

Student Complaints and Appeals Policy

1. Purpose and Scope

- 1.1 The Student Complaints and Appeals Policy establishes the principles that apply to complaints and appeals raised by students. This policy should be read in conjunction with the Student Grievance and Complaints Procedure and Student Appeals Procedure. Activities associated with the Student Complaints Committee, Non-Academic Appeals Committee and Academic Appeals Committee are described in the appropriate procedures.
- 1.2 A complaint brought under this policy may relate to:
 - 1.2.1 the performance of administrative, academic, teaching, or service functions of AIAT;
 - 1.2.2 the decisions of AIAT committees;
 - 1.2.3 any third party (e.g. agents) involved in the delivery of services on behalf of AIAT, if the complaint is in regards to the delivery of those services;
 - 1.2.4 the behaviour or actions of a staff member or another student of AIAT; or
 - 1.2.5 AIAT facilities.
- 1.3 An appeal brought under this policy may relate to:
 - 1.3.1 the decisions of either AIAT academic or non-academic committees;
 - 1.3.2 academic misconduct;
 - 1.3.3 general misconduct
 - 1.3.4 a complaint;
 - 1.3.5 academic progression;
 - 1.3.6 incorrect information or advice given by an academic or administrative staff of AIAT or which appeared in any publication of AIAT, which has caused hardship to the student;
 - 1.3.7 admission;
 - 1.3.8 suspension orders;
 - 1.3.9 review, extend, renew or vary suspension orders;
 - 1.3.10 exclusion for a notifiable disease; and
 - 1.3.11 student fitness to study.
- 1.4 This policy applies to
 - 1.4.1 current students of AIAT;
 - 1.4.2 persons who have studied or completed studies at AIAT within the previous six months;
 - 1.4.3 persons seeking to enrol at AIAT (prospective students);
 - 1.4.4 any third-party providing services on AIAT's behalf to current or prospective students at AIAT (such as education agents, industry supervisors); and
 - 1.4.5 all staff members involved in the management of complaints and appeals processes.

2. Definitions

Refer to *Glossary of Terms* for commonly used terms. The definitions below are included for clarity.

Appeal - a request for reconsideration of a decision. An appeal may be either an initial complaint about a decision relating to an administrative or academic matter or a request for a review of the outcome of a complaint.

Complaint - A reasonable expression of dissatisfaction or discontent, decision or omission within the control or responsibility of AIAT in the delivery of academic, administrative or support services that involves a formal process for resolution.

Grievance - Minor issues that are suitable to be addressed informally and usually resolved easily (e.g. by a discussion with local staff, clarification of a misunderstanding etc.). *Definition from TEQSA Guidance Note: Grievance and Complaint Handling*

3. Policy Statement

- 3.1 AIAT recognises that from time to time problems or concerns may arise. AIAT is committed to ensuring that complaints are dealt with on their merit and works with all parties towards a transparent, timely and effective resolution.
- 3.2 AIAT is committed to providing a safe and supportive environment for students to raise concerns or complaints related to their engagement with AIAT for the provision of education.
- 3.3 AIAT operates on the basis that both:
 - 3.3.1 academic decisions (for example, in relation to assessment, course progression, teaching quality, curriculum, etc.) are entrusted to academic staff and;
 - 3.3.2 non-academic decisions (for example, administrative decisions etc.) are entrusted to non-academic staff in accordance with established procedures.
- 3.4 AIAT will not normally investigate anonymous complaints unless the issues raised within the complaint are of a serious nature and sufficient information is provided.
- 3.5 AIAT will take the opportunity to learn from each complaint, informing future practices and activities.

4. Policy Principles

- 4.1 AIAT will take reasonable steps to ensure that students and staff are aware of this policy and its procedures and ensures that they are publicly available. All students and staff will receive information about this policy during orientation and/or induction. Prospective students will receive information about this policy as part of the application process.

- 4.2 Complaint resolution and appeal procedures will be conducted in accordance with the principles of natural justice.
- 4.3 Students can lodge a complaint or appeal within AIAT at no cost. Complaint and appeal processes within AIAT are at no charge to the student.
- 4.4 A defined external mediation or review path is available for students.
- 4.5 Students who lodge a complaint or appeal in accordance with this policy will not be subject to negative treatment or penalised because of the complaint or appeal.
- 4.6 Students' enrolment status will not be affected by the lodging of a complaint or appeal.
- 4.7 Students may be assisted or accompanied by a support person at relevant meetings, but may not have legal representation.
- 4.8 All parties to a complaint must act in good faith and seek to achieve an amicable resolution. Intimidation, harassing, threatening or offensive behaviour will not be tolerated from any parties.
- 4.9 Students are encouraged to resolve a grievance with the individual(s) involved before making a complaint.
- 4.10 Complaints will be taken seriously and actioned in a timely manner, and complainants kept informed as to the progress of their complaint. They will be advised in writing of the outcome and reasons for the decision.
- 4.11 Students can access support services through the Student Services Office for both the complaints and appeals procedures.
- 4.12 All parties to a complaint or appeal must respect privacy and confidentiality, except where the release of particular information is required by law. If personal information is required to be released this will be done in accordance with AIAT's Privacy Policy.
- 4.13 A complaint or appeal can be withdrawn at any time. AIAT reserves the right to continue to investigate a complaint if required to do so to satisfy other requirements or protect its own interests.
- 4.14 AIAT may decline to take action in respect of a formal complaint that is assessed as frivolous or vexatious. A formal complaint is deemed to be frivolous or vexatious where the complaint is:
 - 4.14.1 without merit;
 - 4.14.2 the substance of the complaint has already been considered by AIAT and satisfactory measures have been taken to resolve the matter;
 - 4.14.3 dishonest or contains intentionally misleading information;
 - 4.14.4 pursued with undue persistence; or

