



MORLING COLLEGE

The Baptist Bible & Theological College of NSW & ACT

GRIEVANCE PROCEDURES FOR NON-ACADEMIC MATTERS

Introduction

All current and prospective students of Morling College are entitled to raise a concern or grievance relating to non-academic matters.

Morling College is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered at no charge.

Purpose of the Policy

The purpose of this policy is to outline the process for:

- * resolving grievances and appeals on non-academic matters
- * reviewing grievance and appeals decisions; and
- * providing guidelines on how grievances and complaints are addressed within the College

These grievance and resolution procedures emphasise positive outcomes and focus on resolutions that work towards a rapid re-establishment of good working/ learning relationships.

Resolving Grievances on Non-Academic Matters - Publication

This policy is communicated to academic staff and support staff through the Faculty & Staff Handbook, to students through the Supplement to the Prospectus and is also available on the website at www.morling.nsw.edu.au. Copies can also be obtained from the Administration Office.

Timelines

Morling College will resolve all concerns and grievances promptly. All parties will be kept informed about the progress of the issue at regular intervals and will be further advised where resolution is likely to extend beyond the specified times.

Confidentiality

Confidentiality must be maintained throughout the process of making and resolving grievances. This requirement seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive work/learning environment.

Procedural Fairness

Grievance procedures must take account of the principles of procedural fairness that applies to the complainant, the respondent, and the investigating officer. Principles of procedural fairness encompass the following:

- * grievance procedures should be explicit and known to all involved parties
- * grievance handlers will employ honesty, integrity and fair dealing in all aspects of their communications, investigations, reporting and record keeping

- * all parties involved will receive appropriate information and assistance in resolving the issue at all times.

Natural Justice

It is a firmly established principle of Australian Law that no person should be condemned unheard. It is this opportunity to be heard that is the subject of the rules of natural justice/procedural fairness which means that every respondent to a grievance has the right to be heard; to present provable evidence and submissions in one's own cause; and the opportunity to be heard by an impartial decision-maker.

External Review Recommendations

If a body nominated by the College makes recommendations in relation to a grievance they have reviewed, that body will forward those recommendations to the Principal within two weeks of the review being completed, who will ensure that the recommendations are implemented within two months of receiving the recommendations.

Unsubstantiated Grievances

Procedural fairness requires, in the interest of all parties, that a person raising a concern or grievance be aware that where a concern or grievance is investigated to its full extent and cannot be substantiated, no further action can be taken. This does not restrict the right of any parties to pursue legal remedies outside the College grievance handling procedures.

Anonymous Grievances

Morling College cannot act on an anonymous concern or grievance. Procedural fairness requires that any person raising a concern or grievance must be identified. An anonymous concern or grievance can include (but is not restricted to) unsigned letters, unidentifiable emails or anonymous telephone calls.

Victimisation

At all times during and following the resolution process, all reasonable steps must be taken to ensure that victimisation does not occur to:

- * the complainant
- * the person/persons about whom the grievance was made, i.e. the respondent; and/or
- * any other student or client with knowledge of the grievance.

Victimisation of any kind towards the client is completely unacceptable and will not be tolerated.

All employees should be aware that victimisation of any kind is not only a breach of the Code of Conduct but is also unlawful. Victimisation is considered to have taken place where a person subjects, or threatens to subject, another person or an associate of that other person to any detriment.

OPTIONS FOR RESOLVING GRIEVANCES

The resolution processes are aimed at producing responsive, local solutions involving a minimum number of people. The processes emphasise positive outcomes and focuses on resolutions that work towards a rapid establishment of good working relationships, whilst ensuring that the principles of natural justice are exercised.

Any grievance will be attended to promptly, confidentially (within the constraints of an investigation) and will be investigated impartially. Appropriate action will be taken to ensure that any harassment or discrimination will be treated seriously and at all times the rights of the complainant and the respondent will be respected.

Personal Resolution

In the first instance, current or prospective students are encouraged to raise any concern or grievance with the person against whom the grievance is held at the first available opportunity. If the grievance cannot be resolved, the following process should be followed.

