

## The Cairnmillar Institute School of Psychology, Counselling and Psychotherapy

# Student Grievance Procedures

**CRICOS Provider No: 02781E**

The Cairnmillar Institute is committed to implementing effective grievance procedures that, where possible, are managed quickly at the local level and with a minimum number of people involved. The resolution process focuses on a rapid re-establishment of good working relationships and positive outcomes.

### The following principles apply:

- A grievance is owned by a complainant who has the right to withdraw the complaint at any stage and choose to alter the process of resolution (for instance, formal to informal). The police may be contacted in cases of possible criminal behaviour.
- Action is commenced within two weeks of a formal complaint being made.
- All parties have a right to confidentiality and privacy, subject to necessary legal requirements.
- All students and staff are informed of the grievance procedures.
- If the grievance fits within equal opportunity legislation, it is managed under the relevant guidelines.
- Impartial mediation by a trained mediator is available if needed.
- Information relevant to the grievance is provided to staff and students involved in a complaint.
- Natural justice principles are applied to ensure procedural fairness.
- Referral to an appropriate independent person to assist the effective and rapid resolution of any grievance is available if required.
- Students and staff are protected from victimisation.
- The focus for the resolution is on issues, rather than individuals.
- This policy, which is detailed below is widely disseminated to students at orientation, in marketing material and on the Institute's web site.



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# Grievance Procedures: Non-Academic Matters

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## Approval

This policy was approved by the Governing Council of The Cairnmillar Institute on 16th August, 2006.

## Purpose

To provide a procedure which enables enrolled students and students seeking to enrol to pursue grievances that are not covered by other, specific policies and procedures.

### **The policy endeavours to establish procedures through which:**

- All parties have access to clearly defined processes designed to facilitate resolution of grievances
- Grievances are addressed in a timely and equitable manner
- The principles of natural justice are observed in the conduct of proceedings to which this policy relates

### **The policy also endeavours to establish a framework within which members of the Cairnmillar community are encouraged to:**

- Resolve issues as close to source as possible
- Undertake appropriate actions to address systemic or underlying causes with a view to preventing problems from occurring or recurring.

### **Natural Justice requires that:**

- The person affected by a disputed matter be given the right to present his/her case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used; and
- Members of the decision making body be free of bias and perceived bias or other personal interest in the outcome

### **The policy ensures that the following is strictly adhered to:**

- **Victimisation:** Cairnmillar will observe that the grievance policy does not victimise against any complainant or respondent.
- **Discrimination:** Cairnmillar will strictly observe that the grievance policy does not discriminate against any complainant or respondent.
- **Third party assistance:** Complainant and or respondent may be accompanied and assisted by a third party (such as a family member, friend, counsellor or other professional support person) if desired at any stage of the grievance resolution procedure.
- **Communication with the complainant and or respondent:** At all stages of the process, if so requested by the complainant and/or respondent, Cairnmillar will give reasons and a full explanation in writing for decisions and actions taken as part of the procedures.

Cairnmillar will provide support and advice to students and prospective students who require assistance beyond that provided by the Institute itself.

- Cairnmillar maintains the student's enrolment while the complaints and appeals process is ongoing.

## Scope

This procedure applies to any non-academic aspect of a student's experience at Cairnmillar.

**This procedure covers, but is not limited to, grievances which may arise as a result of:**

- Payment of fees;
- Student charges;
- Enrolment;
- Course transfer;
- Minimum course component;
- Graduation;
- Time limits for completing rationalised/discontinued/modified courses; and,
- Interaction with institute staff; and
- Personal information

## Student

For the purposes of this procedure a student is a person who is enrolled or is seeking to enrol in any course/subject/module/competency offered by Cairnmillar, regardless of the location at which the grievance has arisen, the student's place of residence or the mode of study. The term 'student' in these procedures can also refer to a group of students.

## Head of Unit

Head of School, School Registrar, or their equivalent/s.

## Grievance

A complaint presented by an individual, or a group, based on the opinion of that individual or group that he/she or they are, or have been, receiving unfair treatment.

