	<h1>Student Complaints</h1>	Document Number	PR-CL007
		Old Document Number	CL-P003
		Version	3.00
		Approval Date	June-2009 by KIC Board
		Review Date	June-2010
References	Standard	Element	
	AS 9001:2000 Education & Training Requirements	8.2	
	AQTF 2007	Standard 1 & 2	
	CRICOS, 2000 Overseas Students, ONSE, EQ	4.1 Registered courses continue to meet all requirements	
	NEAS, 2005 English Language	D: Student Services	
	QNC, 2005 Nursing Education	5.0 The implementation of the course reflects the education provider's quality mechanisms for the support of courses	
	AS 9004:2000 Performance Improvement	To be reviewed	
	AS/NZS 4444.1:1999 Information Security	To be reviewed	
	AS/NZS ISO 4360-1999, 2004 Risk Management	To be reviewed	
	AS 15489.2-2002 Records Management	To be reviewed	
AS 4269-1995 Complaints Handling	To be reviewed		

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1. PURPOSE

To outline the mechanism by which students may raise legitimate complaints and the process by which resolution shall be managed.

This policy was approved by the King's International College Board of Directors on 3rd June 2009.

Policy and Procedure review date:	June 2010
Policy and Procedure last reviewed date:	June 2009
Procedure approved by:	King's International College Board of Directors
Overall Responsibility approved by KIC Board:	Mr Brendon Blakemore - General Manager & Director

2. POLICY

STATEMENT OF INTENT

Kings International College is committed to providing a work and study environment that is safe, fair and free from discrimination. The College has a responsibility under State and Federal legislation to ensure staff and students are not subjected to behaviour that may constitute unlawful discrimination, harassment, or victimisation.

An essential part of developing this environment is ensuring that students are encouraged to come forward with their complaints in the knowledge that the responsible staff will take prompt and effective action to address complaints of discrimination and harassment. Complaints that are not addressed have the potential to grow into major problems that can

cause tension, low morale and reduced learning and academic achievement. Unresolved or poorly handled complaints can also lead to legal action against the College.

This Policy is complemented by the College's Code of Conduct and the Equity Statement, which provide guidance on the standards of behaviour expected of staff and students at Kings International College.

This Policy does not limit the right of any student to seek the assistance of a relevant external agency

COVERAGE

Students of the College or those seeking to enrol in a VET Course of Study with the College are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of the College at which the grievance has arisen, the student's place of residence or the mode in which they study.

The Policy applies to all enrolled students and students who are, or would be, entitled to VET FEE-Help assistance and covers all student complaints of unlawful discrimination and harassment. A complaint may involve unlawful discrimination if it contains allegations of unfair and inequitable treatment on the basis of a person's race, ethnic and ethno-religious origin or nationality; sex or sexual preference (including transgender); marital status; status as carer; pregnancy or potential pregnancy; age; disability; religious, trade union or political affiliation. Unlawful harassment is unwelcome and offensive or intimidating behaviour, comments or images based on any of these grounds. The most common forms of harassment are racial and sexual harassment.

The complaint may be against another King's student/s or staff member/s. In certain circumstances, these Procedures may be used to deal with a complaint against a person who is not a Kings International College employee or student but who is involved in a College related activity.

These Procedures also cover the use of the College's computing and telephone facilities.

PRINCIPLES

Complaints should be treated seriously and sensitively, having due regard to procedural fairness, confidentiality and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a complaint.

Complaints should be handled quickly and as close as possible to their source. This may be modified by the nature of the complaint and the student's wishes. Students should raise concerns as early as possible after the incident/s occurred.

Wherever possible, complaints should be resolved by a process of discussion, cooperation and conciliation. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing relationships.

Both the person raising the complaint (the complainant) and the person against whom the complaint is made (the respondent) will receive appropriate information, support and assistance in resolving the complaint. Parties may bring a support person to any interview.

Students should not instigate complaints that are frivolous or malicious. All students are expected to participate in the complaint resolution process in good faith.

During all stages of the Complaints procedure King's International College will take all reasonable steps to ensure that all parties will not suffer victimisation or discrimination.

Full explanation in writing for decisions and actions taken will be provided to all parties at every stage of the complaints process, if requested.

There is no cost to the complainant for utilising this complaints procedure.

This policy is communicated and explained to staff through the King's International College Induction Manual and induction process, it is readily available to staff through the King's International College Quality Management System and any changes are communicated and explained to staff through relevant supervisors.

The Quality Manager is responsible for the training of staff in the application of the policy.

King's International College will keep appropriate records of complaints for at least five years and allow parties to the complaint appropriate access to these records.

