievance, complaint or appeal, where available (which may include new evidence).</p> <p>The General Manager will investigate the case presented with procedural fairness.</p> <p>The General Manager may establish a Non-Academic Appeals Committee of two or three members nominated by the General Manager, which may include a member of the NPI College Council or Academic Board or one of its standing Committees, and/or a Head of School. A Head of School or Regional Director, to whom a formal grievance or complaint was lodged at Stage 2, may not be nominated to be part of the Non-Academic Appeals Committee.</p> <p>In the course of this investigation, the General Manager, and any staff designated to be involved in the investigation, has the discretion to:</p> <p>a) consult with relevant academic and administrative staff, as well as students of the College, on matters pertaining to the case; and/or</p> <p>b) request the student to meet with the Committee in person or via teleconference to discuss the case.</p> <p>The student will be advised of the outcome of the appeal, in writing via email or letter, within 20 working days of receipt of the student's written grievance/complaint/appeal.</p> <p>This response will make clear whether, as a result of the findings from the investigation, it has been decided to:</p> <p>a) confirm the original decision; or</p> <p>b) vary the original decision, stating the details of the variance; or</p> <p>c) set the decision aside and substitute a new decision, stating the new decision.</p> <p>This communication will also include a copy of the College's Non-Academic Grievances, Complaints and Appeals Policy and Procedure.</p> <p>If the student is satisfied with the response at this stage, no further action is required.</p> <p>If the student is dissatisfied with the response, or the decision outcome or the time taken to resolve the matter, he or she should proceed to Stage 4.</p>
<p><b>Stage 4. External Appeal</b></p>	<p>Vocational Education &amp; Training (VET) students dissatisfied with the outcome of the internal grievance, complaint and appeals process have a number of external appeal options available to them.</p> <p><i>Note: There may be costs for lodging an external grievance, complaint or appeal.</i></p> <p><b>GOVERNMENT AUTHORITIES</b></p> <p>Students seeking to take the matter further can elect to take their grievance, complaint or appeal to the relevant Ombudsman in the State or Territory in which they reside or Federal Ombudsman. The contact details for each relevant State and Federal Ombudsman are provided below. For further details refer to the relevant website.</p> <ul style="list-style-type: none"> <li>• <a href="http://www.ombudsman.gov.au">Commonwealth and ACT Ombudsman: www.ombudsman.gov.au</a></li> <li>• <a href="http://www.ombo.nsw.gov.au">New South Wales Ombudsman: www.ombo.nsw.gov.au</a></li> <li>• <a href="http://www.ombudsman.nt.gov.au">Northern Territory Ombudsman: www.ombudsman.nt.gov.au</a></li> <li>• <a href="http://www.ombudsman.qld.gov.au">Queensland Ombudsman: www.ombudsman.qld.gov.au</a></li> <li>• <a href="http://www.ombudsman.sa.gov.au">South Australian Ombudsman: www.ombudsman.sa.gov.au</a></li> <li>• <a href="http://www.ombudsman.tas.gov.au">Tasmanian Ombudsman: www.ombudsman.tas.gov.au</a></li> <li>• <a href="http://www.ombudsman.vic.gov.au">Victorian Ombudsman: www.ombudsman.vic.gov.au</a></li> <li>• <a href="http://www.ombudsman.wa.gov.au">Western Australian Ombudsman: www.ombudsman.wa.gov.au</a>. Australian Competition and Consumer Commission (ACCC): <a href="http://www.accc.gov.au">www.accc.gov.au</a></li> </ul>

	<p>The ACCC will only have jurisdiction to investigate complaints that are in breach of the Competition and Consumer Act 2010.</p> <p><b>VET REGULATOR</b></p> <p>VET students can elect to take their grievance, complaint or appeal to Australia's national VET regulator, the Australian Skills Quality Authority (ASQA). For further details refer to the Authority's website:</p> <p style="text-align: center;"><a href="http://www.asqa.gov.au/complaints/making-a-complaint.html">www.asqa.gov.au/complaints/making-a-complaint.html</a></p> <p>Students in Victoria and Western Australia who are unsure whether ASQA is responsible for the regulation of their RTO should contact the ASQA info line on 1300 701 801 or email <a href="mailto:enquiries@asqa.gov.au">enquiries@asqa.gov.au</a></p> <p><b>NURSING ACCREDITATION</b></p> <p>Nursing students can take their grievance, complaint or appeal to the Australian Nursing &amp; Midwifery Accreditation Council (ANMAC)</p> <p style="padding-left: 40px;">Website: <a href="http://www.anmac.org.au">www.anmac.org.au</a></p> <p style="padding-left: 40px;">Telephone: +61 2 6257 7960</p> <p><b>INDEPENDENT EXTERNAL ARBITER</b></p> <p>Domestic students can elect to take their grievance, complaint or appeal to a mutually agreeable external arbiter nominated by the student or the College.</p> <ul style="list-style-type: none"> <li>• The College may request an appropriate representative from another tertiary education provider to act as an independent external arbiter.</li> <li>• There are also a number of professional associations that can assist. One such agency is <i>Leadr</i>, the national association of dispute resolvers. For further information refer to the website at <a href="http://www.leadr.com.au">www.leadr.com.au</a></li> <li>• Students will be liable for any fees charged by an independent external arbiter (refer to Section 4, Costs).</li> </ul> <p>The College will implement all recommendations arising out of an External Review within the timeframe specified by the external arbiter or relevant regulatory authority. Alternatively, if a timeframe is not specified by the external arbiter or relevant regulatory authority, all recommendations will be implemented by the College within 10 working days.</p> <p>Both the student and the College may seek advice and/or advocacy from a third party at this stage, but this will be at each party's own expense.</p>
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<b>Records relating to this procedure</b>	Appeal records, Grievance records, Complaints records, and/or Investigation records
<b>Other procedures relating to this procedure</b>	Academic Grievances, Complaints and Appeals Policy and Procedure, Staff Disciplinary Policy & Procedure
<b>Procedure stakeholders</b>	HSA staff and students
<b>Procedure Owner Author(s)</b>	National Operations Manager, Head of School

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