

# Just Careers Training – Grievance Policy and Procedure

## Definitions

For the purposes of this document, the following applies:

- **The Act** refers to the *VET Student Loans Act 2016*
- **Student/s** refers to all persons enrolled or seeking to enrol in a course with the Training Organisation (including persons who are, or would, be entitled to VET STUDENT LOAN assistance)
- **Complainant** refers to Students (as defined above) who have lodged a grievance.

## 1. Overview

Just Careers Training (“the Training Organisation”) is committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all Students. This policy covers both academic and non-academic grievances and appeals.

Academic matters include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

Non-academic matters include those matters which do not relate to student progress, assessment, course content or awards in a course and include grievances in relation to personal information that the provider holds in relation to a Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.

Complainants are entitled to access the grievance procedures regardless of the location of the campus at which the grievance has arisen, the Complainant’s place of residence or mode of study.

This policy does not replace or modify policies or any other responsibilities which may arise under other policies or under statute or any other law. Also, the dispute resolution procedures outlined below in this document do not circumscribe an individual's rights to pursue other legal remedies.

If a Student chooses to access this policy and procedure, the Training Organisation will maintain the Student’s enrolment while the grievance and appeals process is ongoing.

## 2. Responsibility

The Branch Managers together with the Head Office Branch Manager is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation during induction and Students and Complainants are made aware of its availability through orientation and on our website.

## 3. General principles

These principles, which will be adhered to by the Training Organisation, apply to all stages of this grievance procedure:

- The Complainant and any respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and any respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and any respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this

procedure will be provided to the Complainant and/or any respondent if requested.

- Records of all grievances will be kept for a period of five years to allow all parties to the grievance appropriate access to these records. These records will be kept strictly confidential and stored at the Head Office of Just Careers Training or at a suitably secured and accessible premises. Access to these records may be requested by writing to the Branch Manager of the Training Organisation at PO Box 55, MANAHAN, NSW, 2200.
- A Complainant shall have access to the internal stages of this grievance procedure at no cost. Costs for an external appeal will be shared equally by the Training Organisation and the Complainant.

- **Informal Grievance Procedure**

Students are encouraged initially to attempt to resolve a grievance informally by talking directly with the person concerned to resolve the problem. This step is not mandatory and a Student may proceed directly to the Formal Grievance Procedure.

## **5. Formal Grievance Procedure**

### **5.1 Stage One**

Formal grievances of an academic nature should be submitted in writing to the Branch Manager. Formal grievances of a non-academic nature should be submitted in writing to the Branch Manager at Head Office.

Grievances can be submitted to the Branch Manager or Head Office Branch Manager respectively at the Just Careers Training Head Office, PO Box 55, MANAHAN, NSW 2200. The Complainant is invited to include suggestions about how the grievance might be resolved.

The Branch Manager or Branch Manager of Head Office will notify the Complainant of receipt of the grievance within 5 working days. The Branch Manager or Branch Manager of Head Office will then assess the grievance, determine the outcome and advise the Complainant in writing of their decision within 20 working days.

The Complainant will be advised of their right to access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

### **5.2 Stage Two**

If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing within 20 working days of receiving the written response with the General Manager at the Just Careers Training Head Office, PO Box 55, MANAHAN, NSW 2200. The Complainant's appeal will be determined by the General Manager who will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision within 20 working days.

The Complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

### **5.3 Stage Three**

If the Complainant is not satisfied with the outcome of their appeal, then an independent mediator can be requested through the Resolution Institute.

Complainants can contact the Resolution Institute directly as follows:

<b>Address:</b>	Level 1, 13-15 Bridge Street, Sydney NSW 2000		
<b>Phone:</b>	02 9251 3366	<b>Freecall:</b>	1800 651 650
<b>Fax:</b>	02 9251 3733	<b>Email:</b>	infoaus@resolution.institute

Costs of such mediation will be shared equally by the Training Organisation and the Complainant. As a guide (current as per the date of publication of this document), a mediator's costs would be approx. \$385 for the first four hours (or part thereof). Subsequent hours would be approx.. \$137.50 per hour. It is common for most disputes to be resolved within the initial four-hour allocation.

The Training Organisation will give due consideration to any recommendations arising from the external review of the grievance within 30 days of receipt of the recommendations and the CEO will ensure they are fully implemented.

#### **5.4 Further action**

If the Complainant has been through all stages of this grievance handling process and remains unsatisfied with the outcome of their grievance, then they may:

- contact the National Training Complaints Hotline on 13 38 73 (Monday–Friday, 8am to 6pm nationally) or by email: [skilling@education.gov.au](mailto:skilling@education.gov.au)
- contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: [www.asqa.gov.au](http://www.asqa.gov.au)