3. SCOPE

Students of the College or those seeking to enrol in a course of study with the College are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of the College at which the grievance has arisen, the student's place of residence or the mode in which they study.

This Procedure applies to all enrolled students and persons who are, or would be, entitled to VET FEE-Help assistance and cover all student complaints and complaints from persons seeking to enrol that are entitled to VET FEE-HELP assistance.

The complaint may be against another King's student/s or staff member/s. In certain circumstances, these Procedures may be used to deal with a complaint against a person who is not a Kings International College employee or student but who is involved in a College related activity.

4. DEFINITIONS

Term	Definition
Complaint	Any act or omission, which a student believes to be unfair or discriminatory and relates to College activities.
Outcomes	Outcomes will vary from case to case depending on the nature and circumstances of each complaint. Outcomes could include: <ul style="list-style-type: none">• the complainant gaining a better understanding of the situation and no longer feeling aggrieved;• the complainant receiving a verbal or written apology;• the respondent receiving a verbal or written reprimand;• one or both parties agreeing to participate in some form of counselling ;• disciplinary action where a College policy or rule were found to have been breached, and/or where misconduct/serious misconduct or unsatisfactory performance has occurred.

Disciplinary action may also be taken where:

- a complaint is found to have been malicious or vexatious;
- a person victimises another person because of their involvement in the complaint;
- unnecessary disclosure of information (a breach of confidentiality) has occurred.

5. REGULATIONS

5.1 LEGISLATION

- Anti-Discrimination Act 1991
- Disability Services Act 1992
- Education Services for Overseas Students Act 2000
- Freedom of Information Act 1992
- Higher Education Support Act 2003 (HESA)
- Privacy Act 1988
- Privacy Regulation 2001
- Vocational Education Training and Employment Act 2000
- Vocational Education Training and Employment Regulation 2000
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Commission Act 1986
- Disability Discrimination Act 1992
- Equal Employment Opportunity for Women in the Workplace Act 1999
- Racial Hatred Act 1995
- Freedom of Information Act 1992
- Ombudsman Act 2001
- Age Discrimination Bill 2003
- Criminal Law (Rehabilitation of Offenders) Act 1986
- Workplace Relations Act 1997

5.2 ACCREDITATION ORGANISATIONS & STANDARDS

- Australian Quality Training Framework (AQTF)
- National Code of Practice for Registration Authorities and Providers of Education & Training to Overseas Students 2007
- CRICOS, Office of Non-State Schooling, Education Queensland
- Department of Education & Training (DET)
- Department of Education, Employment and Workplace Relations
- Higher Education, Office of Non-State Schooling, Education Queensland
- National English Language Training Accreditation Scheme (NEAS)
- Queensland Nursing Council (QNC)

5.3 INDUSTRY BODIES

- Queensland Communities
- Higher Education Sector Provider Partners
- Queensland Business Services Industries Training Council (Qld) Inc
- Industry Skills Councils (ISC)
- Industry Associations
- Vocational Education and Training Sector Provider Partners.

6. PROCEDURE

(Process Begins)

Step 1

Before initiating the complaint procedures, the complainant should try to resolve any complaint directly with the person/s concerned. If this is not possible or appropriate, the complainant should proceed to Step 2 of these Procedures.

Note: the student has the right to refer their complaint to an external source at any time
(Step 4)

Step 2 - Talk to the Training Operations Manager

Where the students have been unable to resolve the complaint themselves, they should take the matter up with the College Training Operations Manager. Where the complaint involves that person, the student should **Go to Step 3**.

The Training Operations Manager shall address the complaint with a view to resolving it expeditiously, normally within 10 days of receiving the complaint. This would usually involve the Training Operations Manager:

- carefully listening to the student's concerns and their desired outcomes;
- providing the student with a copy of this document, explaining the complaint procedures and the range of options open to them;
- In a particularly sensitive case the Training Operations Manager education may wish to ask an independent person(s) to attend the interview with the student;
- keeping all those involved informed about the progress of the matter; and
- monitoring the situation during and after the resolution process.

In any action taken the Training Operations Manager should ensure procedural fairness for all parties involved, which would normally include such steps as fully informing the respondent of the allegations made against them and providing them with an opportunity to respond.

If the student is unable to resolve their complaint through discussions with the Training Operations Manager then **Go to Step 3**.

At the end of their direct involvement with the matter, the Training Operations Manager should make appropriate file notes on the complaint resolution process and outcomes, which should be stored in a separate and confidential complaint file. **(Go to End Process)**

Step 3 - Referral to the General Manager & Director

If the complainant believes the complaint has not been resolved to their satisfaction during Step 2, they can refer the matter to the College General Manager & Director, or a nominee. The General Manager & Director may require the student to put the complaint in writing. The General Manager & Director should consult any relevant independent party

before taking any action and would then normally try to resolve the matter within three weeks of receiving the complaint, following similar processes outlined in Step 2. If the matter remains unresolved. **(Go to Step 4)**

After giving due consideration to the complaint the General Manager & Director may do one or more of the following.

