

IEFT GRIEVANCE COMPLAINTS AND APPEALS PROCEDURE

PURPOSE

This document sets out the procedure for responding to student grievances, complaints and appeals, in accordance with Section 2.4 of *Higher Education Standards Framework (Threshold Standards) 2015* (HES Framework).

SCOPE

This procedure applies to all current and prospective higher education students of IEFT who have a grievance, wish to make a complaint, request a review or appeal a decision which falls within the control of IEFT and its staff.

This procedure is aligned with the Grievance Complaints and Appeals Policy.

DEFINITIONS

An **Academic Grievance** is a concern about an academic matter or process which a student brings to the attention of IEFT staff in an informal way. Examples include, but are not limited to, concerns about:

- academic progress decisions;
- applications for credit transfer or recognition of prior learning (RPL);
- assessments;
- academic integrity;
- content, structure or quality of the program;
- authorship or intellectual property.

A **Grievance** is a concern about a situation, a process, a person or people, a facility or a service provided by IEFT, which the student brings to the attention of IEFT's staff in an informal way.

A **Complaint** means a grievance has not been resolved informally (for example, by the affected parties discussing the matter), and the student's concern is written down for an official response.

A **Non-academic Grievance** is a concern about a non-academic matter, situation or process; or a concern about a person or people, which the student brings to the attention of IEFT staff in an informal way. Examples include, but are not limited to, concerns about matters such as:

- the provision of student support services,
- unsatisfactory attendance,
- the IEFT Code of Conduct;
- IEFT facilities and amenities;
- suspension or cancellation of enrolment for non-academic reasons;
- use of personal information;
- fees and other financial matters;
- perceived discrimination or unfairness;
- bullying, sexual harassment, and other forms of harassment.

The **Grievance Adviser** is an appropriately qualified member of the academic staff whose role is to provide advice to a student who is considering making a formal complaint, either academic or non-academic, about the process for resolving a grievance or complaint.

An **Appeal** means that a student is dissatisfied with a decision made by IEFT in response to a complaint. The student then has ten (10) working days from the date on the written notification in which to lodge an appeal to have the decision reviewed. This includes decisions relating to complaint outcomes, as well

as admission, credit transfer and RPL, unsatisfactory academic progress, unsatisfactory attendance, misbehaviour, and/or suspension of enrolment and exclusion.

RESPONSIBILITIES

The **Dean (Emotionally Focused Therapy)** is responsible for:

- ensuring that all IEFT academic staff are familiar with this procedure
- managing Case Reviews, including establishing Case Review Panels
- receiving grievances and formal complaints and referring them to the Grievance Adviser;
- formally acknowledging receipt of formal complaints, usually by email
- keeping the parties informed of the progress and outcome of decisions regarding their complaints and appeals.

The **Grievance Adviser** is responsible for:

- providing advice to students about the process for resolving a grievance or complaint;
- initial receipt of complaints and appeals;
- assisting students regarding the contact details of organisations for external appeals.

PROCEDURE

1. There are five stages in the processes for resolution of a grievance, complaint or appeal.
2. Each stage represents an increase in the level of formality with which the grievance, complaint or appeal is managed.
3. The stages of the process are:
 - Stage 1. Whenever possible, informal discussion and negotiation between student and respondent / staff member involved takes place.
 - Stage 2. Formal complaint.
 - Stage 3. Internal appeal.
 - Stage 4. External Professional Mediation
 - Stage 5. External Appeal under Australia's consumer protection laws, through Fair Trading NSW (<http://www.fairtrading.nsw.gov.au/>).

Student Initiation of a Formal Complaint

4. If the student has attempted to resolve matters informally, but is not satisfied with the outcome, OR if the nature of the concern is not appropriate for an informal approach (such as an allegation of harassment), the student may make a formal complaint.
5. To commence the process, the student is to complete the Formal Complaints and Appeals Lodgement form, and sends to the Dean (Emotionally Focused Therapy) (email address: admin@EFT.com.au). The student needs to provide the following information:
 - Attempt to resolve grievance;
 - Nature of formal complaint or appeal;
 - Statement of complaint or appeal with sufficient information;
 - Supporting information and documentation ;
 - What the student thinks needs to be done to address his/her concerns.
6. The Dean (Emotionally Focused Therapy) will document receipt of the complaint within two working days and refer it to the Grievance Adviser.
7. The Grievance Adviser will commence the process of considering the complaint within 10 working

days of receiving the Lodgement form.

