

Grievance Policy - VET

Policy Code: STU-039**Version:** 8.0**Effective Date:** 20 October 2023

Purpose

This policy provides guidance to students and members of the public to the procedure to be followed and ensuring that the concern raised is addressed using the appropriate channels to facilitate an equitable, confidential and prompt resolution as it pertains to Vocational Education and Training (VET). This policy is freely available to VET students, persons seeking to enroll in a VET course with the College, or clinic clients, regardless of the location of campus at which the grievance has arisen, the student's place of study or the delivery mode via the College's website.

This policy also has been developed to support Standard 6 of the *Standards for Registered Training Organisations (RTO's) 2015 (Cth)* to ensure complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Scope

- All campuses (including online) and VET courses
- All clinic clients
- All former VET domestic students of the College (up to 12 months after enrolment has ceased or later if in relation to a records matter)
- All prospective domestic VET students of the College (up to six (6) months from issue arising – non-academic matters only)
- All VET domestic students
- All VET staff
- Members of the public with a grievance related to VET operations at the College.

Policy Statement

The College is committed to providing high quality educational programs and excellent graduates who will practice natural medicine as leaders in their field. The College recognises the importance of effective communication as essential to resolving any concerns, and this policy is fundamental to the resolution of grievances and the reconciliation of Claimants with the College.

The College considers it important to be made aware of all appeals and grievances from members of the College community. The College aims to respond to appeals and grievances in a fair and equitable manner and to resolve the grievance to the satisfaction of all parties. This policy is in place to deal with both academic and non-academic appeals and grievances and to guide the actions taken by all parties.

This policy and related *Grievance Procedure* will be published on the College's website for the information of prospective, current and former VET students, clinic clients, Trainers & Assessors, and general staff. In addition, it will be provided to VET students at course commencement.

The National Program Manager is responsible for the training of VET Trainers and Assessors and the Student Support Officer will be trained in support procedures to support staff in the application of the policy.

Academic and Non-Academic Matters

Academic matters relate to VET student course progression and completion, assessment, teaching and learning resources, quality of course delivery, achievement in a course and competency in a course.

Non-academic matters do NOT relate to VET student course progression and completion, assessment, teaching and learning resources, and competency in a course(s), but can include such matters as clinic client grievances or grievances from members of the public in relation to VET operations.

This policy also extends to grievances about breaches of personal information by the College relating to information obtained by the College in years prior to 2019 for the purposes of VET FEE-HELP assistance and repayment of HELP loans (no longer available for current students). Non-academic matters may include, but are not limited to operational, administrative, discrimination and harassment issues.

Examples of both academic and non-academic matters are listed in the table below.

Academic	Non-Academic
Appeal of grading decision (e.g. failure of an assessment piece or unit of study / unit of competency)	Harassment or bullying (including sexual harassment)
Exclusion from study or continual enrolment	Discrimination on the grounds of gender identity, sexual orientation, marital, parental or carer status, pregnancy, breastfeeding, age, physical features, impairment, race, ethnicity, political or religious belief or activity
Results of credit transfer or RPL applications	Breach of personal information
Findings of allegations of academic student misconduct (e.g. plagiarism or cheating)	Unfair treatment
Quality of course delivery	Physical or verbal abuse and behavioural issues
Negative admissions decisions based on academic concerns	Negative admissions decisions based on non-academic concerns
	Concerns about campus facilities, environment, health and safety or equipment

Assurances

During all stages of the grievance process, the College will take all steps necessary to ensure that the Claimant and Respondent will not suffer any disadvantage, victimisation or discrimination as a result of raising a grievance.

An explanation in writing for decisions and actions taken at any stage of the process will be provided if requested by the Claimant or the Respondent.

Appropriate confidentiality will be maintained, and where possible, disclosure of grievance information will be limited to those who are legitimately involved in the process of resolving the grievance.

Negotiated solutions will aim to address the key issues and be acceptable to all individuals or parties involved without ascribing blame, victimisation or discrimination.

This Policy does not replace or modify policies or any other responsibilities that may arise under other College policies or under statute or natural justice. This Policy, and the availability of complaints and appeals processes, does not remove the right of the student to pursue other legal courses of action.

All complaints and appeals lodged in line with this policy and related procedures are managed by the Complaints and Resolutions Officer. If the Complaints and Resolutions Officer identifies a conflict of interest with the complainant

or the situation around which the complaint is made (including any involvement in the situation or the complaint itself), the matter will be escalated to the Director of Education (academic matters) or the National Student Affairs Manager (non-academic matters).

