

## SGA STUDENT COMPLAINTS AND APPEALS POLICY AND PROCEDURE

### 1. POLICY STATEMENT

Study Group Australia Pty Limited (SGA) is committed to providing a high quality education and training service for all Students. In the context of continuous quality improvement, Students may raise Grievances, Complaints and Appeals that need to be respectfully managed. This policy provides for the effective and efficient management of Student Academic and Non-academic Grievances, Complaints and Appeals.

### 2. PURPOSE

The SGA Student Complaints and Appeals Policy and Procedure provide a consistent, fair and equitable framework for resolving Student Academic or Non-academic Grievances, Complaints and Appeals. It outlines the procedure to follow and the phases involved to enable a Grievance, Complaint or an Appeal to be managed in an appropriate and timely manner. It also reflects the expectations and responsibilities of SGA staff and its Students.

### 3. SCOPE

This policy and its procedure apply to all students including potential students enrolled or seeking to enrol in a course of study with Study Group Australia Pty Limited, and its trading divisions. It also applies to all students enrolled or seeking to enrol in SGA courses with SGA Licensed Partner Organisations. All of the above from here-on referred to as 'the College'.

The policy applies to Grievances, Complaints and Appeals arising between parties including Student-to-Student, Student-to-staff member, or Students involved in college-approved work or vocational placement activities.

### 4. BACKGROUND AND NEED

SGA values both positive and negative feedback it receives from Students. It considers this feedback as an integral part of continuous quality improvement, and as an opportunity to improve the efficiency and effectiveness of the organisation.

The SGA Student Complaints and Appeals Policy is designed to be compliant with relevant legal, regulatory or government policy requirements or guidelines including:

- Higher Education Support Act 2003 (Commonwealth);
- Higher Education Support Amendment (VET FEE-HELP Reform) Act 2015;
- National Code under the Education Services for Overseas Students Act 2000 (Commonwealth)
- Higher Education Support (VET) Guidelines 2015;
- Standards for Registered Training Organisations (RTOs) 2015; and
- Privacy Act 1988 and the Australian Privacy Principles.

### 5. DEFINITIONS AND ABBREVIATIONS

In the context of this policy, the following applies:

**Appeal** - if a Student is dissatisfied with a decision made by the College, he/she has twenty-eight days from the date stated in the written notification in which to lodge an Appeal to have the case reviewed.

**Appropriate Confidentiality** - refers to situations when a Senior Officer of the College may disclose to another relevant person only as much information as is necessary for the explicit purposes of clarification or assistance to enable the Grievances or Complaints process to be facilitated.

**Complaint** - means a statement or expression that something is unsatisfactory or unacceptable. A formal Complaint takes place if a Grievance cannot be resolved informally (for example, the affected parties discussing the matter), and is written down for official processing.

**Executive Director** – three Executive Directors manage the operational aspects of SGA programs: Executive Director Higher Education manages all SGA proprietary higher education programs; Executive Director University Partnerships ANZ manages pathway and higher education programs into our partner universities; Executive Director VET manages all of SGA VET programs delivered in house and through third party arrangements.

**Grievance - Academic** is a concern about academic matters, academic situation or academic process provided by the College which the Student brings to the attention of the College in an informal way, that is, it is spoken about, not written. Examples include, but are not limited to matters related to:

- academic progress decisions;
- attendance procedures, where relevant;
- application for credit transfer or recognition of prior learning (RPL);
- assessment issues;
- a decision of a member of academic staff that affects an individual Student or a group of Students;
- content or structure of education and training programs or quality of teaching;
- supervision of a Practicum or Vocational Placement; and
- issues related to authorship or intellectual property.

**Please note:** The process for requesting a review of an assessment outcome forms part of the *Student Assessment Policy and Procedure*. Students should use this Student Assessment Policy and Procedure in the first instance if they wish to request a review of an assessment outcome. Students who remain dissatisfied with the outcome of their review may then use the following formal Complaint section, Phase 2, of this policy (refer Section 6.3).