## Grievance Procedure

A prescribed set of processes to be followed when a grievance is presented.

## Publication

A copy of these procedures will be provided to all staff and students as part of staff/student induction and orientation programs and will be made publicly available on the Institute's website [www.cairnmillar.edu.au](http://www.cairnmillar.edu.au) and in staff and student information handbooks.

## Staff Training

All staff will be informed of and trained in the application of this policy as part of ongoing staff training programs including induction and orientation programs.

## Fees/Costs

There are no costs imposed on students by Cairnmillar for lodging or participating in grievance procedure activities conducted either internally or through Cairnmillar's nominated external review process.

# Grievance Procedures

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## 1. Actions which give rise to a grievance

A grievance arises when a student has no other avenue of redress available to him or her under the procedures of the Institute for what he/she considers to be unfair treatment.

## 2. Resolving a Grievance

### 2.1 Informal Resolution

2.1.1 In the first instance, the student should normally discuss the grievance informally with the relevant staff member who should try to resolve it. Where it appears that the grievance should be dealt with under another Cairnmillar policy the staff member shall immediately refer the student to the appropriate policy. Where a student is unable to make contact with or is reluctant to approach the relevant staff member, the student may then raise the matter with the Head of Student Services.

2.1.2 Students have up to ten (10) working days to initiate the informal review process, from the date of the occurrence which gives rise to the grievance or the date the circumstances giving rise to the grievance are brought to the student's notice/the student becomes aware of the circumstances giving rise to the grievance.

2.1.3 During the informal process, the staff member/Head of Student Services (as the case may be) may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the student, and may also include, but is not limited to:

- Reviewing the student's records; and/or
- Discussing the matter with other members of staff; and/or
- Allowing the student to re-submit documentation where the staff member has reason to believe that the student had valid grounds for misunderstanding relevant requirements.

2.1.4 The informal resolution process must be completed within ten (10) working days from the date on which the student contacted the relevant staff member of the unit. The Head of Student Services may grant an extension not exceeding five (5) working days if it seems likely that the matter will be resolved in that time.

- 2.1.5 The student will be advised in writing within two (2) working days of the conclusion of the informal resolution process (by Express Post notice to the student's semester address and by email (where the student has provided his/her email address) of:
- The outcome of the informal resolution process;
  - The availability of support services at Cairnmillar; and
  - The appeals mechanism.

### 3. Formal Resolution

- 3.1 If a student is not satisfied with the outcome of the informal resolution process, he/she may submit a formal grievance in writing to the Head of School. This request must be submitted within five (5) working days of the date of notification of the outcome of the informal resolution process.

**The student's letter shall:**

- State the reason/s for the grievance;
- Detail the outcome of the informal resolution process;
- Include any specific issues which the student wishes to present to the Head of School;
- Where relevant, attach copies of documentary evidence.

- 3.1.1 The Head of School will consider the formal grievance by:

- Reviewing the student's letter and the outcomes of the informal resolution process;
- Verifying that all appropriate procedures have been correctly carried out;
- Seeking additional information from appropriate staff concerning the subject of the grievance;
- Discussing the matter directly with the student;
- Undertaking other action as appropriate.

- 3.1.2 After consideration of all of the available evidence, the Head of School may decide to:

- (a) Dismiss the grievance; or
- (b) Uphold the grievance and direct that:
- Reparation as appropriate be made to the student; *and/or*
  - Where relevant, the student's enrolment status be restored; *and/or*
  - Where relevant, that administration systems, policies or procedures be reviewed;
  - Appropriate actions to address systemic or underlying causes (*if any*) be undertaken, with a view to preventing problems from occurring or recurring; *and/or*
  - Other actions as appropriate.

- 3.1.3 The student will be informed of the outcome in writing within ten (10) working days of submission of the formal grievance as identified by the date of receipt of the student's letter [See 4.1]

- 3.1.4 If the Head of School and all suitable nominees have already been involved in the process, or have some other conflict of interest, the Executive Director will appoint another person to investigate the formal grievance.

