

Student Grievance Policy and Procedure

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1. Purpose

The Student Grievance policy has been developed to ensure all current and prospective students of La Trobe College Australia are given access to a fair complaints resolution and appeals process.

2. Scope

The policy sets out the valid grounds and procedures for academic matters which relate to:

- Program progression (Probation and Exclusion)
- Attendance
- Curriculum content & delivery
- Conferral of awards
- Academic credit
- Academic misconduct

The policy sets out the valid grounds and procedures for non-academic matters which relate to:

- Customer service and administration
- Marketing and information
- Facilities
- Fees and finance related matters
- Welfare
- Request for Transfer between Registered Providers
- Deferral, Suspension and Cancellation of Enrolment

The policy also covers:

- Student External Grievance Procedures

The process does not apply to review of marks. Please refer to the Review of Marks policy for details on how to undertake a review of course marks and grades.

3. Legislation

The policy is consistent with:

- The Higher Education Support Act (HESA) 2003
- The Higher Education Standards Framework 2015 (Threshold Standards) - Standard 2.4 Student Grievances and Complaints
- The Education Services for Overseas Students Act (ESOS) 2000 and
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018).

4. Organisational Scope

Any current or prospective student of La Trobe College Australia who believes they have experienced incorrect, inappropriate or unfair treatment in the course of their relationship with La Trobe College Australia is entitled to access the complaints and appeals process set out in this policy.

5. Definitions

Appeal: An application for review of a decision by a higher authority. In this document, this may also be referred to as a complaint or grievance.

Complainant: A person lodging a complaint or appeal.

CoE: Confirmation of Enrolment is a document registered with Immigration to confirm a student's acceptance into a particular course for a specified duration.

DHA: Department of Home Affairs: The Australian Federal Government's administrative division on all immigration and visa matters.

HEP Guidelines: Guidelines for Higher Education Providers (amended 2012) set down by the Department of Education to ensure compliance with the Higher Education Support Act (HESA), 2003.

Respondent: A person responding to a complaint or appeal. This may also be the person who made the original decision the complainant is appealing against.

6. Policy Principles

The principles which underpin this policy are as follows:

- The consideration of complaints and appeals will be dealt with according to principles of procedural fairness which respect the right of a complainant to be heard by an impartial party;
- Attempts will be made to resolve complaints and appeals as close to the source as possible;
- Complainants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints process;
- This complaints process does not restrict a complainant's right to pursue other legal remedies;
- Staff will make all attempts to respond to complaints within the time limits set out in this policy;
- All procedures will be made available to the public on the La Trobe College Australiawebsite;
- Each complainant has an opportunity to formally present his or her case at no cost;
- Complainants and/or respondents have the right to be represented by a third person (such as family member, friend, counselor or other professional support person other than a qualified legal practitioner) if they so desire;
- All communications arising from the complaints process, together with the proceedings of the Appeals and Grievance Committee, will remain confidential, except to the extent necessary to give effect to this Grievance and Appeals Policy.
- Where the appeal relates to suspension of enrolment, students may maintain their enrolled status whilst awaiting the outcome of the appeal.
- If, at any time during the internal or external grievance process, a decision is made which supports the complainant, La Trobe College Australia will immediately implement the decision and advise the complainant of the outcome.

7. Academic Grievance Process

The academic grievance policy is a staged process commencing with informal resolution between the complainant and the respondent. If not satisfied with the outcome of the informal process, a complainant may then commence a formal appeals process as indicated below.

Students who require assistance with preparing a written complaint or appeal may contact the La Trobe College Australia Student Counsellor for support.

7.1 Stage 1 – Informal Grievance Process

The first step is direct, informal communication between the complainant and respondent within 10 working days of becoming aware of the problem, to allow both parties to discuss their point of view and attempt resolution.

The complainant is entitled to request and receive a written response outlining an explanation of decisions and actions taken.