Feedback

Feedback from VET former, current and prospective students, clinic clients and members of the public about operational or clinic services and courses offered by the College is encouraged and would not normally be viewed as a grievance, unless specific action is requested in the form of a concern raised. The forums for such feedback are the:

- Quality Feedback Monitor (QFM)
- Student Feedback Survey – survey complete at the end of each unit of study
- Learner Engagement Questionnaire annual survey of students as part of AQSA quality indicator requirements

To provide feedback via the QFM:

- student access is via the
 - ⦿ Student Portal ([Student Portal](#) > Contact) or
 - ⦿ Help Hub ([Help Hub](#) > Students > Provide Feedback).
- prospective or former students, members of the public or clinic clients access is via:
 - ⦿ direct email to qualityfeedbackmonitor@endeavour.edu.au or
 - ⦿ website www.endeavour.edu.au 'Provide Feedback' link (bottom menu on every page)

All feedback submitted via the Quality Feedback Monitor will be responded to within 10 working days. However, in some cases, students, members of the public or clinic clients may feel that they have experienced unfair or unreasonable treatment, disadvantage or distress that they wish to pursue through a more formal process. Feedback submitted via the Quality Feedback Monitor can be considered Stage 1 of the grievance process, known as the Informal Resolution Process (see below).

If the grievance is not resolved through informal procedures, Claimants may initiate a Formal Grievance Process. There is no cost to the Claimant for utilising the College grievance procedure.

Prospective and Former VET Students

This policy and the *Grievance Procedure* also cover prospective VET students of the College who have a grievance with such non-academic matters as the enrolment process, or students who have ceased their enrolment with the College.

- Issues from prospective students can be considered under this policy up to six (6) months from the time of the issue arising.
- Issues from former students can be considered under this policy for a period of up to 12 months after their enrolment has ceased.
- A grievance submitted under these circumstances must not be a previous grievance that has been considered resolved, but a **new** grievance with **new** facts that may have recently come to light.
- A previous grievance cannot be re-instigated after the student's enrolment with the College has ceased or after the prospective student's grievance has been resolved.

Stages of Grievance Implementation

The following steps identify the four (4) key stages through which a grievance may be processed.

The College provides the following steps to allow the grievance to be formalised. The Claimant's privacy rights will be assured whilst also ensuring that victimisation and discrimination does not occur at any time during the following stages.

The Claimant has the right to be heard on the matter of the grievance at any stage and may be accompanied by their nominated support person or third party when meeting with the College to discuss their particular concern. Grievances will be resolved internally as soon as possible with due regard to the legislative standards which includes the process to commence within 10 working days, be at *no direct cost to the student* and to be finalised as soon as is practicable. If the College considers more than 60 calendar days is required to process and finalise a grievance, the complainant will be informed of reasons in writing and will receive regular updates on the progress of the matter.

The College can take no responsibility for the timeframes for resolution of external reviews of financial decisions, which rely on external government stakeholders, however will encourage those parties, where possible, to resolve grievances in a timely manner.

The four (4) stages of the Grievance Process are fully detailed in the related *Grievance Procedure*.

Stage 1 - Informal Resolution Process

Wherever possible, the resolution of VET student grievances will be handled informally. Claimants are encouraged to attempt to resolve the grievance informally and amicably at an early stage. This can be done through speaking directly with a member of student support or VET staff, or can be lodged via the:

- Student Portal ([Student Portal](#) > Contact) or
- Help Hub ([Help Hub](#) > Students > Provide Feedback).
- prospective or former students, members of the public or clinic clients should email qualityfeedbackmonitor@endeavour.edu.au directly.

If appealing a grade or assessment item, students are required to meet with the Trainer & Assessor / National Program Manager in the first instance to review their assessment results.

When submitting feedback via the QFM, an initial response will be received within 10 working days.

If the complaint is not resolved through informal procedures, students may initiate the [Formal Resolution Process](#). There is no cost to the Claimant for utilising the College's internal or external complaints and appeals process. Should an appeal still wish to be undertaken after this stage then students must proceed to Stage 2.

Stage 2 - Formal Resolution Process

The formal grievance procedure begins when a VET student, former (up to 12 months previously) or prospective student, member of the public or clinic client states in writing that they have a grievance using the *Formal Grievance Form - VET* (the Form) submitted via the Student Portal > Formal Grievance Form and or directly via the Student Help Hub > Provide Feedback link <https://help.endeavour.edu.au/> or via qualityfeedbackmonitor@endeavour.edu.au.

The Complaints & Resolutions Officer will acknowledge receipt of the complaint within 10 working days. The Complaints & Resolutions Officer will manage the initial case allocation, and if a conflict of interest is identified at this stage, the complaint handling process will be handed over to the National Student Affairs Manager or relevant delegate and the student notified in the acknowledgement communication. Separate procedures apply to academic and non-academic complaints.

It is important to note that formal grievances respect the right and the privacy of the individual, and all formal grievances **must** be lodged individually. Each Claimant's circumstances are different and as such will be reviewed with the best interests of the individual in mind. The complaints resolution process will commence within 10 working

days of the receipt of the Form and all reasonable measures will be undertaken to finalise the process as soon as practicable.

