

Student Complaints and Grievances

1 Purpose and Objective

- 1.1 The purpose of this procedure is to outline the process through which students may raise a complaint or grievance in relation to an academic or administrative decision or advice received from UNEP Partnerships (UNEP). This procedural document also outlines the process for investigating and determining the validity of complaints and grievances once received and implementing corrective and preventative action where appropriate.

2 Scope

- 2.1 This procedure applies to all current students and graduates whose enrolment ended no more than six months before the complaint or grievance was lodged.

3 Application of the Well-Being and Support Model

- 3.1 UNEP's Well-Being and Support Model model for student well-being and support encourages students to be Connected, Creative, Confident and creative in their academic and personal endeavours.

Connected	Our students learn and thrive through active interaction with UNEP staff, their peers and industry experts. They learn through practical engagement with knowledge and skills. They are provided with the opportunity to engage with their learning via multiple means or representation, actions, expression, and engagement.
Creative	Our students not only acquire the skills and knowledge required to meet training benchmarks but learn to generate new ideas and define possibilities linked to their discipline. They are able to effectively judge the merits of their own ideas, critique those of other s and be open to considering new perspectives.
Confident	Our students are confident in their ability to apply the knowledge and skills learned through their study, to engage in the global workforce, to communicate effectively in a professional environment.
Courageous	Our students are given the opportunity to build their own resilience through their learning, specifically through setting realistic and attainable goals, demonstrating good judgement, learning and improving through constructive formative and summative assessment feedback, and through developing their own emotional intelligence.

- 3.2 These competencies are embedded in UNEP's approach to managing complaints and grievances.

- 3.3 Students are encouraged to:

- be active advocates for the learning and overall education experience;
- provide constructive and relevant feedback to inform corrective and preventive action;
- seek assistance and take responsibility for their own actions;
- act in good faith and seek to achieve an amicable solution;
- desist from engaging in intimidating, harassing, threatening or offensive behaviours;
- participate transparently in mediation where required to achieve a cordial resolution.

- 3.4 As part of its commitment to quality improvement and student well-being, UNEP:
- a) maintains a safe environment in which students can openly raise issues of concern;
 - b) acts in good faith and seeks to achieve an amicable solution;
 - c) desists from engaging in intimidating, harassing, threatening or offensive behaviours;
 - d) takes appropriate measures to ensure students do not suffer any victimisation or discrimination as a result of raising complaints or grievances in good faith;
 - e) keeps open channels of communication with all parties involved in a complaint or grievance in order to maintain a connected learning community;
 - f) participates transparently in mediation where required to achieve a cordial resolution.
- 3.5 All parties to a complaint, appeal or grievance will be granted access to records relating to that matter and must respect privacy and confidentiality, except where the release of particular information is required by law.

4 Grounds for Complaints or Grievances

- 4.1 Grounds for complaint include, but are not limited to:
- a) a student being dissatisfied with the quality of service provided by UNEP or an agent of UNEP;
 - b) a student being dissatisfied with the quality of facilities or resources provided by UNEP;
 - c) a student being dissatisfied with the timeliness of information and communication from UNEP or an agent of UNEP;
 - d) a student being dissatisfied with an aspect of academic delivery.
- 4.2 Grounds for grievance include, but are not limited to, the following:
- a) a student being affected by a failure of UNEP staff or an agent of UNEP to adhere to published policies and procedures;
 - b) a student being given incorrect or misleading information by UNEP staff or an agent of UNEP;
 - c) a student being negatively impacted by improper or negligent conduct by UNEP staff or an agent of UNEP;
 - d) a student being negatively impacted by unfair treatment, prejudice or bias by UNEP staff or an agent of UNEP;
 - e) a student being negatively impacted by a decision made without sufficient consideration of facts, evidence or circumstances;
 - f) a penalty applied to the student being unduly punitive or inappropriate.

5 Data

- 5.1 Data is collected in respect of all complaints and grievances (see Tables 1 and 2).
- 5.2 Data is stored in the Complaints, Grievances and Appeals Register.
- 5.3 Accurate collection and reporting of data is the responsibility of the Director of Education.

