

# Student Complaints and Appeals Procedure

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## 1. PURPOSE

The Australian National Institute of Management and Commerce (the Institute) provides a timely, effective, and transparent system for managing student concerns. This Procedure document provides information to students and staff on the conditions and procedures in place at the Institute to enable student complaints and appeals to be addressed in a timely, equitable and appropriate manner. This Procedure should be read with the Student Complaints and Appeals Policy.

Students are informed about the policy and procedure via the orientation materials, the Institute Student Handbook, and the Institute’s website. The Institute’s staff (including members of the Student Grievance Committee) responsible for its administration are informed about this policy and procedure and trained in its application annually.

## 2. PROCEDURE

### 2.1 Overview of the Complaints and Appeal Processes

The complaints/appeal process available to students is summarised in the steps below:

Students may resolve a complaint either **informally** or **formally**. An informal complaint is the preferred option for resolving concerns at the Institute.

#### I. Informal complaint/appeal

In the case of an informal complaint or appeal, students may directly approach the person/s concerned or communicate with the Senior Manager of Student Services. Internal mediation may be applied before the complaint/appeal is escalated.

*If the concern continues or is not easy to resolve informally:*

#### II. Formal Grievance Resolution mechanisms are available.

Students may lodge a **formal grievance** by lodging a Complaint Form available on the Institute’s website with [complaints@imc.edu.au](mailto:complaints@imc.edu.au)

*If a student believes there has been an error in the making of a decision, it is open to a student to lodge:*

- III. **An Appeal of a decision of the Institute.** This can be done by email to [appeals@imc.edu.au](mailto:appeals@imc.edu.au) generally within 20 working days after the outcome of a decision has been communicated to the student.

*If, after all aspects of the Institute's internal grievance procedure are exhausted, the student feels the matter is still unresolved:*

- IV. **External Mediation/Dispute Resolution** may be accessed by the student. Information is provided below about this process.

The Institute's web page at <https://www.imc.edu.au/current-students/student-services/complaints-and-appeals> contains detailed information on lodging appeals, complaints and grievances, including a flow chart showing the steps from lodgment to resolution.

## **2.2 Resolution of Informal Complaints/Appeals**

Students are encouraged to resolve issues informally in the first instance by approaching the person or persons concerned directly. Informal discussion may be conducted face-to-face or by telephone, email, or other written communication.

If a student feels unable or uncomfortable contacting someone directly, the issue may be communicated to the Senior Manager of Student Services. Where appropriate, the Senior Manager of Student Services may nominate a delegate (for example, a support person with mental health expertise) to support the student. The Senior Manager of Student Services can be contacted at [studentservice@imc.edu.au](mailto:studentservice@imc.edu.au).

The Senior Manager of Student Services will gather and communicate as much information as possible to facilitate the resolution of an informal complaint/appeal. The internal communications between the Senior Manager of Student Services and the student may be through emails, meetings and/or phone calls. Students are also encouraged to disclose any underlying personal or other issues that may have contributed to or exacerbated the problem or concern. This will help the Senior Manager of Student Services approach a student's problem or concern holistically, including referral to other forms of support and assistance.

## **2.3 Resolution of Formal Grievance**

If processes for the resolution of informal complaints/appeals have been unsuccessful and a student lodges a formal grievance or if a student chooses to make a formal grievance without an informal complaint, the student must complete the Formal Grievance Form (available on the Institute's website) and email it to [complaints@imc.edu.au](mailto:complaints@imc.edu.au)

- Instructions on the requirements for lodging a formal Grievance and copies of the relevant forms are available from the Senior Manager of Student Services.
- Formal grievances must be submitted to [complaints@imc.edu.au](mailto:complaints@imc.edu.au) within 20 working days of the cause of the grievance or 20 days of an unsuccessful resolution of an informal complaint.
- The lodgement of a formal grievance will be recorded in writing in the Institute's Complaints and Appeals Register.
- A student will receive written confirmation within 48 hours of receipt of the formal grievance.

- The internal communications through emails, meetings and/or phone calls between the student and the Senior Manager of Student Services will be arranged.
- The resolution of the formal grievance is the responsibility of the Student Grievance Committee.
- The Senior Manager of Student Services (or delegate) will support, assist, and advise a student throughout the grievance resolution process.

