1. **Policy**
Navitas College of Public Safety (NCPS) provides a complaints and appeals (grievance) process that is transparent, fair, and equitable for NCPS students and for persons seeking to enrol at NCPS who have a need to have a matter resolved.

2. **Purpose**
To provide an independent and timely complaints and appeals process for all enrolled students and/or for persons seeking to enrol at NCPS in relation to having a matter resolved.

This policy can also be used for any student with a complaint who is, or would be, entitled to VET FEE-HELP or FEE-HELP assistance.

*Flow Chart*
A flow chart attached to this document provides a visual explanation of the stages of the complaints process.

A *Client Complaint Fact Sheet* (ND155) has been developed for the information of students. It has been posted on the NCPS website.

A *Client Complaint Form* (NF166) has been developed for completion by the complainant. It has been posted on the NCPS website.

3. **Responsibility**
The Dean/Head of College (D/HoC) is responsible for compliance with this policy. He/she is supported by the NCPS Management Team.

4. **Guidelines**
Higher Education National Protocols (A10), National Code Standard 8; AQTF Standard 2.6, VET Provider Guidelines (Chapter 6).

*Definitions*
The terms ‘grievance’ and ‘complaints’ and ‘appeals’ are used interchangeably to ensure the spirit and intent of the National Code and National Protocols are captured. Similarly, where the singular terms ‘an NCPS staff member’ or ‘an NCPS student’ are used, these may also refer to the plural: NCPS staff members or NCPS students.

In this policy, the term ‘complaint’ means any act or omission that a student enrolled at NCPS, or a person seeking to enrol at NCPS, believes to be unfair or discriminatory and which concerns an activity undertaken by NCPS, or by a member of its staff, or by an NCPS student. This could include, but is not limited to:

- The content or structure of an academic program, and/or its delivery;
- The nature of teaching or assessment;
- Assessment and marking matters (excluding grading reviews);
- Selection or admission decisions;
- Delivery of a course or whole program;
- An administrative action or inaction;
- A student action or inaction;
- A policy, procedure or decision;
- Access, or lack of access, to NCPS’s facilities or resources;
- A breach by an NCPS staff member or an NCPS student of NCPS’s rules and policies;
- Unethical practices or criminal behaviour undertaken by an NCPS staff member or an NCPS student;
- Allegations by an NCPS staff member or an NCPS student of harassment, bullying, discrimination.

*Other Definitions*
‘Academic Council’ is the academic governing body of NCPS.

‘Adviser’ means a person without legal expertise who accompanies and assists a student at any relevant meetings outlined in this policy. The Adviser may be a friend, family member, student representative, union representative, mentor, etc. NCPS staff, whether academic or administrative, cannot act as an Adviser.
‘Appeal’ means an action taken by a student, or person seeking to enrol, or by a member of staff, who is dissatisfied with the outcome of a complaint.

‘Complainant’ means an NCPS student, or person seeking to enrol at NCPS, who is making the formal or informal complaint. If an NCPS student is the complainant, he/she will need to be financial. That is, all tuition fees will need to be paid and up to date and any outstanding Library fines will need to be paid. The only exception will be if the student’s complaint is about tuition fees and/or Library fines.

‘Formal’ complaint means a complaint that cannot be resolved informally or is considered serious and therefore needs to be addressed formally. For example, misconduct by a student or staff member, a possible crime or regulatory offence, discriminatory behaviour by a member of staff or by a student, or similar.

‘Grievance Committee’ is an ad hoc committee formed by the Dean/Head of College to settle grievances according to formal procedures. It shall comprise at least two members who may or may not be from NCPS.

‘Independent’ staff member is a member of staff not involved with the complaint or complainant and is delegated by the Dean/Head of College to investigate a complaint (if required).

‘Informal’ complaint means a minor concern that could be effectively resolved without the need to make the matter a formal complaint. For example, alleged misinterpretation of policy by a staff member or alleged inappropriate behaviour by a student. However, this process is not mandatory and can be bypassed by a complainant who may lodge a formal complaint.

‘Investigation’ means an inquiry into a complaint by an independent staff member who will:
- Open a file and document all actions relating to the matter;
- Consider all material relating to the grievance;
- Act fairly and impartially taking into account equity principles and the concept of natural justice;
- Interview such parties as are relevant to the complaint;
- Inform himself or herself as to any material facts by reference to authorities, such as precedents; and
- Determine a resolution to the complaint by making recommendations, including any remedies to be applied.

