C109 Student Complaints and Appeals Policy

Policy Category	Governance	
Responsible Officer	General Manager	
Review Date	August 2025	
Related documents	Academic Integrity Policy Student Code of Conduct Student Complaints and Appeals Procedure	
Version	**Authorised by**	**Approval Date**
2.8	Corporate Board	04/05/22

1. Context

This Policy supports the Australian Institute of Business Intelligence's (AIBI HE) commitment to resolving complaints from students as quickly and as sensitively as possible.

AIBI HE operates on the basis that its decisions on academic and corporate matters are entrusted to staff in accordance with established procedures. It is recognised however that from time to time students may be dissatisfied with these decisions. This Policy will assist all parties to resolve any issues that arise in the course of AIBI HE's operations.

2. Definitions

Academic matters: issues pertaining to programs and units, including program structure, pathways, unit content, learning outcomes, teaching quality, learning resources, assessments, grading, academic staff conduct.

Stakeholder: any person appointed or engaged by AIBI HE to perform duties or functions for the institution other than students and staff, and including members of advisory committees and governing bodies, contractors, consultants, and agency staff.

Appeal: a formal request from a student to review and change a decision made by AIBI HE on a case to which they were a party.

Complaint: an expression of dissatisfaction made to AIBI HE in relation to its operations for which a resolution has not been reached in first instance and where a response or specific action from AIBI HE is expected or required. A complaint is considered informal during preliminary discussions with AIBI HE and becomes formal when early resolution mechanisms have failed.

Mediation: A settlement of a dispute or controversy by setting up an independent person between two contending parties in order to aid them in the settlement of their disagreement.

Non-academic matters: issues not addressed under academic matters, including fees and refund, professional staff conduct, facilities.

Overseas student: a student who is not a domestic student and who may hold a student visa and is protected by the *Education Services for Overseas Students Act 2000* legislative framework.

3. Scope

This Policy applies to all Institute staff, stakeholders, current students or people who have completed an application to enrol as a student (included wherever "students" are referred to in this Policy).

4. Policy Principles

The key principles informing this Policy are:

- free and readily accessible information on AIBI HE's complaints and appeals process;
- early and informal resolution of student dissatisfaction, as far as practicable;
- no disadvantage to students for making a complaint or appeal;
- maintenance of student registration and learning opportunities over the entire process, as far as practicable; and
- procedural fairness in providing a free, fair, transparent, and confidential internal complaints and appeals process resulting in objective and unbiased decisions.

5. Policy Details

5.1. Types of complaints and appeals

A complaint or appeal may be made against any decision, action or process taken by AIBI HE, an education agent, or any related party AIBI HE has an arrangement with. All complaints and appeals are handled through the same four-stage process with different interlocutors for academic and non-academic matters.

5.1.1. Academic matters

Academic complaints and appeals relate to the delivery of a program, for example:

- credit for prior learning decisions;
- enrolment and progression;
- unit content, teaching and learning resources and assessments;
- assessment results and unit grades;
- teaching quality;
- resources and facilities; and
- qualifications and experience of teachers.

5.1.2. Non-academic matters

Non-academic complaints and appeals relate to all aspects of AIBI HE's operations which are not directly linked to the delivery of a program, primarily managed by corporate staff, for example:

- refusing admission to a program;
- incorrect advice given by an education agent;
- fees and refunds;
- course or provider transfers;
- cancellation of enrolment;
- incorrect advice given by an education agent;
- failure to act or taking too long to take some action;
- breaches of the *Student Code of Conduct*; and
- discrimination, harassment, bullying.

5.2. Complaints and appeals resolution

All complaints and appeals are handled through a four-stage process, with each stage representing an increase in the level of formality with which the complaint or appeal is handled:

- informal complaint;
- formal complaint;
- formal internal appeal; and
- formal external appeal.

5.2.1. Informal complaint

AIBI HE expects that most complaints would be resolved informally. Informal resolution is an effective mechanism for resolving complaints and provides an ideal opportunity for open and direct dialogue between students and Institute staff.

Both students and staff are responsible for discussing the concerns and options for resolution promptly and in good faith with a view to reaching a mutually agreeable outcome within 10 days of the concerns being raised.

There is no cost to the student for informal resolution processes.

5.2.2. Formal complaint

A student who is dissatisfied with any aspect of AIBI HE's operations has the right to lodge a formal complaint to AIBI HE. Specific timeframes for lodging complaints are indicated in the *Student Complaints and Appeals Procedure*.

Complaints will be reviewed:

- by the Dean of a different faculty for academic matters; and
- by the Registrar for non-academic matters.

AIBI HE will maintain student's enrolment through the internal and external stages of the complaints and appeals process in all circumstances, except for overseas students where an internal appeals process results in a decision to change the student's enrolment status (see section 5.4 for more information).

During the complaints and appeals process, in most cases the student will be permitted to continue their studies as normal. If there are issues regarding duty of care, AIBI HE will advise the student on alternative methods for them to undertake their studies, such as working off campus.

Students will be advised of the outcome of the complaint's review within 10 working days. Where applicable, students will be advised of the length of, and any reason for, any delay in communicating AIBI HE's decision with regard to the complaint.

There is no cost to the student for internal formal resolution processes.

