



AUSTRALIAN INSTITUTE
OF HIGHER EDUCATION

Student Grievance Handling and Resolution Policy and Procedure

1. Purpose:

The Australian Institute of Higher Education Pty Ltd (“AIH”) is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered to complainants at no charge.

AIH aims to:

- Develop a culture that views grievances as an opportunity to improve the organisation and how it works;
- Set in place a grievance handling system that is client focussed and helps AIH prevent grievances from recurring;
- Ensure that any grievances are resolved promptly, objectively, with sensitivity and in complete confidentiality;
- Ensure that the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised; and
- Ensure that there is a consistent response to grievances.

A grievance can be defined as a person’s expression of dissatisfaction with any aspect of AIH’s services and activities.

A grievance may be an expression of dissatisfaction with:

- The enrolment, induction/orientation process,
- The quality of education and administrative support provided,
- Academic matters including student progress, assessment, curriculum and awards in a course of study,
- Handling of personal information or access to personal records, or
- The way someone has been treated.

This ***Student Grievance Handling and Resolution Policy and Procedure*** is designed to ensure that AIH responds effectively to cases of dissatisfaction.

1.1 Before an Issue Becomes a Formal Grievance

Students (or persons seeking to enrol with AIH) are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Academic Staff, Administration Staff and Student Support Officers are available to assist students resolve their issues at this level. This step is not mandatory and a Student may proceed directly to the Formal Grievance Procedure.

1.2 Reviews of Assessment Decisions

A process for requesting a review of an assessment decision forms part of the ***Student Assessment Policy***. Students should utilise this process in the first instance if they wish to have an assessment decision reviewed. Students who

remain dissatisfied with the outcome of the review of their assessment decision may then utilise the ***Student Grievance Handling and Resolution Policy and Procedure***.

2. Procedure:

This procedure can be utilised by students and those seeking to enrol in a course of study with AIH, to submit a grievance of an academic or non-academic nature. Grievances of an academic nature include matters related to student progress, assessment, curriculum and awards in a course of study. Grievances of a non-academic nature include all other matters.

During all stages of the Student Grievance Handling and Resolution Procedure AIH will take all steps to ensure that:

- The complainant and any respondent will have the opportunity to present their case at each stage of the procedure.
- The complainant and any respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The complainant is entitled to ask for assistance in the form of a translator/interpreter at any time during the process.
- The complainant and any respondent will not be victimised or discriminated against.
- At all stages of the process, discussions relating to grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the complainant and/or any respondent if requested.

Students should continue their studies as usual during the grievance procedure, except in circumstances where their health or safety is potentially at risk or where the student poses a health or safety risk to others.

There is no cost to the complainant for utilising the internal stages of this grievance and appeals process. Costs for an external appeal will be shared equally by AIH and the complainant

2.1 Stage One – Formal Grievance

Formal grievances (excluding those relating to assessment results or appeals against the cancellation of the Confirmation of Enrolment (CoE) for International students) must be submitted by completing the ***Student Grievance Application Form*** within 14 days of the incident in writing to the Executive Dean.

Any formal grievances relating to assessment results must be submitted within 5 working days of formal notification of the assessment result (refer to the ***Student Assessment Policy*** for further information). Students wishing to request a review of an assessment should complete the ***Assessment Request for Review Form***.

For International students studying in Australia where the complaint relates to them having their Confirmation of Enrolment (CoE) cancelled at AIH due to not completing their course in the required timeframe, or not making satisfactory academic progress, the student will be notified in writing that they have 20 working days to access the ***Student Grievance Handling and Resolution Policy and Procedure***.

When lodging a grievance, students should include the following information in their submission:

- Details of the course/subject and study period
- A summary of the issues relating to the grievance
- Supporting evidence including any evidence to support attempts to resolve the grievance informally
- The outcome being sought

The Executive Dean, or his/her nominee, will commence an investigation of the grievance and notify the complainant of receipt of the grievance within 5 working days of formal lodgement. The Executive Dean, or his/her nominee, will take all reasonable measures to resolve the grievance as soon as practicable.

The Executive Dean, or his/her nominee, will, if necessary, seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview, the complainant will have an opportunity to formally present his/her case. The complainant or the respondent may ask a support person to accompany them to any such meeting.