7.2 Stage 2 - Formal Grievance & Appeals Process

If Stage 1 is unsuitable or unavailable, a student seeking to commence a formal grievance and appeals process has 10 working days from the time of becoming aware of the problem, to lodge their formal written appeal with:

- Foundation Studies and Diploma programs – Academic Director/Academic Manager/Academic Coordinator
- English language courses – Academic Coordinator

If the complainant has engaged in the Stage 1 informal process and is not satisfied with the outcome, a written appeal to the La Trobe College Australia Academic Director/Academic Manager/Academic Coordinator, for Foundation Studies and Diploma programs, or the relevant Academic Coordinator for ELICOS courses must be lodged within 5 working days of that outcome.

The Academic Director/Academic Manager/Academic Coordinator will arrange a time to meet with the complainant within 5 working days of the appeal receipt, to reconsider the matter in light of additional information provided.

To avoid any conflict of interest, where the Academic Director/Academic Manager/Academic Coordinator has been involved at the informal stage, the matter will be referred to an independent and appropriate academic staff member to carry out Stage 2.

The complainant and respondent will be advised of the appeal outcome in writing within 10 working days of the meeting.

There is no cost associated with Stage 2 of the appeals process.

7.3 Stage 3 - Appeals and Grievance Committee

Where the complainant is not satisfied with the outcome of Stage 2 and believes that:

- there was insufficient opportunity to present their case to the decision-maker ; or
- the process was not carried out in accordance with La Trobe College Australia policy or procedures; or
- the decision was made contrary to the evidence provided;

A written statement of appeal can be emailed to: Appeals@latrobemelbourne.edu.au (Melbourne Campus), Appeals-sydney@latrobe.edu.au (Sydney Campus) or lodged at Reception. This

statement should be lodged within 5 working days of receiving the written notification of the outcome of Stage 2.

The Appeals and Grievance Committee consists of three La Trobe College Australia personnel from the following:

Melbourne Campus

- College Director and Principal
- Director, Student Services
- Student Counsellor
- Quality and Compliance Manager
- (or nominees where a member is unavailable)

Sydney Campus

- Campus Director
- Academic Manager
- Student & Academic Services Manager
- Student & Academic Services Coordinator
- (or nominees where a member is unavailable)

The Appeals and Grievance Committee will consider the appeal and respond in writing to the complainant within 7 working days of receipt of the Stage 3 appeal documentation. The response will include details of the reasons for the outcome.

The Appeals and Grievance Committee may ask the complainant to present their case in person to the Committee. The complainant may be accompanied and assisted by a support person (who is not a legal practitioner) at this meeting.

To avoid any conflict of interest, an alternative senior staff member will replace any Appeals and Grievance member who has been involved in the decision being appealed at the Stage 1 or 2 process. There is no cost associated with Stage 3 of the appeals process.

7.4 Stage 4 - La Trobe University Ombudsman - External Appeal

If the appeal at Stage 3 is denied, the letter of response will notify the student that there is an external appeal to the La Trobe University Ombudsman. Students must make this appeal within 10 working days of the Stage 3 outcome. If no correspondence is received by La Trobe College Australia within 10 working days about an appeal to the La Trobe University Ombudsman, La Trobe College Australia will consider that the matter is concluded and will act accordingly.

7.5 Stage 5 – Further External Process – Overseas students

Where the complainant is an overseas student and is not satisfied with the outcome of the appeal to the La Trobe University Ombudsman, and believes:

- there was insufficient opportunity to present their case to the decision-maker ; or
- the process was not carried out in accordance with La Trobe College Australiapolicy or procedures; or
- the decision was made contrary to the evidence provided;

Overseas students may access a further external appeal process to the Overseas Student Ombudsman but must do so within 10 working days and must inform La Trobe College Australia that they are doing so. If no correspondence is received by La Trobe College Australia within 10

working days about an external appeal, La Trobe College Australia will consider that the matter is concluded and will act accordingly.

The Overseas Students Ombudsman offers a free and independent service for La Trobe College Australia overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

Note: Please inform La Trobe College Australia within 10 working days that you have lodged an appeal with the Overseas Students Ombudsman or the Victorian Ombudsman or the matter will be considered closed.

