

S002 Student Grievance Policy and Procedure

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Government Legislation	Standards for Registered Training Organisations (RTOs) 2015 Higher Education Threshold Standards Framework (Threshold Standards) 2015 Higher Education Support Act 2003 Age Discrimination Act 2004 Australian Human Rights Commission Act 1986 Racial Discrimination Act 1975 Sex Discrimination Act 1975 Privacy Act 1988
Responsible Officer	CEO

1. Purpose

The purpose of this policy is to ensure that the Ikon Institute of Australia has processes to enable student's complaints and grievances to be resolved in a timely and effective manner that respects the rights and privacy of all parties concerned.

2. Scope

- 2.1 This policy applies to all complaints and grievances that are lodged by:
- students;
 - former students;
 - prospective students or persons seeking to enrol
 - prospective students or persons seeking to enrol who are or would be entitled to FEE-HELP or VET Student Loans under the Higher Education Support Act (2003).

- 2.2 Students are entitled to access the Ikon Institute of Australia's grievance policy and procedures, regardless of the location of the campus at which the grievance has arisen, the student's or person's place of residence or the mode in which they study.

3. Related Forms

Student Orientation Handbook

4. Related Policies

To be read in conjunction with the Glossary of Terms

5. Principles

- 5.1 The Ikon Institute of Australia is providing students with an environment that is free of discrimination, harassment, bullying, and violence, and providing access to effective and efficient complaints and grievance resolution procedures that are timely and inexpensive. The policy is based on the following principles:
- natural justice will be the guiding principle for all matters related to grievances;
 - at all times, a student has the right to appoint a support person at any time of the grievance process if the student so chooses;
 - students may access the complaint and grievances procedures at no cost to them;
 - student complaints and grievances shall be handled in a confidential and timely manner;
 - student complaints and grievances will be treated in an equitable and culturally sensitive manner and judged purely on their merits;
 - no student shall be disadvantaged or victimised as a result of making a complaint or grievance;
 - staff involved in resolving student complaints or grievances will act fairly at all times, and ensure that there is no bias in the management of complaints or grievances;
 - the parties to the complaint or grievance shall be regularly informed of the progress of the matter;
 - outcomes or decisions must be achievable within the Ikon Institute of Australia's lawful powers and policies, and legislative requirements;
 - the Ikon Institute of Australia will ensure that all staff and students have access to information contained in this policy and procedures, staff shall be given a written copy of the policy and be trained in the application of this policy and procedures at staff induction prior to the commencement of the teaching year;
 - students shall be informed of this policy and these procedures at the student induction, and reference material shall be included in the Student Orientation Handbook and the Ikon Institute of Australia website;
 - this complaints process does not restrict a student's right to pursue other legal remedies.

6. Types of Grievances

6.1 Academic matters

This policy applies to academic matters, which include but are not limited to:

- academic progress decisions;
- assessment matters;
- curriculum matters – content or structure of academic programs, nature of teaching, or assessment;
- academic integrity (plagiarism);
- selection or admissions decisions;
- academic staff.

6.2 Non-academic matters

This policy applies to non-academic matters, occurring at the Ikon Institute of Australia or arising from decisions made by the Ikon Institute of Australia, which include, but are not limited to:

- harassment, vilification, discrimination and bullying;
- financial matters, fines and payments;
- application procedures;
- the use or misuse of personal information.

7. Procedures for Handling Student Complaints and Grievances

Informal approach

- 7.1 When a student has a complaint, they should first discuss the matter with the person concerned. It is advised that a student not speak to other people about the matter until they have spoken with the person concerned. The student may nominate another person to speak on their behalf. If the student is unable to raise the matter with the person concerned, they may discuss the matter with a relevant staff member.

In most cases the discussion of the concern or complaint with a staff member will resolve the matter to the satisfaction of both parties.

Where this informal approach does not lead to an acceptable resolution, the student may pursue the formal process for the resolution of the matter as outlined below.

Formal approach

- 7.2 If the informal approach does not resolve the matter, the student must put their grievance in writing ('the grievance') by submitting the Submission of Grievance – Formal Approach form and any supporting evidence to The Grievance Officer, Ikon Institute of Australia, Level 3 127 Rundle Mall, ADELAIDE SA 5000. This form is available on the Ikon website.

- 7.3 The Grievance Officer will review the grievance. If the Grievance Officer has or perceives there to be a conflict or a personal conflict of interest in the handling of the grievance, the Grievance Officer will refer the matter to another eligible and qualified staff member appointed by the CEO. Typically the

Grievance Officer may be an Education Support Officer. Where the grievance involves the CEO, then the Grievance Officer shall be appointed by the Chair of the Ikon Institute of Australia's Board of Directors. The student will be notified of the referral of the matter to another Ikon employee.

- 7.4 Within ten (10) working days from the date the Ikon Institute of Australia received the grievance and supporting information, the Grievance Officer will attempt to resolve it through investigation and conciliation, consulting with relevant Ikon employees and students.
- 7.5 The Grievance Officer may determine that the grievance is frivolous or vexatious, and decide that no inquiry is necessary. The student must be advised in writing of the decision.
- 7.6 The Grievance Officer may call a meeting with the relevant parties to find a resolution. The meeting will be held within ten (10) working days of the conclusion of the review and investigation. Where an investigation or conciliation cannot be conclude within ten (10) working days, the Grievance Officer will keep the student informed of the status of the matter and the reasons for the delay.
- 7.7 The Ikon Institute of Australia will maintain formal records of the actions taken and notify the student in writing of the outcomes of the grievance process, giving reasons for any decision.
- 7.8 The Ikon Institute of Australia will maintain a register of formal complaints and grievances and actions taken to inform its continuous improvement processes.

