



# Student Grievance Policy and Procedure

## Purpose

1. The purpose of this Policy and Procedure is to outline the principles and processes for the handling of student grievances at the Australian International Institute of Higher Education ('the Institute').

## Scope

2. This Policy and Procedure applies to:
  - a) prospective students of the Institute;
  - b) currently enrolled students;
  - c) graduates of the Institute whose enrolment ended no more than six months before the grievance was lodged;
  - d) individuals engaged in providing services to the Institute, such as contractors or consultants, or visitors on campus at the time of an incident.
3. The grievance process should be used by students to raise concerns about the quality of their experience at the Institute, or issues in relation to standards, behaviour or process. Processes to handle the following issues are outlined in the respective policies:

Issue	Policy and Procedure
Academic progress	Academic Progress and Students at Risk Policy and Procedure
Academic integrity	Student Academic Integrity Policy and Procedure
Assessment	Assessment Review Policy and Procedure
Sexual assault or harassment	Sexual Assault and Harassment Prevention Policy and Procedure
Student refunds	Refund Policy and Procedure
Student Misconduct	Student Misconduct Policy and Procedure
<b>Decisions</b> made by the Institute arising from other student-related policies	Student Appeals Policy and Procedure
Outcomes of grievances	Student Appeals Policy and Procedure



## Definitions

4. For the purposes of this Policy:
  - a) **appeal** - an action taken when students wish to challenge the **outcome** of a grievance or a **decision** made by the Institute in defined circumstances;
  - b) **complainant** – the student who is taking action in relation to a grievance under this Policy;
  - c) **grievance** - a student’s expression of dissatisfaction with any aspect of the Institute’s services and activities, such as:
    - i. the enrolment, induction/orientation process;
    - ii. the quality of education provided;
    - iii. handling of personal information and access to personal records;
    - iv. attitude and behaviour of academic or administrative staff; or
    - v. the way someone has been treated including victimisation or bullying, discrimination, (non-sexual) harassment, vilification and any matter that arises from a perception of unfair or inappropriate treatment.
  - d) **respondent** – a person against whom a grievance has been lodged, formal or informal.

## Policy

### Principles

5. This Policy and Procedure recognises that effective grievance management:
  - a) contributes to an improved educational environment for students;
  - b) assists the Institute to improve the student experience by identifying areas of risk and areas for improvement.
6. Grievance management at the Institute is guided by the following principles:
  - a) consistency;
  - b) ethical and equitable practices;
  - c) resolution at the local level where possible;
  - d) respect for all parties;
  - e) procedural fairness;
  - f) transparency;
  - g) timely and effective processes.
7. The Institute has adopted a case management approach to grievance handling. The nature of the concerns raised will determine which area of the Institute takes primary case management responsibility. Communication between internal areas may then be required (for example, where grievances are between students and staff; or where grievances have a number of component allegations).
8. The Institute aims to ensure that:
  - a) a culture is developed that views grievances as an opportunity to improve the organisation and how it works;
  - b) the grievance-handling system is student-focussed and helps the Institute to prevent



- grievances from recurring;
  - c) grievances are resolved promptly, objectively, and with sensitivity and confidentiality;
  - d) the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised; and
  - e) there are consistent responses to grievances.
9. During all stages of grievance handling the Institute will take all steps to ensure that:
- a) each party to a grievance has an opportunity to formally present his or her case and to be accompanied and assisted by a support person at any relevant meetings;
  - b) a full explanation in writing for decisions and actions taken as part of the process will be provided to the complainant and any respondent where applicable;
  - c) where the resolution of a grievance results in a decision that supports the complainant, the Institute will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
10. There is no cost to the complainant for using grievance processes.

## **Procedure**

### **Grievance avenues**

11. Students are encouraged to seek assistance and support from Student Services before they take action in relation to a grievance.
12. Grievances may be resolved by:
- a) informal local discussion and resolution;
  - b) submission of a formal grievance.
13. Where appropriate and safe to do so, complainants are encouraged to attempt to resolve matters at the local level. Resolution of grievances related to any of the following matters should not be attempted informally:
- a) violence;
  - b) fraud, corruption or malpractice;
  - c) discrimination, vilification or victimisation.

### **Informal local level resolution**

14. Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned.
15. Students should identify causes and desired outcomes before they enter into discussions with the person concerned.
16. When a staff member becomes aware of a student grievance, they should endeavour to resolve the complaint to the satisfaction of all parties wherever possible.
17. In the process of resolving a grievance the staff member may consult more senior staff members for advice and may direct the student to appropriate support services where required.

### **Formal grievances**

18. Students may elect to lodge a formal grievance where their issue is not suitable for informal



resolution or where an attempt at informal resolution has not produced a satisfactory outcome.

19. Formal grievances must be submitted in writing to the Student Services Manager. Receipt of the grievance will be acknowledged within five (5) working days and all reasonable measures will be taken to finalise the process as soon as practicable.
20. The Student Services Manager or their nominee will determine the nature of the grievance. Where a grievance is particularly complex, serious or sensitive the Student Services Manager may refer the grievance to the Chief Executive Officer for action.