Table 1: Complaints and Grievances Data

Category	Metadata
Identifiers	Student ID [unless complaint is anonymous]
	Date Received
	Date Closed
About the Student	Year of Study [First, Second, Third year, Completed]
	Course Type
	Course Code
	Fee Type
About the Complaint/Grievance/Appeal	Status [Complaint; Grievance; Complaint to Grievance; Appeal]
	Type [Administrative; Academic]
	Root Cause [see table 2]
	Outcome
	Resolution [Accepted; Not Accepted]
	Escalation [Ombudsman; Other External Body; Unknown; Nil]
	Outcome/Improvement Action [Free field]

Table 2: Root Causes Fields

List of Causes	
Marketing information	Enrolment
Orientation	Intermission
Deferral	Internal transfer
Fees	Admission
Academic Credit/RPL	Agents
Learning Management System	Information Technology
Course Content	Course Structure
Course Requirements	Administration of assessment
Conduct of examinations	Timetabling
General Support	Academic Support
Information/Advice [including course and unit information, study advice, website information, etc.]	Records [including transcripts, testamurs, access to records, etc.]
Facilities [Including provision, standard and access to facilities, etc.]	Other (to be defined)

6 Procedure: Complaints

- 6.1 Students wishing to make a complaint or a suggestion for improvement may do so:
- via email at education@unep.edu.au;
 - verbally, or in writing, to the Program Manager;
- 6.2 Complaints are received and noted by the Director of Education and forwarded to the relevant department for action.
- 6.3 Complaints may be anonymous. However, where an anonymous complaint is received UNEP has the right to refuse to undertake a full investigation.
- 6.4 Within five working days of receipt of the complaint the relevant UNEP member to whom the complaint is forwarded must, as appropriate to the complaint:
- acknowledge receipt of the complaint;
 - arrange to discuss the matter with the student or indicate when an initial response will be provided and in what form;
 - attempt to clarify with relevant parties what is agreed and where opinions differ;
 - attempt to clarify the relevant policies, procedures or processes underpinning the action to which the complaint relates;
 - identify the appropriate manner of resolving the complaint, including seeking advice or a decision from other relevant parties;
 - advise the student of a proposed process for resolving the complaint such as mediation or escalating the matter to Director of Education.
 - notify the student of his or her right to be accompanied by a support person at any meetings or discussions during the attempt at informal resolution.
- 6.5 Investigation of a complaint will commence within ten working days of receipt and will generally be finalised within twenty working days of the initial complaint.
- 6.6 Any extension to this time period must be approved by:
- the Chief Executive Officer for complaints relating to academic services or delivery; or
 - the Chief Executive Officer for complaints relating to general support and administrative processes.

- 6.7 Students may withdraw a complaint at any time during the resolution process, and the matter will be deemed to be resolved. Notwithstanding this, UNEP reserves the right to continue to investigate a complaint to satisfy itself that its own policy and procedures are being adhered to and/or meet other regulatory or legal requirements.
- 6.8 The outcomes of complaints received in writing require a formal written response to the student within ten working days outlining the reason for the decision and how to appeal the decision, with a copy provided to the Director of Education which must include the information outlined in Tables 1 and 2. Where the outcome of the complaint process is in favour of the student, either international or domestic, the decision and/or recommendation will be implemented immediately.
- 6.9 Information on the complaint will be recorded in the Complaints, Grievances and Appeals Register by the Director of Education.
- 6.10 Irrespective of the mode of response to the complaint, the student will be advised of their right to lodge a grievance or appeal if the complaint is not resolved to their satisfaction.

