

Empowering knowledge for corporate excellence

Student Complaints and Appeals Policy and Procedure

1. Purpose

- 1.1 AILFE is committed to providing a fulfilling and rewarding learning and research experience that enables students to achieve their full academic potential. Feedback is welcomed as a mechanism for continuous improvement and for ensuring quality provision is consistently delivered.
- 1.2 Complaints will be acknowledged and handled promptly in accordance with ASQA Standards for 2015 – Standard 10.
- 1.3 The complaints will be treated sensitively having due regard to procedural fairness and confidentiality.
- 1.4 Complainants will not suffer detriment or disadvantage as a direct result of making a complaint.
- 1.5 Wherever possible complaints will be resolved by a process of discussion, cooperation and mediation, as soon as possible after an incident or situation has occurred.

2. Scope

This procedure refers to all AILFE enrolled students and the staff.

3. Context

- All aspects of a student's experience at AILFE
- The activities of AILFE and its staff in relation to students
- All activities on AILFE premises and all external activities related to study and research.
- Activities in relation to online examinations
- Complaints made no later than twelve months after the event giving rise to the complaint

4. Types of Complaint

There are three types of complaints.

4.1 Complaints about academic decisions and matters

Complaints about academic decisions and matters may be resolved under these procedures where any of the following apply:

- The matter has not been able to be resolved under the relevant AILFE policy.

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- The complaint relates to procedural fairness or inconsistent application of AILFE policy.
- There is no other route of appeal.

Examples of complaints under this category may include: assessment, academic standing and decisions of the Re-enrolment and exclusion from academic programs.

4.2 Complaints about a person

Students may make a complaint relating to the behaviour of:

- other students of AILFE
- academic staff
- technical staff
- people external to AILFE with whom students interact as part of a program of study such as, but not limited to, work experience or other practicums.

4.3 Complaints about administration or process

Students may make a complaint relating to, but not limited to:

- mismanagement;
- unreasonable decisions;
- inconsistent application of AILFE policy or procedure;
- denial of procedural fairness;
- failure to provide rights;
- incorrect advice leading to detriment;
- negligence.

5. Complaints handling process

AILFE has three stage complaints handling model.

6. Stage 1 – Informal Procedure

- 6.1 This is to be used first in most cases, resolving complaints through an informal process, which aims to sort out grievances as quickly, and as close to the source as possible. Suitable for expressions of dissatisfaction, straightforward issues or urgent matters.
- 6.2 The concern is raised directly with the person/s involved and, or with AILFE staff member/s most directly involved with, or responsible for, the basis of complaint. This can be done via email, over the phone or in person.
- 6.3 The staff member will aim to resolve the complaint as quickly as possible. To help reach a mutually acceptable outcome a meeting may be held to discuss the complaint. The student may be accompanied by a support person for the meeting.

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- 6.4 Urgent matters should be resolved or referred to the Student Services Officer as soon as possible. AILFE will aim to resolve non-urgent matters within 10 working days.
- 6.5 If the internal or any external complaint handling or appeal process results in a **decision that supports the student**, then the following corrective action and preventative action will be carried out:

Corrective action:

- The student's file will be updated with the outcome and any subsequent actions;
- Student will be informed promptly of the decision reached by the external body;

Preventative action:

- All staff related to the matter will be briefed and preventative action will be discussed;
- Policy and procedure relating to the matter drawn up;

7. Stage 2 – Formal Procedures

- 7.1 A complaint can be lodged under the formal process where:
- Resolution through stage 1 has not occurred
 - The matter is complex
 - The complaint is deemed serious
 - The student chooses this process
- 7.2 A formal complaint must be lodged by submitting the Complaints and Appeals Form to the Operations Director. The written complaint must contain sufficient information for the complaint to be investigated and to substantiate the complaint. All available relevant information should be lodged at the outset.
- 7.3 Investigation:
- The Operations Director will examine the relevant documentations, policy and seek the relevant staff for clarifications on information supplied
 - The Operations Director will then have a meeting with the student. The student may bring along a support person for the meeting.
- 7.4 Outcome of the investigation may be:
- That the complaint has been upheld or partly upheld. Recommendations for actions required may also be made, or
 - That the complaint has not been substantiated. In most unsubstantiated cases no recommendations for action are required.

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7.5 Time frame

- Formal complaints will be acknowledged within 5 working days;
- Preliminary enquiries will normally be completed within 10 working days;
- Formal investigations will typically be completed within 20 working days;
- The outcome will be confirmed in writing within a further 5 working days of the conclusion of the investigation;
- Regular updates to the complainant will be provided by the Student Services officer.

8. Stage 3 – Appeals

8.1 An appeal may only be lodged on the grounds of lack of procedural fairness.

8.2 Complaint required lodging the appeal in writing to the Operations Director.

8.3 The Operations Director with the respective Trainer may determine, that on its face, the appeal should not proceed on the grounds that it is frivolous, vexatious or is not on the grounds of lack of procedural fairness in the investigating process. In making this determination the Operations Director may, but is not required to, review the record of the complaint and/or obtain further information from the complainant.

8.4 If the Operations Director determines that the appeal should not proceed then the Student Services Advisor will notify the complainant of the decision and all avenues of appeal within AILFE will then be exhausted.

8.5 If the Operations Director determines that the appeal should proceed then the Student Services Advisor will refer to the Complaints Appeals Committee.

8.6 The Complaints Appeals Committee consists of the PEO, Operations Director and the Student Advisor.

8.7 Appeals process

All parties will be invited to attend a hearing to state their case.

Before the hearing the parties should inform the Chair:

- Whether they intend to attend the meeting
- Whether they intend to attend with a support person
- Whether they intent to present any material not in the written submission.

In determining the outcome of the appeal the Committee may

- Dismiss the appeal; or
- Allow, or partly allow the appeal and make a fresh determination based on the evidence presented.

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Following the determination of the appeal, all avenues of complaint and appeal with AILFE will have been exhausted.

8.8 Time frame

- Appeals will be usually acknowledged within 5 working days
- A determination whether to proceed to hearing will be notified within 10 working days
- Appeal committee aim to convene within 20 working days of the decision to proceed
- At least 10 working days' notice of the appeal hearing will be given to the parties
- The parties should inform the Chair of any support person at least 5 working days before the hearing
- The outcome will be confirmed to all parties in writing, giving reasons, within 10 working days of the hearing

9. Withdrawal of Complaints

The complainant may decide to withdraw a complaint. Where a formal process is underway any withdrawal must be in writing. In most instances AILFE will deem the complaint resolved. However serious complaints may be referred for internal investigation.

10. Enrolment status

Where a complainant chooses to access this policy and procedure, AILFE will maintain the student's enrolment while the complaint handling process is ongoing.

11. Further action – External review

The complainant dissatisfied with the outcome will be advised of their right to request an external review of the matter.

Domestic students may refer to Australia's Consumer Protection Laws.

International students may refer to Commonwealth Overseas Students Ombudsman.

12. Record keeping

A written record of all complaints handled shall be maintained for at least five years to allow parties to the complaint appropriate access to these records upon written request to the PEO.

13. Responsibility

PEO and Directors

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14. Related policies/forms

Student Privacy Policy
Student Complaints and Appeals Form

15. Review

This policy will be reviewed annually.

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