## 4. Appeals

### 4.1 Grievance Appeals

A student has the right of appeal to the Grievance Appeals Committee from a decision of the Head of School

**Appeal on one or more of the following grounds:**

- That the case was not heard on its merits;
- That the student is able to provide new evidence which could not reasonably have been provided at the time of the Head of School investigation;
- That a procedural irregularity has occurred in the hearing of the grievance during the investigation by the Head of School.

**0.0.1 A student who wishes to appeal against a decision of the Head of School shall:**

- Lodge the appeal with the office of the Executive Director;
- Lodge the appeal in the format shown below;
- Lodge the appeal within five (5) working days of receipt of written notification of the decision of the Head of School.

**0.0.2 The written appeal must:**

- State the grounds on which the appeal is made, in accordance with section 4.1 of this policy;
- Detail and, where appropriate, provide evidence relevant to the grounds for appeal. A copy of documentary evidence referred to in the letter of appeal must be attached. (Failure to present evidence referred to in the letter of appeal will be taken into account by the Grievance Appeals Committee.)

**0.0.3 Upon lodgement of the written appeal, the Executive Director will:**

- Check that the written appeal substantially complies with the format required in section 4.4;
- Check that, where reference is made to supporting documentation, a copy of the documentation is attached;
- Check that the student has included a description of the relevant evidence in relation to the grounds for appeal to the Grievance Appeals Committee; and
- If applicable, consider the reasons provided for the late lodgement of an appeal and determine whether or not these are such as to warrant the appeal proceeding.

Where, in the opinion of the Executive Director, the appeal does not comply with one or more of these criteria the Executive Director can return the documentation to the student with a request for compliance.

## 5. Format of Appeal Letter

The Executive Director  
The Cairnmillar Institute  
School of Psychology, Counselling and Psychotherapy  
993 Burke Road  
Camberwell VIC 3124

I hereby lodge an appeal pursuant to the decision of the Head of School advised to me by *(insert date of notification)*.

The grounds of my appeal is/are: *(insert ground(s) as appropriate)*

In support of this appeal, I submit the following information for consideration by the Grievance Appeals Committee.

*(include summary of all relevant information or material here)*

*Student Signature*

**Date:**

**Family Name:**

**Given Name:**

**Student ID: *(where relevant)***

**Address for notices:**

**Contact telephone:**

**Email address:**

## 6. Grievance Appeals Committee

Once the appeal has been accepted the Request for Appeal must be forwarded to the Grievance Appeals Committee.

### 6.1 The composition of the Committee shall be:

- a) The Executive Director or nominee, who shall be Chair of the Committee;
- b) One independent staff member;
- c) One independent Student representative;
- d) Where a member of staff is required to attend an appeals hearing, a representative of the staff may be invited to attend the meeting of the Committee in an advisory capacity.

*Both genders will normally be represented.*

In allocating appeals to the Committee, the Executive Director shall select a Committee Chair and a staff member who are from an area other than that in which the student is concerned.

#### 6.1.1 The School Registrar or nominee shall attend and act as Secretary to the Committee and shall:

- Collate all documents relevant to the appeal hearing (including the “Grievance Form” referred to in section 3) and disseminate to all parties;
- Establish a date, time and place for the appeal hearing and advise all parties in accordance with section 2.5.3;
- Maintain a record of the proceedings of the appeal hearing and the decision(s) taken;
- Advise the Executive Director of the outcome of the appeal immediately after the proceedings have concluded;
- Draft the letter advising the student of the outcome of the appeal for the Chair’s approval prior to obtaining the Executive Director’s signature; and
- Ensure that a copy of all documentation is maintained on the official file in the Record Management System.

6.1.2 Where an appeal has been forwarded to the Grievance Appeals Committee, a meeting of the Committee shall be convened within 15 working days of lodgement of the letter of appeal. All participants shall be given at least 5 days notification in writing of the time, date and place at which the appeal is to be heard. Notification will be forwarded to the student via express mail to his/her semester address.

