Non-Academic Grievance & Appeals Policy

VET FEE-HELP
POL - 004
# Table of Contents

Purpose ....................................................................................................................................... 3  
Scope .......................................................................................................................................... 3  
Policy .......................................................................................................................................... 3  
  General Information ............................................................................................................................... 3  
  Appeals Information ............................................................................................................................... 4  
  Internal Appeals .................................................................................................................................... 4  
  Outcome of Internal Appeals ................................................................................................................. 5  
  External Appeals ................................................................................................................................... 5  
  Outcome of External Appeals ................................................................................................................ 5  
  Distribution and communication of policy ............................................................................................... 5  
Glossary ...................................................................................................................................... 6  
Related Documents ................................................................................................................... 6  
References .................................................................................................................................. 6  
Enquiries ..................................................................................................................................... 6
Academic Grievance & Appeals
VET FEE-HELP

Purpose
This policy provides information relating to Grievances and Appeals for students and persons who are or would be entitled to VET FEE-HELP assistance (the Act - Schedule 1A, Part 1, Subdivision 4D, Clause 19 and Higher Education (VET) Guidelines 2015 – Part 5). The Grievance and Appeals process is at no cost to the complainant, and is applicable across TAFE Queensland East Coast regardless of the location at which the Grievance or Appeal has arisen, the complainant’s place of residence or the mode in which they study. The purpose of an external appeals process is not to make a decision in place of TAFE Queensland East Coast, but to determine whether the decision made was fair under the circumstances. In accordance with clause 5.3.3(a) of the Higher Education Support (VET) Guideline 2015, TAFE Queensland East Coast must give due consideration to any recommendations made as a result of the external review.

Scope
This policy applies to both students and persons seeking to enrol that are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act. The VET FEE-HELP Non-Academic Grievance and Appeals Policy relates to TAFE Queensland East Coast activities including behavioural misconduct, non-payment of fees, matters relating to a person’s application for study and the management of personal information. This policy does not replace or modify procedures or any other responsibilities which may arise under other TAFE Queensland East Coast policies or procedures.

Policy
The purpose of an internal appeals process is to have unfavourable decisions heard and/or reconsidered by relevant staff within TAFE Queensland East Coast.

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body. The purpose of an external appeals process is to review the decision made by TAFE Queensland East Coast to determine the fairness of the decision. TAFE Queensland East Coast will give due consideration to any recommendation made as a result of the external review.

General Information
- Non-Academic grievances may include but are not limited to: behavioural misconduct, non-payment of fees, matters relating to a person’s application for study, and the management of personal information.
- VET FEE-HELP Non-Academic Grievances and Appeals should be submitted using TAFE Queensland East Coast’s ‘VET Fee-Help Non-Academic Grievance and Appeal Form’.
- Complaints about TAFE Queensland East Coast staff are processed in accordance with TAFE Queensland East Coast ‘Feedback and Complaints and BIR Process’.
- Complainants’ may provide feedback on products and services offered by TAFE Queensland East Coast in accordance with TAFE Queensland East Coast ‘Feedback form’.
- Appeals regarding Non-Academic Misconduct matters are processed in accordance with the TAFE Queensland East Coast Student Rules.
- VET FEE-HELP grievance and appeals requirements will be maintained in accordance with the VET Guidelines.
Appeals Information