The Executive Dean, or his/her nominee, will then provide a written report to the complainant within 20 working days on the outcome of the formal grievance and any steps taken to address the grievance. If for some reason, the investigation or determination takes longer, the student will be advised in writing.

The complainant will be advised of their right to access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

If this stage of the grievance handling process results in a decision that supports the student, AIH's Executive Dean or his/her nominee, will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

2.2 Stage Two - Appeal

If a complainant is dissatisfied with the outcome of their formal grievance, they may lodge an appeal by completing the **Notice of Appeal Form** within 14 days of the determination being made. The appeal must set out the grounds for the appeal and any supporting evidence should be provided along with any new information not previously provided in support of the grievance.

The appeal will be sent to the Chair of the Appeals Committee who will decide whether to grant or dismiss the application within 10 working days of lodgement.

If the Chair of the Appeals Committee believes there are no grounds for appeal, or the appeal is lacking in substance or is frivolous, the appeal may be dismissed without proceeding to a hearing. Where an appeal application is dismissed, complainants will receive written notification within 5 days of the Chair making the decision. The complainant will be informed of further appeal avenues.

Where the Chair of the Appeals Committee decides to grant the appeal application, the Chair will convene the Appeals Committee and the complainant will be notified of the hearing date within 10 working days of the decision. Where possible, the appeal hearing should take the form of a face-to-face interview. The complainant will have an opportunity to formally present his/her case during the appeal hearing. The complainant or the respondent may ask a support person to accompany them to these interviews.

Following the appeal hearing, the Chair of the Appeals Committee, or his/her nominee, will provide a written report to the complainant within 20 working days advising the complainant of the outcome of the appeal outlining any further steps taken to address the grievance.

The complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

If this stage of the grievance handling process results in a decision that supports the student, AIH's Executive Dean or his/her nominee will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

2.3 Stage Three - External Review

Domestic students:

If the Complainant is not satisfied with the outcome of their appeal, then an independent mediator can be requested through LEADR/IAMA. Complainants can contact LEADR/IAMA directly as follows:

Address: Level 1, 13-15 Bridge Street, Sydney NSW 2000

Phone: 02 9251 3366

Freecall: 1800 651 650

Fax: 02 9251 3733

Email: infoaus@resolution.institute

Costs of such mediation will be shared equally by AIH and the complainant. As a guide mediator's costs would be \$385 for the first four hours (or part thereof). Subsequent hours would be \$137.50 per hour. It is common for most disputes to be resolved within the initial four-hour allocation.

AIH will give due consideration to any recommendations arising from the external review of the grievance within 30 days of receipt of the recommendations and the Executive Dean or his/her nominee will ensure that they are fully implemented.

International students:

If an international student is dissatisfied with the outcome of their internal appeal, then they can access an external appeals process through the Overseas Students Ombudsman at no cost.