8. Non-Academic Grievance Process

The non-academic grievance policy is a staged process commencing with informal resolution between the complainant and the respondent. This process occurs when the matter is not concerned with the student's studies but may concern such things as student support, attendance or fees. If not satisfied with the outcome of the informal process, a complainant may then commence a formal appeals process as indicated below.

Students who require assistance with preparing a written complaint or appeal may contact the La Trobe College Australia Student Counsellor for support.

8.1 Stage 1 – Informal Grievance Process

The first step is direct, informal communication between the complainant and respondent within 10 working days of becoming aware of the problem, to allow both parties to discuss their point of view and attempt resolution.

The complainant is entitled to request and receive a written response outlining an explanation of decisions and actions taken.

8.2 Stage 2 - Formal Grievance & Appeals Process

If Stage 1 is unsuitable or unavailable, a student seeking to commence a formal grievance and appeals process has 10 working days from the time of becoming aware of the problem, to lodge their formal written appeal with the relevant Director/Manager or staff member.

If the complainant has engaged in the Stage 1 informal process and is not satisfied with the outcome, a written appeal to the relevant La Trobe College Australia Director/Manager/Coordinator must be lodged within 5 working days.

The relevant Director/Manager/Coordinator may arrange a time to meet with the complainant within 5 working days of the appeal receipt, to reconsider the matter in light of additional information provided.

To avoid any conflict of interest, where a Director/Manager/Coordinator has been involved at the informal stage, the matter will be referred to an independent and appropriate academic staff member to carry out Stage 2.

The complainant and respondent will be advised of the appeal outcome in writing within 10 working days of the meeting.

There is no cost associated with Stage 2 of the appeals process.

8.3 Stage 3 - Appeals and Grievance Committee

Where the complainant is not satisfied with the outcome of Stage 2 and believes that:

- there was insufficient opportunity to present their case to the decision-maker ; or
- the process was not carried out in accordance with La Trobe College Australia policy or procedures; or
- the decision was made contrary to the evidence provided;

A written statement of appeal can be emailed to: Appeals@latrobemelbourne.edu.au (Melbourne Campus), Appeals-sydney@latrobe.edu.au (Sydney Campus) or lodged at Reception. This statement should be lodged within 5 working days of receiving the written notification of the outcome of Stage 2.

The Appeals and Grievance Committee consists of 3 La Trobe College Australia personnel sourced from the following:

Melbourne Campus

- College Director and Principal
- Director, Student Services
- Student Counsellor
- Quality and Compliance Manager
- (or nominees where a member is unavailable)

Sydney Campus

- Campus Director
- Academic Manager
- Student & Academic Services Manager
- Student & Academic Services Coordinator
- (or nominees where a member is unavailable)

The Appeals and Grievance Committee will consider the appeal and respond in writing to the complainant within 7 working days of receipt of the Stage 3 appeal documentation. The response will include details of the reasons for the outcome.

The Appeals and Grievance Committee will ask the complainant to present their case in person to the Committee. The complainant may be accompanied and assisted by a support person (who is not a legal practitioner) at this meeting.

To avoid any conflict of interest, an alternative senior staff member will replace any Appeals and Grievance Committee member who has been involved in the decision being appealed or the Stage 1 or 2 processes. There is no cost associated with Stage 3 of the appeals process.

8.4 Stage 4 - La Trobe University Ombudsman -External Appeal

If the appeal at Stage 3 is denied, the letter of response will notify the student that there is an external appeal to the La Trobe University Ombudsman. Students must make this appeal within 10 working days of the Stage 3 outcome. If no correspondence is received by La Trobe College Australia within 10 working days about an appeal to the La Trobe University Ombudsman, La Trobe College Australia will consider that the matter is concluded and will act accordingly.

8.5 Stage 5 – Further External Process – Overseas students

Where the complainant is an overseas student and is not satisfied with the outcome of the appeal to the La Trobe University Ombudsman, and believes:

- there was insufficient opportunity to present their case to the decision-maker ; or
- the process was not carried out in accordance with La Trobe College Australiapolicy or procedures; or
- the decision was made contrary to the evidence provided;

Overseas students may access a further external appeal process to the Overseas Student Ombudsman, but must do so within 10 working days and must inform La Trobe College Australia that they are doing so. If no correspondence is received by La Trobe College Australia within 10 working days about an external appeal, La Trobe College Australia will consider that the matter is concluded and will act accordingly.

