



Document: Academic and Non-academic Grievance Handling Policy & Procedure		
Approved by: Board Of Directors	Version: 2.9	Date: 09.6.2017

1. Overview

Wentworth Institute ("WIN") is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible to all complainants.

WIN aims to:

- Develop a culture that views grievances as an opportunity to improve the organisation and how it works;
- Set in place a grievance handling system that is client focussed and helps WIN to prevent grievances from recurring;
- Ensure that any grievances are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised in any of the four stages set out in this policy;
- Ensure that there is a consistent response to grievances.

A grievance can be defined as a person's expression of dissatisfaction with any aspect of WIN's services and activities, including both academic and non-academic matters, such as:

- the enrolment, induction/orientation process;
- the quality of education provided;
- academic issues, including student progress, assessment, curriculum and awards in a course of study;
- handling of personal information and access to personal records;
- the way someone has been treated;
- the amount of a refund.

These grievance procedures are designed to ensure that WIN responds effectively to individual cases of dissatisfaction.

2. Policy coverage

In relation to non-academic grievances, the term "complainant" applies to current students and past students of WIN and persons seeking to enrol with WIN.

Complainants are entitled to access the grievance procedures set out in this policy regardless of whereabouts in WIN the grievance has arisen, the mode in which they study or their place of residence.

3. Before an issue becomes a formal grievance

Complainants are encouraged, wherever possible, to resolve concerns or difficulties informally with the person(s) concerned. There are staff available to assist the resolution of issues at this level. Complainants may raise an informal grievance by contacting the Reception Desk in person or by phoning (02) 8252 9999, and asking to speak to the Dean. This arrangement is free of charge.

4. Procedure

This procedure can be utilised by complainants to submit a grievance of an academic or non-academic nature. Grievances of an academic nature include issues related to student progress, assessment, curriculum and awards in a course of study. Grievances of a non-academic nature cover all other matters including grievances in relation to personal information that WIN holds in relation to an individual.

Students (or people seeking to enrol) in a Higher Education course with WIN have three stages at which a formal complaint may be addressed. Each stage is free of charge.

During all stages of this procedure WIN will take all steps to ensure that:

- the complainant and any respondent will not be victimised or discriminated against;
- the complainant has an opportunity to formally present their case and each party to a grievance may be accompanied and assisted by a support person at any relevant meetings;
- a full explanation in writing for decisions and actions taken as part of the process will be provided if so requested by the complainant or a respondent;
- where the internal or external grievance handling or appeal process results in a decision that supports the complainant, WIN will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
- records of the incident and resolution of formal requirements will be kept, including time taken to reach a resolution;
- there is no cost to the complainant to utilise the 3 steps of the grievance procedure. (NB Stage 3 may have shared external review costs).

4.1 Stage one – formal grievance:

Formal grievances must be submitted in writing marked to the attention of the Dean as follows:

The Dean
Wentworth Institute
302 Elizabeth Street
Surry Hills NSW 2010

The letter or email should:

- identify what it is that the complainant is unhappy with;
- explain why it is that the complainant is unhappy with it;
- identify the outcome that the complainant hopes to achieve; and
- attach any relevant documents.

Receipt of the grievance will be acknowledged in writing within five working days. The grievance handling process will commence within ten working days of the receipt of the formal grievance and all reasonable measures will be taken to finalise the process as soon as practicable.

The Dean or their nominee (who must be independent of the grievance), will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve.

Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview both the complainant and any respondent may ask another person to accompany them.

The Dean or a nominee appointed by the Dean, will then endeavour to resolve the grievance and will provide a written report to the complainant within twenty working days of receipt of the grievance on the steps taken to address the grievance,

including the reasons for the decision. The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal grievance.

4.2 Stage two – internal appeal:

If a complainant is dissatisfied with the outcome of their formal grievance they may lodge an appeal with the Managing Director (who is senior to the original decision maker) within twenty working days of receiving notification of the outcome of their formal grievance.

Appeals must be submitted in writing marked to the attention of the Managing Director as follows:

The Managing Director
Wentworth Institute
302 Elizabeth Street
Surry Hills NSW 2010

This letter or email should:

- state that the complainant is unhappy with the outcome of a formal complaint;
- explain why it is that the complainant is unhappy with it;
- identify the outcome that the complainant hopes to achieve; and
- attach the letter or email that the complainant had sent to the Dean and the letter or email that the Dean or a staff member chosen by the Dean sent to the complainant.