Students have the right to withdraw an informal complaint or formal grievance at any time during the investigation process. A withdrawal must be notified in writing and the investigation will cease immediately upon receipt of the withdrawal.

Students have the right to pursue external resolution before completing the Institute's internal grievance resolution process. However, it should be noted that external resolution services may require that all possible internal resolution mechanisms have been utilised before accepting responsibility for a complaint/grievance. All internal processes will cease when a student has accessed an external resolution process.

## **2.4 Appeal rights of a student**

If a student believes there has been an error in making a decision, it is open to a student to lodge an appeal of a decision of the Institute.

The Director of Learning and Teaching or delegate will manage the appeal and make a binding and final decision about the appeal.

Alternatively, if the Director of Learning and Teaching was the decision maker of a decision subject of an appeal (or took a role or played a part in the original decision), the Deputy President (Education) will handle and deal with the appeal.

An appeal must be in writing and include sufficient information to enable the Director of Learning and Teaching to understand the student's appeal and on what basis the primary decision was incorrect. There is no prescribed form for lodging an appeal.

A decision on an appeal by the Director of Learning and Teaching or the Deputy President (Education) is final and binding on all parties except as otherwise stated in this procedure.

## **2.5 Investigation process**

The Institute's Student Grievance Committee (SGC) investigates and acts upon all formal grievances.

The SGC will conduct all investigations according to principles of procedural fairness including:

- The investigation and decision-making procedures will be conducted fairly and without bias. SGC members are required to disclose any conflict of interest or potential conflict of interest, and the conflict must be managed appropriately by the SGC Chair.

- Students can expect to be treated courteously without fear of victimisation or prejudicial treatment. All parties involved in the grievance will be allowed to present their case.

The SGC may dismiss a grievance without a complete investigation if the student does not provide sufficient evidence to justify further consideration. The student will be advised in writing of this outcome with supporting reasons.

In considering a formal grievance, the SGC will follow processes that are likely, in its opinion, to result in a resolution of the grievance, including;

- An investigation will usually require a meeting with the student based on the grounds of the grievance. If a meeting is needed, the SGC will request the Senior Manager of Student Services to organise a face-to-face meeting, where possible, or a phone or Zoom meeting within ten working days of submitting the formal complaint.
- Students are encouraged to have a support person with them for the meeting. At the discretion of the SGC Chair, the support person may participate in the discussion. An important role of the support person is to be a neutral witness to discussion. The support person may be a student, a member of a student representative body, a staff member not connected with the matter, a family member or another person. When the support person is a legal representative or practicing legal practitioner, SGC must be informed no later than five (5) working days before the meeting.
- International students or domestic students whose capacity for self-advocacy is impaired by disability have the right to a non-legally trained advocate. Usually, the Senior Manager of Student Services will provide advocacy in this circumstance or assist the student in accessing alternative advocacy.
- The grievance investigation may involve speaking to relevant staff or other students, accessing the student file and/or speaking to external parties. The student will be advised should the SGC consider it necessary to involve external parties in the investigation, and confidentiality will be respected. External parties may include the Institute's agents or related parties where the complaint is about a student's experience with those parties.
- All grievances (whether informal, formal or by way of a complaint) will be dealt with in a constructive and timely manner. Where more than 30 calendar days are required to process a complaint or appeal, the student will be advised in writing of the reasons, and the parties will be regularly updated in writing.
- Once the investigation has been conducted and a determination made by the SGC, the student will receive a written response. The response will include a full explanation of decisions, reasons for decisions, and all actions taken as part of the process. Students will also be provided with advice regarding external avenues of appeal. The written response should be provided within five (5) working days of the decision being made and any implementation required following the decision. Appropriate staff responsible for the implementation will also be notified.
- Where the grievance resolution process outcome results in a decision supporting the student, the Institute will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome in writing.

- Written records of all investigation processes will be kept. Records will be treated as confidential and covered by the Institute's *Privacy Policy*. Records of the investigation procedures and their outcomes will be maintained for at least five (5) years.

## **2.6 External Mediation/Dispute Resolution**

If, after all aspects of the Institute's internal grievance and complaint procedures have been exhausted, a student feels the matter remains unresolved, the student may access external mediation. The Senior Manager of Student Services will provide the student with clear information on external mediation and dispute resolution options in writing.

