

KIAMA COMMUNITY COLLEGE INCORPORATED

STUDENT GRIEVANCE POLICY AND PROCEDURES (ACADEMIC & NON-ACADEMIC)

Definitions

For the purposes of this document the following applies:

The Act refers to the *Higher Education Support Act 2003*.

Student/s refers to all persons enrolled or seeking to enrol in a course with KCC (including persons who are, or would, be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act).

Complainant refers to Students (as defined above) who have lodged a grievance.

1. Overview

Kiama Community College Incorporated ("KCC") 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.

If a Student is enrolled at the time they choose to access this policy and procedure, KCC will maintain the Student's enrolment while the grievance and appeals process is ongoing.

2. Responsibility

The Board of Management is responsible for approving the policy and responding as required to informal and formal grievances.

The Executive Officer is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation and Students and Complainants are made aware of its availability.

Managers and Course Coordinators:

- are responsible for ensuring that all trainers are aware of the requirement to report potential grievances as soon as possible; and
- handle any grievance appropriately and promptly; and
- will treat all people involved fairly and respectfully, protecting the complainant from undue negative repercussions arising from their grievance.
- will treat the complainant and all those involved with strict confidentiality at all times.

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3. General principles

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

- 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/supported 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 Kiama Community College, 7 Railway Parade, Kiama NSW 2533. Access to these records may be requested by writing to the Executive Officer 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 KCC and the Complainant.

4. Informal Grievance Procedure

Students are encouraged initially to attempt to resolve a grievance informally through the following process. Whilst KCC encourages Students to follow this procedure before an issue becomes a formal grievance, this step is not mandatory and a Student may proceed directly to the Formal Grievance Procedure.

If a Student has a problem they want to talk about, they should follow this procedure below.

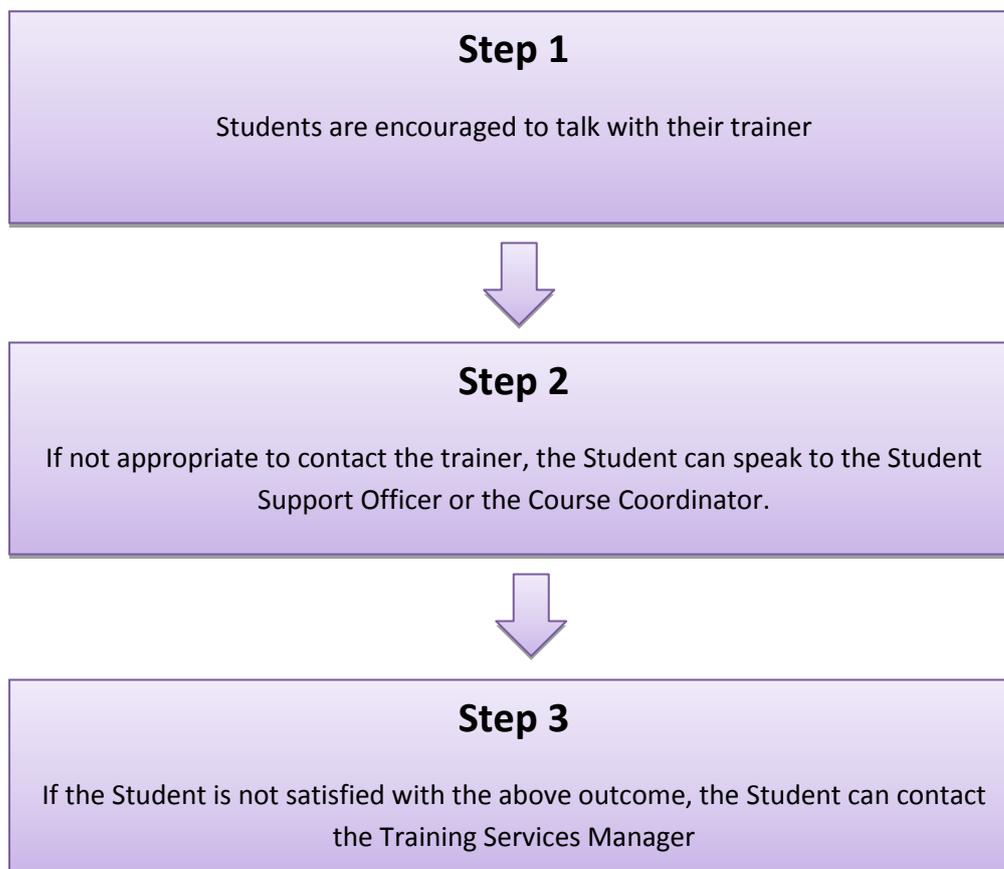
- Students are encouraged to talk with their trainer who will attempt to resolve, in an informal manner, the grievance.
- If the Student cannot or does not want to talk to the trainer, they can speak to the Student Support Officer or the Course Coordinator. The Student Support Officer or Course Coordinator will then investigate the issue, document action taken in order to resolve the grievance and review the effectiveness of those actions to ensure that the issue is effectively resolved. The Student will have a response within twenty working days from lodging the informal grievance.
- If the Student is not satisfied with the above outcome and wishes to continue to follow the informal grievance process, the Student can contact the Training Services Manager who will review the issue, determine the next steps and outcome, and advise the Student in writing within twenty working days.