7 Procedure: Grievance

- 7.1 All grievances must be lodged in writing to the Director of Education.
- 7.2 The Director of Education may reject a grievance from a student who repeatedly submits unreasonably persistent or vexatious complaints or grievances.
- 7.3 Within five working days of receipt of the complaint the Director of Education must:
- acknowledge receipt of the grievance;
 - arrange to discuss the matter with the student to ascertain that there is *prima facie* evidence to support the grievance before initiating an investigation and indicate when an initial response will be provided and in what form;
 - attempt to clarify with relevant parties what is agreed and where opinions differ;
 - attempt to clarify the relevant policies, procedures or processes underpinning the action to which the complaint relates;
 - identify the appropriate manner of resolving the complaint, including seeking advice or a decision from other relevant parties;
 - advise the student of a proposed process for resolving the grievance;
 - notify the student of his or her right to be accompanied by a support person at any meetings or discussions during the attempt at informal resolution at their cost.

- 7.4 Where *prima facie* evidence to support the grievance has been established the Director of Education will appoint an independent investigator within the initial five day period.
- 7.5 Usually the independent investigator will be internal to UNEP, be employed at a managerial level or above, and not have any direct link to the grievance, or a conflict of interest. However, the Director of Education in consultation with the Chief Executive Officer, may appoint an external investigator if, for a particular grievance, it is deemed that an internal investigator may not provide the level of impartiality required.
- 7.6 Decisions on the appointment of an independent investigator rest solely with the Director of Education in consultation with the Chief Executive Officer, and are not subject to appeal.
- 7.7 The independent investigator must:
- acknowledge receipt of the grievance in writing within five working days and indicate when a resolution of the matter should be expected;
 - review the grievance, including hearing from all parties who wish to partake in the process, and attempt to resolve the problem;
 - reference the relevant policies, procedures or processes underpinning the action to which the grievance relates;
 - notify the student and the Director of Education if they conclude that the grievance is frivolous, or if no grounds could be found to support it;
 - provide the Director of Education with a report of the investigation, including a resolution or the reasons(s) that a resolution could not be reached, and any recommendations for corrective and preventive action that need to be taken.
- 7.8 Students may withdraw a grievance at any time during the resolution process, and the matter will be deemed to be resolved. Notwithstanding this, UNEP reserves the right to continue to investigate a grievance to satisfy itself that its own policy and procedures are being adhered to and/or meet other regulatory or legal requirements.
- 7.9 Prior to the release of the report from the independent investigator, the Director of Education will undertake a quality check of the report to ensure that:
- all issues raised in the grievance have been addressed;
 - all key stakeholders have been contacted and referenced;
 - the report is fair, balanced and respectful to all parties;
 - the findings and recommendations are evidence-based and defensible.
- 7.10 Upon completion of the quality check, the Director of Education will provide a copy of the report to the:
- student, including advice on internal and external appeals processes;
 - the CEO

- 7.11 The Chief Executive Officer will review the recommendations for corrective and preventive action and either accept, modify or reject the recommendations. Where the outcome of the internal process is in favour of the student, either international or domestic, the decision and/or recommendation will be implemented immediately.
- 7.12 The finalised status of the recommendations will be recorded in the Complaints, Grievances and Appeals Register by the Director of Education.
- 7.13 Where accepted or modified, monitoring of implementation of the action will be undertaken by the Director of Education.

8 Procedure: Appeals

- 8.1 Students may appeal the outcome of the complaints and grievances process in accordance with the Student Appeals Procedure.
- 8.2 The Assessment Appeals Process where a student is dissatisfied with the assessment result, they may lodge an appeal.
- 8.3 Students must make a written submission to the Industry Manager outlining the circumstances within one month of the receipt of assessment results.
- 8.4 The Industry Manager will refer the appeal to the academic director for consideration. NVR Policies and Procedures.
- 8.5 The Director of Education will review all documentation, confer with the assessor involved and take one of the following courses of action in relation to the appeal:
 - 8.5.1 Uphold the assessment decision
 - 8.5.2 Use professional judgement to revise the assessment decision
 - 8.5.3 Request further evidence to support competency
- 8.6. If the appeal is unsuccessful, feedback on further evidence required will be provided to the student by the Director of Education:
 - 8.6.1. The circumstances surrounding the issue
 - 8.6.2. Who was involved
 - 8.6.3. Why an appeal is being lodged
 - 8.6.4. Any evidence including dates and documentation
 - 8.6.5. The name of any witnesses who could support the appeal
- 8.7. Management will consider the appeal and the candidate will be notified in writing of the outcome and reason for the decision.
- 8.8. If the candidate is not satisfied with the outcome, the appeal will be referred to an independent person, who is agreed to by both parties, and the candidate will have an opportunity to formally present their case.
- 8.9. The decision should finalise within two weeks of the appeal being lodged. The student will be given a written statement of the outcome of appeal including the reason for the decision. There is no change for reassessment.

