

Student Grievances and Complaints Procedure

1. Purpose and Scope

- 1.1 The Student Complaints Procedure describes the stages of complaint process, possible decisions and outcomes, identifies appeal pathways and describes record keeping requirements. It should be read in conjunction with the Student Complaints and Appeals Policy and the Student Appeals Procedure.
- 1.2 A complaint brought under this procedure 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; or
 - 1.2.4 the behaviour or actions of a staff member or another student of AIAT.
- 1.3 This procedure applies to
 - 1.3.1 current students of AIAT;
 - 1.3.2 persons who have studied or completed studies at AIAT within the previous six months;
 - 1.3.3 persons seeking to enrol at AIAT (prospective students);
 - 1.3.4 any third-party providing services on AIAT's behalf to current or prospective students at AIAT (such as education agents, industry supervisors); and
 - 1.3.5 all staff members involved in the management of complaints and appeals processes.

2. Definition

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. Procedure

Appendix A provides an overview of the workflow for this procedure. It is recommended that it be reviewed prior to reading the procedure.

3.1 Stages of the Grievances and Complaint process

3.1.1 There are four stages in the process associated with grievances and complaints, with each stage representing an increase in the level of formality with which the issue is managed.

3.1.2 Stage 1 – Informal Discussion/Negotiation normally between the complainant and student or staff member involved, and/or the supervisor of the staff member involved.

3.1.3 Stage 2 – Complaint, which is managed as per item 3.4.

3.1.4 Stage 3 – Appeal, which is managed under the Student Appeals Procedure.

3.1.5 Stage 4 – Independent External Review, which is discussed in item 3.10.

3.1.6 For all stages of the process, both the complainant and respondent may be assisted or accompanied by a support person, but may not have legal representation.

3.2 Prior to raising a grievance, complainants are encouraged to seek advice on the issue and to clarify options for resolving their concerns.

3.2.1 Complainants wishing to raise a grievance should initially seek advice from an independent person knowledgeable about the process and aware of potential outcomes such as:

- a. an appropriate academic staff member; or
- b. the Student Services Office.

3.2.2 The complainant and the independent adviser should:

- a. consider whether the grievance is reasonable;
- b. clarify the details of the matter, including the events that occurred, the basis for the complaint and the resolution sought; and
- c. where appropriate, identify the most appropriate process under which the matter may be pursued.

3.2.3 The complainant may, on the basis of this discussion:

- a. take no further action;
- b. make an informal approach to the person concerned (see Stage 1); or
- c. raise a complaint (see Stage 2).

3.3 Complaint and appeal processes within AIAT are at no charge to the student.

3.4 Stage 1 – Informal Discussion/Negotiation regarding grievance

3.4.1 Complainants are expected to normally attempt to resolve matters in good faith at the local level, where it is reasonable and appropriate to do so, before lodging a complaint.

- 3.4.2 Not all matters are suitable for informal resolution. Matters involving allegations of serious misconduct should not be addressed informally and should be a complaint (see Stage 2).
 - 3.4.3 Complainants are encouraged to specifically identify their issues and, if possible, propose solutions.
 - 3.4.4 Complainants can access support and assistance from the Student Services Office at any time in an informal resolution process.
 - 3.4.5 Once a complainant has identified the issues and thought about solutions, either by themselves or with the help of a support person, they are encouraged to speak directly with the staff member or student responsible for the particular issue if they feel safe and comfortable to do so.
 - 3.4.6 The complainant may seek assistance from the Student Services Office in conducting conversations with other students or staff members, which may include mediation if appropriate and acceptable to all parties.
 - 3.4.7 Informal resolutions are achieved with the agreement of both the complainant who raised the issue and the person with whom they had the issue. They do not involve a ruling by a higher authority.
 - 3.4.8 Accurate and complete records of informal resolutions must be created and maintained by the staff member involved in the resolution.
 - 3.4.9 If the informal resolution is not successful the grievance can be escalated to Stage 2 –Complaint.
- 3.5 Stage 2 –Complaint
- 3.5.1 If a complainant feels uncomfortable about having their grievance dealt with informally, or has not been able to resolve it informally, they can choose to have their grievance dealt with formally.
 - 3.5.2 The complainant should complete the Formal Complaint Form and forward it to the Campus Manager. The student should:
 - a. make clear the nature and grounds of their complaint;
 - b. indicate whether or not they have pursued Stage 1 of this procedure, and if not briefly make clear the reasons for not doing so;
 - c. provide the date of the initial discussion/negotiation (if applicable);
 - d. attach copies of any written communication between the complainant and the respondent that took place at Stage 1 (if applicable); and
 - e. attach evidence that supports the grounds for their complaint, where available.
 - 3.5.3 All complaints should be lodged as soon as possible following the incident or issue occurring and within a maximum of 6 months.
 - 3.5.4 Within five working days of the Formal Complaint Form being lodged, the Campus Manager will:
 - a. acknowledge receipt of the complaint in writing;
 - b. undertake a preliminary assessment to determine whether it should be handled under this Procedure or another Procedure;

- c. where the matter meets AIAT’s definition of complaint, make a determination of how the matter should be managed (see 3.5) and inform the complainant in writing including the name of the contact person;
- d. where the matter does not meet AIAT’s definition of complaint, inform the complainant in writing; and
- e. record the matter and any action taken in the Student Complaints Register.