**Grievance - Non-Academic** is a concern about non-academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by the College which the Student brings to the attention of the College in an informal way, that is, it is spoken about, not written down. Examples include, but are not limited to matters related to:

- provision of Student support services such as those associated with the application and enrolment process, and amenities;
- suspension or cancellation of enrolment for non-academic matters;
- use or misuse of personal information that the provider holds in relation to the Student;
- Grievances about financial matters, fines and payments;
- VET FEE-HELP, FEE-HELP and other fee-for-service arrangements;
- exclusions from events and facilities;
- job placement assistance;
- perceived discrimination;
- unfairness and injustice;
- bullying;
- sexual harassment; and
- other forms of harassment.

**Licensed Partner Organisations** – any organisation that provides services on behalf of Study Group Australia Pty Limited, including training, assessment, related educational and support services, and/or any activities related to the recruitment of prospective domestic Students. As the Registered Training Organisation, Study Group Australia Pty Limited (SGA) is responsible for ensuring all such services provided are in accordance with statutory obligations.

**Responsible Officer** means the staff member or delegate with responsibility for handling the Grievance, Complaint or Appeal on behalf of Study Group Australia Pty Limited; or the General Manager/Managing Director (or his/her nominee) of a Licensed Partner Organisation, working in conjunction with the Manager Partner Operations SGA. ***A Responsible Officer must not review a decision they were involved in making and must occupy a position that is senior to that occupied by any person involved in making the original decision.***

### Responsible Officers - SGA Colleges

Phase	Responsible Officer in SGA Academic Complaints	Responsible Officer in SGA Non-Academic Complaints	Contact Details/Location
1	Course Coordinator or delegate	Student Services Manager or delegate	Located at the College where the Student is studying or applying to enrol
2	Head of College or delegate	Head of College or delegate	Located at the College where the Student is studying or applying to enrol
3	Relevant Executive Director or delegate	Relevant Executive Director or delegate  In cases of re-crediting a person's FEE-HELP balance, the Review Officer may be the CEO or delegate.	Email: <a href="mailto:complaints@studygroup.com">complaints@studygroup.com</a>
4	Relevant Executive Director or delegate	Relevant Executive Director or delegate	Email: <a href="mailto:complaints@studygroup.com">complaints@studygroup.com</a>

### Responsible Officers - Licensed Partners

Phase	Responsible Officer in SGA Licensed Partner Operations Academic Complaints	Responsible Officer in SGA Licensed Partner Organisations Non-Academic Complaints	Contact Details/Location
1	Course Coordinator, Campus Manager or delegate	Student Services Manager, Campus Manager or delegate	Located at the College where the Student is studying or applying to enrol
2	As determined by the Director of Studies, General Manager or Managing Director of the Licensed Partner	As determined by the Director of Studies, General Manager or Managing Director of the Licensed Partner	Located at College Head Office
3	General Manager or Managing Director of the Licensed Partner or delegate	General Manager or Managing Director of the Licensed Partner or delegate	Located at College Head Office
4	General Manager or Managing Director of the Licensed Partner or delegate	General Manager or Managing Director of the Licensed Partner or delegate	Email: <a href="mailto:complaints@studygroup.com">complaints@studygroup.com</a>

**Review Officer** - is a person appointed by the Chief Executive Officer of the College for the purposes of reviewing decisions made by the College in relation to FEE-HELP or VET FEE-HELP matters.

**Student** - refers to a person enrolled or seeking to enrol in any course or unit of study at SGA or at a partner organisation licensed to deliver SGA courses on behalf of SGA. A student or a potential student can be a domestic or overseas student and they are entitled to access the Complaints and Appeals Policy regardless of the location of the College at which the Grievance, Complaint or Appeal has arisen, their place of residence, or

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the mode(s) in which they study. However, the College is unlikely to consider a Grievance, Complaint or Appeal from a former Student whose enrolment ceased six (6) months or more prior to the time of lodging the Complaint, unless special circumstances apply.

**Support Person** - refers to a person who is not directly involved in the Grievance or Complaint such as a friend, counsellor or family member. A support person should not be a legal representative.

