POLICY (VET):
APPEALS & COMPLAINTS PROCESS FOR VET STUDENTS
1 Purpose

1.1 The purpose of this Policy is to provide an overview of the University’s complaints and appeals processes for VET Students. It is to be read in conjunction with other relevant University Policies and Guidelines.

1.2 The University will ensure that it complies the principles of access and equity and that it maximises outcomes for its Students as required by SNR 16 of the Standards for National VET Regulator (NVR) Registered Training Organisations:

16.7 The NVR RTO provides appropriate mechanisms and services for learners to have complaints and appeals addressed efficiently and effectively.

2 Scope

2.1 This Policy applies only to all VET Students and VET staff. It does not limit the right of a Student to seek the assistance of an external person or agency for the resolution of a matter. Should a matter be referred to an outside body, the internal processes of the University may be suspended pending the outcome of the external review.

2.2 This Policy does not apply to matters dealt with under the University’s General Regulations or for which there is any other separate University policies or procedures for VET Students.

3 Grievance Officers

3.1 The University employ grievance officers on each campus, including the Broome Campus (Grievance Officers) who provide independent procedural assistance to all parties concerned with making or responding to a Complaint. The list of Grievance Officers and contact details are published on the University website.

3.2 Grievance Officers will provide support to Students but will not have any direct involvement resolving a Complaint.
Reasons for Appeal or Complaint

Appeals

4.1 Students may appeal an assessment decision or any other decision affecting their academic progress (Assessment Decision) where the Student can demonstrate any of the following:

- The assessment tool was not explicit. (For example, it did not detail how many assessment tasks were required to be undertaken; how Students will be assessed; or when they will be assessed).
- The assessor did not fairly and appropriately apply the assessment criteria as specified in the assessment tool.
- The assessor did not conduct the assessment tasks as described in the assessment tool.

Complaints

4.2 Students may raise a problem, issue or concern relating to the conduct of university staff or Students (including Trainers/Assessors) or concerning the University’s operations or services (Complaint).

4.3 In this Policy “Student” shall mean either “Complainant” or “Appellant,” as the case may be.

Informal Process

5.1 Students who wish to appeal an Assessment Decision or make a Complaint should first contact the Trainer/Assessor or other staff member who was responsible for the decision.

5.2 If a Student does not wish to contact the staff member responsible for the decision but still wishes to deal with the matter informally, the Student may seek assistance from the Deputy Head of Campus (Broome) who may assign the matter to an appropriate staff member.

5.3 The staff member will arrange a suitable time to meet with the Student to discuss the matter and if appropriate, will attempt to resolve the matter informally. If a resolution is reached the staff member must make a record of the matter and the agreed resolution or outcome.

5.4 Where an informal resolution cannot be reached, or if the Student is not satisfied with the outcome of the informal process the Student must be advised of their right to use the formal process detailed in Clause 6 below.
6 Formal Process

6.1 A formal notification of appeal/Complaint (Notification) must be lodged within:

- Ten working days of official notification of assessment result or Assessment Decision;
- Ten working days of the matter giving rise to the Complaint; or
- Five working days from the day on which the informal meeting was held.

6.2 A Student must lodge a Notification (on the Approved Form) to the Head of Campus (Broome).

6.3 The Head of Campus (Broome) will:

- Inform the VET CEO;
- Acknowledge receipt of the Notification; and
- Determine the matter or assign the appeal to an appropriate officer who has not been involved with the matter.

6.4 The Student must outline the Assessment Decision or Complaint, including any compassionate or exceptional circumstances that may be considered relevant.

6.5 The Student must provide all supporting documentation. Where a Student wants to rely only on compassionate or exceptional circumstances, the Student must provide documentary evidence in support.

6.6 The Head of Campus (Broome) will consider the matter and may at his or her discretion:

- Dismiss the matter and allow an existing assessment grade to stand.
- Request an independent remark of the Student’s assessment.
- Allow the appeal and amend the result.
- Resolve or Determine the Complaint.
- Refer the Complaint to another Senior University Officer.

6.7 The Head of Campus (Broome) or relevant officer will provide the Student with notice in writing of his or her decision and provide reasons for this within 15 working days of receiving the Notification.

<table>
<thead>
<tr>
<th>TIMING – FORMAL PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
</tbody>
</table>
6.8 A Student may withdraw a Notification in writing at any time, or elect for the matter to be dealt with informally.

6.9 The decision in relation to the Notification is final and there is no further appeal within the University.

7 General

7.1 A Student may seek advice or assistance in relation to any matter outlined in this Policy. Unless a Student is under the age of 18, or the Student can demonstrate that (in the opinion of the University) exceptional circumstances exist, they cannot be represented at any meeting. All Students may, however, have a support person present at any meeting.

7.2 All matters must be dealt with by both the University and the Student in a professional manner and with the utmost confidentiality.

7.3 Formal consideration will usually require an investigation so that all parties have a chance to present their point of view. The investigation may include private interviews with the complainant, witnesses to applicable incidents, and the person alleged to have been the source of the behaviour or action leading to the complaint.

7.4 A Student's enrolment must be maintained during the course of any process outlined in this Policy.

7.5 If any matter dealt with under this Policy indicates a systemic issue that requires improvement, the relevant staff member must report the matter to the VET CEO along with recommendations for addressing the matter.

7.6 The time limits set out in this Policy are to enable a swift and efficient resolution of matters. They may be altered, varied or changed by the University for the purpose of properly considering the matter and with the consent of all parties. The Head of Campus or VET CEO may alter, vary or change the time limits on reasonable request from the parties.

7.7 Anonymous Complaints made on behalf of a Student will not be considered.

7.8 If any matter dealt with under this Policy indicates misconduct of any kind, the relevant staff member must report the matter to the VET CEO immediately.

7.9 The Head of Campus (Broome) or Deputy Head of Campus (Broome) may, in relation to misconduct, direct that a matter must be dealt with through an alternate process or escalated in accordance with University processes and procedures. Any proceedings currently initiated under this Policy may in that instance be suspended.
8 External Appeal

8.1 If a Student does not accept a decision after formal consideration, they can make a complaint to ASQA, by lodging the appropriate form which can be found at:


8.2 The University will consider any recommendation made as a result of the external appeal process.

8.3 Overseas Students

If a student is an overseas student he or she can lodge an external appeal with the Commonwealth Overseas Students Ombudsman. Contact details for the Overseas Students Ombudsman are available from www.oso.gov.au

9 References

- Higher Education Support Act 2003
- Standards for NVR Registered Training Organisations 2012
- VET Guidelines 2013