3.6 Complaint Management

3.6.1 Complainant complaints that meet AIAT’s definition of complaint will be addressed as detailed in the table below.

Nature of Complaint	Referred to	Methods of Resolution Available	Decisions available	Decision-maker
Any aspect of an academic program (excepting assessment and academic progress)	Student Complaints Committee (SCC)	<ul style="list-style-type: none"> - Facilitated conversations - Fact-finding activities - Conducting an investigation 	The complaint can be substantiated in whole or in part, or dismissed	SCC
Any administrative or fees related matter	Appropriate administration group	Fact-finding activities	<ul style="list-style-type: none"> - The complaint can be substantiated in whole or in part, or dismissed - Rectifications of administrative errors, including fee adjustment as appropriate 	Appropriate administrative officer as per Delegations Register
Assessment matters	<p>Subject Coordinator for relevant topic</p> <p>Where the Subject Coordinator was involved in the disputed assessment, the matter will be referred to the next most senior academic staff member</p>	<p>Refer to the Assessment Procedure</p> <ul style="list-style-type: none"> - Remarking and resubmission or - Review of an assessment decision 	<ul style="list-style-type: none"> - Adjusting assessment grade - Allowing for remarking or resubmission of the assessment - Upholding the initial assessment outcome 	Subject Coordinator/ Other academic staff member as required

Academic progress matters	Academic progression process	Refer to Academic Progression Policy and Procedure	N/A	N/A
Behaviour of a student	Campus Manager	<ul style="list-style-type: none"> - Facilitated conversations - Fact-finding activities - Conducting an investigation 	<ul style="list-style-type: none"> - The complaint can be substantiated in whole or in part, or dismissed - Where appropriate, the complaint may be referred to the Student General Misconduct Procedure 	Campus Manager
Behaviour of a staff member	CEO	Treated as a staff misconduct matter	<ul style="list-style-type: none"> - The complaint can be substantiated in whole or in part, or dismissed - Where appropriate, penalties may be applied in accordance with Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure 	CEO
Sexual Assault	CEO or nominated officer as defined in Responding to Sexual Assault Policy	As per Responding to Sexual Assault Policy	As per Responding to Sexual Assault Policy	As per Responding to Sexual Assault Policy
Other	SCC	<ul style="list-style-type: none"> - Facilitated conversations - Fact-finding activities - Conducting an investigation 	The complaint can be substantiated in whole or in part, or dismissed	SCC

- 3.6.2 Where a complaint is, or becomes, the subject of a police investigation AIAT will suspend the complaint investigation if required to avoid interference with the police matter.
- 3.6.3 All staff members involved in resolving a complaint must be free from bias and not have a real or perceived conflict of interest, including prior involvement in handling the complaint.
- 3.6.4 Complaints may be addressed using a range of approaches as appropriate. These include, but are not limited to:
- a. Fact finding activities (e.g. requesting documentation, checking data systems, conducting conversations and interviews)
 - b. Facilitated conversations involving the complainant and other parties.
 - c. Investigation which may include
 - reviewing course materials or resources;
 - consulting other course/subject participants while maintaining privacy;
 - reviewing course evaluations;
 - reviewing processes if the complaint relates to an administrative or financial matter;
 - reviewing information provided if the complaint relates to bullying and/or harassment;
 - review potential unfair treatment of individuals on grounds of access and equity;
 - review processes if there are health and safety concerns regarding delivery of subjects and/or assessments;
 - speaking to relevant AIAT staff members to obtain further information.
- 3.6.5 The decision-maker (except Student Complaints Committee, see Clause 3.7) will make a determination regarding the complaint, within 10 working days:
- a. Inform the complainant and any respondents of the outcome, reasons for the outcome, any proposed actions to follow, and their option to appeal the decision;
 - b. record the matter and any action taken in the Student Complaints Register.
- 3.7 Decisions in complaint matters
- 3.7.1 The decision maker will make a finding of
- a. substantiated
 - b. substantiated in part or
 - c. not substantiated.
- 3.7.2 If the complaint is substantiated or substantiated in part, the decision maker will determine any combination of the following outcomes or any other outcome appropriate in the circumstances:
- a. rectification of administrative or academic error
 - b. implementation of negotiated solution
 - c. a direction of no contact by any means or for any reason
 - d. intervention by an academic staff member
 - e. referral to another policy or process within AIAT (e.g. Academic Progression)

- f. misconduct action.

