

## **STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES**

### **1. Introduction**

These procedures seek to ensure that complaints against Almond Institute made by students are treated seriously and, if found to be valid, are acted upon to ensure that students interests are protected as far as it is possible for Almond Institute to do so.

It should be noted that these complaints procedures are not designed to deal with problems such as: missing course work; unexplained absence of a lecturer; late return of work, except in so far that such concerns are not resolved through simpler procedures or are persistent.

These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on Almond Institute to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate the resolution of grievances by Almond Institute. Anonymous complaints will not normally be considered.

### **2. Principles which underpin the general student complaints procedures**

The guiding principles of these procedures are that complaints shall be:

- treated seriously and with fairness;
- dealt with quickly and simply as far as is possible;

- treated consistently across Almond Institute;
- subject to the principles of natural justice;
- progressed through two stages- an informal stage and, if necessary, a formal stage;
- dealt with, and resolved wherever possible, at the informal stage, and shall be without prejudice to a student's or group of students' right to pursue legal remedies outside Almond Institute having exhausted Almond Institute's complaints procedure.

### **3. Scope**

3.1 This Procedure is open to all registered students of the Institute. The Procedure is also open to any person who was a registered student provided they invoke the Procedure within 3 months of leaving the Institute and the subject matter of the grievance relates to acts or omissions that occurred whilst the person was a registered student.

3.2 This Procedure applies to grievances of an academic or non-academic nature:

- Student grievances against members of staff of the Institute in relation to bullying and harassment.
- Student grievances in relation to discrimination by the Institute or members of staff.
- Student grievances in relation to the delivery of academic programs and courses of study by the Institute or members of staff.
- Student grievances relating to the professional conduct of members of staff.
- Student grievances relating to student services, academic or non-academic, including the Students' Union.
- Grievances and appeals in relation to academic assessment and decisions of examination boards pertaining to student progression, assessment and awards on the MBA program will be dealt with under AIB grievance procedure.

#### **4. The Procedure**

4.1 The Institute will endeavour to ensure that grievances are treated seriously and constructively at all stages of the Procedure. It will also seek to ensure that grievances are dealt with fairly and consistently and in accordance with the principles of natural justice.

4.2 All staff and students of the Institute are required to fully and promptly co-operate with this Procedure.

4.3 If a grievance is upheld, appropriate remedial action will be implemented. If a grievance is not upheld, the reason(s) for the decision will be communicated to the complainant and respondent.

4.4 The Institute will seek to ensure that student grievances are addressed promptly within specified timescales outlined in this procedure. If a timescale for addressing a grievance is not achievable at any stage in the procedure, then the complainant and respondent shall be notified in writing and provided with an explanation for any delay.

4.5 Privacy and confidentiality will be respected both for complainants and respondents. However, it may be necessary to disclose information to others in order to deal with the grievance and in these circumstances the parties concerned will be informed of such disclosure. A written record of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least 3 years to allow all parties to the grievance appropriate access to these records, upon written request to the Vice President Academic.

4.6 No student who brings a grievance in good faith under this Procedure, whether it is upheld or not, shall be treated less favourably by the Institute or any member of staff than as if the grievance had been upheld. Where a student feels that he/she has been victimised for availing of this Procedure, a further grievance may be made under this Procedure in relation to that matter.

4.7 If a student who is undertaking the Master of Business Administration course of the Australian Institute of Business (AIB), is dissatisfied with the result of the Informal Stages 1 and 2 set out in sections 5 and 6 below, the student must proceed with the Stage Two-Internal Appeal and Stage Three-External Appeal processes pursuant to the AIB Academic and Non-Academic Grievance Handling Policy and Procedure available at <http://www.aib.edu.au/policies/Student%20Administration/Academic%20and%20Non-Academic%20Grievance%20Policy%20V6.1.pdf>

### **5. Informal Stage 1:**

In the first instance students who wish to make a complaint shall discuss it with their course administrator, who will advise whether or not the complaint is best progressed through:

- a. the Vice President Academic;
- b. these general complaints procedures.

5.1 Reference to these general complaints procedures should only be necessary in exceptional circumstances since most complaints, other than related to persistent problems, should be resolved informally.

5.2 If it is agreed that the complaint shall be progressed through these general procedures, the member of staff consulted shall discuss the complaint fully with the student and (with the student's consent) anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. The outcome of complaints dealt with informally should be briefly documented. Normally, complaints handled through Informal Stage 1 shall be dealt with within 10 working days, briefly documented, and a copy of the outcome sent to the student.