Appeals- Grievance Committee

- 7.9 If the student considers that the grievance has not been adequately resolved at the conclusion of the formal approach, the student may appeal to the Grievance Committee for resolution of the matter.
- 7.10 The student must submit a written notice of appeal, citing the grounds of the appeal, to the Secretary of the Grievance Committee. The notice of appeal must be lodged with, and addressed to the Secretary within ten (10) working days of the date of notification of the outcome of the formal grievance process.
- 7.11 The Secretary of the Grievance Committee shall give written notice of receipt of the notice of appeal within five (5) working days of its lodgment.
- 7.12 The Chair of the Grievance Committee shall convene the Committee to hear the appeal, ensuring that members of the committee have had no prior involvement in the grievance process.
- 7.13 The Grievance Committee will conduct an investigation within ten (10) working days of its nomination. The Grievance Committee will consult with any person relevant to the matter.
- 7.14 The Grievance Committee will give an opportunity to the student and to the person against whom the grievance is made to appear before it to present their case. The student may nominate another person to speak on their behalf.
- 7.15 The Grievance Committee must make a finding within ten (10) working days of concluding its investigation. The Grievance Committee may:

- affirm the decision being appealed (in whole or in part);
- vary the decision being appealed (in whole or in part);
- set aside the decision and make another decision in substitution.

7.16 The Secretary of the Grievance Committee will confirm the decision of the Grievance Committee in writing with the student within five (5) working days of the decision, giving reasons for the decision.

7.17 The decision of the Grievance Committee is final, and shall not be subject to further review within the Ikon Institute of Australia.

7.18 Any recommendations made by the Grievance Committee shall be implemented and adhered to by the Ikon Institute of Australia.

External appeal

7.19 If the student is not satisfied with the decision of the Grievance Committee, they may follow the external appeal process. The Ikon Institute of Australia is a member of the Resolution Institute, this group provides independent mediation and determination services.

Resolution Institute
 ACN 008 651 232
 Level 2, 13-15 Bridge Street,
 Sydney NSW 2000
 Telephone 02 9251 336
 email infoaus@resolution.institute
 website www.resolution.institute

8. Mediation

8.1 The parties must endeavour to settle any dispute by mediation. Such mediation is to be conducted by a mediator who is independent to the parties. A suitable mediator will be appointed by the Chair of Resolution Institute, or the Chair's designated representative.

The Resolution Institute Mediation Rules shall apply to the mediation.
 (Available online at: www.resolution.institute/documents/item/1897)

It is a condition precedent to the right of either party to commence determination that it has first offered to submit the dispute to mediation.

9. Determination

9.1 If the dispute or difference is not settled within 30 days of referral to mediation (unless such period is expanded by agreement of the parties), it shall be submitted to determination in accordance with, and subject to, Resolution Institute Expert Determination Rules.
 (Available online at: www.resolution.institute/documents/item/1897)

The Chair of the Resolution Institute or the Chair's designated representative will appoint the Expert.

Both the complainant and the Ikon Institute of Australia will be requested to provide documents in support of the application within 14 days, including student files and records, to the Resolution Institute, who will then forward all documents to an Expert for determination.

The Ikon Institute of Australia agrees to be bound by the Expert Determination and the CEO will ensure that any recommendations made are implemented within 30 days of receipt of the report from the Resolution Institute.

9.2 Alternatively a student may contact the accrediting authority:

National Training Complaints Hotline
Phone 13 38 73

or

Australian Skills Quality Authority (ASQA)
www.asqa.gov.au/complaints
Phone 1300 701 801

or

Tertiary Education Quality Standards Agency (TEQSA)
www.teqsa.gov.au/complaints

or one of the following agencies for external options to resolve complaints:

SOUTH AUSTRALIA

Office of the Training Advocate
Freecall 1800 006 488
Email trainingadvocate@sa.gov.au

The State Equal Opportunity Commission
(in relation to discrimination and sexual harassment)
Freecall 1800 188 163

QUEENSLAND

Department of Justice and Attorney-General
Freecall 1800 017 288

Anti-Discrimination Commission Queensland
Phone 1300 130 670

WESTERN AUSTRALIA

Citizen's Advice Bureau/Mediation Services WA
Phone 08 9221 5711
www.cabwa.com.au

Commission for Equal Opportunity WA
Freecall 1800 198 149

VICTORIA

Victorian Equal Opportunity & Human Rights Commission
Phone 1300 292 153

NEW SOUTH WALES

Training Services NSW
Phone 02 9338 6600

Anti-Discrimination Board NSW
Freecall 1800 670 812

TASMANIA

Skills Tasmania
Phone 03 6233 4600

Equal Opportunity Tasmania
The Office of the Anti-Discrimination Commissioner
Phone 03 6173 0207

10. Withdrawal of Complaints or Grievances

- 10.1 A student may withdraw a complaint or grievance at any stage by giving written notice to the Grievance Officer handling the complaint or grievance. In such a case, the matter will be concluded and deemed to be resolved.

11. Record of Grievances

- 11.1 The Ikon Institute of Australia will keep confidential and accurate records of all grievances for a minimum of five (5) years. Parties to the complaint or grievance will be given access to these records.

12. Publication

- 12.1 This policy is to be published and provided to students, prospective students and staff on the Ikon Institute of Australia website www.IkonInstitute.edu.au to ensure that all have access to up to date and accurate information.

Student Grievance