3.8 Student Complaints Committee

3.8.1 This ad hoc committee is created when required.

3.8.2 Membership

a. Voting members

- Campus Manager (who acts as the chair) or equivalent, not previously involved in the complaint;
- Two senior members of either academic or non-academic staff depending on the nature of the complaint, not previously involved in the complaint;
- A non-academic staff member from the Student Services Office; and
- A student nominated by the recognised student organisation who has received appropriate training.

b. The committee may include an administrative staff member to assist with coordinating the meeting, taking minutes and corresponding with the student, but is not a voting member.

c. The committee cannot include any person referred to in the complaint.

3.8.3 The committee will ensure the principles of natural justice are applied to any hearings and the management of the complaint.

3.8.4 The committee may, at any time:

- a. refer any matter initiated under this procedure to be dealt with under another AIAT policy or procedure as appropriate; and
- b. stop any actions commenced under this procedure.

3.9 Student Complaints Committee activities

3.9.1 The Chair will constitute the Student Complaints Committee and organise meeting to discuss the complaint within 10 working days of preliminary assessment.

3.9.2 The committee will:

- a. review the complaint
- b. obtain any additional information required to make a determination
- c. determine a finding for the complaint (as per item 3.6.1)
- d. determine any outcomes (as per item 3.6.2)
- e. Inform the complainant and any respondents of the outcome, reasons for the outcome, any proposed actions to follow, and their option to appeal the decision within 5 working days of the meeting;
- f. record the matter and any action taken in the Student Complaints Register within 5 working days of the meeting.

3.9.3 A majority of members of the committee must be satisfied that the complaint has been upheld or the complaint must be dismissed.

3.10 Stage 3 – Appeals of complaint decisions

3.10.1 A student who is dissatisfied with the outcome of their complaint may appeal the decision within 10 working days of their receipt of the written response, except

where a complaint is referred to another process (e.g. student misconduct or academic misconduct matters).

3.10.2 The appeals process and relevant grounds for appeal are in the Student Appeals Procedure.

3.11 Stage 4 –Independent External Review

3.11.1 The decision of the Student Appeals Committee or the Academic Appeals Committee are final and not subject to further review in AIAT.

3.11.2 If the student wishes to appeal the decision of the Student Appeals Committee or the Academic Appeals Committee, they will have twenty (20) working days to request an independent external review from the date of their letter notifying the appeal outcome.

3.11.3 An independent external review should only be made after all internal appeal processes under this Policy and Procedures have been addressed. However, at any part in the complaints or appeals process the complainant may refer the matter to an external agency.

3.11.4 All complainants may request mediation or an external review through Resolution Institute <https://www.resolution.institute/>. A student Mediation Scheme Information Kit can be obtained from the Resolution Institute, currently to be found at following link: <https://www.resolution.institute/resolving-disputes/tertiary-student-au>.

3.11.5 Mediation and external reviews will be conducted in accordance with the Resolution Institute Mediation Rules (<https://www.resolution.institute/documents/item/1897>).

3.11.6 Please note that applying for an external review with the Resolution Institute will not incur a fee.

3.11.7 For international students, may lodge a complaint with the Commonwealth Ombudsman <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>

3.11.8 Using an interpreter

- a. The Commonwealth Ombudsman’s website provides details on how to organise for the use of an interpreter.

3.12 Communicating with student

3.12.1 Written communication with students may be delivered and received in accord with the following table:

Notice is sufficient if it is in writing and delivered by one of the following means:	Notice is deemed to have been received:
1. emailed to the student’s allocated AIAT email account. If the student does not have an AIAT email account, one of the three methods below must be used.	24 hours after the time it was sent
2. given to the student in person	Immediately
3. posted by ordinary or express post (preferred) to the student at	on the third business day after it was sent

<ul style="list-style-type: none"> • the address shown on the student’s record on the student document management system or, • if the student is not on the student document management system, the last recorded address for that student, 	
<p>4. delivered by courier to the student at</p> <ul style="list-style-type: none"> • the address shown on the student’s record on the student document management system or, • if the student is not on the student document management system, the last recorded address for that student, 	<p>on the date recorded in the courier’s records as the date of delivery</p>

3.13 Records and reports

3.13.1 At each stage of the process, appropriate records of all relevant documentation will be maintained by staff involved in the grievance and complaint process.

Documentation will be securely stored and include:

- Any documents or other media related to the complaint;
- Records of any meetings, telephone calls and emails with the student or any other details in anyway connected with the complaint;
- Copies of all correspondence;
- Decision reached on the complaint.