‘NCPS Management Team’ comprises the Manager of Study Programs, the Manager of Operations and the NCPS Librarian.

In consultation with the Dean/Head of College, Academic Council or Grievance Committee, a member of the NCPS Management Team may endorse the findings and recommendations made by the investigator in the formal procedure or he/she can determine an alternative resolution. In the case of the latter, any alternative resolution must be documented.

Third Parties
A complainant may be assisted by an Adviser. See above.

Legal Representation
Should a complainant decide to engage in an External Review Process (see below), the costs of any legal representation involved in this process must be borne by the party engaging such representation. Costs are not relevant to an outcome of any complaint or appeal.

Judicial Notice
The complaint and appeal process/investigation does not have to strictly follow rules of evidence and can take notice of any information considered relevant. Where possible, these should follow principles relating to natural justice.

Principles
Any complaint will be handled fairly, recognising the rights and responsibilities of NCPS, of the person making the complaint, and/or of the person or persons against whom the complaint is being made. All parties concerned shall be treated with respect and courtesy and at no time will be discriminated against or victimised. Appropriate confidentiality will be maintained throughout the process.
NCPS will be transparent and accountable in relation to student complaints by ensuring that information about the procedure is widely available. Stakeholders to a complaint shall be informed about feedback received and actions taken as a result of the feedback.

This policy will be made available to all NCPS students and staff on appropriate websites.

**VET FEE-HELP or FEE-HELP assistance**
This policy can be used to deal with complaints:
- a) from students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act; or
- b) from persons seeking to enrol with NCPS in a VET unit of study that meets the course requirements under subclause 45 (1) of Schedule 1A of the Act and who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

This is regardless of the location at which the grievance/complaint has arisen, or of the student’s or person’s place of residence or mode in which they study.

There is no charge to the student for accessing the internal appeals process at NCPS.

**Other**
At any point in the processes documented below, a complainant may withdraw their complaint.

### 5. Procedure

#### Stage 1: Informal Complaint Process
1. A complaint is received by a staff member who determines if it can be resolved immediately or needs to be referred to the NCPS Management Team;
2. If the matter is unresolved or requires escalation, it is referred to a relevant manager;
3. The manager contacts the complainant within 5 working days of receiving the complaint;
4. If the matter is unresolved, an internal investigation of the complaint will be initiated by the Dean/Head of College; he/she has 15 working days to complete this process;
5. D/HoC will provide the complainant with a written statement of his/her decision within 10 working days of making this decision;
6. The outcome of the investigation will be either a resolution of the complaint or the initiation of a formal complaint process by D/HoC or the complainant.

N.B.: The complainant can initiate the formal complaint process independent of any investigation as it is not mandatory for the complainant to undertake the informal process.

#### Stage 2: Formal Complaint Process
1. A written complaint is submitted to a member of NCPS’s Management Team or to a staff member;
2. A written acknowledgement is sent to the complainant within 5 working days of receiving the complaint;
3. An independent member of staff appointed by the Dean/Head of College investigates the complaint and liaises with all parties involved;
4. The complainant and the person or persons against whom the complaint has been made are provided with a written statement of any outcome that outlines the details of the decision. The written statement will be provided within 15 working days of the initiation of the investigation;
5. If the matter is resolved, written acknowledgement is sought from both parties;
6. Where the complainant is not satisfied with the resolution provided by Dean/Head of College, a more suitable resolution may be negotiated with the Dean/Head of College thereafter within a period of 15 working days, or the complainant can initiate an internal and/or the external review process;
7. If the matter is resolved, written acknowledgement is sought from both parties;
8. If the matter is unresolved, the Dean/Head of College may refer the matter to the Grievance Committee for review;
9. If the complainant is dissatisfied, the complainant may ask the Dean/Head of College to refer the matter to the Grievance Committee for review;
10. The Grievance Committee will then sit as soon as possible. It has 20 working days to make its decision. The complainant will be provided with a written statement of this decision after the decision has been made;
11. If the matter is resolved by the Grievance Committee, written acknowledgement is sought from both parties;
12. If still unsatisfied, the complainant can, within 20 working days of the Grievance Committee having made its decision, seek a further review by the NCPS College Council at its next meeting;
13. If the matter is resolved by the College Council, written acknowledgement is sought from both parties;
14. If the matter remains unresolved after the College Council considers it, the complainant can seek an external review. The timing for this review is outside NCPS’s control.

Stage 3: External Review Process
(Please note that the timeframes for the external reviews are determined by the external body. Refer to the websites listed below for further information.)

