

1. Purpose

This policy relates to students enrolled by the divisions of Niche Education Group Pty Ltd (Niche) and where delivery and assessment is conducted by its Training Partner Organisations (TPOs), including:

- Australasian Academy of Cosmetic Dermal Science (AACDS),
- Australian College of Beauty Therapy (ACBT),
- Australian College of Specialist Make-Up (ACSM),
- Australasian College of Massage & Myotherapy (ACMM)

2. Definitions

For the purposes of this document the following applies:

The Act refers to the *Higher Education Support Act 2003*

Student/s refers to all persons enrolled or seeking to enrol in a unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act or who have gained enrolment into a Niche course whether delivered directly or through a third party service provider.

Complainant/s refers to students (as defined above) who have lodged an academic or non-academic complaint with the Niche.

3. Responsibility

The Chief Executive Officer (CEO) is responsible for implementation of this policy and procedure and ensuring all staff and third party providers are fully trained in its operation and Students and Complainants are made aware of its availability.

4. Overview

- Niche is committed to providing an effective, efficient, timely, fair and confidential academic and non-academic grievance handling procedures, whether formal or informal, which is easily accessible for all Students without charge.
- Niche is committed to identifying potential causes of complaints and appeals and takes appropriate corrective actions to eliminate or mitigate the likelihood of occurrence.
- Complainants (students or prospective students) are entitled to access the grievance procedures regardless of the location of the delivery of training at which the grievance has arisen, the Complainant's place of residence or mode of study, without charge.
- Niche's policy extends to the third parties providing services on behalf of Niche including the provider's trainers, assessors or other staff.

- Non-academic matters include those matters which do not relate to student progress, such as assessment, course content or awards in a course and include complaints in relation to personal information that the provider holds in relation to the Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.
- Academic matters include those matters that relate to student progress, assessment, course content or awards in a VET course of study.

5. Non-Academic Matters

This policy and procedure applies to all complaints and appeals, of a non-academic (of a personal) nature as follows:

Informal Grievance Procedure

- The Student is advised to first try to resolve the issue with people directly involved. Experience dictates that in the majority of instances, differences of opinion need only to be voiced and acknowledged to be resolved

Formal Grievance Procedure

General principles applying to all stages of this grievance procedure which will be adhered to by Niche are:

- The complainant and the respondent have the opportunity to present their case at each stage of the procedure.
- The complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The complainant and the respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the complainant and/or the respondent.
- Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored in the office of the Chief Operations Officer ('COO'). Parties that have accessed the formal grievance procedure may access the relevant records.
- A complainant shall have access to all stages of this grievance procedure at no cost.
- Where Niche considers that more than 60 calendar days are required to process and finalise a complaint or appeal Niche will:
 - Inform the Complainant or Appellant in writing, including reasons why more than 60 calendar days are required.
 - Regularly update the Complainant or Appellant on the progress of the matter.

Stage One

- The student can access the formal Complaints/Appeals process by providing written details of the grounds upon which the complaint/appeal is made, and any supporting evidence (the form below may be used, or address a letter to the Training Manager). This can be lodged with the reception, other staff or submitted directly to the Training Manager.
- The Training Manager will then formally decide upon the matter within 10 working days of Niche receiving the formal written lodgement of the complaint/appeal. Niche will provide the appellant with a written confirmation of the outcomes of the complaint and the reasons for the decision within 14 days of notification of the outcome. The Training Manager will take into consideration such factors as the length of a student's visa, the student's enrolment in future units and/or courses when considering relevant timeframe within which notification will occur.
- The complainant will be advised, in writing, of their right to appeal the decision and access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

Stage Two

- If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing to the Chief Operations Officer ('COO'). This can be lodged with the reception, other staff or submitted directly to the COO.
- Mediation discussions will occur if required, at no cost to the student. A student can request mediation and an impartial senior member of staff not directly involved in the dispute (the Reviewer or COO) will be used to conduct the mediation.
- Any party can be accompanied or assisted by another person, at the party's own cost.
- The Reviewer or COO will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. Niche will provide the appellant with a written confirmation of the outcomes of the appeal and the reasons for the decision within 14 days of notification of the outcome. The COO will take into consideration such factors as the length of a student's visa, the student's enrolment in future units and/or courses when considering relevant timeframe within which notification will occur.
- The Complainant will be advised, in writing, of their right to have the decision reviewed and access Stage Three of the grievance procedure if they consider the matter unresolved.

Stage Three

- If the Complainant is not satisfied with the outcome of Stage 2 they may request that the matter be referred to an external dispute resolution process by a body appointed for this purpose by Niche.
- The details for the external body and contact for domestic students is:
Resolution Institute, the national association of dispute resolvers
Freecall 1800 651 650 or 02 9251 3366
Email: infoaus@resolution.institute
- International students of Niche may 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 <<http://www.oso.gov.au>> or phone 1300 362 072 for more

information.

Frequently Asked Questions (FAQs) for providers and other information about the Overseas Students Ombudsman are available at www.oso.gov.au <<http://www.oso.gov.au>>

- Any party can be accompanied or assisted by another person, at the party's own cost.
- Niche will give due consideration to any recommendations arising from the external review within 14 days of notification of the outcome.
- Each party will be given written notice of the decision for the external review outlining the reasons for the decision.

