

THE RTO VSL STUDENT GRIEVANCE PROCEDURES

1. PURPOSE AND SCOPE

- 1.1. The purpose of this Policy is to outline the principles and framework for resolving grievances at The College for students accessing a VET Student Loan (VSL) and to provide for the review of both academic and non-academic decisions made at The College.
- 1.2. This Policy sets the expectations for a fair, equitable, transparent and timely complaints handling and appeals process in order to improve student experience.
- 1.3. The Policy outlines the provision of comprehensive, free and easily accessible information about the process to all students, including the students' right to refer a complaint or appeal to a relevant external agency.
- 1.4. The Policy applies to students, prospective students, graduates and staff at The College.
- 1.5. The Policy covers complaints and appeals related to student experience including admissions, academic programs, assessment, student progress, breaches of academic integrity, bullying, discrimination or harassment, administrative operations, The College staff or another student. It does not cover complaints from The College staff which are covered by The College Staff Complaint Handling and Resolution Policy.

2. DEFINITIONS

- 2.1. For the purposes of this Policy, and associated Procedures, the following definitions apply:
 - 2.1.1. ASQA – Australian Skills Quality Authority, the national VET regulator for RTOs.
 - 2.1.2. RTO – Registered Training Organisation.
 - 2.1.3. VET – Vocational Education and Training.
 - 2.1.4. VSL-VET Student Loan – a loan provided by the Commonwealth Government to eligible students to contribute to tuition fees in vocational education. The loan becomes a VETSL debt that is repayable.
 - 2.1.5. VETSL Debt – a debt owed to the Commonwealth by VSL loan debtors.
 - 2.1.6. ECAF – Electronic Commonwealth Assistance Form that initiates enrolment and loan approval.
 - 2.1.7. The Board – Western Sydney University Enterprises Board.
 - 2.1.8. The College – Western Sydney University Enterprises Pty Limited trading as Western Sydney University The College.
 - 2.1.9. The University – Western Sydney University.
 - 2.1.10. The Department – Commonwealth Department of Employment and Workplace Relations (DEWR).

2.1.11. The Secretary – The Secretary of the Department of Employment and Workplace Relations.

3. POLICY STATEMENT

- 3.1. This VSL Complaints and Appeals Policy and Procedure is a requirement under Part 7, Division 1, Subdivision F of the [VET Student Loans Rules](#). This policy must be made available to prospective VSL applicants prior to enrolment where a VET Student Loan is to be used to contribute towards the tuition fees of a VSL approved course/qualification.
- 3.2. This VSL Complaints and Appeals Policy and Procedure ALSO ensures that Part 7, Division 1, Subdivision H of the [VET Student Loans Rules](#) is addressed, being (Student Review):
- 3.2.1. No victimisation or discrimination of students for seeking review etc.
 - 3.2.2. An approved course provider's processes and procedures must ensure that a student is not victimised or discriminated against for:
 - 3.2.2.1. seeking review or reconsideration of a decision; or
 - 3.2.2.2. using the provider's processes or procedures about dealing with grievances; or
 - 3.2.2.3. making an application for re-crediting of the student's HELP balance under Division 2 or 3 of Part 6 of the Act.
- 3.3. This policy aligns, and is equivalent, with The RTO Student Complaints and Appeals Policy. It has been adapted to reflect requirements under VSL.
- 3.4. The RTO students have access to fair and impartial appeal and complaint resolution processes that provide for:
- 3.4.1. natural justice and procedural fairness;
 - 3.4.2. transparency, accountability and confidentiality;
 - 3.4.3. effective, reciprocal communication and feedback;
 - 3.4.4. the handling of grievances informally where possible and if appropriate;
 - 3.4.5. resolution of grievances as early as possible and as close as possible to the source of dissatisfaction;
 - 3.4.6. the provision of regular procedural review; and
 - 3.4.7. the enhancement of the appeals process and outcomes.

4. PRINCIPLES

- 4.1. The RTO takes all reasonable steps to ensure that all prospective students, current students, client organisations and staff are aware of The RTO Student Complaints and Appeals Policy

and that it is accessible to them. Students receive information about this Policy prior to admission, during orientation and through The RTO website.

