

Policy purpose

It is important that MEGT Education Group management is made aware of all student appeals and complaints. We aim to respond to appeals and complaints in a fair and equitable way and to resolve the grievance to the satisfaction of all parties. We encourage a harmonious environment where students and staff interact in a professional manner. A clearly documented procedure is in place to deal with academic appeals and complaints and to guide the actions taken by all parties. It is important to us that students and clients are satisfied with the service we provide and that appeals and complaints lead to a process of review, analysis and recommendations for continuous improvement where relevant.

Policy scope

The policy includes all students of the MEGT Education Group providers (MEGT Institute, Hales Institute & Ability Education) who wish to submit an appeal or complaint about an academic matter, which may include but is not restricted to complaints regarding course progress, assessment outcomes, training delivery or course grades.

The procedure related to this policy is available to students regardless of the location of the delivery of a course at which the grievance has arisen, the mode in which they study or their place of residence.

This policy does not replace or modify policies or any other responsibilities that may arise under other MEGT Education Group policies or under statute or any other law. Also, these dispute resolution procedures do not circumscribe an individual's rights to pursue other legal remedies.

During all stages of the Grievance Procedure, the education provider's staff will take all steps to ensure the complainant and the respondent will not be victimised or discriminated against.

Feedback from students about academic services and courses offered by the education providers is encouraged and would not normally be viewed as a grievance, unless specific action is requested in the form of a complaint. In some cases, students may feel they have experienced unreasonable or unfair treatment, disadvantage or distress, which they wish to complain about.

Definitions

- *Academic Grievance* refers to a grievance about assessment, failure to meet student academic progress, course content, the quality of course delivery, academic achievement in a course of study, course transfers, cancellation of enrolment, issue of student results, failure to provide academic services or materials included in an agreement.
- *Complainant* refers to the person(s) who formally instigates a grievance.
- *Respondent* refers to the person(s) or provider against whom the grievance is lodged.
- *Formal grievance* refers to the formal lodging of a written grievance.
- *Informal grievance* refers to a range of processes, such as a discussion, a request or a query lodged with an assessor or staff member.
- *Provider* refers to MEGT Institute, Hales Institute and Ability Education.
- *Academic Manager* refers to the Campus Manager(s), State Manager(s) and/or Academic Manager(s).
- *Academic Staff* refers to Trainers in the VET Sector and Teachers in the ELICOS sector.
- *Overseas Students Ombudsman* is a role created under The Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011 to resolve complaints and help private

education providers improve policies and practices to enhance the quality of international education in Australia.

Procedure for implementation

The grievance procedures outline the steps to be taken when an academic grievance cannot be resolved informally. The education provider affords the complainant the processes to allow the grievance to be formalised. At all stages of the grievance procedure, the education provider will take all necessary steps to ensure the complainant and the respondent will not be victimised or discriminated against.

Complainants are encouraged initially to seek explanations and attempt to resolve the grievance informally (informal grievance) by talking with their Academic staff to resolve the problem. The complainant may also seek the assistance of one of the MEGT Education Group Managers or their delegated nominee.

If the grievance is not resolved through informal procedures, students may access the MEGT Education Group formal academic grievance procedure as outline below. There is no cost to the complainant for utilising this grievance process. All students have the right to lodge a formal academic grievance. An explanation in writing for decisions and actions taken at any stage of the process will be provided if so requested by the complainant or the respondent.

Stage 1 Original grievance

1.1 Formal grievances must be submitted in writing to the National or Academic Manager (or delegated nominee). The complainant should submit a completed Appeals and Complaints Form at the education provider's Campus site reception or sent via mail to the provider's state office address (address details are available on the provider's websites) or mailed to
MEGT Education Group General Manager
PO Box 4069, Ringwood, Victoria 3134.

1.2 Receipt of the grievance will be acknowledged within five (5) working days and the grievance resolution process will commence within ten (10) working days of receipt of the grievance (see clause 1.4). All reasonable measures will be taken to finalise the process as soon as practicable.

The acknowledgement will:

- advise the complainant of the process that will be followed, the time frames required and the steps the complainant should take for this stage of the particular grievance
- advise the complainant of their rights of appeal.

1.3 The National or Academic Manager (or delegated nominee), will, if necessary, seek to clarify the outcome that the student hopes to achieve. Such clarification may be sought by written or verbal request or by a face-to-face interview with the student. When such clarification occurs in a face-to-face interview the student or respondent may ask another person to accompany them.

1.4 The National or Academic Manager (or delegated nominee), will provide a written report to the student on the steps that will be taken to address the grievance within 10 working days of receipt of the original grievance. After the complaint has been considered the decision outcomes and reason for the decision are advised in writing and include details of the student's right to appeal the decision and the name and contact details of the person they can appeal to if they are not satisfied with the decision.

- 1.5 The National or Academic Manager is responsible for reviewing complaints relating to grievances in academic matters.
- 1.6 All reasonable measures are taken to finalise the process as soon as practicable and must include provision of a written statement of the outcome including details and reasons for the decision.
- 1.7 The National or Academic Manager will ensure that all substantiated complaints are acted upon.

