



HKCC Grievance Policy and Procedure

1. Policy Statement

HKCC is committed to fostering a culture of integrity, respect, and fairness for all students, staff, and volunteers, without fear of victimisation or reprisal. All grievances and complaints will be addressed promptly, fairly, and in accordance with relevant legislation and standards.¹

2. Definitions

A grievance is a formal expression of dissatisfaction and cause for complaint, especially of unjust treatment. A complaint is an expression of grievance; hence a grievance does not need to end in a complaint. Grievances may usually be related to, but not always, teaching, learning, administration, or workplace conditions. They may include interpersonal conflict, unfair treatment or discrimination, work conditions or workload, management or trainer and assessor decisions or practices, or breach of policy or procedure.

For example, a student being deemed *Not Yet Competent* for a particular unit of competency is not by itself a student grievance. There must be an element of unfairness. If unfairly assessed, then this may give rise to a grievance leading to a formal complaint.

3. Scope

This policy applies to all students, staff, and volunteers at HKCC.

4. Guiding Principles

1. Confidentiality: All grievances and complaints will be handled with discretion.
2. Impartiality: All parties will be treated fairly and without bias.
3. Timeliness: Grievances and complaints will be acknowledged within 5 business days and resolved within 20 business days where possible.
4. No Detriment: Individuals will not be disadvantaged for raising a grievance or complaint.

¹ Including the Fair Work Act 2009, NSW Department of Education guidelines, and ASQA Standard 2.7 and 2.8.



5. Procedure

Students

Step 1: Informal Resolution

Students are encouraged to resolve issues informally by discussing the matter directly with the person involved or their course coordinator.

Step 2: Lodging a complaint

If unresolved, the student may submit a formal complaint in writing to the Course Coordinator or Principal. The written complaint should include:

- Name and contact details
- Details of the grievance/complaint (dates, people involved, events)
- Steps taken to resolve the issue
- Desired outcome

Step 3: Investigation

The Principal or Course Coordinator will:

- Acknowledge receipt within 5 working days
- Conduct a fair and confidential investigation
- Interview relevant parties
- Document findings and outcomes

Step 4: Outcome and Resolution

A written response will be provided to the complainant within 20 business days. If the complaint is upheld, appropriate action will be taken to address the issue and prevent recurrence.

Step 5: Independent Mediation (if required)

If the complaint remains unresolved, the student may request independent mediation. HKCC will engage a qualified, external mediator to facilitate resolution.

Staff and Volunteers

Step 1: Informal Resolution

Staff are encouraged to resolve issues informally by discussing the matter directly with the person involved or their immediate supervisor.

Step 2: Lodging a complaint

If unresolved, the staff member may submit a formal complaint in writing to the Principal. The written complaint should include:

- Name and contact details
- Details of the grievance (dates, people involved, events)
- Steps taken to resolve the issue
- Desired outcome

Step 3: Investigation

The Principal or a delegated HR representative will:



- Acknowledge receipt within 5 business days
- Conduct a fair and confidential investigation
- Interview relevant parties
- Document findings and outcomes

Step 4: Outcome and Resolution

A written response will be provided to the complainant within 20 business days. If the complaint is upheld, appropriate action will be taken to address the issue and prevent recurrence.

Step 5: Independent Mediation (if required)

If the grievance remains unresolved, the staff member may request independent mediation. HKCC will engage a qualified, external mediator to facilitate resolution.

6. Record Keeping

All grievance records will be securely maintained in accordance with ASQA requirements. Records will include:

- The grievance, complaints and supporting documents
- Investigation notes
- Outcome and actions taken

7. Review and Continuous Improvement

Grievance and complaints trends will be reviewed periodically to inform continuous improvement initiatives.

HKCC uses a Continuous Improvement Register and associated processes to ensure that relevant feedback, including complaints and grievances, informs ongoing quality improvement. For more information, refer to the HKCC Continuous Improvement Policy and Procedure.

8. Dispute Resolution

If a party is dissatisfied with the outcome of a grievance or complaint, they may initiate a dispute resolution process. This involves:

- Submitting a written dispute to the Principal within 20 business days of receiving the outcome.
- The dispute must clearly state:
 - The original grievance or complaint



- The outcome received
- The reasons for disputing the outcome
- Any additional evidence or context

Dispute Handling Process:

- The Principal will review the dispute and may appoint an independent reviewer not previously involved.
- A response will be provided within 20 business days.
- If unresolved, the matter may proceed to independent mediation or be referred to an external authority. An external mediator will be:
 - External to HKCC and not affiliated with any ACE provider (e.g. not a Chairperson, Board Member, or CEO of another ACE provider)
 - Professionally qualified in dispute resolution or mediation
 - Engaged as a neutral third party to facilitate a fair and impartial resolution process

External Escalation Options

If a complaint or dispute remains unresolved after following HKCC's internal processes and independent mediation, individuals may escalate the matter to an appropriate external authority.

These may include:

- **Fair Work Ombudsman** – for employment-related matters
- **Safe Work NSW** – for Workplace health and safety
- **Training Services NSW** – for Smart and Skilled funded training
- **National Training Complaints Hotline** – 13 38 73
- **ASQA** – for concerns about RTO compliance (note: ASQA does not resolve individual disputes)

Students, please note: HKCC delivers training under a range of government and community-funded programs, including but not limited to Smart and Skilled, NDIA, Tech Savvy Seniors, Be Connected. If a complaint or dispute relates to a funded training program and remains unresolved after following HKCC's internal processes, students may have the right to escalate the matter to the relevant funding body. Details of these escalation pathways are provided in the student's enrolment pack and are available upon request.