If the respondent is a member of staff:

a) If the complaint is not clearly within the scope of the College's provisions for misconduct/serious misconduct or unsatisfactory performance for students and general staff, the General Manager & Director may:

- refer the complaint back to the relevant supervisor or to a nominee, with advice, for resolution; or
- Initiate an investigation into the matter. This may involve referring the complaint to the Independent party for further investigation and advice; or
- seek to resolve the matter directly; or

b) if the complaint is against an member of staff and falls within the scope of the College's provisions for staff misconduct/serious misconduct or unsatisfactory performance, follow the appropriate disciplinary procedures; or

c) if necessary, contact an appropriate outside agency.

If the respondent is a student:

a) Refer the complaint back to the relevant supervisor or to a nominee, with advice, for resolution; or

b) Initiate an investigation into the matter. This may involve referring the complaint to the Registrar and/or Independent party for further investigation and advice; or

c) seek to resolve the matter directly; or

d) if the complaint falls within the College's provisions for student misconduct, refer the matter to the Training Operations Manager for appropriate action; or

e) if necessary, contact an appropriate outside agency.

Step 4 - Referral to External Source

There is an external complaints process available to students if they have exhausted the above procedures and the complaint remains unresolved, or is felt to be of such a serious nature that it cannot be resolved without investigation, it may be referred to the relevant external body. This service is offered by;

Australian Council for Private Education and Training
The Australian Institute of Welfare and Community Workers Inc (for Welfare Students)

The complaint may be referred by the student, the Operations Supervisor, and the General Manager & Director or by an independent party.

The student should lodge a **written appeal** to the General Manager & Director within 14 days of receiving notice of the outcome of the internal grievance process. All costs for this process will be covered by King's International College. Students may also seek legal redress through the usual court processes if they feel unsatisfied.

The student's enrolment will be maintained during the ongoing complaint procedure.

The outcome of the external process will be adhered to by King's International College, who will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Step 5 – Recording Complaints

Such records will be strictly confidential and kept in a separate file (not kept in the student or staff file). The General Manager & Director is responsible to maintain the record of complaints and they will be stored in the General Manager & Director's Office for 5 years.

Parties to the complaint will be allowed appropriate access to these records.

a) All complaints are also to be recorded in the Complaints register, the following information of the complaint is to be recorded in the register:

Date of Complaint

Name of person with Complaint (Followed by ST for Student and EM for Employee)

Details of the complaint

The complaint outcome

Date the complainant was notified of the complaint outcome in writing

(Process Ends)

ADVICE AND INFORMATION

The following areas of the College can be contacted for advice and information:

- Student Counselling Service
- Student Services

Full explanation in writing for decisions and actions taken will be provided to all parties at every stage of the complaints process, if requested.

MONITORING AND EVALUATION

The operation of these Procedures will be monitored and a review carried out at the end of 12 months. The Training Operations Manager will be responsible for initiating the review.

Students should be aware:

1. he/she may nominate a support person to accompany him/her at any stage of the dispute resolution process
2. if it is not possible to resolve the dispute internally, via the process above, the College will arrange for independent mediation to resolve the dispute. Independent mediation is available through:

- the Dispute Resolution Branch, Department of Justice and Attorney-General. There are six free of charge Dispute Resolution Centres throughout Queensland, the Brisbane Centre contact details are:

Level 1 Brisbane Magistrates Court

363 George Street, Brisbane QLD. 4000.

Telephone: +61-7-3239 6269, Toll Free: 1800 017 288 (If outside Brisbane)

Facsimile: +61-7-3239 6284

Website: www.justice.qld.gov.au/mediation/contacts.htm

- Australian Council for Private Education and Training
Lennons Commercial Tower,
Level 26, 76 Queen Street, Brisbane Qld 4000
Telephone: +61-7-3210 1628; Facsimile: +61-7-3210 6347
Website: www.acpet.edu.au
- The Australian Institute of Welfare and Community Workers Inc (for Welfare Students)
PO Box 3258, Victoria Point West Qld 4165
03 9654 8287
Website: www.aiwcw.org.au

3. A student may contact the Chief Executive Officer, Non-State Education (Department of Education, Training and the Arts) if the student is concerned about the conduct of the registered provider:

