

GRIEVANCE HANDLING AND RESOLUTION POLICY & PROCEDURE

POLICY

MIECAT is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered to complainants at no charge. This procedure applies to all students enrolled at MIECAT as well as prospective students seeking to enrol. This procedure may also be utilised by those employed by MIECAT either as sessional, full time or part time staff conducting teaching, assessment, supervision and/or administrative and support duties.

MIECAT aims to:

- Develop a culture that views grievances as an opportunity to improve the organisation and how it works;
- Set in place a grievance handling system that is in accordance with the MIECAT philosophy of intersubjective companionship and aims to prevent grievances from recurring;
- Ensure that all grievances are resolved in a timely manner and are handled professionally, confidentially and with the principles of natural justice.
- Ensure that the views of each party involved in the grievance are respected and are not discriminated against nor victimised;
- Ensure that there is a consistent response to grievances.
- Ensure that records of all grievances and the procedures undertaken will be kept accessible to all interested parties for a period of no less than five years. Such records will remain confidential and will be retained in a separate file.

A grievance can be defined as a person's expression of dissatisfaction with an aspect of the MIECAT's services and activities.

MIECAT grievance procedures do not replace or modify procedures or responsibilities which may arise under statute or any other law.

A non academic grievance may be an expression of dissatisfaction with:

- The enrolment, induction/orientation process;
- The quality of education provided;
- Access to personal records;
- The way someone has been treated;
- Amenities
- General complaints, including dissatisfaction with services

An academic grievance may be an expression of dissatisfaction with:

- Course assessment and the issuing of results and testamurs;
- Any other matters directly related to the delivery and or assessment of the accredited MIECAT courses.

This policy and procedure is designed to ensure that the MIECAT responds effectively to individual cases of dissatisfaction.

Before an Issue Becomes a Formal Grievance

Students (or potential students seeking to enrol in a course of study with MIECAT) are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. All MIECAT staff are available to assist in this process.

P R O C E D U R E

This procedure can be utilised by students and potential students seeking to enrol in a course of study with MIECAT.

During all stages of the Grievance Handling and Resolution Procedure MIECAT will take all steps to ensure that the complainant and the respondent will not be victimised or discriminated against.

Formal grievances must be submitted in writing to the Deputy Director. Receipt of the grievance will be acknowledged within five working days.

Stage One:

The Deputy Director, or their nominee, will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve.

Such clarification may be sought by written or verbal request or by a face-to-face meeting with the complainant. When such clarification occurs in a face-to-face meeting the complainant or respondent may ask another person to accompany them.

The Deputy Director, or their nominee, will then endeavour to resolve the grievance and provide a written report to the complainant on the steps taken to address the grievance within ten working days.

A written report of the reasons and a full explanation of decisions and actions taken during stage one of this procedure will be made available to the complainant or respondent, upon request.

Stage Two:

If the grievance remains unresolved, The Director, or their nominee, will be appointed to consult with the complainant and other relevant parties within ten working days.

Where possible such consultations should take the form of face-to-face meetings. The complainant or the respondent may ask another person to accompany them to these meetings.

Following the consultation, the Director, or their nominee, will provide a written report to the complainant advising the further steps taken to address the grievance within ten working days.

A written report of the reasons and a full explanation of decisions and actions taken during stage two of this procedure will be made available to the complainant or respondent, upon request.

Stage Three:

If the complainant remains unsatisfied with the outcome of their grievance, they may make a written request to MIECAT that they wish the matter be dealt with through an external dispute resolution process provided by the Australian Council for Private Education and Training (ACPET).

MIECAT will then advise ACPET in writing of the request within five working days. ACPET will arrange for a Round Table Discussion (RTD) to be held between MIECAT and the complainant within ten working days of the written notification from MIECAT. ACPET do not charge a fee for this service.

Contact Details for ACPET:

Australian Council for Private Education and Training (ACPET)
PO Box Q1076, QVB Post Office, Sydney NSW 1230
Ph: 1800 657 644 Fax: 02 9264 4550
Email: acpet@acpet.edu.au

If the matter remains unresolved after the RTD then ACPET will appoint an independent mediator within fourteen working days of the RTD. ACPET plays no role in the actual mediation. It is then up to the mediator, the complainant and MIECAT to resolve the grievance. MIECAT will bear any costs associated with the mediation.

The complainant or the respondent may ask another person to accompany them to meetings with ACPET or the mediator.

The mediator will report to the Director, or their nominee, the outcome of the mediation, including any recommendations arising, within fourteen days. Once the Director, or their nominee, receives the report of the outcomes from the RTD or independent mediation, they will provide a written report to the complainant within ten working days on the recommended actions to resolve the grievance.

MIECAT agrees to be bound by the independent mediator's recommendations and the Director, or their nominee, will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.

A written report of the reasons and a full explanation of decisions and actions taken arising from the external dispute resolution process will be made available to the complainant or respondent, upon request.

If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading or Consumer Affairs.

Record Keeping & Confidentiality:

Records of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the grievance appropriate access to these records, upon written request to the Office Manager. These records will be maintained at the main office, 15 Victoria Street, FITZROY 3065.

All records relating to complaints will be treated as confidential and will be covered by MIECAT's Privacy Policy.

Additional Information:

This procedure will be made available to students (or potential students seeking to enrol in a course of study with MIECAT) regardless of the location of the campus at which the grievance has arisen, the mode in which they study or their place of residence.

Nothing in this Grievance Handling and Resolution Policy and Procedure limits the rights of students (or potential students) to take action under Australia's Consumer Protection laws. 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. Also, these dispute resolution procedures do not circumscribe an individual's rights to pursue other legal remedies.

Publication:

This Policy and Procedure was agreed on and ratified by the MIECAT Executive, which is responsible for the overall academic governance of MIECAT, on February 1st, 2007.

This Policy and Procedure will be made public by publication in the Student Handbook and on MIECAT's website (www.miecat.org.au).

For the purposes of communicating to and training staff, this Policy and Procedure will form part of the induction process and will be published in the Policy and Procedures Manual.