If the complaint is still not resolved after stages 1 and 2 above, the complainant has the option of escalating the complaint, grievance or appeal externally to the Administrative Appeals Tribunal (AAT). Applications to the AAT may include an application fee of $777, which may be refunded if the AAT decides in the applicant’s favour.

Administrative Appeals Tribunal:
Website: http://www.aat.gov.au/default.htm
Phone 1300 366 700 for regional areas nationwide.

<table>
<thead>
<tr>
<th>State</th>
<th>Street Address</th>
<th>Postal Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>VIC</td>
<td>Level 16, HWT Tower, Southgate 40 City Road Southbank VIC 3006</td>
<td>GPO Box 9955 Melbourne VIC 3001</td>
<td>03 9282 8444</td>
<td><a href="mailto:Melbourne.Registry@aat.gov.au">Melbourne.Registry@aat.gov.au</a></td>
</tr>
<tr>
<td>NSW</td>
<td>Level 7, City Centre Tower 55 Market Street Sydney NSW 2000</td>
<td>GPO Box 9955 Sydney NSW 2001</td>
<td>02 9391 2400</td>
<td><a href="mailto:Sydney.Registry@aat.gov.au">Sydney.Registry@aat.gov.au</a></td>
</tr>
<tr>
<td>QLD &amp; NT</td>
<td>Level 4, Harry Gibbs Building Commonwealth Law Courts 119 North Quay Brisbane QLD 4000</td>
<td>GPO Box 9955 Brisbane QLD 4001</td>
<td>07 3361 3001</td>
<td><a href="mailto:Brisbane.Registry@aat.gov.au">Brisbane.Registry@aat.gov.au</a></td>
</tr>
<tr>
<td>SA</td>
<td>11th Floor, Chesser House 91 Grenfell Street Adelaide SA 5001</td>
<td>GPO Box 9955 Adelaide SA 5001</td>
<td>08 8201 0610</td>
<td><a href="mailto:Adelaide.Registry@aat.gov.au">Adelaide.Registry@aat.gov.au</a></td>
</tr>
<tr>
<td>WA</td>
<td>Level 5 111 St Georges Terrace Perth WA 6000</td>
<td>GPO Box 9955 Perth WA 6848</td>
<td>(08) 9327 7200</td>
<td><a href="mailto:Perth.Registry@aat.gov.au">Perth.Registry@aat.gov.au</a></td>
</tr>
</tbody>
</table>

Australian Council for Private Education and Training (ACPET):
International students may request an external review through ACPET. The total cost per appeal is $400. This fee is shared equally between the student and NCPS. If the student’s appeal is successful, he/she will be refunded $100.

An independent panel will be assigned to review the file and make decisions regarding the complaint.

Further information is available at www.acpet.edu.au.

State Regulatory Authorities
Students concerned about the administrative conduct of NCPS can contact their State Regulatory Authority. The State Regulatory Authority has the ability to suspend or cancel NCPS’s registration if NCPS has breached registration requirements.
Outcomes
NCPS is committed to the continual improvement of its products, services and the policies and procedures that guide the achievement of its objectives. The Dean/Head of College remains responsible for ensuring that all communication from NCPS stakeholders contributes to NCPS’s continual improvement efforts. Root Cause Analysis, Corrective Action and Preventative Action shall be performed or implemented on every valid complaint, appeal or grievance received. Further, routine analysis and a review of Opportunities for Improvement shall be performed by the NCPS Management Team. Due consideration shall be given to any recommendations arising from external review.

Policy Dissemination and Staff Training
All current NCPS staff have received written communication regarding this policy and procedure and have been provided with all necessary training on its application. This is also implemented as part of the induction process of new staff to ensure the integrity of NCPS’s Complaints and Appeals (Grievances) policy and procedure.

The policy and procedure is available to all academic staff in the Teaching Staff Handbook and to administrative staff on the NCPS Quality Assurance system. This policy and procedure is also available to all prospective and enrolled students on the NCPS website and addressed during any orientation program.

Record Keeping and Confidentiality
All documentation relating to a complaint by a student or by a person seeking to enrol at NCPS will be forwarded to the Strategic Planning and Quality Unit (SPQR). SPQR will record and store the specific details of all complaints, appeals and grievances, whether informal or formal, in the NCPS’s Complaints Register, which will be held by SPQR in its office. Relevant documentation about a complaint and/or its resolution may also be placed in a student file(s) and/or in a staff member’s file.