Process for Students**Stage 1**

October 2009

Students who wish to resolve grievances in relation to any non-academic matter should follow the process outlined below.

The student initiates the grievance process by submitting the grievance in writing to the Dean of Students. Receipt of the grievance will be acknowledged within five working days.

The Dean of Students will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve.

The Dean of Students will endeavour to resolve the grievance and provide a written report to the complainant within fifteen working days of receipt of the grievance as submitted by the prospective student, including actions taken and reasons for the decision.

In the event of the outcome being favourable to the student, the Dean of Students will immediately implement any decision and /or corrective and preventative action required.

Stage 2

If the response does not satisfy the complainant, he/she should submit a written account of the grievance to the Principal who will consult with the complainant and all other relevant parties. Where possible, such consultations will be face-to-face.

Following the consultation process, the Principal will provide a written report to the complainant on further steps to be taken to address the grievance within fifteen working days of the consultation process.

A written report detailing 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.

In the event of the outcome being favourable to the student, the Principal will immediately implement any decision and /or corrective and preventative action required.

Stage 3

Where the internal review process fails to resolve the grievance or complaint to the satisfaction of the complainant, the complainant can request that the matter be dealt with through an independent, external dispute resolution process. The complainant should then put this request in writing to the Principal and directly to ACPET.

The complaint process will then be facilitated by the Australian Council for Private Education and Training (ACPET).

On receipt of this written request, the Principal will contact ACPET within five working days of receiving the notification of the appeal for their advice about making progress with the complaint.

If the external party (ACPET) makes recommendations in relation to a grievance they have reviewed, the external party will be requested to forward those recommendations in writing to the Principal within 15 working days.

ACPET charges a \$200 fee for this service. This will be refunded to the student by Morling College Ltd if the grievance is upheld.

The contact details for ACPET are:

Australian Council for Private Education and Training
329 Pitt Street, SYDNEY NSW 2000
Telephone: (02) 9264 4490
Fax: (02) 9264 4550

Application for Grievance Procedures with ACPET:

- a. Go to <http://www.acpet.edu.au/>
- b. Scroll across to 'For Students'
- c. On the drop down bar, choose 'Student Appeals'
- d. The contact for questions is listed as Student.appeals@acpet.edu.au
- e. The appeals form and place for submission is also listed on that page under 'Contact'

Please note that:

- * A nominee of the student may be included in the grievance handling processes if the student so chooses
- * Students who are enrolled at the College when the grievance is lodged, may continue their enrolment whilst the Grievance is under investigation
- * Any improvement action arising from a student grievance or appeal will be recorded in the Improvements Register. This register is reviewed by trainers four times per year
- * All grievance/complaints actions are reported to the Board of Directors/Management Committee
- * At all stages, all parties have the right to (a) be represented by a third person if they so desire, and (b) request a written explanation for decisions, reasons and actions taken as part of the process
- * Nothing in this policy precludes students from taking action under Australia's Consumer Protection Laws.

Records

All records pertaining to grievance or concern will be maintained in a confidential Grievance & Appeal folder. Access to files about a particular grievance can be gained by all parties to that grievance by making a request in writing to the Bursar. Grievance files will be maintained for a period of five years and then destroyed.

Staff Training

This policy is communicated to academic and support staff through the Morling College Faculty and Staff Handbook. The Vice-Principal (Administration) is responsible for the training of the academic staff in the application of the policy, and the Bursar for the training of the support staff in the application of the policy.

Availability of Grievances Procedures for Academic Matters Policy

This policy is communicated to current and prospective students through the Supplement to the Prospectus and is also available on the website at www.morling.nsw.edu.au. Additional copies can also be obtained from the Administration Office. The College recognises that 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 campuses of the College, at which the grievance has arisen, the student's place of residence or the mode in which they study. Distance education students have access to this policy through the website link above at no cost to the student. The procedure will not incur costs to the student other than any incidental cost of communicating their concerns to the College, and if they ask for the use of ACPET as an external review body (see Stage 3 of the Process for Students section above).

Date of Approval

26th October 2009 by Morling College Ltd Council