The National Student Affairs Manager or nominated delegate) will provide a written decision to the Claimant and/or respondent within 20 working days of receipt of the formal complaint or as close to this timeframe as possible. The written decision will include detailed reasons for the outcome and how to appeal the decision.

Stage 3 - Appealing the Original Decision

At this stage, the original decision is reviewed by the Misconduct and Appeals Committee. If the Claimant is dissatisfied with the outcome of their complaint, they may lodge an appeal detailing the reasons for the appeal to the National Student Affairs Manager **within 20 working days** of being informed of the decision, via the Student Help Hub > Provide feedback link <https://help.endeavour.edu.au/> or via email to qualityfeedbackmonitor@endeavour.edu.au (non-students). The National Student Affairs Manager (or delegate) will acknowledge receipt of the appeal in writing within 10 working days.

The National Student Affairs Manager is responsible for reviewing appeals relating to formal complaints and convening the Misconduct and Appeals Committee based on the appeal documentation, and may seek guidance from the Director of Student Services & Retention or Director of Education if complex or related to a training matter. The Committee membership includes external members of the College's governing bodies, internal staff and a student partner (see *Academic Governance Framework* for full terms of reference). The Committee will meet to consider the appeal and may interview the complainant or other stakeholders in the course of its considerations. The College will maintain the student's enrolment while the internal and / or external appeals process is ongoing.

The process will begin with nomination of the Committee Chair within 10 working days of the formal written lodgment of the appeal. All reasonable measures to finalise the appeal as soon as possible will be taken. A written statement outlining the outcome of the appeal will be provided to the student within 10 working days of the Committee meeting, including reasons for the decision.

Stage 4 - External Independent Review

Having completed Stages 1 – 3 of the process as outlined above, Claimants who wish to lodge an external appeal or complaint against the outcome of the internal appeal process may seek an independent external review of the decision.

To progress to Stage 4, the Claimant is recommended to lodge an appeal application within 28 working days of the date of the written notice of the final internal outcome.

- The claimant needs to ensure that this request presents a substantial reason for an external review of the decision, and must include all documents relevant to the case so the external reviewer can obtain a full understanding of the complaint.
- It is not sufficient for the Claimant to simply disagree with the decision and request an external review.
- The written request needs to present new or additional information to support the case, or to substantiate their argument as to why the original decision or previous Stage 1, 2 and Stage 3 appeal did not comply with the College's policies, rules or procedures.

All Claimants have an avenue to appeal to the relevant Commonwealth, State or Territory Ombudsman, about administrative actions or decisions and the related processes, but only after all internal processes for resolution have been followed and concluded.

Depending on the circumstance, domestic students may lodge an external review to:

- the Australian Competition and Consumer Commission (ACCC) at www.accc.gov.au. Students should refer to the Contact us page on the website for ACCC office locations and direct contact numbers.

- the VET Ombudsman via VET@ombudsman.gov.au or 1300 362 072 (option 2). Students should refer to the Contact us page on the website for due process and direct contact numbers.

In the case of notification of an external appeal, the College will cease communications with the student and respond directly only to information requests from the external reviewer.

If the claimant is not satisfied with the external reviewer the claimant has the right to lodge a complaint to the Federal Government via the [National Training Complaints Hotline](#), phoning 13 38 73, Monday – Friday, 8am to 6pm nationally, or emailing skilling@education.gov.au.

Decisions with Financial Implications

Special Circumstances

Students who have difficulty in paying any relevant fees by the census date are encouraged to contact Student Services to discuss their concerns further. Where applicable, exceptions may be granted under financial hardship and other extenuating circumstances. Any requests for allowances to be made prior to the end of a teaching period should be referred to the *Special Circumstances Policy - VET*. A review of a student's application under this policy will occur within twenty (20) working days of receipt of the appropriate documentation. Any decision made shall be considered within the College's policies, statutes and regulations.

Formal Grievance

At the time of the original decision of [Special Circumstances](#), if the student remains unsatisfied they can follow Stage 2 and Stage 3 of the grievance process and in all communications, the student will be notified of their review rights and responsibilities and directed to the policy.

Having completed Stages 1 – 3 of the process as outlined above, claimants who wish to lodge an external appeal or complaint against the outcome of the internal appeal process for financial decisions may seek an independent external review of the decision.

To progress to Stage 4, the Claimant is recommended to lodge an appeal application within 28 working days of the date of the written notice of the final internal outcome.

The Complaints & Resolutions Officer (or delegated authority) will inform a student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT).

- The Application must be lodged at the AAT **within 28 days** of receiving written notice of the Review Decision. This time limitation can be extended in limited circumstances by order of the AAT. For your local AAT Office, full details regarding the application process and application fees visit the Australian Government's [Administrative Appeal Tribunal](#) website.
- An application fee may have to be paid as outlined on the website and is subject to change. Applications cannot proceed until the fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details.