All records in relation to a complaint and/or its resolution will be treated as confidential and will be retained for five years. The Dean/Head of College may authorise parties to the grievance process to have supervised access to these records. SPQR will supervise any such access.

6. Authority
Authorised by the Dean/Head of College

7. Approval
Approved by NCPS Academic Council on 28 April 2011
## Amendments

<table>
<thead>
<tr>
<th>Date</th>
<th>Modified by</th>
<th>Sections amended/added</th>
<th>Approved by AC (if required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.06.09</td>
<td>Jodie Reeve</td>
<td>Inclusion of VET FEE-HELP and clarification of external appeals process.</td>
<td>19.06.09</td>
</tr>
<tr>
<td>15.09.09</td>
<td>Jodie Reeve</td>
<td>Inclusion of reference to VET Provider Guidelines (Chapter 6) and the following statement – ‘There is no charge to the student for accessing the internal appeals process at NCPS’. Both added to Guidelines section.</td>
<td>25.09.09</td>
</tr>
<tr>
<td>04.01.10</td>
<td>Jodie Reeve</td>
<td>Change of name &amp; logo. Included references to ‘person seeking to enrol’ in sections 4, 5.1.1 and 5.2.1 References to supporting documents updated</td>
<td>04.01.10</td>
</tr>
<tr>
<td>06.04.10</td>
<td>Jodie Reeve</td>
<td>• Re-structure of the policy to include detailed information on the stages of appeal and the external review bodies.</td>
<td>29.04.10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Removal of the administrative procedures which are now a new stand alone procedure for staff.</td>
<td></td>
</tr>
<tr>
<td>08.07.10</td>
<td>Jodie Reeve</td>
<td>Updated external review processes</td>
<td>08.07.10</td>
</tr>
<tr>
<td>27.07.10</td>
<td>Jodie Reeve</td>
<td>Change FEE-HELP to VET FEE-HELP in procedure section</td>
<td>27.07.10</td>
</tr>
<tr>
<td>03.09.10</td>
<td>Jodie Reeve</td>
<td>NCPS Management changed to NCPS Board</td>
<td>03.09.10</td>
</tr>
<tr>
<td>21.03.11</td>
<td>Cameron Ingram</td>
<td>Integration of HE, VET and International principles to create an overall policy/procedure</td>
<td>28.04.2011</td>
</tr>
<tr>
<td>31.04.11</td>
<td>Lacie Guo</td>
<td>The method of informing HE and International students about the NCPS Complaints and Appeals policy were integrated</td>
<td>28.04.2011</td>
</tr>
<tr>
<td>24.11.11</td>
<td>Cameron Ingram</td>
<td>Updated to improve policy and ensure it is compliant with VET FEE-HELP regulations:</td>
<td>Major Change</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Inserted that informal process is not mandatory;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Inserted that applicant will receive reasons and full explanation in writing of decisions;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Updated AAT process and payment;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Inserted VET FEE-HELP Procedure;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Updated the outcomes and continuous improvement process;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Inserted format of Grievance Committee.</td>
<td></td>
</tr>
<tr>
<td>15.12.11</td>
<td>Christopher Snedden</td>
<td>Changed ‘Advocate’ to ‘Adviser without legal expertise’; added definition of ‘NCPS Management Team’; added timeframes for stages 1 and 2 in the Procedure section; tightened Record Keeping and Confidentiality Section; re-drew flow chart diagram to reflect new dates.</td>
<td>Major Change 23.04.2012</td>
</tr>
</tbody>
</table>
Informal & Formal Complaint Processes

**Informal Complaint**
- Complaint received. Staff member assesses and determines if it can be resolved or it needs to be referred
- Relevant manager contacts complainant within 5 working days of receiving complaint
- Dean/Head of College investigates complaint within 15 working days*
  - Dean/Head of College or complainant initiates a formal complaint process

**Formal Complaint**
- Written complaint received
- Written acknowledgement sent to complainant within 5 working days of receiving complaint*
- D/HoC appoints independent staff member to investigate complaint
- Complainant provided with written statement of outcome with details of decision in 15 working days
  - Complainant may negotiate more suitable resolution with Dean/Head of College within 15 working days
  - Matter referred to Grievance Committee; upon sitting, it has 20 working days to review
  - Within 20 working days, complainant can seek further review by College Council at its next meeting

*Complainant can initiate external complaint process independent of investigation of a formal complaint

Resolved
- Written acknowledgement sought from both parties

Unresolved