If a student is not satisfied and considers their complaint relevant to the Institute's non-compliance with the Higher Education Standards Framework (Threshold Standards) 2021, the student may contact TEQSA see: <http://www.teqsa.gov.au/complaints>

### **External Mediation and Dispute Resolution**

**Domestic students will be referred to:**

#### **Resolution Institute**

The Resolution Institute is an independent national association of dispute resolution.

Telephone: +61 2 9251 3366

Freecall: 1800 651 650

Email: [infoaus@resolution.institute](mailto:infoaus@resolution.institute)

#### **Address**

Suite 602, Level 6, Tower B, Zenith Centre  
821–843 Pacific Highway  
Chatswood NSW 2067

#### **Postal Address**

PO Box 440  
Chatswood NSW 2057

#### **Domestic FEE-HELP**

A student who is enrolled in or entitled to FEE-HELP and is not satisfied with the decision may apply to the Administrative Appeals Tribunal (AAT) for a review of that decision. Further information about the AAT, including all costs and required application forms can be obtained from [www.aat.gov.au](http://www.aat.gov.au).

#### **International Students**

The Commonwealth Ombudsman can investigate complaints by international students concerning their education at Australian universities, Institutes and higher education providers. See <https://www.ombudsman.gov.au/complaints/international-student-complaints>

## **2.7 Student Grievance Committee (SGC)**

### **Composition of the Student Grievance Committee**

The Committee consists of the Chair of the SGC, at least one student representative and at least one representative from management and academic staff, respectively. The SGC Chair is appointed by and reports to the Chair of the Academic Board on all academic matters.

In non-academic matters, the SGC Chair reports to the Chair of the Council.

### **Role of the Student Grievance Committee**

The SGC is responsible for investigating and determining all formal student grievances. In addition to this role, the SGC performs a key oversight role in monitoring and reviewing student grievances. The SGC meets twice a year, over and above times required for the investigation and resolution of formal grievances, to ensure the Institute adopts a practical, proactive approach to addressing student concerns. In coordination with other staff and key Institute committees and boards, the SGC facilitates processes such as:

- Communicating to students about the availability and responsible use of resources and procedures to deal with their complaints;
- Communicating to staff and training to ensure awareness of procedures and best practices in handling student concerns;
- Reporting and recording of formal student complaints;
- Monitoring and reviewing trends in formal and informal student complaints and implementation of appropriate actions; and
- Reviewing relevant policies and procedures and proposing changes where necessary.

### **Responsibilities**

The Senior Manager of Student Services provides six-monthly reports to the SGC on the number and nature of formal complaints and the steps taken to resolve them. In addition, the reports should highlight any trends and attempts to address matters of potential concern.

In addition to responsibilities listed in procedures for complaint investigation and reporting, The SGC is responsible for reporting regularly to the Academic Board. The Committee must ensure that the Academic Board is aware of recurring issues and any particularly serious or sensitive issues. The SGC may make recommendations to the Academic Board to help mitigate potential problems.

The Academic Board is responsible for considering the SGC's review findings and acting on recommendations if necessary and appropriate. The Academic Board must ensure steps are taken at the administrative level to remedy policies, procedures and/or practices that need improvement.

### 3. RELATED DOCUMENTS

- i. *Access and Equity Policy*
- ii. *Assessment Policy (Coursework)*
- iii. *Bullying, Harassment and Discrimination Prevention Policy*
- iv. *Code of Conduct for Students*
- v. *Examinations Policy and Procedure*
- vi. *Fees and Charges Policy*
- vii. *Recognition of Prior Learning (RPL) Policy*
- viii. *Student Academic Integrity Policy*
- ix. *Student Complaints and Appeals Policy*
- x. *Student Progression, Exclusion and Graduation Policy*
- xi. *Student Selection and Admissions Policy*
- xii. *Support for Students Policy*

### 4. VERSION CONTROL.

<b>Historical Version</b>	<b>Approved by</b>	<b>Approval Date</b>
2021.06	Provost	24 June 2021
2020.10	Academic Board	26 October 2020

*The Deputy President (Education) oversees the implementation and compliance of this policy. Please contact the Deputy President's office for any enquiries or clarifications related to this policy.*