### *Minor grievances*

21. Where a grievance is determined to be minor, the Student Services Manager or their nominee will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve and may also seek a response from any respondent implicated.
22. Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant or respondent. When such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them.
23. The Student Services Manager or their nominee will then endeavour to resolve the grievance through appropriate actions or recommendations to senior staff where appropriate.
24. Within ten (10) working days of a determination the Student Services Manager will provide a letter to the complainant on the steps taken to address the grievance, the decisions and the reasons, and their right to appeal

### *Serious or complex complaints*

25. In circumstances where a grievance has been referred due to its seriousness, complexity or sensitivity, the Chief Executive Officer will appoint either a senior manager who has no relationship to the complaint, or another independent person, to investigate the circumstances of the grievance and prepare a report detailing their findings and recommendations for resolution.
26. Upon receipt of the report from the senior manager or independent person, the Chief Executive Officer will within ten (10) working days:
  - a) examine the report to ensure the findings and recommendations from the investigation are relevant to the student's grievance, and are based on evidence;
  - b) determine the recommendations that will be implemented; and
  - c) provide a letter to the complainant advising of the outcome of the investigation, the steps taken to address the grievance, the decision and the reasons for the decision and their right to appeal.

### **Appeals**

27. Where students are not satisfied with the outcome of a grievance, they may access the internal and external appeals processes outlined in the *Student Appeals Policy and Procedure*.

### **Outcomes of grievance processes**

28. Where the outcome of any grievance process supports the student, the Institute will implement the decision or corrective action as soon as possible and advise students accordingly.



### Further action

29. The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this Policy and Procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

### Record keeping and confidentiality

30. A written record of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least five (5) years in the Grievance and Appeals Register. All parties may seek appropriate access to these records upon written request to the Student Services Manager.

31. All records relating to grievances will be treated as confidential and are covered by the Institute's *Personal Information and Privacy Policy and Procedure*.

### Reporting

32. The Student Services Manager will prepare a report each year analysing data from the Student Grievance and Appeals Register for submission to the Governing Council. The report will include any recommendations for improvements to Institute services and operations on the basis of any identified trends.

33. The Governing Council will approve recommendations as appropriate and allocate any necessary budget and responsibility for implementation.

### Approval, publication and training

34. This Policy and Procedure will be made available to students and prospective students through publication in the Student Handbook and on the Institute's website.

35. This Policy and Procedure will form part of the staff induction process and will be included in the Staff Handbook.

### Responsibilities

36. The Student Services Manager is responsible for:

- a) acknowledging receipt of formal grievances lodged by students;
- b) establishing the complexity of student grievances and referring matters to relevant personnel for further consideration;
- c) resolving minor grievances;
- d) maintaining a record of all grievances in the Student Grievance and Appeals Register;
- e) preparing an annual Grievance and Appeals Report.

37. The Chief Executive Officer is responsible for resolving serious or complex complaints, and ensuring any recommendations arising are implemented.

38. The Governing Council is responsible for ensuring that any systemic issues arising from observed trends in grievances and appeals are addressed and monitored.



## Associated information

<b>Approving body</b>	Governing Council
<b>Date approved</b>	23 October 2020
<b>Date of effect</b>	Commencement of operation
<b>Next scheduled review</b>	Two years from when policy commence
<b>Policy owner</b>	Chief Executive Officer
<b>Policy contact</b>	Chief Executive Officer
<b>Related AIIHE Documents</b>	<i>Student Grievance and Appeals Register</i> <i>Student Appeals Policy and Procedure</i> <i>Staff Academic Integrity Policy and Procedure</i> <i>Student Academic Integrity Policy and Procedure</i> <i>Academic Progression and Students at Risk Policy and Procedure</i> <i>Assessment Policy and Procedure</i> <i>Assessment Review Policy and Procedure</i> <i>International Student Enrolment Policy and Procedure</i> <i>Sexual Assault and Sexual Harassment Prevention Policy and Procedure</i> <i>Admission Policy and Procedure</i> <i>Student Code of Conduct</i>
<b>Higher Education Standards Framework (Threshold Standards) 2015 (Cth)</b>	Section 2.4 Section 6.2 Standard 6.3, ss 2 Standard 7.2, ss. 2 Standard 7.3, ss3
<b>Other related external instruments/documents</b>	<b>Related Legislation</b> <ul style="list-style-type: none"><li>• <i>Tertiary Education Quality and Standards Agency Act 2011 (Cth)</i></li><li>• <i>Education Services for Overseas Students Act 2000 (Cth)</i></li><li>• <i>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</i></li><li>• <i>Privacy Act 1988 (Cth)</i></li><li>• <i>Ombudsman Act 1976 (Cth)</i></li><li>• <i>Competition and Consumer Act 2010 (Cth)</i></li></ul> <b>Good Practice Documents</b> <ul style="list-style-type: none"><li>• <i>TEQSA Guidance Note: Grievance and Complaint Handling, Version 1.1</i></li></ul>



### **Document history**

<b>Version</b>	<b>Author</b>	<b>Changes</b>	<b>Approval Date</b>
1.0	Not applicable	Original version	23 October 2020

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### Appendix 1 – Overview of Grievance Management Process