6.1.3 The hearing shall be held in camera. The Committee shall regulate its own proceedings. The Committee may call before it any witnesses to provide additional evidence.

6.1.4 The student shall be given the opportunity to appear in person before the Committee and to call witnesses. An advocate, who is not a member of the Committee and is not a legal practitioner, may represent the student.

6.1.5 The student must be given the opportunity to hear and examine the evidence of all witnesses called before the Committee.

6.1.6 The Committee must hear the matter on its merits, taking account of all of the circumstances of the case.

## 7. Decision of the Committee

7.1 After consideration of all of the available evidence, the Committee shall reach its decision by consensus or, if a consensus cannot be reached, by a majority vote, of the members. In the event that the Committee consists of four (4) members (see section 4.2.1 (d)), the Chair shall have a casting vote. Otherwise, Committee members shall have equal voting rights. The Secretary does not have voting rights.

7.1.1 The Committee may:

- a) Confirm the decision against which the student has lodged his/her appeal;
- b) Uphold the appeal and/or c) and/or d) and/or e) as applicable
- c) Modify the directions of the Head of School
- d) Direct that appropriate actions to address systemic or underlying causes (if any) with a view to preventing problems from occurring or recurring be undertaken;
- e) Refer the matter to an external mediator and/or
- f) Take other action as appropriate.

7.1.2 The Secretary will then:

- a) Document the decision and reasons for the decision;
- b) Contact the Executive Director as soon as the decision has been made to brief him/her of the outcome;
- c) After briefing the Executive Director, draft the written communication for the Chair's approval prior to obtaining the signature of the Executive Director;
- d) Send the signed communication (which shall include the reasons for the decision) to the student by express post within five (5) working days of the Committee's decision being made;
- e) Provide copies of the decision to other appropriate parties;
- f) Update the Records management file as required.

7.1.3 There is no further appeal against the decision of the Grievance Appeals Committee to any other officer or body within the Institute.

7.1.4 The third stage of the process at which a complaint is addressed is as follows:  
If not satisfied with a decision of the Grievance Appeals Committee's decision, the complainant may request Cairnmillar to have the matter be dealt with by:

## DOMESTIC STUDENTS

The Australian Council of Private Education and Training  
Suite 101, Level 1, 126 Wellington Parade  
East Melbourne, Victoria 3002  
Tel: (03) 9416 1355  
Fax: (03) 9416 1895  
Email: [vic@acpet.edu.au](mailto:vic@acpet.edu.au)

Cairnmillar accepts selection by students/nominees of only those mediators included in the panel maintained in the relevant ACPET State Office. Students must lodge appeals via email and will be required to complete the revised appeals form which includes payment details.

The form is available from the website.

[http://www.acpet.edu.au/index.php?option=com\\_content&task=view&id=4947&Itemid=348](http://www.acpet.edu.au/index.php?option=com_content&task=view&id=4947&Itemid=348)

### **Students should not phone or go into the ACPET office under any circumstances**

Students Contact: [Students.appeals@acpet.edu.au](mailto:Students.appeals@acpet.edu.au)

Complaints will be dealt with by ACPET within 30 days of receipt of the request for external mediation.

If ACPET makes recommendations in relation to a grievance they have reviewed, ACPET will forward those recommendations to the Executive Director of Cairnmillar.

The Executive Director of Cairnmillar will ensure that the recommendations of ACPET are implemented within 30 days.

## INTERNATIONAL STUDENTS

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](http://www.oso.gov.au) or phone 1300 362 072 for more information.

## 8. Record Keeping

- Records of all grievances and applications for review of decisions must be kept and be accessible to all interested parties for a minimum period of five years. Such records will remain confidential.
- Records of grievances and their outcomes will be kept strictly confidential and filed in a separate file (not kept in the student or staff file) and stored in the office of the Executive Director for a minimum period of five years. Parties to the complaint will be allowed supervised access to these records.

