

STUDENT GRIEVANCE MEDIATION POLICY AND PROCEDURES

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1 Purpose

- 1.1 Students or persons seeking to enrol in a course of study with TOP Education are entitled to access the grievance procedure as set out by TOP Education, regardless of the location of the campus at which the grievance has arisen, the students place of residence, or the mode in which they study.
- 1.2 TOP Education recognizes the rights of students or those seeking to enrol in a course of study at TOP to have unhindered access to mediation. This means they have the right to report problems, concerns or grievances regarding any aspect of their education or other activities, which are within the control of TOP Education Institute and its management staff.
- 1.3 TOP Education recognises mediation as an official avenue for resolving grievances in accordance with published and accountable procedures as set out in this Grievance Mediation Policy and Procedures.

2 Scope

TOP Education has individual academic, administrative and supervisory avenues for mediation. Should other avenues come into conflict with the Student Grievance Mediation Policy, this policy overrides all other avenues for meditation.

3 Definitions

A grievance is a complaint or conflict which arises out of an act, decision or omission which the grievant considers to be unjust, wrongful or discriminatory and which is within the control of the Institute.

Mediation is a process by which the participants in a dispute, together with the assistance of a neutral person, systematically isolate disputed issues in order to develop options, consider alternatives, and reach a consensual settlement that will accommodate their needs.

Academic grievance may include issues relating to:

- Selection and Admission
- Content and delivery of units in your course
- Recognition of Prior Learning (RPL)
- Advanced Standing
- Assessments (for example assignments, tests, examinations)
- Special Consideration
- Plagiarism.

Non-academic grievance may include issues relating to:

- Fee Payment
- Suspension of Candidature
- Withdrawal without Penalty
- Misconduct (other than plagiarism)
- Critical Incidents
- Harassment and Discrimination
- Health and well being
- Facilities.

4 Bullying or Harassment

TOP Education Institute will not tolerate inappropriate behaviour of any kind. Any student who lodges a complaint or grievance will not be subject to discrimination or victimisation. Any respondent to a complaint or grievance will not be subject to discrimination or victimisation.

5 Procedures

5.1.1 Grievance Mediation. TOP Education will ensure the following when dealing with complaints, grievances and appeals:

- (i) Each complaint, grievance, appeal and its outcome is recorded in writing;
- (ii) Both parties to the complaint or grievance are entitled to appropriate access to any records related to the complaint.
- (iii) Each appeal is heard by an independent person or panel; and
- (v) Each appellant;
 - (a) has an opportunity to formally present his or her case; and
 - (b) is given a written statement of the appeal outcomes, including a full explanation for the decision.

5.1.2 The Institute will publish grievance policies and procedures in prominent public spaces on campus, as well as on the website www.top.edu.au. The policies will be presented at orientation for both staff and students. The Director of Programs is the person who is responsible for the training of academic staff in the application of the policy. The Director of Programs is also responsible for advising the students of the policy during the orientation process. The Institute is dedicated to the fair hearing and resolution of all grievances and will discuss with students and staff their familiarity with procedures for dealing with complaints, grievances and appeals.

6 Grievance Procedures

If a problem, complaint or grievance is being experienced with a staff member or a student, the following procedure should be used:

6.1 Informal stage:

- (i) Identify and discuss the complaint or grievance with the other party.**
- (ii) Discuss the best outcome to the complaint or grievance.**
- (iii) Agree to act to resolve the complaint or grievance.**

6.2 Stage One

If after talking to the person the complaint or grievance remains unresolved you will need to lodge a formal complaint in writing. Academic grievances will be mediated by Director of Programs and non-academic grievances will be mediated by the Provost.

The process will commence within 10 working days of lodgement of complaint. You will have the opportunity to formally present your case. Both parties to the complaint or grievance may bring a support person who is a third party to all of these meetings.

The Institute will provide both parties to the complaint or grievance with a written statement advising of the complaint outcome, including the reasons for the decision within ten working days of the commencement of the process.

6.3 Stage Two

If you are dissatisfied with the decision and:

- It is an academic matter you may appeal to the Academic Board within 10 working days of receipt of the decisions. The Academic Board has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.
- If it is a non-academic matter you may appeal to the Principal within 10 working days of receipt of the decisions. The Principal has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.

6.4 Stage Three

If you are dissatisfied with the outcome of the mediation you may appeal the

decision by requesting an external independent arbiter. You must access the external independent arbiter within 30 days of receipt of the decision. The Institute will cover the cost of the external independent arbiter.

Any student who accesses the complaints and appeals process will maintain their enrolment until the case is resolved.

Please access the below organisations:

Australian Council for Private Education and Training (ACPET)

Box Q1076, QVB PO Sydney NSW 1230

Ph: 02 92994555 Fax; 02 92994221

Email: acpet@acpet.edu.au

Web site: www.acpet.edu.au

NSW Office of Fair Trading

1 Fitzwilliam Street,

Parramatta NSW 2150 Australia

Tel: 61 2 9895 0111, 13 32 20

Fax: 61 2 9895 0222

Web site: www.fairtrading.nsw.gov.au

6.5 Stage Four

Any recommendations received as the result of the external review will be considered by the Academic Board for academic grievances or the Principal for non-academic grievances within 30 days of receipt of the recommendation and any changes will be implemented as soon as practicable.

7 Complaints Substantiation

The Institute has a clear policy on handling complaints from students, staff and stakeholders.

Once a formal complaint is made all steps to resolve the matter must be documented as follows:

- (i) Receive the complaint in writing with details of the complaint, date and signature of the complainant.
- (ii) The written complaint will be forwarded to the Director of Program for academic grievances or the Provost for non-academic grievances.
- (iii) The Director of Programs or Provost will handle the complaint without prejudice and document all actions taken to investigate and resolve the complaint.
- (iv) If necessary the Director of Programs or Provost will inform the Institute Council of the complaint in writing.

If not resolved, a thorough investigation should be carried out and documented.

If the Institute needs to rectify its own policy and procedures, the Institute must act immediately and document any changes to policies and procedures. This will be dealt with by the appropriate committee on a case by case basis and any changes will be implemented as soon as practicable.

Serious attempts should be made to resolve a complaint in a manner acceptable to all parties in order to reach a mutually satisfactory resolution. Details of the process and resolution must be documented and copies given to all parties involved. A complete file of the complaint will be kept confidentially and the steps taken to resolve the matter must be retained by TOP Education for a minimum of fifteen years after action completed and then destroyed.

8 Related Documents

- i. Student Code of Conduct
- ii. Staff Code of Conduct
- iii. Records Management Policy