## 6. POLICY PROVISIONS AND PROCEDURES

### 6.1 GENERAL INFORMATION

The SGA Student Complaints and Appeals Policy and Procedure is underpinned by a set of principles that apply to all Grievances and Complaints managed by SGA, either informally or formally. These principles are outlined in Appendix 1.

There are four (4) phases in the SGA Student Complaints and Appeals Policy & Procedure:

- **Phase 1: Informal Discussion**
- **Phase 2: Formal Complaint**
- **Phase 3: Internal Appeal**
- **Phase 4: External Review.**

All students or potential students can access each of the four phases of the SGA Student Complaints and Appeals Policy at any time. However, it is strongly recommended that each Phase of the policy is completed before escalating to the next Phase.

### 6.2 PHASE 1: INFORMAL DISCUSSION

#### Overview:

- a. The Student is encouraged to raise the Grievance directly with person/s involved. For example, if the Grievance is about fees, the concern should be discussed in the first instance with the College Finance Officer. A Grievance about an assessment task should be discussed in the first instance with the unit teacher.
- b. An informal discussion should take place directly between the relevant person(s) as soon as possible. The Student may choose to be accompanied or assisted by a Support Person during the informal discussion phase.
- c. If the Student has attempted to resolve the issue directly with the relevant person(s) and is not satisfied with the outcome or does not wish to directly approach the person(s) concerned, the Student should discuss the Grievance with the Responsible Officer as soon as possible.
- d. The Responsible Officer will consider the issue and may suggest a course of action to resolve the issue, or attempt to mediate between the Student and the person(s) concerned.
- e. The Student and other person(s) directly involved will be advised in writing of the outcome within ten (10) working days from the time the Grievance was raised with the Responsible Officer.
- f. A record of the discussion and its outcome will be placed on the central SGA Complaints Register by the Responsible Officer.
- g. If the Student is not satisfied with the outcome, the Student can escalate their Grievance to Phase 2 under this policy.

### 6.3 PHASE 2: FORMAL COMPLAINT

Within the second phase, the informal discussion (i.e. Phase 1) escalates to a formal process. The Complaint involves the Student lodging a written Complaint. The Complaint will be investigated by the Responsible Officer.

#### Overview:

- a. The Student completes a *Complaint Form*, (available from Student Services) or submits a letter to the Responsible Officer at the College where the Student is studying or applying to enrol.
- b. The Student receives written acknowledgment of the Complaint within ten (10) working days of the Complaint lodgement.
- c. The Responsible Officer investigates the Complaint and seeks to resolve it within twenty (20) working days of it being received by the Responsible Officer.

- d. The Student receives written notification of the outcome of the investigation within five (5) working days of finalising the investigation of the Complaint.
- e. If the Student is not satisfied with the outcome, the Student can escalate the Complaint to Phase 3 under this policy.

To proceed to Phase 2, the Student MUST provide the following information in writing:

- details of the Complaint;
- supporting information that the Student wishes to have considered;
- an explanation of the steps already taken to try to resolve the issue informally and why the responses received are not considered satisfactory; and
- what the Student thinks needs to be done to address his/her concerns.

As part of investigation process, the Responsible Officer will discuss the issues with the person(s) concerned, and if required, may discuss it with relevant staff observing the principle of Appropriate Confidentiality. A meeting with the Student may be arranged to enable the Student to formally present their Complaint. The Student may be accompanied or assisted by a Support Person at any such meeting.

If the Responsible Officer considers that the Complaint should be upheld, then relevant staff will be notified immediately to implement the actions required to resolve the Complaint. The Student will be provided with a written report of the steps taken to address the Complaint within twenty five (25) working days of the commencement of the Complaint process.

If the Complaint is not upheld, then the Student will be given a written report on the reasons for the decision. The Student will also be advised of his/her right to access the Internal Appeals Process if not satisfied with the outcome of the formal Complaint and lodge this within twenty eight (28) working days of the Phase 2 decision.

The Responsible Officer will file a written record of the Complaint and its outcome in the central SGA Complaints Register.

#### **6.4 PHASE 3: INTERNAL APPEAL**

##### **6.4.1 General Complaints**

If the Student is not satisfied with the outcome from Phase 2, the Student can escalate the Complaint to Phase 3 under this policy. This phase is referred to as an Internal Appeal and it will be investigated through a formal process at no cost to the Student.