See flowchart of informal grievance procedure following:

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Informal Grievance Procedure Flowchart

Please view this flowchart in conjunction with detailed explanation of each step



5. Formal Grievance Procedure

Stage One

Formal grievances should be submitted in writing and sent to the Training Services Manager at Kiama Community College, PO Box 52, Kiama NSW 2533.

The Training Services Manager will notify the Complainant of receipt of the grievance within 5 working days.

The Training Services Manager will then assess the grievance, determine the outcome and advise the Complainant in writing of their decision within 20 working days.

The Complainant will be made aware of their options through the provision of a copy of this policy.

Stage Two

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 Executive Officer, Kiama Community College, PO Box 52, Kiama NSW 2533.

The Complainant's appeal will be determined by the Executive Officer 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.

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The Complainant will be made aware of their options through the provision of a copy of this policy.

Stage Three

If the Complainant is not satisfied with the outcome of their appeal then an independent mediator will be sourced by KCC through LEADR, the Association of Dispute Resolvers. Complainants may request that their grievance is referred to the independent mediator by writing to the Chairperson of the Board of Management, Kiama Community College, PO Box 52, Kiama NSW 2533.

Costs of such mediation will be shared equally by KCC 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.

For Adult Migrant English Program (AMEP) Students only:

If the student is not happy with the way the grievance has been handled, they can write to The Director, NSW AMES, PO Box 1222, Darlinghurst, NSW 1300. Following this step, if the AMEP Student is still not happy with the way the grievance has been handled, they can contact the Department of Immigration and Border Protection (DIBP) Global Feedback Unit on their dedicated feedback line 133 177 or by mail to The Manager, Global Feedback Unit, GPO Box 241, Melbourne , Victoria 3001

Stage Four

For all Students: If the Complainant remains unsatisfied with the outcome of the mediator's decision, then they may contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: <http://www.asqa.gov.au/complaints/making-a-complaint.html>.

Stage Five

If a Student is still dissatisfied with the way the grievance has been handled and it is very serious they can contact the Commonwealth Ombudsman:

Telephone on 1 300 362 072

Email at ombudsman@ombudsman.gov.au

Completing an online form at www.ombudsman.gov.au

By attending one of their offices.

NOTE: The Ombudsman will not usually investigate a grievance unless raised with the ASQA or DIBP first.

