VET FEE-HELP
Non-Academic Grievance and Appeals Policy
PL024

PURPOSE
This policy provides information relating to Grievances and Appeals for students and persons who are or would be entitled to VET FEE-HELP assistance (HESA – Schedule 1A, Part 1, Subdivision 4D, Clause 19 and VET Guidelines – Chapter 5). The Grievance and Appeals process is at no cost to the complainant, and is applicable regardless of the location of TAFE Queensland South West campus at which the Grievance or Appeal has arisen, the complainant's place of residence or the mode in which they study.

SCOPE
This policy applies to both students and persons seeking to enrol that are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act. The VET FEE-HELP Non-Academic Grievance and Appeals Policy relates to TAFE Queensland South West activities including behavioural misconduct, non-payment of fees, matters relating to a person’s application for study and the management of personal information.

DEFINITIONS

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Appeal</td>
<td>Request by a complainant to have a matter heard and/or re-considered after receiving an unfavourable decision.</td>
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<tr>
<td>Appeals Panel</td>
<td>A panel formed to hear VET FEE-HELP Non-Academic appeals. The panel will comprise the General Manager, Financial Services; and the Manager, Customer Services or their delegates provide none of these persons has been previously involved in the matter being appealed.</td>
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<tr>
<td>Compassionate or Compelling Circumstances</td>
<td>Circumstances considered to be beyond the control of the complainant and may include:</td>
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<td>- Serious injury (a medical certificate is provided);</td>
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<td>- Bereavement of close family members (a death certificate may be provided);</td>
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<td>- Major political upheaval or natural disaster in their home country;</td>
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<td>- A traumatic experience (ie car accident; witnessing a crime or being involved in a crime etc).</td>
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<td>Complainant</td>
<td>A student or person seeking to enrol that is, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act, who makes a complaint to TAFE Queensland South West.</td>
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<tr>
<td>Customer Satisfaction and Feedback</td>
<td>Customer Feedback – Procedure for complainants to provide feedback on the products or services offered by TAFE Queensland South West.</td>
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<tr>
<td>External Appeal</td>
<td>Appeal heard by a party external to TAFE Queensland South West.</td>
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<td>Grievance</td>
<td>A cause of dissatisfaction where the complainant has an honest belief, based on reasonable grounds, that an academic decision and/or action, an administrative decision and/or action, or the behaviour of another student or staff member is unfair and/or unreasonable.</td>
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<td>Internal Appeal</td>
<td>Appeal heard by nominated staff within TAFE Queensland South West.</td>
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<td>Ombudsman</td>
<td>The Queensland Ombudsman's Office is an independent complaints investigation agency. The Ombudsman investigates complaints about the actions and decisions of Queensland public agencies and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.</td>
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<tr>
<td>Inclusive Education Manager</td>
<td>The designated member of TAFE Queensland South West staff who will attempt to resolve the complainants’ Non-Academic Grievance or Appeal.</td>
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VET FEE-HELP  The Commonwealth Government loan scheme to assist eligible students to pay their VET tuition fees, and can cover all or part of the student’s tuition fees for VET unit/s of study which form part of a VET course of study. These must be undertaken with a body which is approved as a VET Provider under Schedule 1A of the Higher Education Support Act 2003 (HESA).

POLICY
The purpose of an internal appeals process is to have unfavourable decisions heard and/or reconsidered by relevant staff within TAFE Queensland South West.

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body. The purpose of an external appeal process is to enable the complainant to have an independent body available to handle their individual grievance appeals independently of TAFE Queensland South West and review the fairness of the decisions made.

General Information
- Non-Academic grievances may include but are not limited to: behavioural misconduct, non-payment of fees, matters relating to a person’s application for study, and the management of personal information.
- VET FEE-HELP Non-Academic Grievances and Appeals should be submitted using TAFE Queensland South West's ‘VET Fee-Help Non-Academic Grievance and Appeal’ form.
- Complaints about TAFE Queensland South West staff are processed in accordance with TAFE Queensland South West – Customer Satisfaction and Feedback procedure.
- Complainants' may provide feedback on products and services offered by TAFE Queensland South West in accordance with the ‘Customer Feedback’ form.
- Appeals regarding Non-Academic Misconduct matters are processed in accordance with the TAFE Queensland Student Rules.
- TAFE Queensland South West will give due consideration to any recommendation made as a result of the external review and implement agreed recommendations.
- The VET FEE-HELP grievance and appeals requirements will be maintained in accordance with the VET Guidelines.