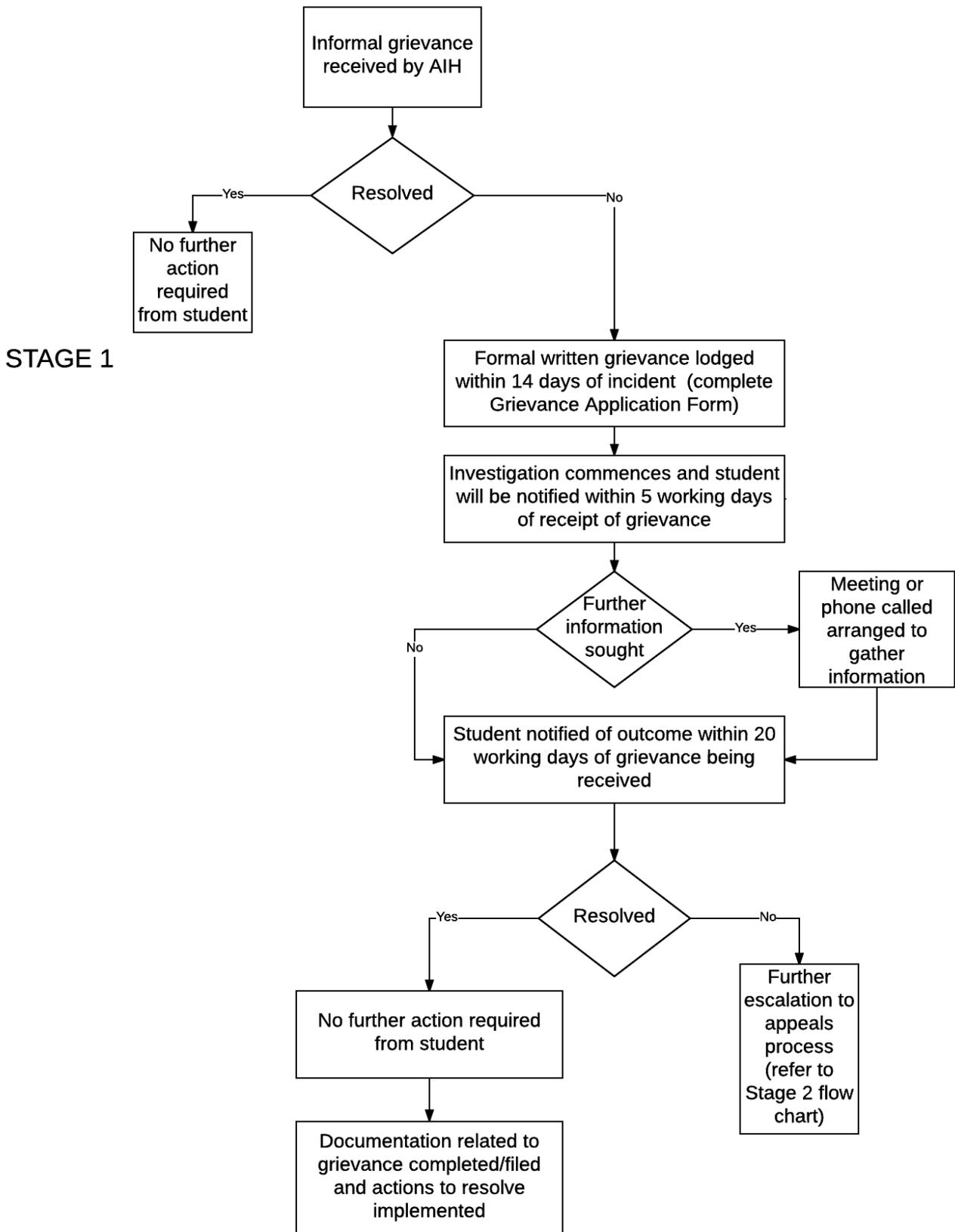
The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their training provider. Refer to the Overseas Students Ombudsman website <http://www.oso.gov.au> or phone 1300 362 072 for more information.

AIH will give due consideration to any recommendations arising from the external review of the grievance within 30 days of receipt of the recommendations and the Executive Dean or his/her nominee will ensure that they are fully implemented.

