
La Trobe Melbourne

Student Grievance Policy

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1. Purpose

The Student Grievance policy has been developed to ensure all current and prospective students of La Trobe Melbourne 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)
- 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 has been developed in line with requirements set out in HEP Guidelines (amendment effective January, 2007) and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007).

4. Organisational Scope

Any current or prospective student of La Trobe Melbourne who believes they have experienced incorrect, inappropriate or unfair treatment in the course of their relationship with La Trobe Melbourne 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 DIAC to confirm a student's acceptance into a particular course for a specified duration.

This document is current at 28/06/13
Once printed this document is no longer a controlled document
V1.4

DIAC: Department of Immigration and Citizenship: The Australian government agency responsible for issuing students with visas.

HEP Guidelines: Guidelines for Higher Education Providers set down by the Department for Education, Employment and Workplace Relations (DEEWR) 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 Melbourne website;
- 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 Melbourne 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 Melbourne 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
- English language courses – Coordinator (English)

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 Melbourne Academic Director, for Foundation Studies and Diploma programs, or the Coordinator (English) for ELICOS courses must be lodged within 5 working days of that outcome.

The Academic Director/Coordinator (English) 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/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 Melbourne 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 or lodged at Reception with the Appeals and Grievance Committee Secretary (La Trobe Melbourne's Quality and Compliance Officer). 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 Melbourne personnel from the following:

- College Director and Principal,

- Director, Quality and Services – unless involved at Stage 2 in which case another Director will be present
- Student Counsellor, and
- Quality and Compliance Officer
- (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 III 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 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.

If the appeal is refused, the letter of response will notify the student that there is an external appeal process and refer them to the Student Grievance Policy and Procedure on the La Trobe Melbourne website.

In the case of a La Trobe University student whose appeal is refused, the letter of response will notify the student that there is a further internal appeal to the La Trobe University Ombudsman. Students must make this appeal within 10 working days of the Stage 3 outcome.

7.4 Stage 4 - External Agencies

Where the complainant is not satisfied with the outcome of the internal appeal process 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 Melbourne policy or procedures; or
- the decision was made contrary to the evidence provided;

Students may access an external appeal process but must do so within 10 working days and must inform La Trobe Melbourne that they are doing so. If no correspondence is received by La Trobe Melbourne within 10 working days about an external appeal, La Trobe Melbourne will consider that the matter is concluded and will act accordingly.

La Trobe Melbourne international students should refer the matter to the Overseas Students Ombudsman. La Trobe Melbourne students who are Australian citizens or permanent residents and La Trobe University students should refer the matter to the Victorian Ombudsman.

7.5 External Process

The Overseas Students Ombudsman offers a free and independent service for La Trobe Melbourne 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.

La Trobe Melbourne students, who are Australian citizens or permanent residents, and La Trobe University students can contact the Victorian Ombudsman. The Victorian Ombudsman offers a

free and independent service for students who have a complaint or want to lodge an external appeal about a decision made by their education provider. See the Victorian Ombudsman website www.ombudsman.vic.gov.au or telephone (03) 9613 6222.

Note: Please inform La Trobe Melbourne 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 Melbourne 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 or staff member:

- Finance matters – Accountant
- Student services – Director, Student Services and Admissions
- Marketing and agent matters – Director, Marketing.

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 Melbourne Director must be lodged within 5 working days.

The relevant Director 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 a Director 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 Melbourne 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 or lodged at Reception with the Appeals and Grievance Committee Secretary (La Trobe Melbourne's Quality and Compliance Officer). 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 Melbourne personnel sourced from the following:

- College Director and Principal,
- Director, Student Services and Admissions – unless involved at Stage 2 in which case another Director will be present
- Student Counsellor, and
- Quality and Compliance Officer
- (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 III 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 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.

If the appeal is refused, the letter of response will notify the student that there is an external appeal process and refer them to the Student Grievance Policy and Procedure web page.

In the case of a La Trobe University student whose appeal is refused, the letter of response will notify the student that there is a further internal appeal to the La Trobe University Ombudsman.

8.4 Stage 4 - External Agencies

Where the complainant is not satisfied with the outcome of the internal appeal process 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 Melbourne policy or procedures; or
- the decision was made contrary to the evidence provided;

Students may access an external appeal process but must do so within 10 working days and must inform La Trobe Melbourne that they are doing so. If no correspondence is received by La

Trobe Melbourne within 10 working days about an external appeal, La Trobe Melbourne will consider that the matter is concluded and will act accordingly.

La Trobe Melbourne international students should refer the matter to the Overseas Students Ombudsman. LaTrobe Melbourne students who are Australian citizens or permanent residents and La Trobe University students should refer the matter to the Victorian Ombudsman.

8.5 External Process

The Overseas Students Ombudsman offers a free and independent service for La Trobe Melbourne 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.

La Trobe Melbourne students, who are Australian citizens or permanent residents, and La Trobe University students can contact the Victorian Ombudsman. The Victorian Ombudsman offers a free and independent service for students who have a complaint or want to lodge an external appeal about a decision made by their education provider. See the Victorian Ombudsman website www.ombudsman.vic.gov.au or telephone (03) 9613 6222.