Appeals Information
- A complainant has the opportunity to formally present their case at no cost.
- A complainant will not be victimised or discriminated against at any stage of the process outlined in this policy.
- The Grievance or Appeal must be lodged with the Inclusive Education Manager within 10 business days of the date the decision was communicated to the complainant in writing by the staff member that received the complaint. If the appeal is not lodged within the specified timeframe, the decision will stand.
- The Appeals process will be finalised and communicated to the complainant within 20 business days of the formal lodgement of the ‘VET Non-Academic Grievance and Appeal Form’ and relevant supporting documentation.
- The complainant and/or respondent has the right to be accompanied and assisted by a support person in every relevant meeting they attend.
- The complainant and/or respondent will be provided with a written statement of the outcome of the internal appeals process within 5 business days of the appeal hearing, including details of the reasons for the outcome, and any actions to be undertaken.
- A complainant’s enrolment will be maintained, and the complainant is required to attend all classes during an internal appeals process unless otherwise agreed.
- If a complainant is dissatisfied with TAFE Queensland South West appeals process, they can contact the Queensland Ombudsman’s Office at: http://www.ombudsman.qld.gov.au/AboutUs.aspx
- The Ombudsman will only intervene where TAFE Queensland South West’s appeals process was not conducted correctly or if TAFE Queensland South West did not make the appeals process available to the complainant.
- Complainants’ who wish to exercise their right to have their case heard by an external body, must notify the General Manager within 5 business days of receiving written notification of the outcome of the internal appeals process.
Complainants are required to immediately advise TAFE Queensland South West of the outcome of the external appeals process.

Records of all Grievances and Appeals must be kept and be accessible to all interested parties for a period of five (5) years. Such records will remain confidential. Parties to the complaint will be allowed supervised access to these records as per requirements in VET Guidelines 5.3.2(i).

Internal Appeals

Complainants have the right to appeal decisions which they consider to be unfavourable and/or unreasonable in relation to:

- behavioural misconduct;
- non-payment of fees;
- matters related to a person’s application to enrol in a VET course of study at TAFE Queensland South West;
- matters related to privacy principles and the management of personal information.

In the first instance, complaints should be discussed informally with the person/s involved, usually their teacher. However, if this is impracticable, complainants lodge a formal complaint with the relevant Faculty Director. This arrangement is free of charge. A decision will be made within 15 business days and communicated to the complainant in writing within five (5) business days of the decision.

If this does not resolve the complaint, complainants may submit their appeal in writing by completing a 'VET FEE-HELP Academic Grievance and Appeal' form for consideration by the Academic Appeals Panel. All documentation lodged must be original documents or certified copies, no photocopies or facsimiles will be accepted.

Complainants must outline the decision and reasons for the appeal, including any compassionate or compelling circumstances, and may provide documentary evidence in support of their appeal. Appeals must be received within 10 business days of receiving notification of the original decision.

Lodging Academic Grievance and Appeal Forms:

**By mail:**
General Manager  
TAFE Queensland South West  
PO Box 80  
Toowoomba Qld 4350

**In person:**
Customer Service Centre  
TAFE Queensland South West  
100 Bridge Street, Toowoomba or  
Mary Street, Bundamba

Outcome of Internal Appeals

The Academic Appeals Panel will review the appeal application within 15 business days. The Panel will then provide the complainant with a written statement including details of the reasons for the outcome, and any actions to be undertaken within five (5) business days of the decision being made. A complainant, who is not satisfied with the result of the internal appeals process, has the right to pursue the external appeal processes as outlined below.

External Appeals

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body.

The purpose of an external appeal process is to consider whether TAFE Queensland South West has followed its policies and procedures. The purpose of an external appeals process is not to make a decision in place of TAFE Queensland South West. For example, if a complainant takes their case to the external body (following the internal appeals process) appealing against TAFE Queensland South West’s decision to exclude them for behavioural misconduct, the external appeals process would look at the way in which the internal appeal was conducted. The external body would not make a determination as to whether the complainant should be deemed to have engaged in behavioural misconduct.

Complainants may refer their appeal to the Queensland Ombudsman’s office. There is no cost for lodging appeals. The Ombudsman will investigate the case, make an assessment and advise the complainant of the outcome. The Ombudsman’s Office will also notify the General Manager of TAFE Queensland South West of the outcome of the external appeal.
Further information is available at www.ombudsman.qld.gov.au or by contacting the Queensland Ombudsman’s office:

Phone: (07) 3005 7000
Toll Free (outside Brisbane) 1800 068 908
Fax: (07) 3005 7067
TTY: 3006 8174

Email: ombudsman@ombudsman.qld.gov.au

Lodging Appeals with the Queensland Ombudsman’s Office:

By mail: GPO Box 3314
In person: Level 25, 288 Edward Street
Brisbane Qld 4001 Brisbane Qld 4000

Outcome of External Appeals

If the Queensland Ombudsman makes recommendations in relation to a Grievance or Appeal they have reviewed, the Ombudsman will forward those recommendations to TAFE Queensland South West’s General Manager who will ensure that the recommendations are implemented within 30 days

DOCUMENTATION

VET FEE-HELP Non-Academic Grievance and Appeals Procedure
VET FEE-HELP Non-Academic Grievance and Appeals Form
VET FEE HELP Academic Grievance and Appeals Policy

COMPLIANCE REFERENCES

- VET Provider Handbook, view at www.dest.gov.au
- Standards for NVR Registered Training Organisations 2011 - Part 3, SNR 16, view at www.comlaw.gov.au

POLICY APPROVAL

<table>
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<tr>
<th>Owned By:</th>
<th>Sarah Byers</th>
<th>Date: 02/05/2014</th>
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<tbody>
<tr>
<td>Position:</td>
<td>Revenue Coordinator</td>
<td></td>
</tr>
<tr>
<td>Authorised by:</td>
<td>Trevor Schwenke</td>
<td>Date: 02/05/2014</td>
</tr>
<tr>
<td>Position</td>
<td>General Manager</td>
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