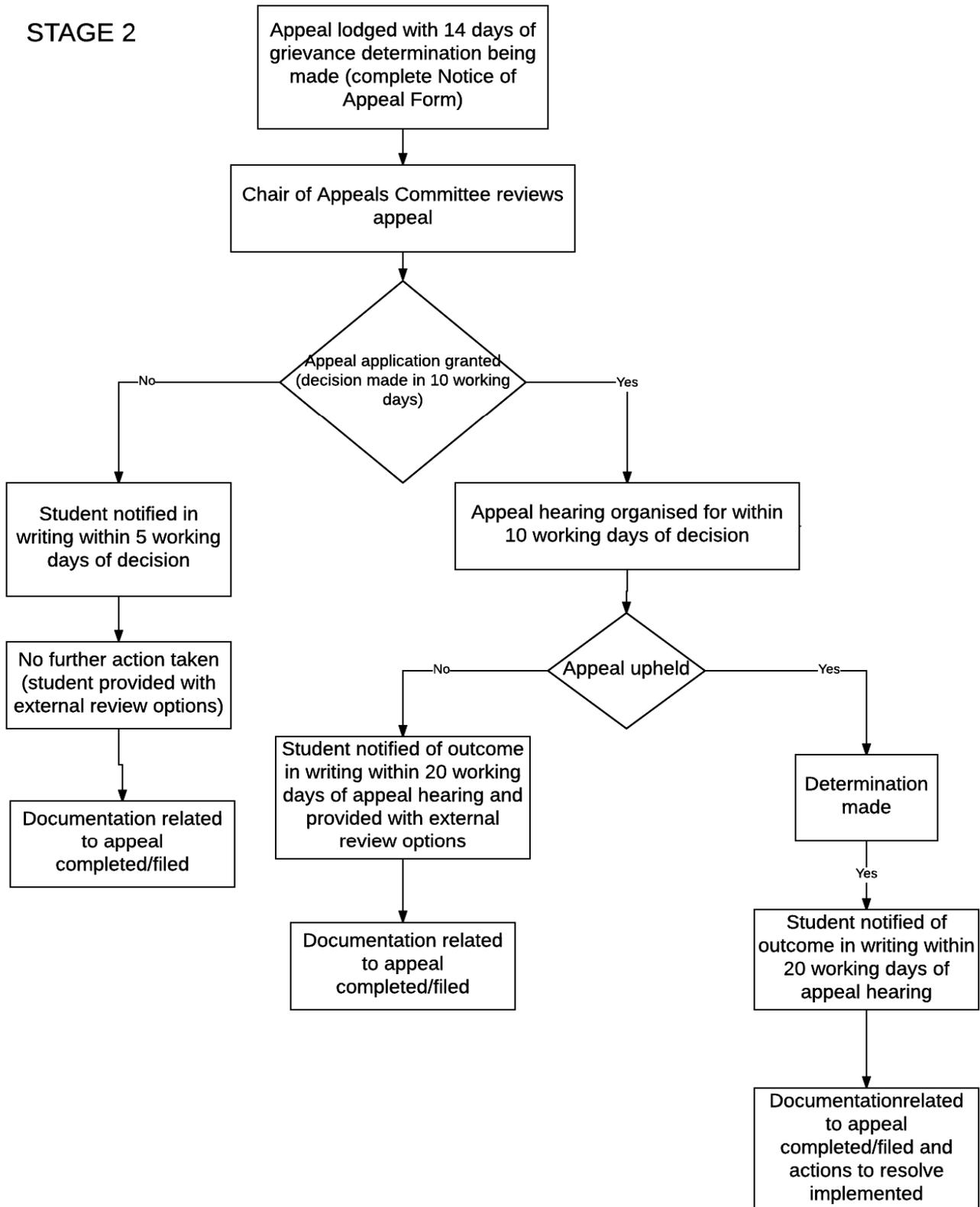
Further Action:

If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading.

2.4 Grievance and Appeals Procedure Flow Chart



STAGE 2



3. Record Keeping & Confidentiality:

Records of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the grievance appropriate access to these records, upon written request to the Executive Dean. These records will be maintained at Level 4, 451 Pitt Street, Sydney, NSW 2000.

All records relating to complaints will be treated as confidential and will be covered by AIH's **Records Management Policy** and **Management of Personal Information Policy**.

4. Additional Information:

This procedure will be made available to students and those seeking to enrol with AIH, regardless of the location of the campus at which the grievance has arisen, the mode in which they study or their place of residence.

If the student chooses to utilise processes under this **Student Grievance Handling and Resolution Policy and Procedure**, AIH will maintain the student's enrolment while the grievance and appeals process is ongoing.

Nothing in this **Student Grievance Handling and Resolution Policy and Procedure** limits the rights of students or persons seeking to enrol with AIH to take action under Australia's Consumer Protection laws. The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law. In addition, these dispute resolution procedures do not circumscribe an individual's rights to pursue other legal remedies.

5. Publication and Dissemination:

This Policy and Procedure will be disseminated by publication in the **Student Handbook** and on the AIH website (www.aih.nsw.edu.au).

The Executive Dean is responsible for implementation of this Policy and Procedure and ensuring that all staff are fully trained in its operation during staff induction and Students and Complainants are made aware of its availability through student orientation and the AIH website.

6. Version Control:

This policy has been endorsed by the Australia Institute of Higher Education Academic Board as at July 2016 and is reviewed every 2 years. The policy is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au> under 'Policies and Procedures'.

Policy Category	Academic (ACA)
Policy Code	ACA-HE-03
Version	2016.1
Document Owner	Executive Dean
Review Date	6 July 2016
Authorising Body	Academic Board
Next Review Date	6 July 2018
Relevant Stakeholders	CEO, Executive Dean, All Staff, Students
Related Documents	Assessment Request for Review Form Management of Personal Information Policy Notice of Appeal Form Records Management Policy Student Admission Policy Student Assessment Policy

		Student Grievance Application Form Student Handbook		
Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-1	Registrar	Updated template. Further information provided on the procedure, timeframes and forms to be completed. Process flow chart included.	6 July 2016	6 August 2016