Stage 2 Appealing the original decision

- 2.1 If the complainant wishes to appeal the initial decision they must do so in writing within 20 working days of being informed of the decision and addressed to the General Manager detailing the reasons for the appeal.
Contact details:
General Manager, MEGT Education Group
MEGT (Australia) Ltd, PO Box 4069 Ringwood VIC 3134
kathleen.newcombe@megt.com.au
 - 2.2 The MEGT Group Education General Manager (or delegated nominee), will acknowledge receipt of the appeal in writing within 5 working days.
The acknowledgement will:
 - advise the complainant of the process that will be followed, the time frames required and or any delays in the process
 - advise on the steps the complainant should take for this stage of the particular grievance
 - advise the complainant of their rights of appeal.
 - 2.3 Where the MEGT Education Group General Manager (or delegated nominee) seeks clarification from the student or the respondent in the form of face-to-face interviews, the student or the respondent may ask another person to accompany them.
 - 2.4 The MEGT Education Group General Manager (or delegated nominee) will consider the appeal and any additional evidence provided by the student or the respondent. The MEGT Education Group General Manager (or delegated nominee) will detail the reasons for their decision and any further actions required to resolve the grievance. The appeal decision may uphold or overturn the original decision.
 - 2.5 If the original decision is overturned, then the student's grievance is taken to be proved true and further actions required to address the issues will be identified and implemented.
 - 2.6 The MEGT Education Group General Manager (or delegated nominee) will provide a written report to the student advising the outcome of the appeal and stating the reasons for the decision, the further steps taken to address the grievance and actions on substantiated appeal.
 - 2.7 Students who lodge an appeal must be given the opportunity to remain enrolled and attend all classes as normal until the process is complete, subject to clause 2.9 below.
 - 2.8 Overseas students cannot be reported for failing to meet course progress or attendance requirements (National Code Standards 10 and 11) until the external complaints and appeals process is completed if the student chooses to take the complaint to this stage.
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- 2.9 The education provider can cancel an overseas student's enrolment under National Code Standard 13 prior to the external appeals process being completed if the provider's internal complaints process has upheld the cancellation decision. This does not apply to complaints or appeals relating to Standards 10 and 11.
- 3.0 The General Manager (or delegated nominee) is responsible for reviewing appeals relating to grievances in academic matters.

Stage 3 External independent review

- 3.1 **Domestic students** who are dissatisfied with the outcome of their appeal, may make a written request to the MEGT Education Group General Manager for an independent external review of the decision, who will initiate the external review process with the Australian Council for Private Education and Training (ACPET). The appellant must pay the required ACPET charges upon lodgement of the application for external review. ACPET charges are indicated on their website, www.acpet.edu.au
Contact Details for ACPET:
PO Box Q1076, QVB Post Office, Sydney NSW 1230
Ph: 1800 657 644 Fax: 02 9264 4550 Email: acpet@acpet.edu.au or
PO Box 551, East Melbourne VIC 8002
Ph: (03) 9416 1355 Fax: (03) 9416 1895
- 3.2 The **Overseas Students Ombudsman** offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. Overseas students who wish to lodge an external appeal or can do so by contacting the Overseas Students Ombudsman direct, details available on the Ombudsman website www.oso.gov.au or phone 1300 362 072.
- 3.3 The complainant has 20 working days from the date they receive the outcome to appeal to the independent third party. The appeal must be in writing outlining the reasons for appealing the decision and be provided to the General Manager.
- 3.4 The external reviewer will assess the situation in an impartial and independent way and provide a decision to both the complainant and education provider, including any recommendations arising. Once the MEGT Education Group General Manager (or delegated nominee) receives the report of the outcomes from the external reviewer, the General Manager (or delegate) will provide a written report on the result of the appeal to the complainant within 10 working days of receipt of the report.
- 3.5 MEGT Education Group providers agree to be bound by the independent mediator's recommendations. The MEGT Education Group General Manager (or delegated nominee) will ensure that any recommendations made are implemented within 30 days of receipt of the mediator's report.
- 3.6 If a grievance still remains unresolved after the external dispute resolution process, the student may decide to refer the matter to another relevant such as the relevant State Government Training Authority.

Stage 4 Continuous improvement and action on substantiated complaint/appeal

- 4.1 MEGT Education Group will take appropriate actions to implement changes/improvements where necessary in accordance with the outcome of substantiated complaints.
- 4.2 Any improvement action arising from a student grievance or appeal will be recorded in accordance with the MEGT Education Group Continuous Improvement process.

Record keeping and confidentiality

MEGT Education Group providers adhere to the National Privacy Principles which refers to the principles from the Privacy Amendment (Private Sector) Act 2000. The MEGT Education Group Privacy Policy governs how information we collect is handled and stored.

Records of all grievances and applications for review of decisions are kept and accessible only to authorised parties for a period of 5 years. Such records will remain confidential and filed in a separate file (not kept on the student or staff file). Hard copies are stored in the office of the MEGT Education Group General Manager or a designated secure location for a period of 5 years. Electronic records are secured by password access. Parties to the complaint will be allowed supervised access to these if required.

Approval and publication

This policy and procedure and subsequent updates are to be approved by the Continuous Improvement Committee and the MEGT Education Group General Manager, who are responsible for the overall academic governance of the Group providers, and the approval/reviewed date to be noted on the document.

All policies applicable to students are available to prospective students, enrolled students and staff in the public domain on the education providers websites.

This policy forms part of the MEGT Education Group Policies and Procedures which are communicated to staff at induction. The General Manager is responsible for staff training associated with Policies and Procedures. Training takes place at staff planning and development days and at team meetings. Policies and Procedures are made available to staff at the internal document portal.

Responsibility	MEGT Education Group General Manager
Policy endorsed by	Continuous Improvement Committee
Policy complies with	AQTF 2007 and National Code 2007
Version number	Version 4.1 June 2011 (Group)