

Non-Academic Grievances Policy and Procedure

1. PURPOSE/OBJECTIVE

MQC believes complaints should be resolved, wherever possible and appropriate, at the local level with a minimum of formal procedures. An informal process, involving discussion between a student and Student Services Manager or nominee, will be conducted in each case to try to resolve the issue prior to a formal appeal being lodged.

2. APPLICATION

This policy addresses non-academic matters and applies to all students at MQC.

3. POLICY STATEMENT

The HEP Guidelines (amendment effective January, 2007), the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007) requires registered education providers to maintain an appeals and grievances procedure to be made available to all international students. This policy and procedure have been developed to ensure all current and prospective students at MQC are given access to an effective and fair complaints resolution and appeals process.

All MQC students, or persons who seek to enrol in a course of study at MQC, are entitled to access this grievance procedure.

MQC attempts to resolve all complaints and appeals as close to the source as possible. Complainants/respondents will not be subject to discrimination or harassment resulting from their participation in the complaints process. MQC staff will make all attempts to respond to complaints within the time limits set out in this policy and procedure.

Students, or persons who seek to enrol in a course of study at MQC, who feel they have been unfairly dealt with in relation to a non-academic matter should write to the MQC Campus Director and Principal outlining the exact reasons for concern, making a note of instances and when they occurred. Such complaints and grievances will be directed initially to the Student Services Manager or nominee.

The following grievance procedure will be used in dealing with complaints made by MQC students, and persons who seek to enrol in a course of study at MQC, relating to non-academic matters.

Reasons and a full explanation will be given to the complainant and/or respondent, in writing, for decisions and actions taken as part of the procedures. The student, complainant and/or respondent will not be victimised or discriminated against at any stage of this procedure. The student, complainant and/or respondent may be assisted and, where appropriate accompanied by a third party (such as a family member, friend, counsellor or other professional support person) if desired throughout each stage of the Procedure.

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Informal Complaints and Appeals

Prior to lodging any formal complaint or appeal with MQC, the complainant must contact the relevant staff member to discuss the matter and seek immediate and acceptable resolution. In the event that the complainant's grievances cannot be resolved through informal direct communication, the complainant can move on to the formal lodgement of a complaint or appeal.

Non-Academic Complaints

The following examples include, but are not limited to, the kinds of matters which would be addressed in a non-academic complaint;

- Customer service and administration
- Marketing and information
- Facilities
- Fees / finance related matters
- Welfare

Lodging a Complaint or Appeal

Students seeking to lodge a complaint or appeal at MQC must lodge a written complaint. The following steps will then occur;

- (i) The Student Services Manager (SSM) or nominee will consider the written complaint or appeal within 5 working days of its receipt. The SSM will review the disputed decision and consider a range of options for the solution of the dispute (this arrangement is free-of-charge).
- (ii) If the matter is not resolved at this stage in favour of the student, the complainant will be referred to the Campus Director and Principal or nominee within 5 working days of the SSM's decision. The Campus Director and Principal or nominee will also review the decision and consider a range of options for solution of the dispute (this arrangement is free of charge).
- (iii) If the matter is not resolved in favour of the student, the student will be advised in writing that the original decision stands. The student then has the option of appealing through MQC's independent grievance handling / dispute resolution process within 10 working days of the Campus Director and Principal's decision.

Independent Grievance Procedure

If you wish to lodge an external appeal or complain about this decision, you can contact the Overseas Students Ombudsman. 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. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

The Overseas Student Ombudsman **can** investigate complaints about:

- Being refused admission to a course
- Course fees and refunds
- Course or provider transfers
- Course or provider transfers
- Accommodation arranged by your provider
- Incorrect advice given by and education agent
- If you believe that MQC has failed to take action or is taking too long to take action

The Overseas Students Ombudsman **cannot** investigate complaints about:

- public providers (which are already covered by the State and Territory Ombudsman)
- domestic Australian students
- students from overseas who are not on a student visa (e.g. students studying on a visitor, working holiday or temporary business visa).
- providers in South Australia because the Office of the Training Advocate South Australia already offers free, independent complaints handling for overseas students in that state. The Overseas Students Ombudsman will refer complaints about South Australian private providers to the Office of the Training Advocate.

The Overseas Students Ombudsman will investigate complaints at no cost to the provider or student.

The student and MQC will be bound by the decision of the ombudsman and such decisions are final and non-reviewable. While the parties attempt to resolve the matter the student will continue to attend classes as normal unless the student has a reasonable concern about an imminent risk to his or her health and safety.

Students may access and receive the outcome of only **one** external appeals process before MQC may exclude them.

MQC will deal with reported complaints and appeals as expeditiously as the circumstances of the complaint or appeal allow. The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law and do not circumscribe a students' rights to pursue other legal remedies.

Students may contact the Australian Education International (AEI) ESOS Enquiry Form via the online enquiry form at <http://aei.gov.au/aei/esos/EnquiryForm.aspx> or via the helpline on 02 6240 5069.

AEI will examine whether the appeals process met the requirements of the National Code 2007, it will not be looking at whether the outcome of a properly conducted appeals process was right or wrong.

Records of grievances will be kept strictly confidential for a period of 5 years and the student will be allowed supervised access to these records through the Academic Manager. Such records will be kept in a secure section of the student's file.

This procedure has been communicated to all MQC staff and the MQC Student Services Manager is responsible for training staff in its application. This procedure is published on <http://www.city.mq.edu.au/pdf/Non-Academic%20Grievances%20Policy%20and%20Procedure.pdf>. All students are made aware of the existence and location of this and all other policy/procedure statements at the time of orientation to MQC.

4. DEFINITIONS

- **Appeal**
In this context an appeal constitutes a request to review a decision or outcome relating to any aspect of the student's results, conditions of enrolment, or academic progress and attendance.
- **AQF**
Australian Qualifications Framework July 2011.
- **Complainant**
A person lodging a complaint or appeal
- **DIAC**
Department of Immigration and Citizenship: The Australian government agency responsible for issuing students with visas.
- **HEP Guidelines**
Guidelines for Higher Education Providers set down by the Department for Education Science and Training by (DEST) to ensure compliance with the Higher Education Support Act (HESA), 2003.
- **Respondent**
A person responding to a complaint or appeal
- **National Code**
The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007).

5. RELATED DOCUMENTS

- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 – Standard 8
- AQTF 2007 Essential Conditions and Standards for Continuing Registration - Standards 3.1 and 3.3
- MQC International Student Release Policy
- MQC International Student Fee and Refund Policy
- Conditional Status Letters
- MQC Accommodation and Welfare for International Students
- Under 18 Policy

AMENDMENT HISTORY

Department:	Student Services	
Approval Authority:	SMT	
Approval Date:	25 September 2009	
Date for Next Review:	25 September 2012	
Revision Date	Version	Summary of changes
01/09/2010	1	New policy developed and implemented in line with MQ Policy
15/04/2011	2	Information on Overseas Student Ombudsman included