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## PROCEDURE S3.5-P3.7

### STUDENT GRIEVANCES AND COMPLAINTS

#### 1.0 INTRODUCTION

##### 1.1 Related Policy

Student Grievances and Complaints Policy.

##### 1.2 Purpose

This procedure should be read in conjunction with the Student Grievances and Complaints policy and outlines the responsibility and processes involved in the resolution and management of student grievances and complaints at the AIM Business School (ABS).

##### 1.3 Scope

This procedure applies to grievances, complaints and appeals made by students of ABS and ABS's third-party partners.

##### 1.4 Scope Exceptions

This procedure does not apply to complaints made by staff.

#### 2.0 RESPONSIBILITIES

1. Students are responsible to comply with this procedure, including timelines, when lodging a grievance, complaint, or appeal.
2. Students who are party to a grievance or complaint must comply with requests from ABS for attendance at meetings or to provide information.
3. The Student Support Team is responsible for referring complaints or appeals to the nominated staff as outlined in Schedule 1 of this Procedure.
4. The Student Support Team Leader is responsible to receive appeals from the student, notify the appropriate panel of the appeal and communicate the decision of the panel to the student.
5. All ABS staff responsible for responding to informal grievances, formal complaints and appeals are responsible to ensure timely communication to the student, as outlined in this procedure.

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## 3.0 PROCEDURE

### 3.1 Informal Resolution

- a. In any grievance, students should always attempt, where possible, to resolve the issue with the relevant person(s) (e.g., a facilitator, another student) or section/department (e.g., Student Support) involved.
- b. If resolution cannot be achieved through discussion with the persons or department involved, informal grievances will normally be taken to the Executive Dean, ABS (or delegate) or Student Support for informal resolution.
- c. Where the matter is not resolved by informal resolution, the student will be advised of the formal process to lodge a complaint.
- d. All the information and correspondences pertaining to the informal grievances and complaints are recorded in the student management system database.

### 3.2 Lodging a Complaint

- a. If the grievance is not resolved informally and the student wishes to lodge a formal complaint, they should submit their grievance in writing, including providing their name, contact details, details of the grievance or complaint and the steps already taken to resolve the grievance.
- b. Lodging a formal complaint is a serious matter that will be investigated (as distinct from informal processes and the provision of feedback). Other parties who are the subject of a grievance, including in particular those about whom a complaint is made, will be informed that they are the subject of a grievance.
- c. The receipt of a formal complaint from a student will be acknowledged in writing by the Student Support Team Leader within five (5) business days. The acknowledgement will:
  - advise that the assessment of the complaint will commence within ten (10) business days of receipt of the grievance in writing;
  - outline the investigation process, including that the assessment of the complaint will be conducted in a professional, fair and transparent manner;
  - advise that a student will be given an opportunity to formally present their case and be accompanied or assisted by a support person at any relevant meetings;
  - advise that a decision will normally be made by ABS within twenty-one (21) business days of receiving notice of the grievance in writing, or as soon as practicable;
  - advise that the complaint will be kept confidential and will not disadvantage the student in any way; and

- identify any foreseeable delays.
- d. The Student Support Team Leader will direct the formal complaint to the responsible ABS staff member for resolution, relevant to the nature of the complaint, as listed in Schedule 1.
- e. The Student Support Team Leader will ensure the complaint has been recorded in the Grievances and Complaints Register (as applicable).

All formal grievances and complaints are recorded in the Grievances and Complaints Register and should be presented at the subsequent ABS Teaching and Learning Committee (TLC).

### 3.3 The Investigation Process

The responsible ABS Staff (refer Schedule 1) will:

- a. Arrange a meeting with the student and provide a reasonable opportunity for the student to explain the grievance or complaint and to provide any relevant documentation, with the option to be accompanied or assisted by a support person.
- b. Arrange a meeting with the other parties involved to gather relevant information.
- c. Record outcomes of any meetings as a formal record.
- d. Make every effort to advise the student and other parties of the outcome of any investigation, including any final decision made in respect of the complaint (and provide reasons), within twenty-one (21) business days of receiving written notice of the complaint, and no more than ten (10) days after the final decision has been reached.
- e. Enter formal resolutions, including statements of the outcome, reasons for the outcome and actions to be taken on the Grievances and Complaints Register.
- f. Advise affected parties that the decision may be appealed if they are not satisfied with the process or outcome and that appeals may be made as outlined in the Student Grievances and Complaints Procedure.