# Grievance Procedures: Academic Matters

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## Approval

This policy was approved by the Governing Council of The Cairnmillar Institute on 16th August, 2006.

## Purpose

To provide a procedure which enables enrolled students and students seeking to enrol to pursue grievances that are not covered by other, specific policies and procedures.

### **The policy endeavours to establish procedures through which:**

- All parties have access to clearly defined processes designed to facilitate resolution of grievances
- Grievances are addressed in a timely and equitable manner
- The principles of natural justice are observed in the conduct of proceedings to which this policy relates

### **The policy also endeavours to establish a framework within which members of the Cairnmillar community are encouraged to:**

- Resolve issues as close to source as possible
- Undertake appropriate actions to address systemic or underlying causes with a view to preventing problems from occurring or recurring

### **Natural Justice requires that:**

- The person affected by a disputed matter be given the right to present his/her case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used; and
- Members of the decision making body be free of bias and perceived bias or other personal interest in the outcome

## Scope

This procedure applies to any non-academic aspect of a student's experience at Cairnmillar.

### **This procedure covers, but is not limited to, grievances which may arise as a result of:**

- Assessment and examinations;
- Student discipline;
- Network discipline;
- Credit transfer;
- Recognition of prior learning;
- Class timetables; and
- Other academic related matters

## Student

A person who is enrolled in any course/subject/module/competency offered by Cairnmillar, regardless of the location of the campus at which the grievance has arisen, the student's place of residence or the mode of study. The term 'student' in these procedures can also refer to a group of students.

## Head of Unit

Head of School, School Registrar, or their equivalent/s.

## Grievance

A complaint presented by an individual, or a group, based on the opinion of that individual or group that he/she or they are, or have been, receiving unfair treatment.

### **Grievance Procedure**

A prescribed set of processes to be followed when a grievance is presented.

## Publication

A copy of these procedures will be provided to all staff and students as part of staff/student induction and orientation programs and will be made publicly available on the Institute's website [www.cairnmillar.org.au](http://www.cairnmillar.org.au) and in staff and student information handbooks.

Induction/Orientation – these procedures will form part of academic staff/student induction and orientation programs

# Grievance Procedures

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## 1. Actions which give rise to a grievance

A grievance arises when a student has no other avenue of redress available to him or her under the procedures of the Institute for what he/she considers to be unfair treatment.

## 2. Resolving a grievance

### 2.1 Informal Resolution

- 2.1.1 In the first instance, the student should normally discuss the grievance informally with the relevant staff member who should try to resolve it. Where it appears that the grievance should be dealt with under another Cairnmillar policy the staff member shall immediately refer the student to the appropriate policy. Where a student is unable to make contact with or is reluctant to approach the relevant staff member, the student may then raise the matter with a relevant staff member.
- 2.1.2 Students have up to ten (10) working days to initiate the informal review process, from the date of the occurrence which gives rise to the grievance or the date the circumstances giving rise to the grievance are brought to the student's notice/the student becomes aware of the circumstances giving rise to the grievance.
- 2.1.3 During the informal process, the relevant staff member may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the student, and may also include, but is not limited to:
- Reviewing the student's records; and/or
  - Discussing the matter with other members of staff; and/or
  - Allowing the student to re-submit documentation where the staff member has reason to believe that the student had valid grounds for misunderstanding relevant requirements.
- 2.1.4 The informal resolution process must be completed within ten (10) working days from the date on which the student contacted the relevant staff member. The relevant staff member may grant an extension not exceeding five (5) working days if it seems likely that the matter will be resolved in that time.
- 2.1.5 The student will be advised in writing within two (2) working days of the conclusion of the informal resolution process (by Express Post notice to the student's semester address and by email (where the student has provided his/her email address) of:
- The outcome of the informal resolution process;
  - The availability of support services at Cairnmillar; and
  - The appeals mechanism.

### 3. Formal Resolution

3.1 If a student is not satisfied with the outcome of the informal resolution process, he/she may submit a formal grievance in writing to the Head of School. This request must be submitted within five (5) working days of the date of notification of the outcome of the informal resolution process.