3.13.2 Student Complaints Register

- There is a Student Complaints Register. The Campus Manager owns and manages the Register.
- Requests from staff for information contained in the Register must be made to the Campus Manager.
- Students are entitled to access any entries about them in the register.
- Aggregated data may be reported for the purposes of complaints monitoring, quality improvement and research, but must not disclose the identity of individuals.
- Records will be retained in accordance with the Records Management Policy.

3.13.3 Reports

- The Campus Manager will provide quarterly reports to the Learning and Teaching Committee, Student Welfare and Services Committee and Academic Quality, Compliance and Risk Committee.
- The Campus Manager submits a report listing complaints by category, severity, the findings, outcomes determined, the number that proceeded to Appeal, and including trend analysis and actions to address identified root causes to the EMG and the Learning and Teaching Committee.

3.14 Confidentiality

3.14.1 All matters discussed in any phase of this procedure must be treated with strictest confidence, except where necessary for the discharge of that person’s or

committee's responsibilities under this procedure or as otherwise required or permitted by law.

4. Roles and responsibilities

4.1 All students are responsible for

- 4.1.1 contributing to a harmonious work and study environment;
- 4.1.2 respecting the rights of both the complainant and the respondent in accordance with the principles of natural justice;
- 4.1.3 ensuring all information associated with the complaint or appeal is disclosed only to those legitimately involved in the resolving the complaint or appeal;
- 4.1.4 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
- 4.1.5 acknowledging responsibility and participate, in good faith, in restorative activities to put things right when required.

4.2 All staff are responsible for

- 4.2.1 contributing to a harmonious work and study environment;
- 4.2.2 respecting the rights of both the complainant and the respondent in accordance with the principles of natural justice;
- 4.2.3 ensuring all information associated with the complaint or appeal is disclosed only to those legitimately involved in the resolving the complaint or appeal;
- 4.2.4 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
- 4.2.5 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.

4.3 The Chairs of the Student Complaints Committee, the Non-Academic Appeals Committee and the Academic Appeals Committee are responsible for

- 4.3.1 following this procedure;
- 4.3.2 ensuring the principles of natural justice are followed;
- 4.3.3 timely resolution to the complaint or appeal; and
- 4.3.4 providing written communication to the complainant regarding the outcome and reasons for the decision.

4.4 The Campus Manager is responsible for

- 4.4.1 follow this procedure;
- 4.4.2 receiving and preliminary assessment of Formal Complaint forms;
- 4.4.3 determining how the complaint should be managed;
- 4.4.4 chairing the Student Complaint Committee;
- 4.4.5 managing the Student Complaints Register;

- 4.4.6 providing quarterly Student Complaints and Appeals Reports to the Learning and Teaching Committee, Student Welfare and Services Committee and Academic Quality, Compliance and Risk Committee;
- 4.4.7 providing an annual report regarding academic complaint trends to the Learning and Teaching Committee and;
- 4.4.8 providing an annual report regarding non-academic complaint trends to the EMG.

5. Procedure Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Procedure name	Student Grievances and Complaints Procedure
Procedure Reference No.	PROC – 32a
Procedure Approval	Board of Directors in consultation with Academic Board regarding academic matters
Procedure 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	<p>Academic Progression Policy</p> <p>Assessment Procedure</p> <p>Dealing with Unsatisfactory Performance and Misconduct (Staff) Procedure</p> <p>Discrimination, Bullying and Harassment Prevention Policy</p> <p>Records Management Policy</p> <p>Responding to Sexual Assault Policy</p> <p>Responding to Sexual Assault Procedure</p> <p>Staff Performance Policy</p> <p>Student Code of Conduct</p> <p>Student Complaints and Appeals Policy</p> <p>Student Appeals Procedure</p> <p>Student General Misconduct Procedure</p>
Related Legislation	<p>Commonwealth Higher Education Support Act 2003 (HESA)</p> <p>Higher Education Provider Guidelines 2012 (Compilation No. 7, 2021)</p> <p>Higher Education Standards Framework (Threshold Standards) 2021 (HESF)</p> <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018</p>
References	<p>AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy:</p> <p>Australian College of Applied Psychology (2018) Grievances, Complaints and Appeals Procedure</p>

	<p>Deakin University (2021) Student Complaints and Resolution</p> <p>Flinders University (2020) Student Complaints Procedure</p> <p>Kaplan Business School (2020) Grievances, Complaints and Appeals Handling Policy</p> <p>Melbourne Institute of Technology (2018) Student Complaints and Grievances Policy and Procedure</p> <p>University of Southern Queensland (2019) Student Complaint and Management Procedure</p>
Date of approval	31 March 2022
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Policy Category	Academic

6. Document Version Control

Document No	PROC – 32a	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	22/9/2022	Removed TEQSA as external appeals group Clarified financial cost to student for external review
	1.03	11/01/2023	Clarified cost for internal complaints/appeals process.
Created Date	Feb 2022		

Appendix A – Student Complaint Process