If the claimant is not satisfied with a decision of the external reviewer that has implications for a VET FEE-HELP debt (historical claims only), the claimant has the right to lodge a complaint to the Federal Government via [the VET Student Loan Ombudsman](#) website.

For International students enrolled in a VET course

Overseas students who wish to lodge an external appeal or complaint against the outcome of the member's internal grievance process can contact the Commonwealth Ombudsman. For contact details and information please see the [Commonwealth Ombudsman](#) website.

By accessing the site above you will be required to fill in an online complaint form. The Commonwealth Ombudsman's services are free of charge.

International students are required to refer to the *Complaints and Appeals Policy – International* for further information.

External Independent Review Decision

The College agrees to be bound by the independent external reviewer's recommendations. The National Student Affairs Manager (or delegated nominee) will ensure that any recommendations made are implemented within 30 days of receipt of the external reviewer's report.

Record Keeping and Confidentiality

Records of grievances and their outcomes will be kept strictly confidential and filed in a separate file (not student or staff files). All related correspondence, both inwards and outwards, will be maintained in the file and stored in the Office of Student Records. Each file is to be held by the College for a minimum period of five (5) years after the Claimant's final dealings with the College on the grievance. The minimum five (5) year retention provision also applies where the grievance is dealt with externally, with the retention period commencing at the conclusion of the external reviewer's involvement with the grievance. Informal grievance records will be destroyed when mutual resolution is agreed.

Confidentiality is observed at all times, with records of all grievances, applications for review and the outcomes only available to the parties involved in the grievance under supervised access upon written request to the General Manager, VET.

Continuous Improvement

Any improvement action arising from a grievance or appeal will be actioned as soon as practicable by the College and recorded in accordance with the College's Continuous Improvement Process.

The College will also take corrective action to mitigate the likelihood or recurrence of any matters of grievance or appeal and regularly reviews all policies and procedures to identify potential causes of complaints and appeals as a risk mitigation strategy.

Definitions

Academic grievance - a grievance about student academic progress, assessment, curriculum, the quality of course delivery, academic achievement in a course and awards in a course.

Appeal - An application to a higher authority for a decision to be reversed.

Claimant - refers to the person who formally instigates a grievance, complaint or appeal.

College – The Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health and Endeavour Wellness Clinic. For the purpose of this policy, any reference to 'College' or 'the College' should be considered a reference to each or any of these respective trading names / entities

Complaint - A statement that a situation is unsatisfactory.

Formal grievance - refers to the formal lodging of a written grievance, complaint or appeal.

Grievance - An official statement of a complaint over something believed to be wrong, which has resulted in what is believed to be by the Claimant, unfair treatment.

Informal grievance - refers to a range of processes, such as discussion, a request or query lodged with an appropriate staff member.

Natural justice - Natural justice refers to a due process that displays fairness to all parties. It includes the right to be heard, the right of reply, the right to be treated fairly and the right to be informed of allegation(s) being made.

Non-academic grievance - a grievance about operational or administrative matters within the College, unfair treatment, abusive behaviours, concerns about facilities, environment and safety.

Respondent - refers to the person or institution against whom the grievance is lodged.

Student - is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

Support Person - the student is entitled to be supported by another person, being willing to support, whom the student appoints to assist at any stage of the process

Related Procedures

Grievance Procedure

Further Information

Related Policies

Complaints and Appeals Policy - International

Special Circumstances Policy - VET

Student Code of Conduct - VET

Related Documents

Academic Governance Framework

Formal Grievance Form - VET

Guidelines

Not Applicable

Benchmarking

Endeavour College of Natural Health – Complaints and Appeals Policy - HE

Supporting Research and Analysis

Not Applicable

Related Legislation

National Vocational Education and Training Regulator Act 2011 No12 (*Cth*).

<https://www.legislation.gov.au/Details/C2021C00430>

Standards for Registered Training Organisations (RTOs) 2015 (*Cth*).

<https://www.legislation.gov.au/Details/F2019C00503>

Review and Approval

Policy Author

National Manager – Quality, Standards and Compliance

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Contact

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Approval Body

Academic Council

Meeting date: 20 October 2023

Policy Status

Revised – full revision to match current practice

Responsibilities for Implementation

- Director of Sales and Admissions
- Director of Student Services & Retention
- Director of Education
- Misconduct and Appeals Committee
- National Program Managers
- National Student Affairs Manager
- Complaints and Resolutions Officer
- Student Services teams

Key Stakeholders

- Academic Council
- Clinic and Campus Managers
- Clinic clients
- Managing Director
- National Quality, Governance & Compliance Manager
- Prospective students
- VET staff
- VET students (domestic)