- 4.14.5 pursued in a manner that threatens, menaces or harasses a member of AIAT staff or fellow student.
- 4.15 Complainants or respondents who engage in unreasonable behaviour in respect of making complaints may be dealt with in accordance with AIAT's Student General Misconduct Procedure.
- 4.16 Records will be kept of all complaints and appeals in AIAT's formal recordkeeping system.
- 4.17 A complainant has the right to refer their complaint or appeal to an external agency, preferably only after exhausting all of the resolution avenues within AIAT.

5. Roles and responsibilities

- 5.1 All students are responsible for
 - 5.1.1 contributing to a harmonious work and study environment;
 - 5.1.2 respecting the rights of both the complainant and the respondent in accordance with the principles of natural justice;
 - 5.1.3 ensuring all information associated with the complaint or appeal is disclosed only to those legitimately involved in the resolving the complaint or appeal;
 - 5.1.4 ensuring that any complainant who wishes to discuss their case further are directed to obtain further advice from the Student Services Office, student representative or Course Director; and
 - 5.1.5 acknowledging responsibility and participate, in good faith, in restorative activities to put things right when required.
- 5.2 All staff are responsible for
 - 5.2.1 contributing to a harmonious work and study environment;
 - 5.2.2 respecting the rights of both the complainant and the respondent in accordance with the principles of natural justice;
 - 5.2.3 ensuring all information associated with the complaint or appeal is disclosed only to those legitimately involved in the resolving the complaint or appeal;
 - 5.2.4 ensuring that any complainant who wishes to discuss their case further are directed to obtain further advice from the Student Services Office, student representative or Course Director; and
 - 5.2.5 withdrawing or declining involvement or discussion with a student regarding a complaint or appeal if there is, or could be, a real, perceived or potential conflict of interest.
- 5.3 The Chairs of the Student Complaints Committee, the Non-Academic Appeals Committee and the Academic Appeals Committee are responsible for
 - 5.3.1 follow the procedures associated with this policy;
 - 5.3.2 ensuring the principles of natural justice are followed;
 - 5.3.3 timely resolution to the complaint or appeal; and

5.3.4 providing written communication to the complainant regarding the outcome and reasons for the decision.

5.4 The Campus Manager is responsible for

- 5.4.1 following the procedures associated with this policy;
- 5.4.2 receiving and preliminary assessment of Formal Complaint forms;
- 5.4.3 determining how the complaint should be managed;
- 5.4.4 chairing the Student Complaints Committee;
- 5.4.5 receiving appeals;
- 5.4.6 determining which appeals committee should hear the appeal;
- 5.4.7 managing the Complaint Register and Student Appeals Register; and
- 5.4.8 providing annual reports to the EMG and the Student Welfare and Services Committee regarding activities associated with the Complaints Register and Student Appeals Register.

6. Policy Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Policy name	Student Complaint and Appeals Policy
Policy Reference No.	POL – 32
Policy Approval	Board of Directors in consultation with Academic Board regarding academic matters
Policy Authority	Executive Management Group
Responsible Officer	CEO
Governance Reference Threshold Standards	HESF 2021: 2.4, 7.2.2.f, 7.3.1.l, 7.3.3
Related Documents	Conflict of Interest Policy Discrimination, Bullying and Harassment Prevention Policy Responding to Sexual Assault Policy Responding to Sexual Assault Procedure Student Appeals Procedure Staff Code of Conduct Student Code of Conduct Student General Misconduct Procedure Student Grievances and Complaints Procedure
Related Legislation	Commonwealth Higher Education Support Act 2003 (HESA) Higher Education Standards Framework (Threshold Standards) 2021 (HESF) National Code of Practice for Providers of Education and Training to Overseas Students 2018
References	AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy:

	<p>Australian College of Applied Psychology (2020) Grievances, Complaints and Appeals Policy</p> <p>Flinders University (2019) Student Complaints Policy</p> <p>Griffith University (2018) Student Complaints Policy</p> <p>James Cook University (2021) Student Complaints Policy</p> <p>Kaplan Business School Australia (2020) Grievances, Complaints and Appeals Handling Policy</p> <p>Melbourne Institute of Technology (2018) Student Complaints and Grievances Policy and Procedure</p> <p>Monash College (2020) RTO – Complaints and Appeals Policy</p> <p>University of South Australia (2018) Student complaints resolution</p> <p>University of Southern Queensland (2015) Student Complaint and Appeal Policy</p> <p>University of Tasmania (2020) Student Complaints Policy</p>
Date of approval	31 March 2022
Review date	December 2024
Policy Category	Academic

6. Document Version Control

Document No	POL - 32	Last Modify Date	Summary of Changes
Version No	1.0	NA	Initial version approved by Board of Directors
	1.01	31/3/2022	Fix typos; modify policy number
	1.02	15/12/2022	TEQSA REQ06635 response – clarifying student costs for complaints/appeal processes
Created Date	Feb 2022		