The Internal Appeal will be investigated by the Responsible Officer in accordance with Table under Section 5 Responsible Officer definition.

##### **Overview:**

- a. The Student submits a written request for an Internal Appeal using an *Appeal Request Form*, available from Student Services, or submits a letter to the Responsible Officer within 28 days of receipt of the written report from Phase 2.
- b. The Responsible Officer may:
  - make a determination based on the information already provided;
  - decide that there are insufficient grounds to take any further action, thus concluding the consideration of the matter under this Internal Appeal Phase; or
  - establish an Internal Appeal Review Panel.
- c. If the decision is made to establish an Internal Appeal Review Panel, the Responsible Officer convenes the Panel within 10 working days of receipt of the Appeal Request Form.
- d. The Appeal Review Panel meets within 20 working days of receipt of the Appeal Request Form.
- e. The Student is given at least 5 working days of notice in advance of the Internal Appeal Review Panel meeting.
- f. The Student receives written notification within 5 working days of the Panel's decision.
- g. If the Student is not satisfied with the outcome, the Student can escalate the Complaint to Phase 4 under this policy.

The Internal Appeal Process will consider all relevant information. The Student may attend and be accompanied by a Support Person who may speak on the Student's behalf. If the Complaint that is the subject of the Appeal involves other person(s), they will also be invited to present their case to the Panel. A written record of the meeting must be taken.

The Student will be notified in writing within five (5) working days of the decision of the Internal Appeal Review Panel. If the Appeal is upheld, the Student will be informed of the action to be taken to resolve the matter. The College will immediately implement any decision and/or action required.

If the Complaint is not upheld, the Student will be given a written report including the reason/s for the decision, and advising the Student of their right to access the External Review Process.

The Responsible Officer will file a written record of the Complaint and its outcome in the central SGA Complaints Register.

#### **6.4.2 Re-crediting of FEE-HELP Balance**

Students may find they have to withdraw from their studies after the census date or they have been unable to complete their studies due to certain circumstances. Students in this situation may apply to have their FEE-HELP balance re-credited. An application for a re-credit of fees should be made within 12 months of withdrawal from the unit of study.

In the case of decisions regarding re-crediting a person's FEE-HELP balance, a Review Officer is appointed. This Review Officer may be the Chief Executive Officer or delegate of the provider. A Review Officer must not review a decision they were involved in making, and must occupy a position that is senior to that occupied by any person involved in making the original decision.

To instigate a review of a re-crediting of FEE-HELP decision the Student must make a request in writing to the Review Officer within 28 days of notification of the original decision, or later if approved by the Review Officer.

The review of the decision to re-credit a FEE HELP balance will:

- confirm the original decision OR vary the original decision OR substitute a new decision;
- notify the Student in writing of the decision and the date it will take effect;
- provide reasons for the decision; and
- advise the Student of the external review process to the Administrative Appeals Tribunal.

The Responsible Officer will file a written record of the Complaint and its outcome in the central SGA Complaints Register.

#### **6.5 PHASE 4 - EXTERNAL REVIEW**

If a Student is not satisfied with the result or conduct of the formal Complaint and/or internal review, they may apply for an External Review. The External Review will be formally investigated by an agent external to SGA, such as the external regulator or there may be a recommendation to involve other agencies, including legal agencies. The most relevant external agents are listed below.

The external review process should only be used when the provider's Internal Appeals processes have been exhausted.

##### **Overview:**

The Student may lodge an external review to:

##### **a. International Student Visa Holder**

- Overseas Students Ombudsman (OSO) at [www.oso.gov.au](http://www.oso.gov.au) (and/or in South Australia, the Office of the Training Advocate [<http://www.trainingadvocate.sa.gov.au/home/international-students>])

**b. VET-FEE-HELP or FEE-HELP Student: remission of fees only**

- The Administrative Appeals Tribunal  
<http://www.aat.gov.au/ApplyingForAReview/WhenCanTheAATHelp.htm>

Note: Students may be required to pay an application fee and should refer to the website provided.