6. Academic Matters – Assessment, Academic and Student Progress Appeals

This policy and procedure applies to all complaints and appeals, of an academic nature as follows:

Informal Grievance Procedure

- The Student is advised to first try to resolve the issue with people directly involved. Experience dictates that in the majority of instances, differences of opinion need only to be voiced and acknowledged to be resolved.

Formal Grievance Procedure

General principles applying to all stages of this grievance procedure which will be adhered to by Niche are:

- The complainant and the respondent have the opportunity to present their case at each stage of the procedure.
- The complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The complainant and the respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the complainant and/or the respondent.
- Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored in the office of the COO. Parties that have accessed the formal grievance procedure may access the relevant records.
- A complainant shall have access to this grievance procedure at no cost.
- Where Niche considers that more than 60 calendar days are required to process and finalise a complaint or appeal Niche will:
 - Inform the Complainant or Appellant in writing, including reasons why more than 60 calendar days are required.
 - Regularly update the Complainant or Appellant on the progress of the matter.

Stage One

- The student may lodge a formal complaint that will be heard by the Training Manager, by filling out the attached form.
- In relation to assessment appeals, appeals must be lodged in writing (stating reasons for the reassessment) with the Training Manager no later than 14 days from the official notification of results (the form below may be used, or address a letter to the Training Manager).
- The Student's enrolment will not be affected during complaints and appeals process except in extenuating circumstances – however a student must have initiated the formal process in writing.
- The Training Manager will then make a determination as to the validity of the complaint / assessment appeal.
- Upon a favourable determination, the Training Manager will organise for a complaint to be rectified, or a re-assessment conducted by another assessor. A student will be advised in writing of the result within 10 days of receiving the complaint / assessment appeal.
- Upon a determination that the student has legitimately not achieved competencies nor met the standards required, the Complainant will be advised, in writing, of their right to appeal the decision and access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

Stage Two

- If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing to the Chief Operations Officer ('COO'). This can be lodged with the reception, other staff or submitted directly to the COO.
- Mediation discussions will occur if required, at no cost to the student. A student can request mediation and an impartial senior member of staff not directly involved in the dispute (the Reviewer or COO) will be used to conduct the mediation.
- Any party can be accompanied or assisted by another person, at the party's own cost
- The Reviewer or COO will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. Niche will provide the appellant with a written confirmation of the outcomes of the appeal and the reasons for the decision within 14 days of notification of the outcome. The COO will take into consideration such factors as the length of a student's visa, the student's enrolment in future units and/or courses when considering relevant timeframe within which notification will occur.
- The Complainant will be advised, in writing, of their right to have the decision reviewed and access Stage Three of the grievance procedure if they consider the matter unresolved.

Stage Three

- If the Complainant is not satisfied with the outcome of Stage Two they may request that the matter be referred to an external dispute resolution process by a body appointed for this purpose by Niche.
- The details for the external body and contact for domestic students is:
Resolution Institute, the national association of dispute resolvers
Freecall 1800 651 650 or 02 9251 3366
Email: infoaus@resolution.institute

- International students of Niche may 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 <<http://www.oso.gov.au>> or phone 1300 362 072 for more information. Frequently Asked Questions (FAQs) for providers and other information about the Overseas Students Ombudsman are available <<http://www.oso.gov.au>>
- Any party can be accompanied or assisted by another person, at the party's own cost
- Niche will give due consideration to any recommendations arising from the external review within 14 days of notification of the outcome.

7. International Students

All international students enrolled with Niche are entitled to access the grievance/appeals procedure set out in this policy. If in the event of the dispute remaining unresolved. The student can also contact the Overseas Students Ombudsman (OSO). Refer to the Overseas Students Ombudsman website at <http://www.ombudsman.gov.au/about/overseas-student-ombudsman-landing-page> for more information about how the OSO can help students, or call 1300 362 072.

This process does not prevent an international student from exercising rights to other legal remedies.

8. Further Points of Contact

The following external bodies may also be consulted:

- Department of Fair Trading Ph: 13 32 20
- Consumer Protection Advice Line Ph: 1300 30 40 54
- Citizen's Advice Bureau (WA) Ph: 08 9221 5711 (\$25 for initial legal advice) or search the White Pages for similar services in other states.

9. Publication

This *Academic and Non-Academic Grievance Policy and Procedure* will be made available to Students through publication on the website www.nicheducation.com.au and will also be available in the student handbook and from the Niche reception.

Policy Version Details	
Version Identifier:	3.1
Date:	27/09/2018
Author:	Simon Ross
Approved by:	Annemarie Papelard
Position:	CEO

COMPLAINTS AND APPEALS FORM

Please complete this form and return to: Niche, PO Box 8477, Perth, WA 6849, Fax to (08) 9228 2767,
Email: officemanager@niche.edu.au.

Student Name:

Address:

Phone:

Course:

Please provide details of the grounds upon which your appeal is made:

Supporting evidence provided (please state and attach to this form):

Student Signature:

Date:
