



STUDENT & CLIENT GRIEVANCE POLICY

Authorised By:	Board of Governors	Revision: 2.0
Last Amendment Date:	Revision Date: 09 Jul 2021	
Review Due Date:	Next Review: 09 Oct 2023	
Related Documents:		
Responsible Officer:	Registrar	
Review:	Board of Governors	

Any person who requires assistance in understanding any aspect of this document should contact the Responsible Officer

1. Overview

Tabor believes that all students must be able to study in an environment free of discrimination, victimisation, harassment, bullying, violence and vilification. It considers that these behaviours are unacceptable and they are not to be tolerated under any circumstances. This policy and associated procedures also express Tabor's commitment to provide clear, accessible, transparent and just processes through which students can seek resolution of grievances.

Tabor operates as a Registered Training Organisation under the [National Vocational Education and Training Regulator Act 2011](#) and as a Higher Education Provider registered under the [Tertiary Education Quality and Standards Agency Act 2011](#) and the Commonwealth [Higher Education Support Act 2003](#). In doing so, Tabor seeks at all times to comply with this legislation and other legislation identified in the [Index – Legislation and Regulatory Authorities relevant to Tabor](#)

2. Scope and Applications

- 2.1. This policy applies to Tabor stakeholders including current or recent students of Tabor or any person applying to Tabor for admission, enrolment or a scholarship who has a complaint about a decision, service, facility or process provided by Tabor while they are or were undertaking, or applying for admission or enrolment or for a scholarship in a Tabor program or course. This policy also applies to clients or services users of Tabor's programs.
- 2.2. This policy does not affect or limit the rights of an individual under State and Federal law to pursue a complaint through an external agency.

3. Policy Principles

- 3.1. Tabor is committed to the principles of justice, equity and diversity. It, therefore, seeks to ensure that all students are treated fairly, justly and without discrimination.
- 3.2. The underlying principles of the Grievance Policy and procedures are:

- Procedural fairness: Complaints and grievances are handled according to the principles of procedural fairness.
- Accessibility, transparency, timely manner, accountability: The processes for handling complaints and appeals must be easily accessible, transparent in operation and outcomes, and capable of resolving complaints and appeals in a timely manner with clear deadlines for each stage of resolution. Reasons for each decision must be provided to all parties.
- Confidentiality: In keeping with Tabor's [Privacy Policy](#) all information provided in the complaints process is strictly confidential and can be used only for the purposes for which it was collected, unless:
 - The express consent of the individual(s) concerned is obtained; *or*
 - Tabor has reasonable grounds for believing that the use of the information will reduce a threat to the life or health of any person; *or*
 - The use is specifically required by law.
- Equity: Complaints are dealt with in an equitable and culturally sensitive manner, and are judged strictly on their merits.
- Support: Complainants and respondents are entitled to have a support person present at any stage of the grievance process.

4. Procedures

4.1 Informal Complaint

- Students and stakeholders are strongly encouraged, in the first instance, to attempt to resolve issues directly through informal discussion with the relevant staff person. You may wish to seek advice from the Dean of Faculty or another staff member to facilitate this.
- If an informal discussion fails to provide sufficient resolution of the issue you should express your grievance formally, as described at 4.2

4.2 Formal Grievance

- Formal grievances should be made in writing to the responsible officer as indicated in Appendix 2 of the Student Handbook, or submitted via Tabor's [online grievance form](#).
- The responsible officer will ensure that the process of assessing the grievance commences within 10 working days of receipt of the written grievance and that it is completed within a reasonable timeframe.
- The responsible officer will ensure that all parties are made aware of their rights and obligations under the process and of the nature of the process.
- If the issue involves a threat to the student's enrolment the responsible officer will ensure that the student's enrolment is maintained through the complaints and appeal process. Note that this does not imply that the student will have the right to attend classes or other College activities.
- If the grievance is of a personal nature the responsible officer may at any stage of the proceedings invite the parties to undertake conciliation under the direction of a neutral counsellor.
- The responsible officer will make a determination regarding the issue.