**3.1.1 The student's letter shall:**

- State the reason/s for the grievance;
- Detail the outcome of the informal resolution process;
- Include any specific issues which the student wishes to present to the Head of School;
- Where relevant, attach copies of documentary evidence.

**3.1.2 The Head of School will consider the formal grievance by:**

- Reviewing the student's letter and the outcomes of the informal resolution process;
- Verifying that all appropriate procedures have been correctly carried out;
- Seeking additional information from appropriate staff concerning the subject of the grievance;
- Discussing the matter directly with the student;
- Undertaking other action as appropriate.

**3.1.3 After consideration of all of the available evidence, the Head of School may decide to:**

- (a) Dismiss the grievance; or
- (b) Uphold the grievance and direct that:
  - Reparation as appropriate be made to the student; *and/or*
  - Where relevant, the student's enrolment status be restored; *and/or*
  - Where relevant, that administration systems, policies or procedures be reviewed;
  - Appropriate actions to address systemic or underlying causes (*if any*) be undertaken, with a view to preventing problems from occurring or recurring; *and/or*
  - Other actions as appropriate.
- (c) Where appropriate grant the student an opportunity for re-assessment.

3.1.4 The student will be informed of the outcome in writing within ten (10) working days of submission of the formal grievance as identified by the date of receipt of the student's letter. [See 4.1]

3.1.5 If the Head of School and all suitable nominees have already been involved in the process, or have some other conflict of interest, the Executive Director will appoint another person to investigate the formal grievance.

## 4. Appeals

### 4.1 Grievance Appeals

A student has the right of appeal to the Curriculum Standards and Development Committee from a decision by the Head of School.

**Appeal on one or more of the following grounds:**

- That the case was not heard on its merits;
- That the student is able to provide new evidence which could not reasonably have been provided at the time of the Head of School investigation;
- That a procedural irregularity has occurred in the hearing of the grievance during the investigation by the Head of School.

#### 4.1.1 A student who wishes to appeal against a decision of the Head of School shall:

- Lodge the appeal with the office of the Executive Director;
- Lodge the appeal in the format shown below;
- Lodge the appeal within five (5) working days of receipt of written notification of the decision of the Head of Unit.

#### 4.1.2 The written appeal must:

- State the grounds on which the appeal is made, in accordance with section 4.1 of this policy;
- Detail and, where appropriate, provide evidence relevant to the grounds for appeal. A copy of documentary evidence referred to in the letter of appeal must be attached. (Failure to present evidence referred to in the letter of appeal will be taken into account by the Grievance Appeals Committee.)

#### 4.1.3 Upon lodgement of the written appeal, the Executive Director will:

- Check that the written appeal substantially complies with the format required in section 4.4;
- Check that, where reference is made to supporting documentation, a copy of the documentation is attached;
- Check that the student has included a description of the relevant evidence in relation to the grounds for appeal to the Grievance Appeals Committee; and
- If applicable, consider the reasons provided for the late lodgement of an appeal and determine whether or not these are such as to warrant the appeal proceeding.

Where, in the opinion of the Executive Director, the appeal does not comply with one or more of these criteria the Executive Director can return the documentation to the student with a request for compliance.

Once the appeal has been accepted the Request for Appeal must be forwarded to the appropriate Grievance Appeals Committee.

## 5. Format of Appeal Letter

The Executive Director  
The Cairnmillar Institute  
School of Psychology, Counselling and Psychotherapy  
993 Burke Road  
Camberwell VIC 3124

I hereby lodge an appeal pursuant to the decision of the Head of School advised to me by  
*(insert date of notification)*.

The grounds of my appeal is/are: *(insert ground(s) as appropriate)*

In support of this appeal, I submit the following information for consideration by the  
Grievance Appeals Committee.