## **6. Informal Stage 2:**

If a student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing to the Student Adviser within 10 working days of completion of Informal Stage 1. If the complaint is made to the Vice President, it shall proceed directly to the formal stage. The Student Adviser to whom the complaint is referred shall investigate the complaint fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence, or through discussion with the complainant as soon as possible.

## **7. Formal Stage:**

If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put the complaint and the reason why they are dissatisfied with the outcome of the two informal stages in writing to the Vice President within 10 working days of the completion of Informal Stage 2. This person shall:

- a. acknowledge receipt of the written complaint within three weekdays;
- b. advise in writing and within three working days, any member(s) of staff or students involved that a formal complaint has been received;
- c. consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.

The Vice President, having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, shall decide whether:

- a. the complaint should be progressed through other procedures (e.g. disciplinary procedures or other procedures indicated in 5.2) in which case the complaint shall be terminated at this stage;

- b. there is a reasonable justification for the complaint; or
- c. there is no reasonable justification for the complaint.

The Vice President will:

- a. make the decision known in writing to the student and to members of staff or other students involved;
- b. seek to resolve any justifiable complaint through recommendations which all parties involved in the complaint shall be invited to accept;
- c. and if the recommendations are agreed, take steps to ensure that they are implemented in full within the agreed time period.

#### **8. Appeals:**

If a student is not satisfied with the decision at the conclusion of the Formal Stage or if the recommendations made at this stage are not implemented, an appeal can be made to the Principal who did not hear the case under the Formal Stage. The student shall submit the appeal in writing within 10 working days of receiving the outcome of the Formal Stage.

The person receiving the appeal shall:

- a. acknowledge its receipt within three working days; and
- b. decide to enforce the implementation of the recommendations made at the end of the Formal stage; or
- c. dismiss the case, giving reasons in writing; or

- d. seek agreement to an alternative set of recommendations; or
- e. determine whether there are sufficient grounds to convene a Student Complaint Panel and, if so, establish a Student Complaint Panel to hear the appeal.

The Students Complaints Panel shall involve two persons. This will include the member of the academic board who considered the appeal and an academic faculty member. A Student Complaint Panel shall hear the complaint within ten working days of receipt in accordance with the procedures detailed below.

The Panel shall submit, within five working days of the last Panel meeting a written report to the Principal. The decision of the Panel shall be final.

The Panel shall seek to ensure that any actions arising from the decision of the Panel are taken within the timescale identified in the Report and shall report any failure to complete actions to the Principal and Director of Studies.

## **9. Procedural rules for the conduct of Student Complaints Panel hearings:**

9.1 Hearings shall take place in Almond Institute at dates and times notified in writing to the student, members of staff and other students concerned at least five working days before the hearing.

9.2 The hearing shall, at the same time as the date is notified, indicate the names of any persons that the Panel intends to call to give evidence, together with a copy of any statement obtained from those persons which are to be used at the hearing.

9.3 Students and staff members involved directly in the complaint may be accompanied by a person of their choosing. If the student or staff member involved intends to be accompanied, the name and address of the accompanying person shall be notified to the Academic Registrar not less than 24 hours prior to the meeting of the Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances and with the discretion of the Panel.

9.4 Student and staff members involved directly in the complaint and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Student Complaint Panel.

9.5 If a student or a member of staff wishes to introduce documents to the Panel they shall supply copies of all such documents to the Academic Registrar at least three working days before the date of hearing. The Academic Registrar shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Panel may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days.

9.6 The Panel shall meet in private.

9.7 The Panel shall initially decide, and then inform all parties concerned, how it will conduct the hearing subject to the procedures being consistent with the principles of these general complaints procedures and of these procedural rules.



## NOTES

### In these procedures:

- Reference to a student is taken to mean an individual student or a group of students
- In absence (e.g. vacations or illness) of the person holding a named post in the procedures, the person deputising for them during the time of their absence shall substitute. In cases when the complaint involves the nominated person, the Vice President shall be consulted and shall determine who shall be responsible for handling the complaint.

### Interpretation:

The Academic Registrar is responsible for interpreting these procedures and this decision shall be final except in cases where the interpretation involves a complaint against the Academic Registrar in which case interpretations of the procedures shall be the responsibility of the Vice President.

'Working day' refers to a day on which Almond Institute is normally open.

### Responsibility:

Vice President

**Current Status:   Version 1**

Approved by:       Court of Governors

Previous Version:   Not applicable

Next Review:       (2 years from date of approval of version 1)