



## Student Grievance Mediation Policy and Procedure (V2)

Date	Action	Version
07 October 2015	Policy developed and approved	1.0
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Dec 2021	Review	

Responsibility for Implementation: RTO Compliance Manager

Authority: Approved by PEO

### 1 Purpose

- 1.1 Students or persons seeking to enrol in a course of study with Elite Education Vocational Institute (EEVI) are entitled to access the grievance procedure as set out by EEVI, regardless of the location of the campus at which the grievance has arisen, the student's place of residence, or the mode in which they study.
- 1.2 EEVI recognizes the rights of students or those seeking to enrol in a course of study at EEVI 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 EEVI and its management staff.
- 1.3 EEVI 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 Procedure.

### 2 Scope

EEVI has individual academic, administrative and supervisory avenues for mediation. Should other avenues come into conflict with this 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 being 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 reaches 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 or cancellation of candidature
- Withdrawal without penalty
- Misconduct (other than plagiarism)
- Critical incidents
- Harassment and discrimination
- Health and well being
- Facilities.

#### **4 Bullying or Harassment**

EEVI 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 Grievance Mediation.** EEVI 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 or grievance;
- (iii) Each appeal is heard by an independent person or panel; and
- (iv) 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.

**5.2** EEVI will publish grievance policies and procedures in prominent public spaces on campus, as well as on the website. The policies will be presented at orientation for both staff and students. The Head of Trainers is the person who is responsible for the training of academic staff in the application of the policy. The Head of Trainers is also responsible for advising the students of the policy during the orientation process. EEVI 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.

**5.3** EEVI makes a clear statement to the students that no matter of the outcome of the grievance application, the students who lodge the grievance application will not receive any reprisal, prejudice, bias, or anything alike from the teachers, students, or the Institute in the future.



## 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 the Head of Trainers and non-academic grievances will be mediated by the Administrative Manager. If the grievance involves the Head of Trainers or Administrative Manager, the mediation will be conducted by the Principal Executive Officer (PEO).

The process will commence within 10 working days of lodgment of complaint. Students 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.

EEVI 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:

- you may appeal to the PEO within 10 working days of receipt of the decisions. The PEO 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:

#### **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](http://www.fairtrading.nsw.gov.au)

### **Overseas Student Ombudsman (OSO)**

GPO Box 442 Canberra, ACT 2601  
Ph: 1300 362 072 or 02 6276 0111  
Fax; 02 6276 0123  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Web site: [www.oso.gov.au](http://www.oso.gov.au)

## **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 Head of Trainers for academic grievances or the Administrative Manager for non-academic grievances.
- (iii). The Head of Trainers or Administrative Manager will handle the complaint without prejudice and document all actions taken to investigate and resolve the complaint.
- (iv). The Head of Trainers or Administrative Manager will inform the PEO of the complaint in writing.

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

If EEVI 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 EEVI for a minimum of five years after action completed and then destroyed.