

Policy 3: Complaints and Appeals Policy and Procedure

Purpose

This policy and procedure is to provide clear and practical guidelines to ensure that complaints/grievances and appeals of students can be resolved in accordance with the principles of natural justice, fairly, efficiently and effectively.

Scope

This complaints and appeals policy applies to all students enrolled with ACU.

Definitions

1. **Complaints/grievances and Appeals** include but are not limited to:
 - Matters of concern to a student relating to academic matters (including matters relating to student progress, assessment, curriculum and awards for an approved course)
 - Non-academic (including matters relating to enrolment in a course and personal information held by ACU) or
 - Matters such as training delivery and assessment, trainers/assessors/other staff,
 - the quality of the training,
 - student support,
 - a third party providing services on ACU's behalf, students, discrimination and sexual harassment.
2. **Natural Justice** is concerned with ensuring procedural fairness:
 - Decisions and processes should be free from bias.
 - All parties have the right to be heard.
 - The respondent has a right to know of what she/he is accused.
 - All parties are told the decision and the reasons for the decision.

Policy

1. General

- 1.1 ACU believes that a student, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.
- 1.2 The student has the right to present the complaint or appeal formally and in writing.

2. Time lines

- 2.1 ACU will manage all complaints and appeals fairly, equitably and efficiently as soon as practicable.
- 2.2 ACU will inform the complainant or appellant in writing if the resolution takes more than 60 days, including reasons why more than 60 days are required, and regularly updates the complainant or appellant on the progress of the matter.

3. Informal/Verbal Solution

- 3.1 All complainants must seek to resolve the issue with the person directly involved through an information discussion with the person concerned.

4. Internal appeals

- 4.1 All complaints, appeals and review of decisions (including assessment decisions) must be made in writing using the appropriate form available on the website and Learning Environment Online (LEO).

5. External Appeals

- 5.1 ACU will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, ACU acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

5.2 The complaints if not resolved internally may be referred to the Ombudsman:

- www.ombudsman.vic.gov.au OR
- Resolute (<https://www.resolution.institute/>)
- ANMAC www.anmac.org.au

5.3 Students must refer to the respective organisations website for their appeals procedures.

5.4 There is no charge by ACU for either the internal complaints handling stages or the external stage. Reference to the external mediator may attract a nominal fee to be paid by the complainant. ACU may reimburse the fee to the complainant if the decision is in favour of him/her.

5.5 If the student is still not happy with external mediation, he / she may take his / her complaint to the VET Regulator www.asqa.gov.au

5.6 ACU and the students will provide all relevant documentations to the external agency as per their request.

6. Privacy and Confidentiality

6.1 Confidentiality will be maintained throughout the process of making and resolving complaints.

6.2 ACU seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

7. Continuous improvement

7.1 ACU views all complaints as an opportunity for continuous improvement. It identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

8. Continuance of enrolment and study

8.1 Whilst a student is going through any form of formal complaint or appeals process the student remains enrolled at ACU and continues his/her studies and assessments as normal..

8.2 If the complaint or appeal relates to the student being suspended or excluded as a result of a breach of the Student Code of Conduct, the suspension or exclusion shall continue until either it has expired or the result of the complaint or appeal is decided in the students' favour.

8.3 If the outcome is in the students' favour, ACU will implement the recommendations immediately made by the adjudicator and advise the complainant of the outcome and actions taken.

9. Records and administration of the policy

9.1 ACU will securely maintain records of all complaints and appeals and their outcomes.

9.2 A copy of this policy is available to all students and staff via the website and LEO.

9.3 The Compliance Manager of ACU will be responsible for the implementation and maintenance of the policy.

10. External complaints/grievances

10.1 Any complaints/grievances from a prospective student or an external body are to be put in writing via email or by post to the ACU's office for further action.

10.2 ACU office will act on the complaints and communicate with concerned person within 10 business days.

11. Actions to be undertaken by staff

11.1. Staff must direct the complaints to the appropriate area or person.

11.2. As soon as the complaint is received the staff must acknowledge the complaint and advise the complainant of the processes and timelines.

11.3. Possible solutions may include: Setting up meeting with the complainant, gathering more evidence of information, corresponding with relevant affected parties, seeking legal advice (if required), making references to other student support systems of the University.

Procedure

Should a student have a complaint or appeal, the following steps are to be followed:

1. Student should discuss the issue/complaint with the person involved to try and resolve it verbally.
2. If no resolution is reached, the student should discuss the issue / complaint with Student Welfare and Support Coordinator to see if it can be resolved.
3. If no resolution is reached, the student should discuss the issue / complaint with Course Coordinator(s) to resolve the issue.
4. If still no resolution the student should complete the ST08 Complaints form and formally lodge the complaint with the Operations Manager in writing.
5. If the complaint or appeal is not dealt with to the student's satisfaction, she/he may bring it to the attention of the Director. The Director will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process will commence within 48 hours from the time the Director receives written notification from the student about their dissatisfaction to the response received from earlier efforts. A response / resolution will be presented within 30 days.
6. If still no resolution, the student must discuss the issue/complaint with ACU Provost. The Provost in his/her capacity may resolve the issue and close the complaint.
7. The student may appeal against the decision/resolution by submitting the ST07 Appeals form if he/she agrees/disagrees with the decision.
8. Should the issue still not be resolved to the student's satisfaction, ACU will make arrangements for an independent third party to resolve the issue and outline any costs that may be involved with this to the student. The student will be given the opportunity to formally present his or her case. The time frame for this process may vary but should take no longer than 14 days.
9. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period. If the process is taking longer than 60 days from the complaint or appeal being received the student will be notified in writing of the reason for the delay and kept informed about all progress.

Version History	Detail of update
Version 1.3	Rebranded to ACU College