- A complainant has the opportunity to formally present their case at no cost.
- A complainant will not be victimised or discriminated against at any stage of the process outlined in this policy.
- The Grievance or Appeal must be lodged with the Student Counsellor within 10 business days of the date the decision was communicated to the complainant in writing by the staff member that received the complaint. If the appeal is not lodged within the specified timeframe, the decision will stand.
- The Appeals process will be finalised and communicated to the complainant within 20 business days of the formal lodgement of the ‘VET Non-Academic Grievance and Appeal Form’ and relevant supporting documentation.
- The complainant and/or respondent has the right to be accompanied and assisted by a support person in every relevant meeting they attend.
- The complainant and/or respondent will be provided with a written statement of the outcome of the internal appeals process within 5 business days of the appeal hearing, including details of the reasons for the outcome, and any actions to be undertaken.
- A complainant’s enrolment will be maintained, and the complainant is required to attend all classes during an internal appeals process unless otherwise agreed.
- If a complainant is dissatisfied with the TAFE Queensland East Coast appeals process, they can contact the Queensland Ombudsman’s Office www.ombudsman.qld.gov.au
- The Ombudsman only intervenes where TAFE Queensland East Coast’s appeals process was not conducted correctly or if TAFE Queensland East Coast did not make the appeals process available to the complainant.
- Complainants’ who wish to exercise their right to have their case heard by an external body, must notify the General Manager - TAFE Queensland East Coast within 5 business days of receiving written notification of the outcome of the internal appeals process.
- Complainants are required to immediately advise TAFE Queensland East Coast of the outcome of the external appeals process.
- Records of all Grievances and Appeals must be kept and be accessible to all interested parties for a period of 5 years.
- Such records will remain confidential. Parties to the complaint will be allowed supervised access to these records as per requirements in Higher Education Support (VET) Guidelines 2015 - 5.3.2(i).

Internal Appeals

Complainants have the right to appeal decisions which they consider to be unfavourable and/or unreasonable in relation to:

- behavioural misconduct;
- non-payment of fees;
- matters related to a person’s application to enrol in a VET course of study at TAFE Queensland East Coast;
- matters related to privacy principles and the management of personal information.

In the first instance, complaints should be discussed informally with the person/s involved, usually their teacher. However, if this is impracticable, complainants lodge a formal complaint with the relevant Head of School. This arrangement is free of charge. A decision will be made within 15 business days and communicated to the complainant in writing within 5 business days of the decision.

If this does not resolve the complaint, complainants may submit their appeal in writing by completing a ‘VET FEE-HELP Grievance and Appeal Form’ for consideration by the Appeals Panel. All documentation lodged must be original documents or certified copies, no photocopies or facsimiles will be accepted.

Complainants must outline the decision and reasons for the appeal, including any compassionate or compelling circumstances, and may provide documentary evidence in support of their appeal. Appeals must be received within 10 business days of receiving notification of the original decision.
Lodging Grievance and Appeal Forms:

By mail:
The General Manager
TAFE Queensland East Coast
PO Box 5252 SMC Nambour,
QLD, 4560

In person:
Customer Service Centre
TAFE Queensland East Coast

Locations:
Bundaberg – 118 Walker Street, Bundaberg
Maryborough – 89 Adelaide Street
Hervey Bay – 47-95 Urraween Road Pialba
Gympie – 71 Cartwright Road, Gympie
Nambour – 91 Windsor Road, Nambour
Maroochydore – 170 Horton Parade, Maroochydore
Mooloolaba -34 Lady Musgrave Drive, Mountain Creek

Outcome of Internal Appeals

The Appeals Panel will review the application within 15 business days of receipt of the appeal. The Panel will provide the complainant with a written statement including details of the reasons for the outcome, and any actions to be undertaken within 5 business days of the decision being made. A complainant who is not satisfied with the result of the internal appeals process, has the right to pursue the external appeal processes as outlined below.

External Appeals

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body.

The purpose of an external appeals process is to review the decision made by TAFE Queensland East Coast to determine the fairness of the decision. TAFE Queensland East Coast will give due consideration to any recommendation made as a result of the external review.

Complainants may refer their appeal to the Queensland Ombudsman’s office. There is no cost for lodging appeals. The Ombudsman will investigate the case, make an assessment and advise the complainant of the outcome. The Ombudsman’s Office will also notify the General Manager - TAFE Queensland East Coast of the outcome of the external appeal.

Further information is available at www.ombudsman.qld.gov.au or by contacting the Queensland Ombudsman’s office:

Phone: (07) 3005 7000
Toll Free (outside Brisbane) 1800 068 908
Email: ombudsman@ombudsman.qld.gov.au

Outcome of External Appeals

If the Queensland Ombudsman makes recommendations in relation to a Grievance or Appeal they have reviewed, the Ombudsman will forward those recommendations to the General Manager - TAFE Queensland East Coast who will ensure that the recommendations are implemented within 30 days.

