Complaints / Grievances and Appeals
Policy / Procedure Number: 011

1. Policy

This policy/procedure supports ‘Standard 8 – Complaints and Appeals’ of the ‘National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2007’.

Despite all efforts of the AITT to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution. The following procedures provide students the opportunity to have grievances resolved and resolutions reached.

Each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself.

2. Procedure

Informal process
Where possible all non-formal attempts shall be made to resolve the grievance. This may include advice, discussions, and general mediation in relation to the issue and the student’s grievance. Any staff can be involved in this informal process to resolve issues but once a student has placed a formal complaint / appeal the following procedures must be followed.

2.1 General Complaints

- All complaints or appeals are submitted to the Student Administration Manager. It is their responsibility to deal with the complaint in the first instance. Complaints are to include the following information:
  - Submission date of complaint
  - Name of complainant;
  - Nature of complaint;
  - Date of the event which lead to the complaint
  - Attachments (if applicable);

- Once a complaint is received it is to be entered into the ‘Complaints log book/register’ which is monitored by the Registrar regularly. The information to be contained and updated within the register is as follows:
  - Submission date of complaint
  - Name of complainant;
  - Description of complaint / appeal
  - Determined Resolution; and
  - Date of Resolution.

- A student may be assisted or accompanied by a support person regardless of the nature of the grievance or complaint.

- Once a complaint has been filed and logged in the ‘complaints and appeals register’ the Student Administration manager shall notify the Registrar of the complaint and provide any further documentation related to the matter.
• The Registrar shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint at hand within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.

• Once a decision has been reached the Registrar shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing and the reasons for the outcome.

• Copies of all documentation, outcomes and further action required will be placed into the ‘complaints and appeals register’ by the Student Administrations Manager and on the students file.

• Within the notification of the outcome of the formal complaint the students shall also be notified that they have the right of appeal. To appeal a decision the AITT must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.

2.2 Internal Appeals

All students have the right to appeal decisions made by the AITT where reasonable grounds can be established. The areas in which a student may appeal a decision made by the AITT may include:

- Assessments conducted
- Reported breaches of academic performance or attendance requirements
- Deferral, suspension, or cancellation decisions made in relation to the student’s enrolment
- Or any other conclusion that is made after a complaint has been dealt with by the AITT in the first instance.

• To activate the appeals process the student is to complete an ‘appeal lodgement’ which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from student administrations department.

• The ‘Registrar’ shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

• The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.

• Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

  **General appeals**

  - Where a student has appealed a decision or outcome of a formal complaint they are required to notify the AITT in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.

  - The appeal shall be lodged through student administrations and the student administration manager shall ensure the details of the appeal are added to the ‘complaints and appeals register’.
- The ‘Registrar’ shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.

**Assessment appeals**

- Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.

- If this is still not to the student’s satisfaction the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with student administrations department and the appeal shall be entered into the ‘complaints and appeals register’.

- The ‘Registrar’ shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a ‘third party’. The third party shall be another assessor appointed by the AITT.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.

**Appealing decisions to report breach of academic or attendance requirements**

- Where a student wishes to appeal the decision of the AITT to notify DIAC of a breach of academic or attendance requirements the student shall lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances.

- The appeal shall be lodged this with student administrations department and the appeal shall be entered into the ‘complaints and appeals register’.

- The ‘Registrar’ shall be notified and shall seek details regarding the initial documentation of the breach and shall make a decision based on the grounds of the appeal.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.

- Where a student has decided to access the appeals process in relation to a reportable breach, the AITT will not report the breach until the appeals process has been undertaken. The AITT is required to maintain all relevant responsibilities until the breach has been reported to DIAC via PRISMS.
Appealing deferrals, suspension or cancellation of enrolment decisions

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal.

- The appeal shall be lodged this with student administrations department and the appeal shall be entered into the ‘complaints and appeals register’.

- The ‘Registrar’ shall be notified and shall seek details regarding the initial documentation of the decision and shall make a decision based on the grounds of the appeal.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals register’ updated.

- Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, the AITT will not update the student’s status via PRISMS until the appeals process is completed. The AITT is required to maintain all relevant responsibilities until the change in enrolment status has been reported to DIAC via PRISMS.

2.3 External Appeals

• If the matter is still unresolved, either party (student or provider) after the above procedures have been implemented and the internal appeals process exhausted, it may require an external independent / third party mediator. Where this is the case, the matter shall be referred to the following person / organisation at no cost to the student:

  **Dispute Settlement Centre Victoria**
  4/456 Lonsdale St
  Melbourne VIC 3000
  Tel: 03 9603 8370
  Tel: 1800 658 528 (toll free for regional callers)
  Email: dscv@justice.vic.gov.au

  • The decision of this independent mediator is final and any further action the student wishes to take is outside the AITT’s policies and procedures. The student shall be referred to the government agencies such as DEEWR and DIAC and this information can be gained from the ‘Registrar’.

2.4 Implementation

• Where a decision or outcome is in favour of the student the AITT shall follow the required action to satisfy the student’s grievance, the AITT will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.