9 Procedure: External Complaints and Appeals

- 9.1 Students who are not satisfied with the result of the internal Complaints and Appeals process have the right to access an external complaints handling and appeals process. Where this is the case, the matter will be referred to the external independent mediator at minimal or no cost to the student. Students seeking assistance from an external authority should do so within ten working days of the decision.

Note: the purpose of the external appeals process is to review whether UNEP has followed its own Complaints and Appeals procedure not to make a decision in place of the outcome reached by UNEP.

- 9.2 UNEP recommends the following external independent providers:

For International Students:

The Overseas Student Ombudsman
Phone: 1300 362 072
Email: ombudsman@ombudsman.gov.au
Web: www.oso.gov.au

For Domestic Students:

Ombudsman New South Wales
Phone: 1800 451 524
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au

Australian Skills Quality Authority (ASQA)

Phone: 1300 701 801
Email: enquiries@asqa.gov.au
Web: www.asqa.gov.au

For VET Student Loan (VSL) Students:

Commonwealth Ombudsman VET Student Loans
Phone: 1300 362 072
Email: VET@ombudsman.gov.au
Web: <https://vet.ombudsman.gov.au/>

For Reviewable VSL Decisions:

Administrative Appeals Tribunal
Phone: 1800 228 333
Web: www.aat.gov.au

Note: reconsiderations conducted by the Administrative Appeals Tribunal will be subject to fees and charges.

- 9.3 All parties to the review may be accompanied by a support person at any meetings or discussions during this stage of the process. Any costs involved must be met by the requesting party.
- 9.4 The Director of Education will provide each party with written notice of the review decision including the reason for the decision and will review the recommendations from the external independent provider for corrective and preventive action and either accept, modify or reject the recommendations. Where the outcome of the external process is in favour of the student, either international or domestic, the decision and/or recommendation will be implemented immediately.

10 Procedure: Reporting

- 10.1 A report on complaints and grievances is prepared by the Director of Education to inform the annual UNEP Quality Cycle Report (see Academic Monitoring, Review and Evaluation Procedure Clause 6.2).
- 10.2 UNEP is, in some instances, required to report a student to the relevant Australian government authorities for unsatisfactory course progress or unsatisfactory attendance. Where this is the case, UNEP will notify the student in writing and give 20 working days to access the internal complaints and appeals process. A student's enrolment will remain current during the complaints and appeals process. If a student does not access the complaints and appeals process within the following timeframes or withdraws from the process by notifying this intent in writing, UNEP will proceed with the cancellation process.

Timeframes for accessing Complaints and Appeals process:

- International Students – within 20 working days
- Domestic Students – within 28 calendar days

11 Definitions

COMPLAINT	means any formal expression of dissatisfaction with an aspect of UNEP service, care or information to students which can be resolved through informal negotiation and active communication
GRIEVANCE	means a matter relating to allegations of misconduct where disciplinary action against a staff member may be an outcome of a formal investigation. This may include complaints which are not able to be resolved through informal processes or mediation
INDEPENDENT INVESTIGATOR	means a person appointed to investigate a student grievance employed at a managerial level or above who does not have any direct link to the grievance or a conflict of interest
STUDENT	means an admitted or enrolled student of UNEP <ul style="list-style-type: none"> • Admitted student means a student who has been admitted to an UNEP program of study and who is entitled to enrol in a subject of study. • Enrolled student means a student who has been admitted to an UNEP program of study who is enrolled in a subject at UNEP

Associated Information

Related Legislation	<ul style="list-style-type: none"> • ESOS Act 2000 • National Code of Practice for Providers of Education and Training to Overseas Students 2018 • National Vocational Education and Training Regulator Act
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