Distribution and communication of policy

• TAFE Queensland East Coast will communicate this policy and associated procedure to all relevant staff through staff email broadcasts and is available via TAFE Queensland East Coast’s intranet homepage – Document Management System. The VET FEE-HELP Coordinator will provide full training to relevant staff in the application of this procedure.
• Distribution of all associated policies, procedures and forms to all staff, students and other interested parties will be via TAFE Queensland East Coast website and Student Self Service.
**Glossary**

<table>
<thead>
<tr>
<th>Terms</th>
<th>Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeal</td>
<td>Request by a complainant to have a matter heard and/or re-considered after receiving an unfavourable decision.</td>
</tr>
<tr>
<td>Appeals Panel</td>
<td>A panel formed to hear VET FEE-HELP academic appeals. This panel will comprise the relevant Centre Director / Associate Centre Director and Manager, Student Services and Support.</td>
</tr>
<tr>
<td>Compassionate or Compelling Circumstances</td>
<td>Circumstances considered to be beyond the control of the complainant and may include:</td>
</tr>
<tr>
<td></td>
<td>o Serious injury (a medical certificate is provided)</td>
</tr>
<tr>
<td></td>
<td>o Bereavement of close family members (a death certificate may be provided)</td>
</tr>
<tr>
<td></td>
<td>o Major political upheaval or natural disaster in their home country</td>
</tr>
<tr>
<td></td>
<td>o A traumatic experience (i.e. car accident; witnessing a crime or being involved in a crime etc.)</td>
</tr>
<tr>
<td>Complainant</td>
<td>A student or person seeking to enrol that is, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act, who makes a complaint to TAFE Queensland East Coast.</td>
</tr>
<tr>
<td>DIISRTE</td>
<td>Department of Industry, Innovation, Science, Research and Tertiary Education</td>
</tr>
<tr>
<td>External Appeal</td>
<td>Appeal heard by a party external to TAFE Queensland East Coast.</td>
</tr>
<tr>
<td>Grievance</td>
<td>A cause of dissatisfaction where the complainant has an honest belief, based on reasonable grounds, that an academic decision and/or action, an administrative decision and/or action, or the behaviour of another student or staff member is unfair and/or unreasonable.</td>
</tr>
<tr>
<td>Feedback form (online)</td>
<td>System for complainants to provide feedback on the products or services offered by TAFE Queensland East Coast.</td>
</tr>
<tr>
<td>Internal Appeal</td>
<td>Appeal heard by nominated staff within TAFE Queensland East Coast.</td>
</tr>
<tr>
<td>Student Counsellor</td>
<td>The designated member of TAFE Queensland East Coast staff who will attempt to resolve the complainants' Non-Academic Grievance or Appeal.</td>
</tr>
<tr>
<td>Ombudsman</td>
<td>The Queensland Ombudsman's Office is an independent complaints investigation agency. The Ombudsman investigates complaints about the actions and decisions of Queensland public agencies and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.</td>
</tr>
<tr>
<td>The Act</td>
<td>Refers to the current Higher Education Support Act (HESA)</td>
</tr>
<tr>
<td>VET FEE-HELP</td>
<td>The Commonwealth Government loan scheme to assist eligible students to pay their VET tuition fees, and can cover all or part of the student’s tuition fees for VET unit/s of study which form part of a VET course of study. These must be undertaken with a body which is approved as a VET Provider under Schedule 1A of the Act.</td>
</tr>
</tbody>
</table>

**Related Documents**

- VET FEE-HELP Academic Grievance and Appeals Policy
- VET FEE-HELP Non-Academic Grievance and Appeals Procedure
- Complaints and Feedback and BIR Process
- Feedback form (online)
- VET FEE-HELP Grievance and Appeals Form

**References**


- *Higher Education Support Act 2003* [Clause 43 of Schedule 1A]
- *Standards for NVR Registered Training Organisations 2011* [Part 3, SNR 16]


- VET Provider Applicant Handbook

**Enquiries**

Enquiries in respect of this policy should be directed to the Manager, Student Services and Support.