- 4.2. Complainants must make complaints or appeals responsibly. The RTO treats them seriously and have regard for the rights of all parties. All complaints must be made individually. Malicious complaints are treated as student misconduct and are dealt with in accordance with the Western Sydney University's Student Code of Conduct.
- 4.3. The rights of all parties involved in a complaint or appeal are protected.
- 4.4. Where possible, a complaint is dealt with at the local level and involves those directly affected. This provides an opportunity to achieve a satisfactory outcome for those matters that can be resolved informally.
- 4.5. If the matter cannot be resolved informally, complainants may lodge a complaint or appeal in writing. Written complaints and appeals must be in English. All complaints and appeals received are brought to the attention of The RTO Director for review. Receipt of the complaint or appeal is acknowledged in writing within two (2) business days and all reasonable measures are taken to finalise the process within 15 business days.
- 4.6. No fee is charged to lodge an internal complaint or appeal.
- 4.7. Any party to a complaint may be assisted or accompanied by a support person at relevant meetings. Legal representation may attend with seven (7) business days' notice.
- 4.8. Requests for privacy and confidentiality will be considered by the staff member managing the complaint. This includes consulting with the support person and/or the complainant as appropriate. Staff requiring guidance on this matter should seek advice from The RTO Director.
- 4.9. All parties involved in a complaint or appeal are kept informed regularly, in writing, of progress or outcomes, including the reasons for the outcome.
- 4.10. A student will remain enrolled and continue their studies during the complaint or appeal procedure, except in circumstances where their health or safety is potentially at risk, or where the student poses a health or safety risk to others.
- 4.11. A complainant may withdraw their complaint or appeal at any time. The complainant/appellant must promptly advise the staff member managing the complaint or appeal that the complaint or appeal has been withdrawn. This advice must be provided in writing. The staff member managing the complaint or appeal advises all parties within two (2) business days that the complaint or appeal has been withdrawn. The RTO may still choose to investigate the complaint or appeal.
- 4.12. A student has the right to refer a complaint or appeal to a relevant external agency at any time. Where this occurs, The RTO may take further action in response to the complaint or appeal following the external agency's determination. External agencies may include but is not limited to the Office of the Training Advocate, Equal Opportunity Commission, Australian Human Rights Commission, or Police.

- 4.13. Any action arising from a complaint or appeal is expeditiously implemented in accordance with the relevant College RTO policies or procedures, where applicable.
- 4.14. Penalties may be instituted against anyone who victimises or retaliates against a complainant or a support person of either party.

5. ROLES AND RESPONSIBILITIES

- 5.1. The RTO Director is responsible for the application of this Policy and may delegate all or part of this responsibility to a staff member of The RTO.
- 5.2. The RTO Director, or delegate, is responsible for:
 - 5.2.1. Establishing and maintaining appropriate procedures to oversee and monitor implementation of this Policy and the Complaints and Appeals Procedure.
 - 5.2.2. Providing The RTO Committee with a report annually on Student Complaints and Appeals.
 - 5.2.3. Escalating complaints which may significantly impact reputational risk to the Senior Management Team.
 - 5.2.4. Considering complaints and appeals lodged by students in relation to academic and non-academic matters as set out in the Complaints and Appeals Procedure.
 - 5.2.5. Ensuring students are provided with information about, and assist them to resolve, complaints and appeals.

5.3. Related Legislation/Policies/Procedures

- 5.4. [VET Student Loans Act 2016](#)
- 5.5. [VET Student Loans \(Approved Course Provider Application Fee\) Determination 2017](#)
- 5.6. [VET Student Loans \(Charges\) Act 2016](#)
- 5.7. [VET Student Loans \(Charges\) Regulations 2017](#)
- 5.8. [VET Student Loans \(Courses and Loan Caps\) Determination 2016](#)
- 5.9. [VET Student Loans \(External Dispute Resolution Scheme\) Specification 2017](#)
- 5.10. [VET Student Loans Rules 2016](#)
- 5.11. [VET Student Loans \(VSL Tuition Protection Levy\) Act 2020](#)
- 5.12. [VET Student Loans \(VSL Tuition Protection Levy\) \(Administrative Fee\) Determination 2020](#)
- 5.13. VET Student Loans Manual for Providers Version 5.2 December 2022

- 5.14. National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code 2007)
- 5.15. Standards for Registered Training Organisations (RTOs) 2015
- 5.16. The College policies including:
 - 5.16.1. The RTO Admissions Policy and Procedure
 - 5.16.2. The RTO Assessment Policy and Procedure
 - 5.16.3. The RTO Student Complaints and Appeals Procedure
 - 5.16.4. The RTO Fees and Refunds Policy and Procedure
 - 5.16.5. The RTO Student Support Policy and Procedure
 - 5.16.6. The RTO Recognition of Prior Learning and Credit Transfer Policy and Procedure
 - 5.16.7. The College Staff Complaint Handling and Resolution Policy
 - 5.16.8. Western Sydney University's Student Code of Conduct

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STATUS AND DETAILS

Status	UNDER REVIEW		
Version	1		
Effective Date	9 February 2023		
Review Date	9 May 2023		
Approval Policy	The College Senior Management Team		
Governing Authority	Western Sydney University Enterprises Board		
Endorsed by	The RTO Committee		
Unit Responsible	The College Registered Training Organisation		
Enquiries Contact	The College RTO E: rto@westernsydney.edu.au		
Available On	SharePoint	<input type="checkbox"/>	Website <input checked="" type="checkbox"/>

Summary of Changes from Previous Version