The Overseas Students Ombudsman offers a free and independent service for La Trobe College Australia overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

Note: Please inform La Trobe College Australia within 10 working days that you have lodged an appeal with the Overseas Students Ombudsman or the Victorian Ombudsman or the matter will be considered closed.

8.6 Administrative Procedures

This policy and related documentation are accessible through the La Trobe College Australia policy library on its website at www.latrobecollegeaustralia.edu.au/policies-and-procedures

Records of all complaints and appeals will be kept for a period of five years. These records will be strictly confidential and filed separately from student files. These records will be under the responsibility of the Quality & Compliance Officer.

This policy and related procedures will be communicated to staff via email and ongoing staff information sessions. New staff will receive policy information during the induction process.

Recommendations arising from any external review of the Grievance and Appeals Policy or procedures should be implemented within 90 days of notification.

9. Student External Grievance Contacts

If the student has exhausted internal grievance processes and is dissatisfied with the outcomes, they may pursue an external appeal through the following external bodies:

Domestic Students (Australian Citizens or Permanent Residents) and **International Students**

Emeritus Professor Andrew Brennan
University Ombudsman
La Trobe University, Melbourne, Victoria 3086, Australia
Phone: +61 (0)3 9479 1897 (Office);
Fax: +61 (0)3 9479 3897
Email: ombudsman@latrobe.edu.au

International Students:
Overseas Students Ombudsman

GPO Box 442 Canberra ACT 2601.
Tel: 1300 362 072* within Australia. Outside Australia call: +61 2 6276 0111.
Enquiries: 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST).
Email: overseas.students@ombudsman.gov.au
Fax: 02 6276 0123 within Australia. Outside Australia: +61 2 6276 0123.
www.oso.gov.au

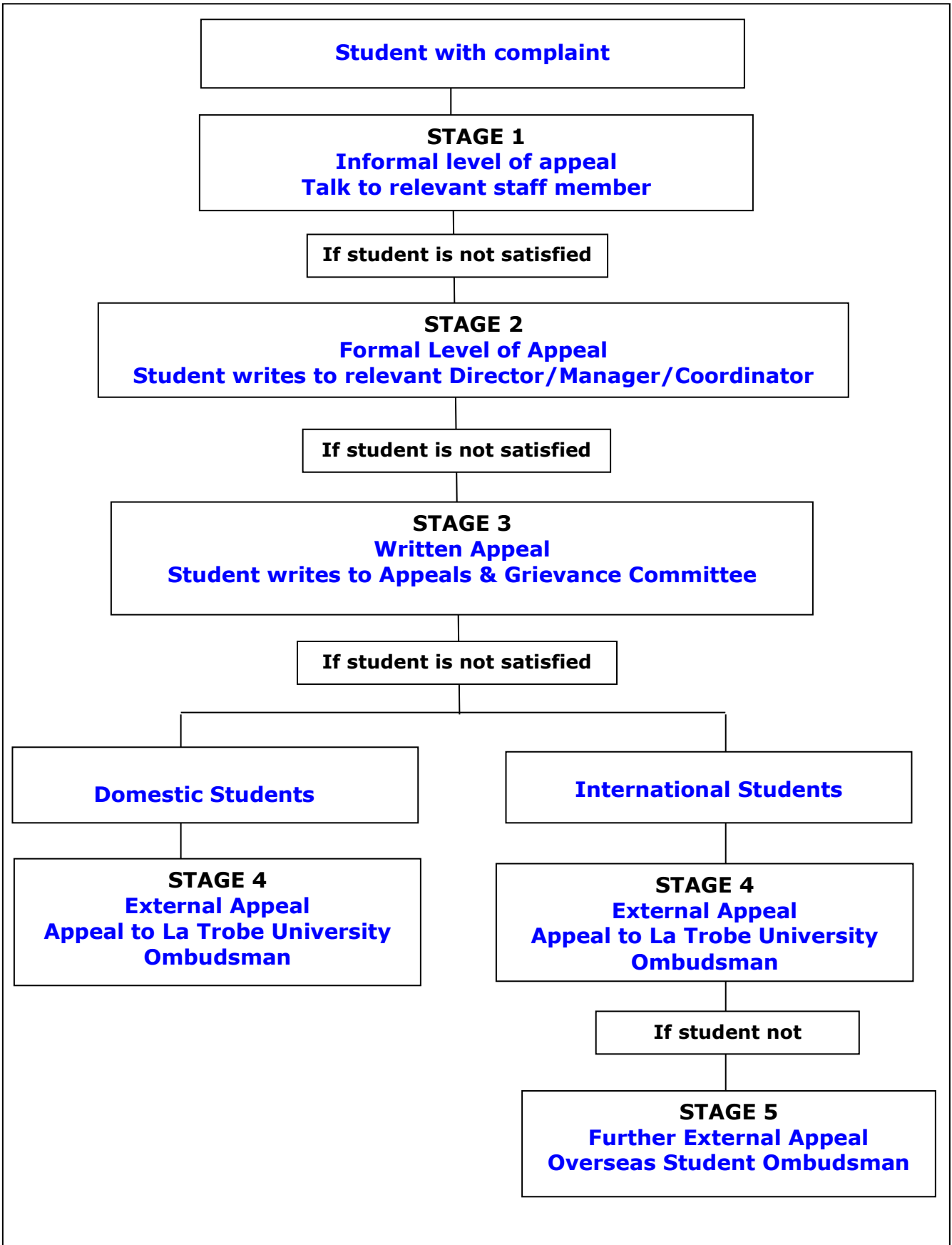
An external appeals body (if accessed) will determine whether the process at La Trobe College Australia was conducted correctly or whether the appeals process was made available to the student.