Note: Please inform La Trobe Melbourne 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 Melbourne policy library on its website at www.latrobemelbourne.edu.au/policies

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:

La Trobe Melbourne Australian Citizen and Permanent Resident Students:

Victorian Ombudsman
Level 9, 459 Collins Street (North Tower)
Melbourne Victoria 3000
Tel: (03) 9613 6222
Email: ombudvic@ombudsman.vic.gov.au
www.ombudsman.vic.gov.au

La Trobe Melbourne 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

La Trobe University Students:

Victorian Ombudsman
Level 9, 459 Collins Street (North Tower)
Melbourne Victoria 3000
Tel: (03) 9613 6222
Email: ombudvic@ombudsman.vic.gov.au
www.ombudsman.vic.gov.au

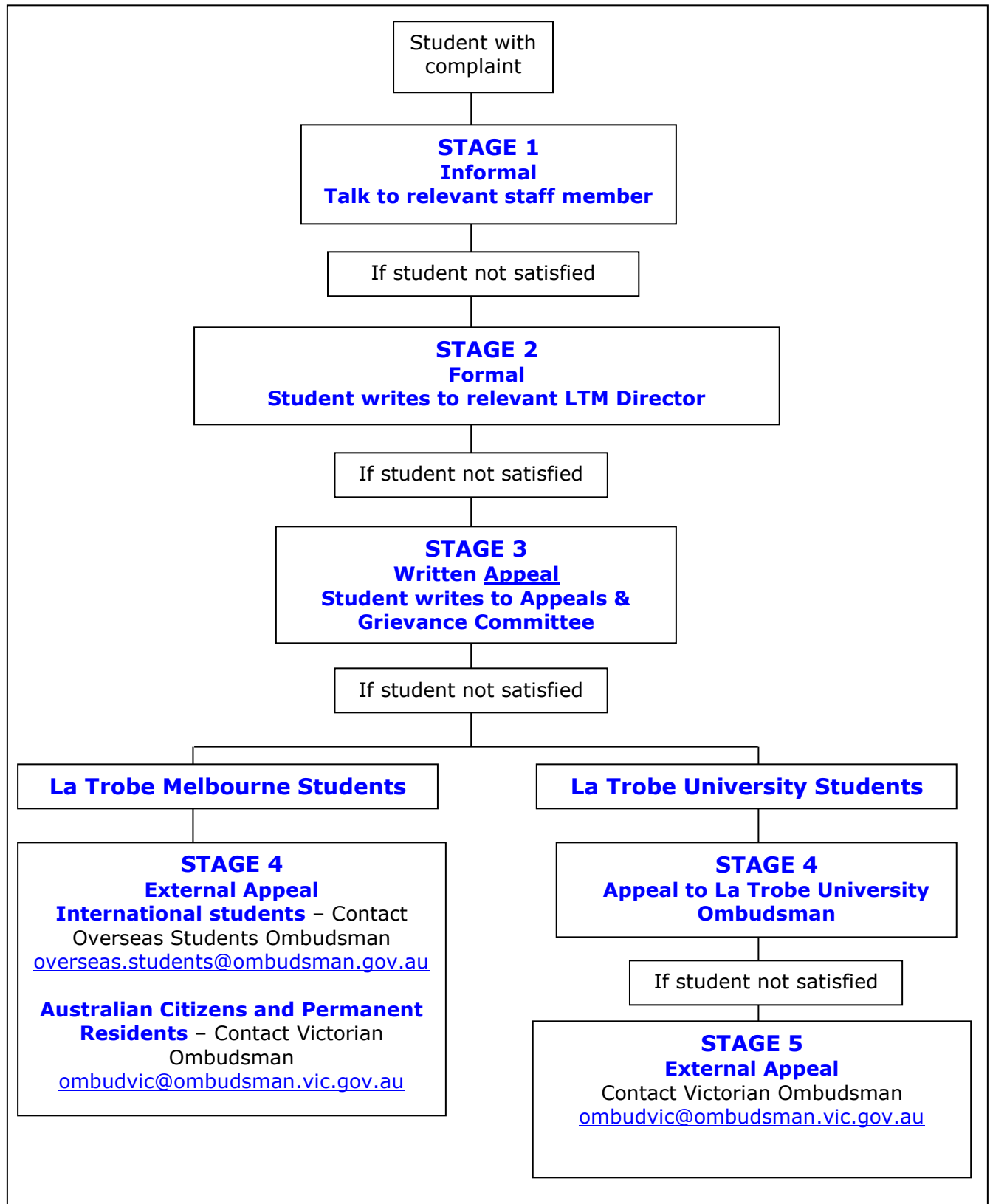
An external appeals body (if accessed) will determine whether the process at La Trobe Melbourne was conducted correctly or whether the appeals process was made available to the student.

If the Overseas Students Ombudsman or the Victorian Ombudsman make recommendations in relation to an appeal, La Trobe Melbourne 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 Melbourne brochure and web page; letters of response from La Trobe Melbourne; and in counseling and informal discussions with students when an appeal or complaint is made.

La Trobe Melbourne Grievance Procedure



11. Intention to Report – Student Response Form

You may use this form if it is helpful.

Student ID:	
Family Name:	
Given Names:	
Course:	
Mobile Number:	

REASONS FOR UNSATISFACTORY ATTENDANCE/COURSE PROGRESS

You must provide evidence for the reasons you are giving, such as medical certificates etc.

Have you provided evidence? Please tick Yes No

Please complete this form and email Appeals@latrobemelbourne.edu.au by the due date of your appeal (which is advised in the covering letter you received)

Policy Title	Student Grievance Policy	
Policy Owners	College Director	
Contact Persons	Denise Bush	
Key Stakeholders	Academic Staff Students	
Approval Body	Joint Management Committee Revision approved by LTM Executive Committee	Approved on 7 September 2010 5 June 2012
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		
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