*(include summary of all relevant information or material here)*

*Student Signature*

**Date:**

**Family Name:**

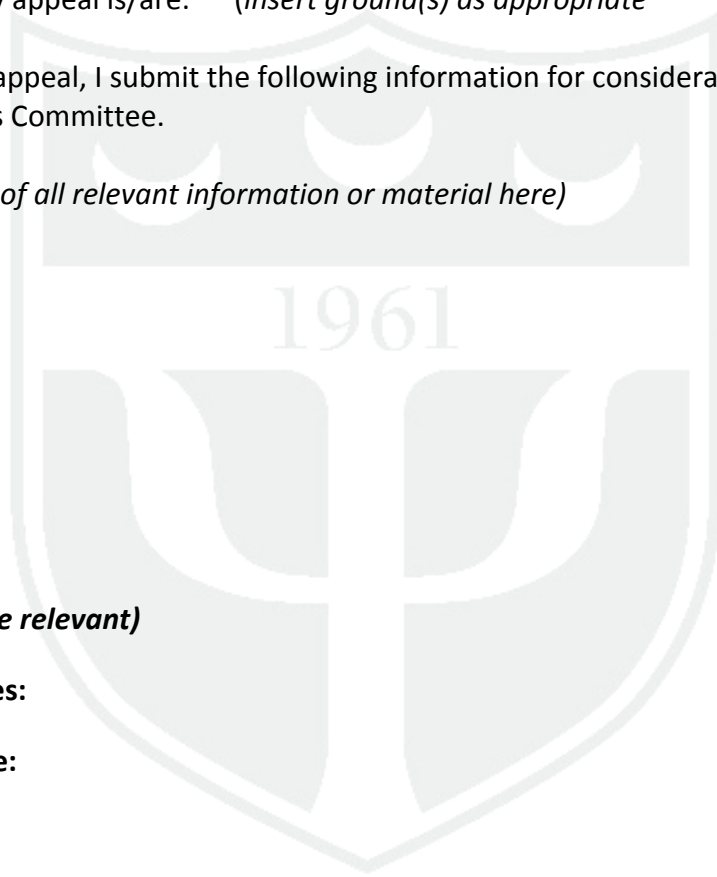
**Given Name:**

**Student ID: *(where relevant)***

**Address for notices:**

**Contact telephone:**

**Email address:**



## 6. Grievance Appeals Committee

6.1 The composition of the Committee shall be:

- a) The Executive Director or nominee, who shall be Chair of the Committee;
- b) One independent staff member;
- c) One independent student representative;
- d) Where a member of staff is required to attend an appeals hearing, a representative of the staff may be invited to attend the meeting of the Committee in an advisory capacity.

*Both genders will normally be represented.*

In allocating appeals to the Committee, the Executive Director shall select a Committee Chair and a staff member who are from an area other than that in which the student is concerned.

6.1.1 The School Registrar or nominee shall attend and act as Secretary to the Committee and shall:

- Collate all documents relevant to the appeal hearing (including the "Grievance Form" referred to in section 3) and disseminate to all parties;
- Establish a date, time and place for the appeal hearing and advise all parties in accordance with section 2.5.3;
- Maintain a record of the proceedings of the appeal hearing and the decision(s) taken;
- Advise the Executive Director of the outcome of the appeal immediately after the proceedings have concluded;
- Draft the letter advising the student of the outcome of the appeal for the Chair's approval prior to obtaining the Executive Director's signature; and
- Ensure that a copy of all documentation is maintained on the official file in the Record Management System.

6.1.2 Where an appeal has been forwarded to the Grievance Appeals Committee, a meeting of the Committee shall be convened within 15 working days of lodgement of the letter of appeal. All participants shall be given at least 5 days notification in writing of the time, date and place at which the appeal is to be heard. Notification will be forwarded to the student via express mail to his/her semester address.

6.1.3 The hearing shall be held in camera. The Committee shall regulate its own proceedings. The Committee may call before it any witnesses to provide additional evidence.

6.1.4 The student shall be given the opportunity to appear in person before the Committee and to call witnesses. An advocate, who is not a member of the Committee and is not a legal practitioner, may represent the student.