**c. High School Students in NSW and USFP International Student Visa 573 Holders**

- The NSW Ombudsman at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

**d. Any Australian Domestic Student**

- LEADR Student Mediation Scheme <http://www.leadr.info/membership-information/student-mediation-scheme>

The Student will need to pay an application fee to LEADR. Students should refer to the fee schedule on the website link provided.

**OR**

- The National Training Complaints Hotline on ph. 13 38 73 (Monday to Friday from 8am to 6pm nationally) or via email at [skilling@education.gov.au](mailto:skilling@education.gov.au) (and/or in South Australia, the Office of the Training Advocate [<http://www.trainingadvocate.sa.gov.au/home/domestic-students>]).

If the external review process supports the Student, the College will immediately implement any recommendations and will advise the Student in writing as to the action taken. Where applicable, these recommendations will be incorporated into the College's policies and procedures for implementation ensuring the continuous improvement of service and quality education to Students.

If the Complaint is not upheld, the Student will be given a written explanation by the external reviewer. It will include the reasons for the decision.

*It should be noted that 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.*

## **7. ROLES AND RESPONSIBILITIES**

### **7.1 THE STUDENT IS RESPONSIBLE FOR:**

- Phase 1 - raising a Grievance, Complaint or Appeal with the persons concerned or with the relevant Responsible Officer or delegate;
- Phase 2 - if unresolved above, lodging a written Complaint to the relevant Responsible Officer or delegate;
- Phase 3 -if unresolved above, lodging an Internal Appeal request to the relevant Responsible Officer and attending the Appeal Review Panel, if convened; and
- Phase 4 -if unresolved above, lodging a Complaint to the relevant external agency.

### **7.2 THE RESPONSIBLE OFFICER OR DELEGATE IS RESPONSIBLE FOR:**

- managing all Grievances, Complaints and Appeals raised by a Student in a timely manner and in line with this Policy and its Procedures and in accordance with the Principles identified in Appendix 1 of this Policy;
- providing a written response on the outcomes of investigations to the Student; and
- ensuring all relevant information is recorded and updated on the central SGA Complaints Register. This will include information relating to reported, resolved or any unresolved Grievances, Complaints and Appeals.

### **7.3 THE MANAGER OPERATIONAL COMPLIANCE AND REPORTING IS RESPONSIBLE FOR:**

- establishing an Internal Appeal Review Panel, if required; and
- ensuring all written reports are collated and entered on the central SGA Complaints Register.

## 8. SUPPORTING DOCUMENTS

### 8.1. RELATED WEBSITES AND DOCUMENTATION

- National Code 2007, Standard 8 Complaints and Appeals; Explanatory Guide, located at <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD8.aspx>
- Student Code of Practice – available on student portal of Study Smart, and the College’s websites
- Administrative Appeals Tribunal (AAT): [www.aat.gov.au](http://www.aat.gov.au)
- Australian Skills Quality Authority (ASQA): [www.asqa.gov.au](http://www.asqa.gov.au)
- Commonwealth Department of Education and Training: [http://studyassist.gov.au/sites/studyassist/helpfulresources/pages/student\\_complaints](http://studyassist.gov.au/sites/studyassist/helpfulresources/pages/student_complaints)
- New South Wales Ombudsman: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)
- Office of the Australian Information Commissioner (OAIC): [www.oaic.gov.au](http://www.oaic.gov.au)
- Overseas Student Ombudsman (OSO): [www.oso.gov.au](http://www.oso.gov.au)
- Tertiary Education Quality and Standards Agency (TEQSA): [www.teqsa.gov.au](http://www.teqsa.gov.au)
- Office of the Training Advocate South Australia  
<http://www.trainingadvocate.sa.gov.au/home/home>

## 9. APPROVAL AND REVIEW

<b>SGA Student Complaints and Appeals Policy and Procedure</b>	
<b>ELT Custodian</b>	Executive Directors
<b>Policy Owner</b>	Manager Operational Compliance and Reporting
<b>Version Number</b>	1.2 (minor edits made to previous version; substance unchanged)
<b>Approval Authority</b>	Board of Directors
<b>Approval Date</b>	19 August 2015
<b>Next Review Date</b>	As needed, and before August 2020



## **APPENDIX 1: SGA STUDENT COMPLAINTS AND APPEALS POLICY AND PROCEDURE PRINCIPLES**

The following principles will apply to all Grievances, Complaints and Appeals managed by the College, either informally or formally.