### 3.4 Formal Resolution by ABS

- a. Following an investigation, a Formal Resolution decision is made by the responsible ABS Staff (refer Schedule 1) and communicated to the student in writing. The decision may be:
  - That further investigation is required.
  - To provide more information about the situation or reasons for the decision.
  - To remedy a mistake.

- To revoke a decision.
- To change a policy or procedure.
- To retrain/discipline a student.
- To retrain/discipline a staff member.

The responsible ABS Staff (refer Schedule 1) advises the student, within ten (10) days of the decision that they must provide notice of any intention to lodge an appeal of the Formal Resolution, in writing, to ABS within twenty-one (21) business days of receiving notice of the decision.

### 3.5 Internal Appeals Procedure

Where the student is dissatisfied with the formal resolution, the student can lodge an appeal. The Student Support Team Leader will:

- a. Acknowledge the appeal in writing within five (5) business days of the appeal being lodged.
- b. Where the complaint concerns the refund of fees, arrange for the Remissions Committee to investigate the complaint fairly and impartially. The Remissions Committee must make a decision in respect of any appeal within twenty-one (21) business days of the receipt of the complaint. The resolution of the complaint must be provided by the Remissions Committee to the Student Support Team Leader to be entered in the Grievances and Complaints Register, and the decision communicated to the student within ten (10) business days of the decision being reached.
- c. Where the appeal relates to a release application outcome, intention to report to Immigration due to unsatisfactory course progress, or where ABS initiates a cancellation the Student Complaints and Grievances Panel must make a decision within twenty (20) business days.
- d. For all other complaints, arrange for the Student Complaints and Grievances Panel to conduct an independent investigation that is professional, fair, transparent and impartial. The Student Complaints and Grievances Panel must make a decision in respect of any appeal within twenty-one (21) business days.
- e. Make every effort to arrange for the outcome of the appeal to be communicated to the student and other involved parties in writing within twenty-one (21) business days of receipt of the complaint, or no more than ten (10) business days after the final decision has been reached, outlining the reasons for the decision and any actions to be taken.
- f. Provide the student with information on ABS's external grievance procedure that is available if a student is not satisfied with the outcome of the internal appeals procedure, including advising the student of their right to access an external complaints process at low or minimal cost.

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- g. Advise the student that they must provide notice of any intention to lodge an external appeal of the decision on the internal appeal, in writing, to the Student Support Team within twenty-one (21) business days of receiving the outcome of the internal appeal.
  - h. In the event that an international student's enrolment is suspended or cancelled following the conclusion of the internal grievance process, advise the student of the need to seek advice from Immigration on the potential impact on their student visa and report the change to the international student's enrolment in accordance with section 19 of the ESOS Act (2000).

### 3.6 External Appeals Procedure

- a. In the event that the internal appeal process does not resolve a complaint (for example, where the student remains dissatisfied with the outcome of the internal appeal) the student may provide written notice to the Student Support Team Leader that they request independent external review of the grievance. Notice must be provided within twenty-one (21) business days of receiving the outcome of the internal appeal.
- b. ABS has appointed the following to conduct the external appeal procedure:
  - Negocio Resolutions, an external qualified dispute resolver, will identify the issues and provide the parties advice about appropriate methods to resolve the grievance.
  - Negocio Resolutions may:
    - at the election of the student, conduct mediation between the complainant and respondent in the first instance to try to reach a negotiated outcome;
    - if the student elects, or if an acceptable final resolution is not reached by mediation within ten (10) business days, Negocio Resolutions will appoint an independent arbitrator (at ABS's cost) to conduct arbitration proceedings between the parties in accordance with the Resolution Institute Arbitration Rules 2020 and the arbitrator will make a final and binding decision in respect of the grievance.
    - The external appeals procedure, including the dispute resolution services provided by Negocio Resolution, is available to the student at no cost.
    - Further details in respect of Negocio Resolution can be found at [www.negocio.com.au](http://www.negocio.com.au). Contact details:

Mr Stephen Lancken  
0418 272 449  
[mediator@negocio.com.au](mailto:mediator@negocio.com.au)

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- c. The student may also elect to contact:
- The Equal Opportunity Commissioner - this will be state based with information on the relevant website.
  - The Overseas Student Ombudsman (international students only)- procedure on the Ombudsman's [website](#).
  - Legal Advice/Assistance- this may be at the student's expense depending upon State provided legal assistance services.
- d. Any agreed resolution or decision (where applicable) in relation to a grievance that is made under an external appeal procedure will be implemented, wherever practicable, by ABS within twenty-one (21) business days of the resolution/decision. ABS will advise the student of that action.
- e. All students shall be referred to appropriate external support groups for assistance as needed to help them cope with their studies or work commitments.