If the La Trobe University Ombudsman or the Overseas Student Ombudsman make recommendations in relation to an appeal, La Trobe College Australia will ensure that the recommendations are implemented immediately and advise the student of the outcome.

10. Student Information

Students will be made aware of the Student Grievance Policy and Procedure through orientation presentations; La Trobe College Australia brochure and web page; letters of response from La Trobe College Australia; and in counseling and informal discussions with students when an appeal or complaint is made.

La Trobe College Australia Grievance Procedure



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V1.4

Navitas Bundoora Pty Ltd trading as La Trobe College Australia ABN 92 143 736 789 TEQSA PRV12186 – Institute of Higher Education, CRICOS Code 03312D; La Trobe University TEQSA PRV12132 – Australian University, CRICOS Code 00115M

Policy Title	Student Grievance Policy	
Policy Owners	College Director	
Key Stakeholders	Academic Staff Students	
Approval Body	Joint Management Committee	Approved on September 7 2010
	LTM Executive Committee	June 5 2012
	LTM Executive Committee	February 2 2015
	LTM Executive Committee	June 22 2016
	LTCA Executive Committee	October 31 2018
	LTCA Executive Committee	February 21 2019
Relevant Legislation		
Related Policies	Privacy Policy, Review of Marks Policy, Course Progress Policy, Attendance Policy, Transfer Policy, Refund Policy, Deferral, Suspension or Cancellation of Student's Enrolment Policy, Enrolment Policy, Credit Transfer Policy	
Related Guidelines		
File information	TBC	Version number V1.9
Date Effective	25 August 2011	Next Review Date Apr 2020
Amendment History		
Revision Date	Version	Summary of changes
24/3/16	1.6	Amended grievance framework to identify the different avenue of appeal for LTM students completing LTU CRICOS registered courses.
10/5/16	1.7	Amended Stage 4 and 5 of the appeal process to clarify the role of the Victorian Ombudsman.
13/8/18	1.8	Updates according to National Code 2018 and College name change to La Trobe College Australia (LTCA)
13/2/19	1.9	Merged separate LTCA Melbourne and Sydney policies into one.

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