### **1. AVAILABILITY**

This policy is freely available to all Students and staff. All Students are entitled to access the Complaints and Appeals procedures set out in this policy regardless of the Campus or the College at which the Grievance or Complaint has arisen.

### **2. TIMELINESS**

All Grievances, Complaints and Appeals should be resolved as quickly as possible. Timeframes prescribed in these procedures should be followed, unless there are exceptional circumstances.

If the timeframes is to be exceeded by staff, the Student must always be informed of the length of, and the reason for, the delay.

### **3. APPROPRIATE CONFIDENTIALITY**

All Grievances, Complaints and Appeals must be treated with appropriate confidentiality at all phases in the procedures. Access to information must be strictly limited to those staff members who have a 'need to know' in order to deal with the Grievance, Complaint and/or Appeal.

### **4. WITHOUT DISADVANTAGE**

If a Student lodges a Grievance, a Complaint or an Appeal under this policy and its procedures, they should feel confident they will not be disadvantaged, in any way especially by way of subsequent victimisation, and/or discrimination.

### **5. PROCEDURAL FAIRNESS**

Procedural fairness, also referred to as natural justice, is concerned with the procedures used by the Responsible Officer or decision-maker, rather than the decision reached. It requires a fair and transparent procedure be used when making a decision. All parties involved in a Grievance, a Complaint or an Appeal must be given the right to be heard; the right to be treated without bias; and for a decision that is based on evidence.

In practice, procedural fairness involves:

- ensuring that there is proper investigation of the facts and information available;
- informing relevant parties of any allegations made against them, as appropriate;
- ensuring that all parties are informed of the procedures under which the Grievance, Complaint or Appeal are being handled and are given a copy of the relevant policy and guidelines;
- ensuring that all parties are heard and those who have had Complaints made against them are given an opportunity to respond;
- ensuring that all relevant submissions and any mitigating factors are given due and proper consideration before any conclusions are reached or any action is taken;
- advising all parties that if the Grievance or Complaint is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the Grievance or Complaint may be used in any subsequent disciplinary proceedings;
- ensuring impartiality on the part of the investigator and/or decision maker, which means the investigator/decision maker, must exclude themselves if there is any bias or conflict of interest.

These procedures usually require that the person raising a Grievance, Complaint and/or Appeal must be willing to be identified, unless the facts of the matter are not in dispute, or the matter involves allegations of corruption, mal-administration, serious waste or child abuse. If in doubt about the requirements of procedural fairness, advice should be sought from the Chief Executive Officer/Managing Director or Delegate.

On any occasion when the Grievance, Complaint or Appeal is to be discussed, staff (both Student and/or respondent) may choose to be accompanied by a support person.

If the allegations have been made in writing, a copy will be given to the parties against whom the allegations have been made (unless the allegations relate to corruption, mal-administration and serious waste or child abuse where legislation provides otherwise).

## **6. SUPPORT**

Any person involved in this process who is disadvantaged in any way in the ability to present his/her case should be allowed the support and advice needed to participate effectively. While a conciliatory approach is preferred and encouraged under these procedures, it may be appropriate in some circumstances, that the Student or staff member has another person speak on his or her behalf.

## **7. RECORD-KEEPING**

In order to facilitate resolution of a Student Complaint, it is essential that College staff report and maintain appropriate records (through the central SGA Complaints Register) and documentation on the Student Management System once a Grievance becomes a formal Complaint. Staff members are advised to record notes of any related informal discussions with Students.

Copies of documentation given to Students should be kept, as well as a record of the date on which that information was supplied to Students.

Records of all Grievances and Complaints, applications for review of decisions and the outcomes of the process will be retained for a period of seven (7) years. All records will be kept securely and stored on the central SGA Complaints Register.