6.1.5 The student must be given the opportunity to hear and examine the evidence of all witnesses called before the Committee.

6.1.6 The Committee must hear the matter on its merits, taking account of all of the circumstances of the case.

## 7. Decision of the Committee

7.1 After consideration of all of the available evidence, the Committee shall reach its decision by consensus or, if a consensus cannot be reached, by a majority vote, of the members. In the event that the Committee consists of four (4) members (see section 2.4.1 (d)), the Chair shall have a casting vote. Otherwise, Committee members shall have equal voting rights. The Secretary does not have voting rights.

### 7.1.1 The Committee may:

- a) Confirm the decision against which the student has lodged his/her appeal;
- b) Uphold the appeal and/or c) and/or d) and/or e) as applicable;
- c) Modify the directions of the Head of School;
- d) Direct that appropriate actions to address systemic or underlying causes (if any) with a view to preventing problems from occurring or recurring be undertaken; and/or
- e) Take other action as appropriate.

### 7.1.2 The School Registrar will then:

- a) Document the decision and reasons for the decision.
- b) Contact the Head of School as soon as the decision has been made to brief him/her of the outcome;
- c) After briefing the Head of School, draft the written communication for the Chair's approval prior to obtaining the signature of the Head of School;
- d) Send the signed communication (which shall include the reasons for the decision) to the student by express post within five (5) working days of the Committee's decision being made;
- e) Provide copies of the decision to other appropriate parties;
- f) Update the Student Records Management file as required.

There is no further appeal against the decision of the Grievance Appeals Committee to any other officer or body within the Institute.

## 8. External Dispute Resolution

### DOMESTIC STUDENTS

The third stage of the process at which a complaint is addressed is as follows:

- If not satisfied with a decision of the Grievance Appeals Committee's decision, the complainant may request Cairnmillar to have the matter be dealt with through an external dispute resolution process by the person or body appointed by Cairnmillar for that purpose
- The details of the external dispute resolution body appointed by Cairnmillar is ACPET (Australian Council for Private Education and Training). This organisation provides a mediator service, which is external to Cairnmillar

The Australian Council of Private Education and Training  
 PO Box 551, East Melbourne, Vic 8002  
 Tel: (03) 9416 1355 Fax: (03) 9416 1895  
 Email: [acpet@acpet.edu.au](mailto:acpet@acpet.edu.au)

Cairnmillar accepts selection by students/nominees of only those mediators included in the panel maintained in the relevant ACPET State Office. Students must lodge appeals via email or mail and will be required to complete the revised appeals form which includes payment details.

The form is available from the website.

<http://acpet.edu.au/students/student-support/appeals>

### **Students should not phone or go into the ACPET office under any circumstances**

Students Contact: [Students.appeals@acpet.edu.au](mailto:Students.appeals@acpet.edu.au)

Complaints will be dealt with by ACPET within 30 days of receipt of the request for external mediation.

If ACPET makes recommendations in relation to a grievance they have reviewed, ACPET will forward those recommendations to the Executive Director of Cairnmillar.

The Executive Director of Cairnmillar will ensure that the recommendations of ACPET are implemented within 30 days.

## **INTERNATIONAL STUDENTS**

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](http://www.oso.gov.au) or phone 1300 362 072 for more information.

Overseas Students wishing to lodge an external appeal should contact Overseas Student Ombudsman.

For contact details and information on how to make a complaint, please click on the link below <http://www.oso.gov.au/making-a-complaint/>.

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

<http://www.acpet.edu.au/students/student-support/appeals>

## **9. Record Keeping**

- Confidentiality will be strictly observed throughout the grievance process.
- Records of all grievances and applications for review of decisions must be kept and be accessible to all interested parties for a minimum period of five years. Such records will remain confidential.
- Records of grievances and their outcomes will be kept strictly confidential and filed in a separate file (not kept in the student or staff file) and stored in the office of the Executive Director for a minimum period of five years. Parties to the complaint will be allowed supervised access to these records.