The Managing Director or a person chosen by the Managing Director will clarify the details associated with the application for an internal review, and will make a fresh decision based on the merits of the complainant's initial complaint or grievance. The Managing Director will then write a letter or email to the complainant informing them as to the outcome of their internal review and explaining the reasons for his or her decision. This letter or email will be sent within twenty business days of the date on which WIN received the letter or email in which the complainant asked for an internal review.

Where possible such consultations should take the form of face-to-face interviews. Both the complainant and any respondent may ask another person to accompany them to these interviews.

4.3 Stage three – External review

If following the consultation the complainant is not satisfied with the outcome, the complainant should write to the Chair of the Board of Directors.

The letter or email should:

- state that the complainant is unhappy with the outcome of an internal review;
- explain why it is that the complainant is unhappy with it;
- identify the outcome that the complainant hopes to achieve; and
- attach the letter or email that the complainant had sent to the Managing Director, the letter or email that the Managing Director or a staff member chosen by the Managing Director sent to the complainant.

The Chairperson will then assign an independent third party to review the decision made by the Managing Director or the staff member chosen by the Managing Director.

If the complainant is a non-student-visa-holder (Australian citizens, permanent residents or temporary residents), the Chairperson will direct the student to contact Australian Mediation Association by phone 1300 633 428 or by email to info@ama.asn.au or by Fax number: 07 3257 0054. The AMA will then arrange a mediation meeting at a neutral and mutually agreed to venue in the CBD.

If the complainant is a student visa holder, the Chairperson will direct the student to contact the Overseas Student Ombudsman (OSO) who offers a free and independent service for overseas students who may wish to appeal against a decision made by their private education provider or training provider in Australia.

The relevant website is <http://www.oso.gov.au> and Frequently asked questions for overseas students and other complainants see: -
<http://www.ombudsman.gov.au/about/overseas-students/for-overseas-students>

NOTE: The the Overseas Student Ombudsman's service is free of charge to both providers and students.

If the AMA/OSO external review process supports the student, WIN will implement any decision and/or actions required within 10 working days upon receipt of the response from AMA/OSO and so advise the students in writing. If the AMA/OSO external review does not support the student, WIN will so advise the student in writing within 10 working days upon receipt of the response from AMA/OSO with reasons as provided.

If a grievance still remains unresolved after the external dispute resolution process, the student may decide to refer the matter to an external agency such as the relevant State department of the Anti-Discrimination Board or the Office of Fair Trading.

WIN agrees to pay all costs involved if the complaint is resolved in the complainant's favour. If the matter is resolved against the complainant, then WIN will share 50% of the costs with the complainant.

5. Further action

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as those listed below.

Anti-Discrimination Board which can deal with claims concerning the *Anti-Discrimination Act 1977* (NSW)

<http://www.lawlink.nsw.gov.au/ADB>

The Office of Fair Trading

<http://www.fairtrading.nsw.gov.au/default.html>

Australian Competition and Consumer Commission

<https://www.accc.gov.au/consumers/consumer-protection/where-to-go-for-consumer-help>

New South Wales Civil and Administrative Tribunal, which can hear claims concerning the *Australian Consumer Law*;

http://www.ncat.nsw.gov.au/Pages/apply_to_ncat/apply_to_ncat.aspx

Australian Human Rights Commission, which can deal with claims made under a variety of human rights and anti-discrimination laws;

<https://www.humanrights.gov.au/complaint-information>

6. Enrolment status

Where a current student chooses to access this policy and procedure, WIN will maintain that person's enrolment while the grievance handling process is ongoing.

7. Record keeping & confidentiality

A written record of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the grievance appropriate access to these records, upon written request to the Registrar. These records will be maintained in the strictest confidence at the Elizabeth Street Campus.

8. Approval, publication and training

This Policy and Procedure was agreed to and ratified by the Board of Directors on the 24.8.2016.

Reference to this Policy and Procedure will be made available to current and past students and persons seeking to enrol with WIN through publication in the Student Handbook and on WIN's website www.win.edu.au.

For the purposes of communicating to and training staff, reference to this Policy and Procedure will be included in the Staff Handbook and form part of the staff induction process (which will be facilitated by the Dean).

9. Grievance officer for student support

WIN's Grievance Officer, [Kristina Shead], is available to help the complainant with:

- writing an email or letter to lodge a formal complaint or grievance, or apply for internal or external review;
- determining what outcomes might be available to the complaint if their formal complaint or grievance is successful;
- accessing affordable independent professional advice, including legal advice from a community legal centre;
- preparing for a meeting that is help for the purposes of resolving a formal complaint or grievance, or an application for internal or external review; and
- finding an appropriate support person.

The Grievance Officer is an independent member of staff who will not be appointed by the Dean or the Managing Director to resolve a formal complaint or grievance, or an application for internal review