## **8. ACCESS**

Students have a right of supervised access to all documents concerning their Appeal. This right does not apply to any documents for which the College claims legal professional privilege.

## **9. RESOLUTION**

Given the nature of many Grievances, the College expects that most concerns will be resolved at an informal level (Phase 1). This form of resolution provides an ideal opportunity for open and direct discussion between the relevant parties. Additionally, informal resolution normally provides the most time effective mechanism for resolving non-academic Grievances.

## **10. COST**

All internal phases of the Student Complaints and Appeals Process shall be free of charge to the Student. Students choosing to access an external review agency (refer Phase 4), may have to pay a service fee. The service fee is refunded to the Student by the College if the external review agency decides in favour of the Student.

## **11. WITHDRAWING A GRIEVANCE, A COMPLAINT OR INTERNAL APPEAL**

A Student may withdraw a Grievance, a Complaint or an Internal Appeal at any stage by giving written notice to the Responsible Officer or delegate who is currently handling the Grievance, Complaint or Appeal process.

## **APPENDIX 2: INTERNAL APPEAL REVIEW PANEL**

### **1. ACADEMIC APPEALS**

In accordance with Phase 3 of this policy, an Internal Appeal Review Panel may be formed by a SGA Academic Board (Higher Education Students) or by the Executive Director (VET, ELICOS or pathway Students), when a Student Academic Appeal is not able to be resolved through the normal Student Complaints process described in the SGA Student Complaints and Appeals Policy.

### **2. NON ACADEMIC APPEALS**

An Internal Appeal Review Panel may be formed by the Director of Operations when a Student Non-academic Appeal is not able to be resolved through the normal Student Complaints process described in the SGA Student Complaints and Appeals Policy.

#### **2.1 TERMS OF REFERENCE OF THE INTERNAL APPEAL REVIEW PANEL**

##### **Functions**

- a. Investigate and recommend to the relevant Academic Board (Higher Education Students) or to the Executive Director (VET, ELICOS or Pathway Students) upon Appeals in regard to academic matters such as suspension, failure, requirement to repeat subjects/units and any such further matters.
- b. Investigate and recommend to the Executive Director upon Appeals in regard to non-academic matters such as remission of fees, perceived discrimination, harassment and any such further matters.
- c. Confine its considerations to matters relating to procedural fairness and not to consider or rehearse the merits of the case.
- d. Conduct an investigation, which may include consideration of:
  - written Appeals and submissions;
  - examination of the relevant academic records, and/or
  - advice from the Responsible Officer, Academic Director, administrative staff, academic staff or others where the Committee considers this appropriate.
- e. Permit the Student involved to attend and/or be assisted by a person nominated by the Student, for example, a family member or friend.

##### **Membership**

The membership of the Higher Education Internal Appeals Panel (also known as the Student Academic Appeals Committee) for Academic Appeals shall comprise:

- a. Chairperson of an Academic Board, other than that responsible for the appellant's course;
- b. staff representative who is a member of an Academic Board other than that responsible for the appellant's course chosen by the Chair of the Academic Board; and
- c. Student representative who is a member of the Teaching and Learning Committee or Student Representative Council.

The membership of the Internal Appeals Panel (for VET, ELICOS or Pathways Students) for academic Appeals shall comprise:

- a. Executive Director (Chair);
- b. Course Coordinator (Program Manager/Course Convenor) for a course of study other than the one in which the Student is enrolled; and
- c. a senior member of College staff who is not one of the Student's teachers.

The membership of the Internal Appeals Panel for Non-academic Appeals shall comprise:

- a. Director of Operations (Chair);
- b. Head of College for a college other than the one in which the Student is enrolled; and
- c. a senior member of College staff who has not been previously involved in the Complaint.

Any member of this Committee shall be obliged to declare any interest in any matter before the Committee, and may then be required to withdraw from that meeting at the request of other members of the Committee.

In the event of a member withdrawing, the Chair may appoint an appropriate replacement.

**Frequency of Meetings**

The Internal Appeals Panel meets as needed.

**Review of Terms of Reference**

These terms of reference may be reviewed from time to time by the Academic Board/ Executive Director