5.2.3. Formal internal appeal

A student who is dissatisfied with AIBI HE's decision, action or process has the right to have the matter or decision reviewed and to appeal the decision. Specific timeframes for lodging appeals are indicated in the *Student Complaints and Appeals Procedure*.

Both academic and non-academic matters are reviewed by a committee composed of the senior Management (academic and non-academic) staff not already involved in the complaint and appeal process.

Students will be advised of the outcome of the appeal within 10 working days. Concurrently or within 10 working days, AIBI HE will advise students of their right to access an external appeals process. Where applicable, students will be advised of the length of, and any reason for, any delay in communicating AIBI HE's decision with regard to the appeal.

For any matter other than unsatisfactory progress, AIBI HE is obligated to report a decision to suspend or cancel an overseas student's enrolment to the Department of Education Skills and Employment and the Department of Home Affairs, irrespective of whether the student has commenced an external appeal process.

There is no cost to the student for internal formal resolution processes.

5.2.4. Formal external appeal

If a student believes that the outcome of their internal appeal is unfair or incorrect, they may lodge an external review or complaint with an independent third party, and seek a resolution via:

- independent mediation and/or;
- external agencies and/or;
- formal external appeal.

Students can seek external mediation in resolving an unfair or incorrect decision taken by AIBI HE by accessing the Resolution Institute's *Student Mediation Scheme*.

Students can seek external review of a decision taken by AIBI HE regarding a formal internal appeal by accessing an external agency's complaints and review process.

Overseas students may lodge a formal external appeal regarding non-academic actions or decisions taken by AIBI HE with the Office of the Commonwealth Ombudsman. Domestic and overseas students may lodge a formal external appeal with Independent Higher Education Australia (IHEA). AIBI HE is a member of IHEA, and students of AIBI HE have access to IHEA's external grievance resolution service. Domestic students have access to this service for academic and non-academic matters, and overseas students have access to this service for academic matters.

AIBI HE will implement any required action immediately after, or in accordance with, the external party's decision.

Where a student elects to lodge a complaint with an independent external third party, AIBI HE will cover all costs.

If AIBI HE receives notification that a complaint under consideration internally is the subject of formal external enquiry or legal action, the internal resolution process will be suspended until the external action is completed. However, in cases of formal complaints involving sexual harassment and sexual assault, making a police report will not stop AIBI HE from acting on the formal complaint, or issuing an outcome to that complaint.

5.3. Recordkeeping and access to records

AIBI HE keeps appropriate records of all complaints, including documentation relating to formal complaint and reviews for at least five years, and allows parties to the complaint appropriate access to these records in accordance with privacy requirements, ensuring confidentiality beyond this.

The Dean maintains a register of complaint and appeals that records relevant information about complaints and appeal cases and is accessible to authorised Institute staff members and relevant federal and state government agencies if required to do so in their normal work undertakings.

6. References

Education Services for Overseas Students Act 2000 (Cth)

Higher Education Standards Framework (Threshold Standards) 2021 – Part A, Standards 2.4

National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standards 6, 7, 9, 10

Ombudsman Act 1976 (Cth)

7. Acknowledgements

In developing this Policy, AIBI HE acknowledges:

- TEQSA Guidance Notes *Grievance and Complaint Handling;*
- Department of Education and Training *National Code 2018 Factsheet: Standard 10;*
- *AS/NZS 10002:2014 Guidelines for complaint management in organizations;*
- Commonwealth Ombudsman *Better Practice Guide to Complaint Handling; and*
- *Good Practice Guide for Handling Complaints and Appeals in Australian Universities.*

Document History:

Version	Date	Author	Reason	Sections
0.1	28/05/2018	Julien Marechal	Revised based on the Academic Board's feedback provided at the 16/05/2018 meeting	All
0.2	03/07/2018	Julien Marechal	Revised based on the Academic Board' feedback provided at the 25/06/18 meeting	All
1.0	31/07/2018	Julien Marechal	Revised based on the Academic Board' feedback provided at the 23/07/18 meeting	All
2.0	08/08/2019	Julien Marechal	Revised in response to TEQSA feedback and approved by Academic Board 8/8/19	5.2.4
2.1	25/09/2019	Stephen Andrews	Revised in response to TEQSA feedback and approved by the Corporate Board 25/09/19.	2, 5.2.3, 5.2.4.
2.2	02/10/2019	Stephen Andrews	Changed 'professional' to 'corporate' staff to align with Business Plan.	1, 5.1.2
2.3	21/11/2019	Stephen Andrews	Amendment in response to FEE-HELP requirements	5.3
2.4	3/12/2019	Stephen Andrews	Amended to reflect IHEA membership is in progress, and included email address.	5.2.4
2.5	6/01/2020	Philippa Ryan	Amended to reflect new trading name 'Waratah Institute'.	All
2.6	19/03/2020	Stephen Andrews	Amended to reflect IHEA membership.	5.2.4
2.7	6/05/2020	Stephen Andrews	Amended in response to TEQSA feedback 29/04/2020 and approved by the Academic Board 13/05/2020.	5.1
2.8	24/01/2022	Zoe Williams	Reviewed and amended to reflect new corporate name Australian Institute of Business Intelligence; abbreviated to AIBI HE and new logo; and updated references to the Higher Education Standards Framework 2021.	All
2.9	17/01/2024	Ivan Negro	Minor edits to roles and responsibilities pending full review.	All