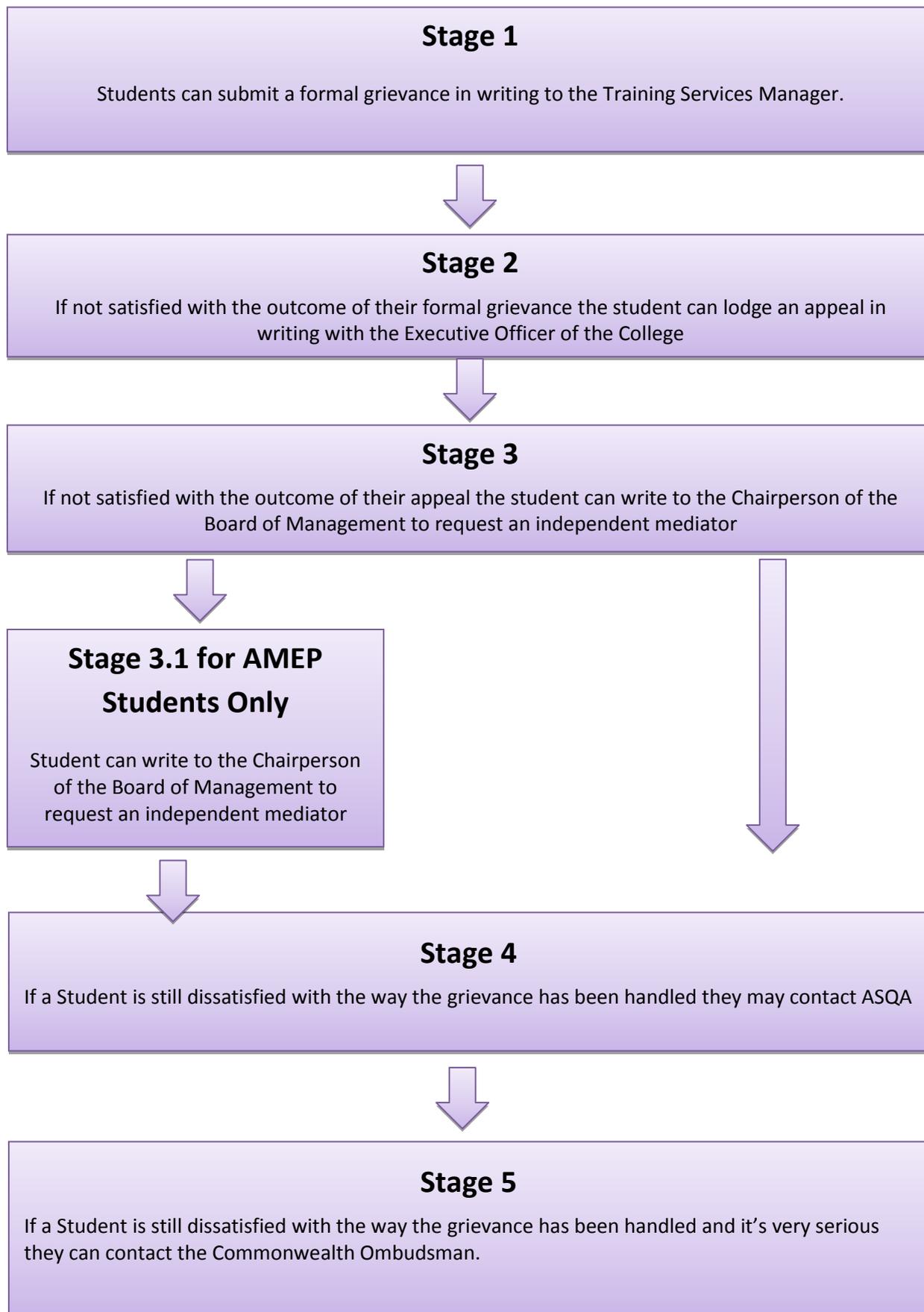
KCC will respond to any recommendations arising from the external review of the grievance within 30 days of receipt of the recommendations.

See flowchart of formal grievance procedure following:

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Formal Grievance Procedure Flowchart

Please view this flowchart in conjunction with detailed explanation of each step



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6. Publication

This *Student Grievance Policy and Procedure (Academic and Non-academic)* will be made available to Students and those seeking to enrol with KCC through publication on the website: www.kcc.nsw.edu.au.

7. Approval

This Policy and Procedure was agreed to and ratified by the Board of Management on 3rd July 2014.