### 3.7 Review

- a. The Student Complaints and Grievances Panel, and an external appeals entity may identify issues arising during investigations and resolution processes that warrant improvement by ABS. Those issues (and any recommendations or actions) are incorporated into the ABS Quality Improvement Register (on an anonymized basis) to inform continuous improvement. The Quality and Compliance Risk Management Committee is responsible for maintaining the ABS Quality Improvement Register.
- b. If the internal or external complaints handling or appeals process results in a decision or recommendation in favour of the student, ABS will implement the decision or recommendation and/or take preventative or corrective action required by the decision, and advise the student of that action. ABS will endeavour to take any such remedial action immediately where practicable.

## 4.0 DEFINITIONS

- **Appeal** - A formal application in writing to a higher authoritative figure or court to have a decision reversed.
- **Arbitration / Mediation** - The intervention of a third party in a dispute in order to resolve it in a fair and equitable manner.
- **Complaint** - A formal statement made in writing that something is unsatisfactory or unacceptable, which then leads to an investigation.
- **Grievance** - An official statement by a person that they believe something to be wrong or unfair. A grievance may initiate an investigation, or the person may be requested to lodge a formal complaint to initiate the investigation.

- **Student** - Refers to domestic and international ABS students.

## 5.0 REFERENCES AND ASSOCIATED INFORMATION

- Student Grievances and Complaints Policy
- Grievance Form
- Grievance and Complaints Register
- Education Services for Overseas Students Act (ESOS Act) 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

## 6.0 POLICY/PROCEDURE OWNERSHIP

Policy Owner	Executive Director, ABS
Status	Reviewed on November 2022
Approval Authority	ABS Academic Board
Date of Approval	14/09/2021
Effective Date	11 January 2023
Implementation Owner	Executive Dean, ABS
Maintenance Owner	Head of Compliance
Review Due	May 2024
Content Enquiries	Sabina Cerimagic - Executive Dean, ABS Emails: <a href="mailto:sabina.cerimagic@aimbusinessschool.edu.au">sabina.cerimagic@aimbusinessschool.edu.au</a> Executive Dean

## 7.0 AMENDMENTS

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
S3.0-P3.0	10 July 2017	Head of Compliance / Executive Director	Initial document review after purchase of MHMHE
S3.1-P3.1	10 March 2020	Academic Board	General review

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
S3.2-P3.2	18 January 2021	Academic Board	Differentiating between Grievances and Remissions, process for managing complaints and remissions, addition of independent advice at no cost to the student, review process to inform changes and continuous improvement.
S3.3-P3.3	22 January 2021	Academic Board	Further changes to Grievances and Remissions Procedure. Change of name to Grievances and Complaints.
S3.4-P3.4	14 September 2021	Academic Board	'Student' added to title which is now Student Grievances and Complaints. Definitions of Grievance and Complaint clarified.
S3.4-P3.5	06 December 2022	Head of Compliance	Updates to the Lodging a Complaint, Investigation Process, Internal Appeals Procedure, Review, and References. Update to Staff titles.
S3.5- P3.6	10 March 2023	Executive Director, ABS	Minor administrative change: update to staffing titles. Addition of Schedule 1.
S3.5- P3.7	30 May 2023	Head of Compliance	Minor administrative change: Removal of reference to State Ombudsman replaced with external Legal Service.



## Schedule 1: ABS Nominated Staff for investigation of informal and formal complaints and appeals

### 1. Academic Appeals and Grievances

Includes progress, assessment, marking, academic misconduct, curriculum, results, facilitators/success coaches

Stage	Staff/Panel Responsible
Informal	Facilitator/ Success Coaches
Formal	Senior Lecturer- Program Manager
Internal Appeal	Student Complaints and Grievance Panel

### 2. Non- Academic Appeals and Grievances

Includes personal information (records), awards, admin matters, fees etc.

Stage	Staff/Panel Responsible
Informal	Student Support
Formal	Registrar Head of Compliance
Internal Appeal	Remissions Committee (refund/ fee related only ) Student Complaints and Grievance Panel

### 3. Student/ Non-Academic Staff or Student/Student Grievances

Stage	Staff/Panel Responsible
Informal	Resolve directly with person involved
Formal	Student to Student: Student Support Team Leader Student to Staff: Refer to Manager of staff member
Internal Appeal	Student to Student: Student Complaints and Grievance Panel Student to Staff: Head of People and Culture and Operations