The Manager, CRICOS Registration, Office of Non-State Education

QLD Department of Education, Training and the Arts,

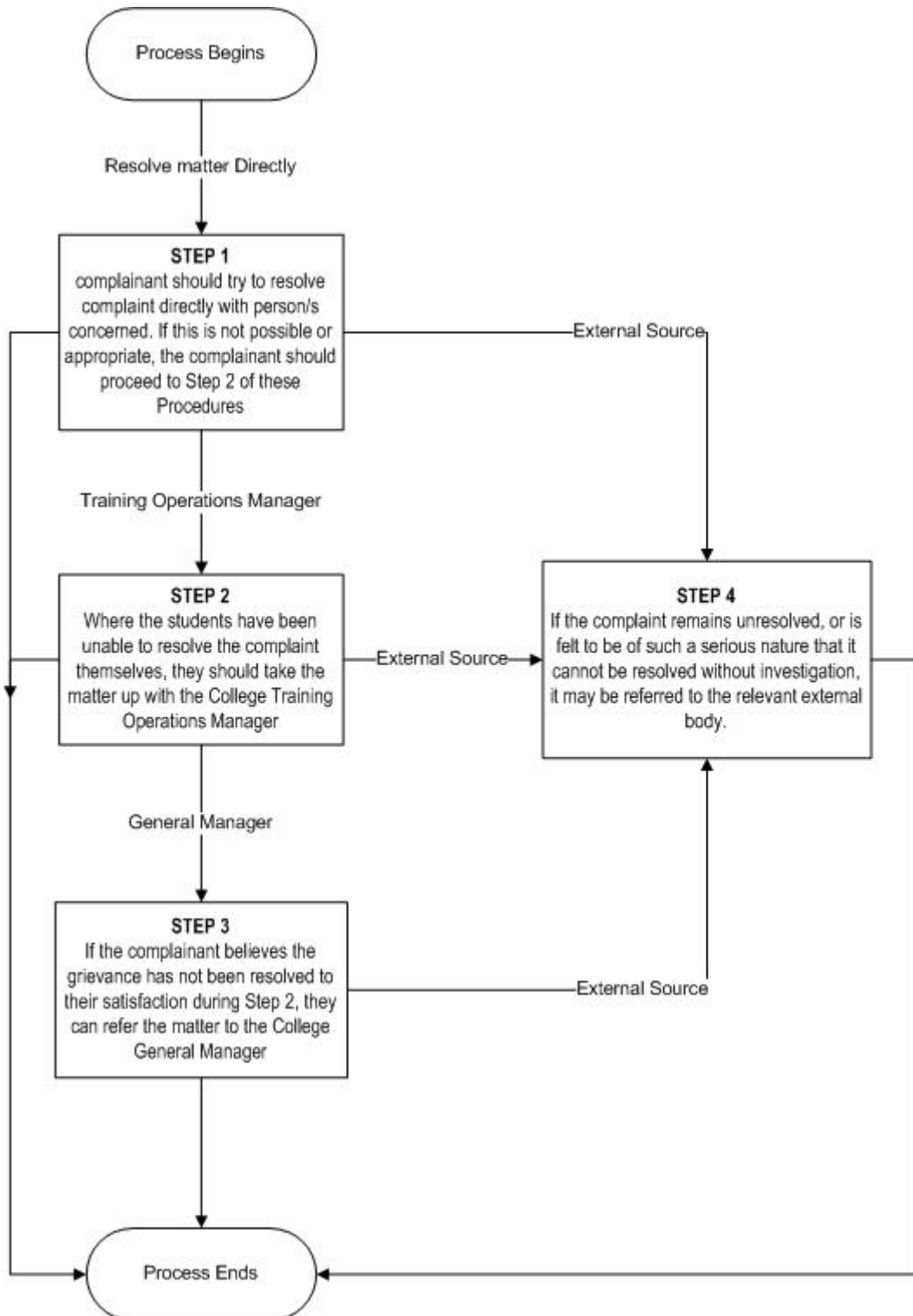
PO Box 15033

CITY EAST QLD 4002

Phone: (07) 3237 1883 Fax (07) 3237 0004

4. The Chief Executive may, under part 2, division 2 of the Education (Overseas Students) Act 1996, suspend or cancel the registration of a course provider or course; and
5. Nothing in the College's Student Complaints Policy negates the right for any student to pursue other legal remedies.

6.1 PROCEDURE FLOWCHART OVERVIEW



6.2 PROCEDURE FLOWCHART NOTES

Nil

7. DOCUMENTATION

Document Number	Document Title	Documentation Responsibility	File Location
RE-CL002	Student complaint Register	TOM	K:\Kic Quality Management System\2005-9\Registers Manual\

8. Publication

The complaints procedure will be publicly available on the KIC website www.education.kings.net.au and through the student information handbook.

Staff induction includes information on the college complaints procedure.