

Policy purpose

MEGT Education Group aims to respond to appeals and complaints in a fair and equitable way and to resolve grievances to the satisfaction of all parties. We encourage a harmonious environment where students and staff interact in a professional manner. Clearly documented processes are in place to deal with 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

This policy applies to all students and clients of MEGT Education Group providers (MEGT Institute, Hales Institute and Ability Education) including students who are or would be entitled to VET FEE-HELP assistance and persons seeking to enrol with who wish to make a complaint or raise an appeal about a non-academic matter. The procedure is available to students and clients regardless of the location of the delivery of a course or where a grievance has arisen, the mode in which they study or their place of residence.

This policy does not replace or modify 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. A grievance raised by a student who has ceased their enrolment with MEGT Education Group providers will be considered under this grievance procedure for a period of up to 12 months after their enrolment has ceased.

Non-academic matters may include, but are not limited to, operational, administrative, discrimination and harassment issues. Examples of these include sexual harassment, racial or sexual discrimination, unfair treatment, physical or verbal abuse, refusal of admission, course fees and due dates, work arranged by a provider, incorrect advice given prior to enrolment. Any student or intending student who feels aggrieved on any non-academic matter may use this policy and procedure to formalise their grievance.

Feedback from students or clients about services, courses offered, policies and procedures implemented by the provider is encouraged. Such feedback would not normally be viewed as a grievance, unless the feedback is in the form of a formal complaint or demonstrates it has been a cause of distress, ill-treatment, or unfairness, and specific action is requested to resolve the issue. This policy will cover however, a student or client who may feel they have experienced unreasonable treatment, disadvantage or distress, which they wish to complain about.

Definitions

- *Complainant* refers to the person(s) who formally instigates a grievance, complaint or appeal.
- *Respondent* refers to the provider or person(s) against whom the grievance is lodged.
- *Formal grievance* refers to the formal lodging of a written grievance or complaint.
- *Informal grievance* refers to a range of processes, such as a discussion, a request or a query lodged with a provider representative.
- *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 a 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 attempt to resolve the grievance informally in the following ways:

- talking directly with the person concerned to resolve the problem, Academic staff or Academic Manager
- requesting mediation in meetings which aim to resolve the issue or grievance
- seeking the assistance of the MEGT Education Group Managers or their delegated nominee.

If the grievance remains unresolved, the complainant may access the MEGT Education Group formal non-academic grievance procedure as outlined below.

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. This formal grievance procedure begins when a current or prospective student or client states in writing that they have a grievance in relation to a non-academic matter and wishes to make a grievance. The written grievance must be submitted in writing to the relevant or Academic Manager. 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. All reasonable measures will be taken to finalise the process as soon as practicable. The National or Academic Manager or delegated nominee will investigate the grievance and interview any persons associated with the grievance to gain a full understanding of the issues in order to make a proper decision. Both the complainant and/or respondent(s) may be accompanied and assisted by a third party if so desired during these interviews.
 - 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 (or delegated nominee) is responsible for reviewing appeals relating to grievances in non-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 (or delegated nominee) 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 are:
General Manager, MEGT Education Group
MEGT (Australia) Ltd, PO Box 4069 Ringwood VIC 3134.
kathleen.newcombe@megt.com.au
- 2.2 The MEGT Education Group General Manager (or delegated nominee) will acknowledge receipt of the request in writing within 5 days. The complainant will be advised of any likely delays.

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 will set up a review panel (of at least three (3) persons who are independent of the grievance and have relevant understanding or expertise) as soon as possible to review the original decision and interview any persons related to the grievance. Both the complainant and/or respondent(s) may be accompanied and assisted by a third party if so desired during these interviews. The applicant may be required to share the cost of the review panel. The complainant will be advised and required to agree to such cost prior to the panel assembly.
- 2.5 If the original decision is overturned, then the appeal is taken to be proved true and further actions required to address the issues will be identified and implemented.
- 2.6 The decision of the panel will be provided to the complainant in writing, outlining the reasons for the decision within 28 days of receipt of the appeal.
 - 2.6.1 The appeal decision may uphold or overturn the original decision.

- 2.6.2 If the original decision is overturned, then the grievance is taken to be proved true and further actions required to address the issues will be identified and implemented.
- 2.7 If the appeal is upheld the complainant will be advised of a final step allowing an independent external review of the decision.
- 2.8 The General Manager (or delegated nominee) is responsible for reviewing appeals relating to grievances in non- academic matters.

Stage 3 External independent reviews

- 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 If the external reviewer is unable to come to a decision they will write to affected parties who will then be free to pursue other remedies available under the law.

If the external reviewer makes a decision on the appeal they will write to each party setting out the details of the decision. Each party will then write to the other committing to abide by the agreements ratified.

Depending on the nature and scope of the appeal the independent review process will be finalised within 30 days of receiving the complainant's appeal letter.

- 3.6 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.
- 3.7 If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as the relevant State Anti-Discrimination Board or The Office of Fair Trading.

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

The provider adheres to the National Privacy Principles which refers to the principles from the Privacy Amendment (Private Sector) Act 2000. The provider's 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 five 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 General Manager or a designated secure location for a period of five years. Electronic records are secured by password access. Parties to the complaint will be allowed supervised access to these if required.

Approval and communication to staff

This updated policy and procedure was approved by the Continuous Improvement Committee and the MEGT Education Group General Manager, who are responsible for the overall academic governance of MEGT Education Group, 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 MEGT Education Group 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 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)