



Non-Academic Grievance Policy and Procedures

Overview

The Health Arts College Pty Ltd is committed to providing an effective, efficient, timely, fair and confidential non-academic grievance handling procedure for all students.

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.

Non-academic matters include those matters which do not relate to student progress, assessment, course content or awards in a course and include complaints in relation to personal information that the provider holds in relation to the Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider. Complainants may utilise this Policy and Procedure to express their dissatisfaction with an Agent's demeanour.

Definitions

For the purposes of this document the following applies:

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

Complainant/s refers to students (as defined above) who have lodged a non-academic complaint with

The Health Arts College Pty Ltd

The College refers to The Health Arts College Pty Ltd

Responsibility

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

Grounds for Lodging a Non- Academic Grievance

In the event of a grievance by a complainant:

- The complainant will be given the opportunity to present their case;
 - All matters arising shall be accurately documented and recorded. Records shall be maintained for a minimum period of five years and treated as confidential in accordance with the Colleges' policies on Personal Information -Privacy Policy
- A written statement of the outcomes will be issued at each stage of the process giving due reasons for decisions reached;
- The complainant will have the right to have a representative present during any negotiations with the College or its appointed representatives;
- The complainant will not be required to meet any costs associated with lodging a grievance, provided the procedures contained herein are adhered to;
- The complainant shall not be subject to discrimination, victimisation or any other form of harassment as a result of actions taken under these guidelines.



- The College allows parties to the complaint appropriate access to any records.

This policy is applicable to complainants with the College. It is applicable to all complainants of the College, irrespective of their place of residence, campus (within Australia) or mode of study. Complainants with the College who transfer their studies to an institution outside Australia, will have their registration with the College terminated and are required to adhere to the guidelines, policies and procedures outlined by the legal entity to whom they have transferred their registration, unless their grievance relates specifically to an instance when their registration with The College in Australia was current.

Principles that Underpin these Grievance Procedures

The guiding principles of these procedures are that grievances shall be:

- Treated seriously and with fairness;
- Dealt with in a timely manner;
- Treated consistently across the College;
- Subject to the principles of natural justice;
- Progressed through informal and formal stages;
- Allow web video conferencing or other similar means where complainants cannot attend in person;
- Dealt with and resolved wherever possible without recourse to the formal stage, and shall be without prejudice to a complainant's right to pursue legal remedies outside the College having exhausted Colleges' grievance procedures;
- The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other education provider policies or under statute or any other law.

Before an Issue Becomes a Formal Grievance

Prior to lodging a formal grievance, students are encouraged to discuss their concerns with the Compliance Manager. Any formal grievance must be made in writing within fourteen working days of results being published. A formal grievance should include a detailed breakdown of the reasons for the grievance.

Informal Grievance Procedure

Informal Stage 1:

In the first instance those who wish to lodge a grievance should discuss the issue with the Compliance Manager, who will advise whether or not, the grievance, is best, progressed through:

The Compliance Manager, Head of VET or other staff member with The Health Arts College Pty Ltd;

- Reference to specific persons who can resolve the problem;
- These grievance procedures.

If the grievance directly involves the Compliance Manager or the College management it shall proceed directly to the Formal Stage.



Assuming it is agreed that the grievance shall be progressed through these grievance procedures, the member of staff consulted shall discuss the grievance fully with the complainant and - with the complainant's consent - anyone else involved, to see if it can be resolved informally. This may involve referral of the grievance to a third party. The outcome of grievances dealt with informally should be briefly documented. Normally, grievances handled through Informal Stage 1 shall be dealt with within, at most, ten working days, briefly documented, and a copy of the decision sent to the complainant in writing.

Informal Stage 2:

If the complainant is dissatisfied with the outcome of Informal Stage 1, the grievance shall be referred to the CEO (or nominee) not involved in the Grievance Process in this case, within ten working days of the completion of Informal Stage 1.

The CEO shall investigate the grievance fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible. The CEO will provide a written report to the complainant on the steps taken to address the grievance within ten working days. If the grievance directly involves Compliance Manager it shall proceed directly to the Formal Stage.

Formal Grievance Procedure

General principles that apply to all stages of this grievance procedure will be adhered to by The College, are:

- The Complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and/or the 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 the respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to complaints, 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 respondent if requested.

Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored in the office of the CEO The Health Arts College Pty Ltd 1/94 Foster Street, Dandenong, VIC 3175.

.A Complainant shall have access to this grievance procedure at (at no cost).

- Should THA consider longer than 60 calendar days to process and finalise the complaint or appeal, THA will inform the complainant or appellant in writing and include reasoning and regularly update the complainant or appellant on the progress of the matter

Stage One

Formal grievances should be submitted in writing to the Compliance Manager, The Health Arts College Pty Ltd 1/94 Foster Street, Dandenong, VIC 3175. Telephone 1300 658 326.

The Compliance Manager will consult with all parties to assess the grievance, determine the outcome



and advise the Complainant in writing of their decision within (10 working days).

The Complainant will be acknowledged in writing of the complaint or appeal within 5 days of receipt

If the grievance involves the Compliance Manager themselves they will then delegate to another senior staff member of the College.

The Complainant will be advised of their right to access stage two of this procedure if they are not satisfied with the outcome of Stage One.

Stage Two-Appeals

If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing with The Board of Directors, The Health Arts College Pty Ltd 1/94 Foster Street, Dandenong, VIC 3175.

The Complainant's appeal will be determined by the CEO of the College and an independent and impartial officer of The Health Arts College Pty Ltd, referred here as the Reviewer.

The Reviewer 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 10 working days.

The Complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

Stage Three-External Mediation

If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to the CEO for the matter to be resolved through an external dispute resolution process facilitated by the Australian Mediation Association (AMA).

The purpose of an external appeals process is to consider whether The College has followed its policies and procedures. The purpose of an external appeals process is to review the decision made by The College.

The College will give due consideration to any recommendation made as a result of the external review.

Complainants may refer their appeal to the Australian Mediation Association (AMA). The Health Arts College will cover costs for lodging appeals. The AMA will investigate the case, make an assessment and advise the Complainant of the outcome. The AMA Office will also notify the College CEO of the outcome of the external appeal

Contact Details for the Australian Mediation Association:



The Health Arts College Pty Ltd
NATIONAL PROVIDER CODE 21588

www.ama.asn.au/contact-us/

Email:

info@ama.asn.au

Phone:

1300 633 428

Fax:

(07) 3257 0054

Office hours:

Monday to Friday - 9.00am to 5.00pm

Outcome of External Appeals

If the AMA makes recommendations in relation to a grievance or appeal they have reviewed, the AMA will forward those recommendations to the College CEO who will ensure that the recommendations are implemented within 30 days.

Notes

In these procedures:

- Reference to a complainant is taken to include students, members of staff registered on the College programs in their capacity as students and prospective students.
- In the absence (e.g. vacation or illness) of the person holding a named post in the procedures the person deputising for them during the time of their absence shall substitute. In cases when the grievance involves the nominated deputy, a member of the Board of Directors of the College shall be consulted and shall determine who shall be responsible for handling the grievance.

Publication

This *Non-Academic Grievance Policy and Procedure* will be made available to Students through publication on www.thacollege.edu.au and Student Handbook.

Approval

This *Non-Academic Grievance Policy and Procedure* was agreed to and ratified by The Board of Directors of The Health Arts College Pty Ltd 1/94 Foster Street, Dandenong, VIC 3175 in July 2014