- The responsible officer will ensure that both the complainant and the respondent receive a written response indicating the determination and the reasons for the decisions taken.
- The responsible officer will implement immediately any decision and/or corrective and preventive action identified.
- Faculty Deans are required to report on all formal grievances and their outcomes on an annual basis to the Academic Board via the Academic Director.

4.3 Review of Decisions Regarding FEE-Help and HECS-Help fees

- Students may apply to Tabor to have their FEE-HELP or HECS-HELP fees re-credited under exceptional circumstances such as those described in Tabor's [Student Fees Policy](#).
- If a student is not satisfied with the initial decision made by Tabor he or she can apply for a review of that decision. Request for review should be made in writing to the Chief Operating Officer, within 14 days of the initial decision.
- Students may appeal the outcome of this review by contacting the Administrative Appeals Tribunal (AAT) (see Appendix 2 in the Student Handbook for contact details).

4.4 Internal Appeals Against Formal Complaint Decisions – Determination by an Appeals Committee

- All complainants who have followed the procedures detailed above have the right to appeal the outcome of the process.
- If you are dissatisfied with the outcome of a complaint and desire to appeal against the outcome, you must submit to the President a written application for reconsideration of the decision made.
- The application must be received within 20 working days of the official notice of the outcome of the original decision regarding the complaint, and must detail the grounds on which the appeal is being made.
- Applicants will be advised in writing that no adverse action will be taken against them until the internal appeal process has been determined. Where an aggrieved party chooses to seek further avenues of appeal, no adverse action will be taken against them until the outcome of the external review has been determined.
- The appeal will be assessed by an Appeals Committee of three senior staff members nominated by the President. The Committee will be chaired by the President or a delegated senior officer. One other member of the Committee will be nominated by the Chair to record proceedings. The President will ensure that no member of the Committee has personal or other interest which may be prejudicial to the matter under review.
- The Appeals Committee will make a determination on the matter. The appeal will be handled in the same manner and according to the same timeframes as a formal complaint. The Chair will be the responsible officer. The decision of the Committee shall be final within the College.
- Tabor will implement immediately any decision and/or corrective and preventive action determined by the Appeals Committee.
- Appellants who remain dissatisfied may request an external review as described below.

4.5 Independent External Review / Appeal

All complainants have the right to access independent external review / appeals processes. The responsible officer will ensure students are informed of the following avenues of appeal:

- For domestic students Tabor has arranged for external reviewers to be appointed by Independent Higher Education Australia (IHEA). The written request must be received by IHEA within 14 days of receipt of official notice of the outcome of the internal review. On receipt of a written request from a complainant for external review of the decision, the Executive Officer of IHEA will arrange the appointment of an independent external reviewer and will assist the complainant in making contact with them. The written request can be emailed to IHEA at contact@iheau.edu.au
- For overseas students, the Overseas Students Ombudsman at www.oso.gov.au or phone 1300 362 072, 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.
- Further avenues of complaint/appeal (grouped by the nature of the complaint), may be accessed through:

For Academic or Administrative Matters

Higher Education students contact TEQSA at www.teqsa.gov.au

For Commonwealth Support, Defaults, Refunds

Department of Education at www.education.gov.au

For matters relating to community service provision

Psychotherapy and Counselling Federation of Australia – www.pacfa.org.au

Health and Community Services Complaints Commissioner - www.hcscs.sa.gov.au

The Administrative Appeals Tribunal

Certain decisions taken by Commonwealth Departments may be reviewable by the Administrative Appeals Tribunal (AAT). Information and contact details for the AAT, application procedures and application fees can be found at www.aat.gov.au.

Application must normally be made within 28 days of receipt of the Department's decision.

- Tabor will implement immediately any decision and/or corrective and preventive action required by the external reviewer

5. Definitions

See [Global Definitions](#)

6. Communication / Training

- 6.1. This policy statement will be available to all staff, volunteers, students and persons seeking to enrol as students at Tabor. The policy will be made available on the Tabor website (<http://tabor.edu.au/>).
- 6.2. All staff will be expected to comply with this policy and associated procedures in relation to all aspects of Tabor's operations.
- 6.3. Staff with designated special responsibilities will be given appropriate training, guidelines and professional development opportunities in relation to their roles and responsibilities.