Processing of Complaints

1. In considering the complaint, the Grievance Adviser will advise all parties from the outset that confidentiality must be strictly observed by all participants, at all stages, of the Complaints and Appeals process.
2. The Grievance Adviser will arrange a meeting with the student to enable him/her to formally present his/her case. The student may be accompanied or assisted by a support person at any relevant meeting.
3. The Grievance Adviser will inform the respondent about the nature of the complaint against him/her and be provided with the opportunity to respond within five working days.
4. The complaint will be investigated by the Grievance Adviser, and if required she / he may refer it to the Dean (Emotionally Focused Therapy) for resolution.
5. If the Grievance Adviser and/or Dean (Emotionally Focused Therapy) decide to uphold the complaint, the respondent will be notified in writing of the grounds for the decision and the decision or action required to resolve the complaint.
6. The student will be provided with a written explanation of the grounds for the decision and the decision or action to be taken by IEFT and the respondent.
7. If the complaint is not upheld, the student will be given a written explanation, detailing the reasons for that decision.
8. The Grievance Adviser will take all reasonable measures to finalise the complaint process as soon as practicable.
9. The Grievance Adviser will retain a written record of the complaint and its outcome.

Internal Appeal Process

1. Students dissatisfied with decisions made by IEFT may appeal the decision within 10 working days of the written notification.
2. Appeals must be submitted on the Formal Complaints and Appeals Lodgement form.
3. The request will be considered by the Dean (Emotionally Focused Therapy), who may decide:
 - to establish an Internal Appeal Panel; or
 - that there are insufficient grounds to take further action, thus concluding the consideration of the matter under these internal procedures.
4. The student will be advised in writing of the decision and the reasons for it. If an Internal Appeal Panel is established, the student will be informed of the panel membership and the procedure to be followed, at least 5 working days in advance of the panel meeting.
5. The panel will consist of the Dean (Emotionally Focused Therapy) or his/her nominee (in the Chair), and a senior member of staff (who is not one of the student's teachers). The Panel will appoint a secretary to take a written record of the meeting.
6. The review will be conducted in private and all relevant facts will be taken into consideration. The student may attend and be accompanied by a support person.
7. If the respondent is an IEFT staff member or another student, he/she will also be invited to present his/her case to the panel and may be accompanied by a support person.
8. The student and respondent will be notified of the decision of the Appeal Panel in writing, including the reasons for the decision and any further action to be taken by IEFT to resolve the matter.

Professional Mediation

1. If a student is dissatisfied with a decision made by IEFT, he/she has 10 working days from the date on the written notification in which to lodge a request for external professional mediation.
9. The Dean (Emotionally Focused Therapy) will arrange for an external mediation session to be conducted by an accredited mediator. The cost of the mediation will be paid for by both parties.

External Appeal

1. In the event of a student remaining dissatisfied with the internal complaints and appeals outcomes, or the conduct of IEFT’s internal procedures for complaints and appeals, or IEFT’s compliance with the TEQSA Threshold Standards or the TEQSA Act, the student has the right to access an external appeals process.
2. The student may choose to take further action under Australia’s consumer protection laws, through Fair Trading NSW (<http://www.fairtrading.nsw.gov.au/>) or TEQSA (email: Complaints@teqsa.gov.au)
3. Students who wish to access an external appeals process should contact the Grievance Adviser who can provide additional advice about how to contact external organisations.
4. If the external appeal process supports the student, IEFT will immediately implement any decision and/or action required, and advise the student and the external organisation in writing.

MONITORING

Without breaching confidentiality, all formal complaints and their associated responses and outcomes will be monitored by the CEO.

COMPLAINTS AND APPEALS RECORDS

The student’s record will be updated to record the outcome of each stage of the process, and any subsequent actions.

A copy of all related documentation, including a statement of findings with decisions made at each stage of the complaint and appeal(s) process, and reasons for decisions, will be retained on the student’s record.

FORMS

Formal Complaints and Appeals Lodgement Form

RELATED

- Grievance Complaints and Appeals Policy
- Students at Risk Policy
- Student at Risk Procedure
- Privacy Policy
- Student Records Management Policy

Version Control

Document: Grievance Complaints and Appeals Procedure		
Approved by: Academic Board		Date: 2017/03/07
Version: V1.1	Replaces Version: V1.0	Next Review: 2019

