

Student Complaints and Appeals Procedure

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Contacts	policy@imc.edu.au		
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1. PURPOSE

The Institute aims to provide a timely, effective, and transparent system for managing student concerns. The purpose of this Procedure document is to provide information to students and staff on the conditions and procedures in place at the Institute that enable student concerns and complaints to be addressed in a timely, equitable and appropriate manner. It should be read in conjunction with the Student Complaints and Appeals Policy.

2. PROCEDURE

2.1 Complaints Process

The complaints process available to students is summarised in the steps below:

- I. **Informal complaint;** is the preferred option for resolving concerns. Students may directly approach the person/s concerned or communicate with the Senior Student Services Manager.

If the concern continues or is not easy to resolve informally:

- II. **Formal Grievance Resolution** mechanisms are available. Students may lodge a formal grievance with the Institute's Student Grievance Committee.

If the student believes there has been an error in the making of a decision, it is open to a student to lodge:

- III. **An Appeal of a decision of the Institute.** This can be done by email to appeal@imc.edu.au within 20 working days after an outcome of a decision has been advised to the student.

If, after all aspects of the Institute's internal grievance procedure are exhausted, the student feels the matter is still unresolved:

- IV. **External Mediation/Dispute Resolution** may be accessed by the student. Information is provided below about this process.

2.2 Making an Informal Complaint

Students are encouraged to resolve issues informally in the first instance by directly approaching the person or persons concerned. Informal discussion may be conducted face-to-face or by telephone, email, or other written text. If the student feels unable or uncomfortable about doing so, the issue may be communicated to the Senior Student Services Manager. Where appropriate, the Senior Student Services Manager will nominate a delegate (for example, a support person with mental health expertise) to support the student. The Student Support Manager can be contacted at studentservice@imc.edu.au or through Student Services.

The Senior Student Services Manager will gather and communicate as much detail as possible to facilitate an informal resolution. Students are also encouraged to disclose any underlying personal or other issues that may have contributed to, or exacerbated, the problem or concern. This will help the Student Services Manager to approach the student's problem or concern in a more holistic way, including referral to other forms of support and assistance.

2.3 Lodgement of a Formal Complaint

When informal discussion avenues outlined above have been unsuccessful in resolving a grievance (or if a student chooses to make a formal complaint without engaging in informal resolution) and the student seeks a formal resolution, the student must complete the Formal Complaint Form (available on the Institute's website) and email it to complaints@imc.edu.au

Instructions on the requirements for lodging a formal complaint and copies of the relevant forms are available from the Senior Student Services Manager.

Formal complaints should be submitted to complaints@imc.edu.au within 20 working days of the cause of the grievance. The lodgement of a formal complaint will be recorded on the Institute's Complaints and Appeals Register. The student will receive written confirmation within 48 hours that their written complaint has been received. The process will be managed by the Institute's Student Grievance Committee from this point. The Senior Student Services Manager (or delegate) will provide support, assistance and advice throughout the process.

Students have the right to withdraw a complaint at any time during the investigation process. A withdrawal must be notified in writing and the investigation will cease immediately upon receipt of the withdrawal.

Students have the right to pursue an avenue of external resolution prior to the completion of the Institute's internal grievance resolution process. It should be noted, however, that external resolution services may require that all possible internal resolution mechanisms have been utilised before providing their service. When external resolution is being accessed by a student, all internal processes will cease.

2.4 Appeal rights of student

If a student believes there has been an error in the making of a decision, it is open to a student to lodge an appeal of a decision of the Institute.

The Dean of the relevant school of the student will handle and make a binding and final decision in relation to an appeal.

Alternatively, if the Dean of the relevant school was the decision maker of a decision subject of an appeal (or took a role or played a part in the original decision), the Provost of the Institute will handle and deal with the appeal and the Dean will not be involved.

An appeal can be initiated by email to appeal@imc.edu.au within 20 working days after an outcome of a decision has been advised to the student.

An appeal should be lodged by way of a written submission and must include sufficient information to enable the Dean of the relevant school to clearly understand what the student's appeal is about and on what basis the primary decision was incorrect. There is no prescribed form for lodging an appeal.

A student should submit all information required in the time prescribed or necessary and must be at least sufficient to identify the cause or source of the appeal, the decision giving rise to the appeal, the relevant facts, grounds, and circumstances.

Once an appeal is lodged, it is open to the Dean of the relevant school to make a binding and final decision in relation to the student's appeal having considered the materials provided by the student. Alternatively, the Dean may invite the appellant for an oral discussion in relation to his / her matter.

An oral discussion will take place within 20 business days of the receipt of an appeal and if circumstances dictate, an oral discussion may be deferred or adjourned.

Upon completion of an oral discussion, the Dean of the relevant school considers his or her decision in private and will release his or her decision within 10 days of completion of the oral discussion and the Dean must notify all parties in writing of the committee's decision and the grounds on which it was made.

The decision is final and binding on all parties except for as otherwise stated in this policy.

2.5 Investigation process

The Institute's Student Grievance Committee (SGC) is responsible for investigating and acting upon all formal student grievances.

The SGC will conduct all investigations according to principles of procedural fairness including:

- The investigation and decision-making procedures will be conducted fairly and without bias. SGC members are required to disclose any conflict of interest or potential conflict of interest and the conflict must be managed appropriately by the SGC Chair.
- Students can expect to be treated with courtesy and without fear of victimisation or prejudicial treatment. All parties involved in the grievance will be given an opportunity to present their case.

The SGC may dismiss a grievance without any or a complete investigation if the student does not provide sufficient evidence to justify further consideration of the matter. The student will be advised in writing of this outcome with supporting reasons.

In considering a grievance, the SGC will follow processes that are likely, in its opinion, to result in a resolution of the grievance, including;

- An investigation will generally require a meeting with the student. The SGC will advise the Senior Student Services Manager to organise a face to face meeting, where possible, or a phone or Zoom meeting normally within ten working days from the submission of the formal complaint form. Students are encouraged to have a support person with them for the meeting. At the discretion of the SGC Chair, the support person may participate in the discussion. An important role of the support person is to be a neutral witness to discussion. The support person may be a student, a member of a student representative body, a staff member not connected with the matter, family member or another person. When the support person is a legal representative or currently practicing solicitor or barrister, SGC should be informed no later than five (5) working days prior to the meeting.
- International students or domestic students whose capacity for self-advocacy is impaired by disability have the right to a non-legally trained advocate. Generally, the Senior Student Services Manager will provide advocacy in this circumstance or assist the student to access alternative advocacy.

The grievance investigation may also involve speaking to relevant staff or students, accessing the student file and/or speaking to external parties. The student will be advised should the SGC consider it necessary to involve external parties in the investigation and confidentiality will be respected. External parties will include the Institute's agents or related parties if the complaint is in regard to a student's experience with those parties.

Other important considerations of note, include;

- All grievances (whether they are informal, formal or by way of a complaint) will be dealt with in a constructive and timely manner. Where more than 30 calendar days are required to process a complaint or appeal, the student is advised in writing of the reasons and the parties regularly updated in writing.
- Once the investigation has been conducted and a determination made by the SGC, the student will receive a written response. The response will include a full explanation of decisions and reasons for decisions as well as all actions taken as part of the process. Students will also be provided with advice regarding external avenues of appeal. The written response should be provided within five (5) working days of the decision being made and any implementation required following the decision. Appropriate staff responsible for the implementation will also be notified.
- Where the outcome of the grievance resolution process results in a decision that supports the student, the Institute will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.
- Written records will be kept of all processes of the investigation. Records will be treated as confidential and will be covered by the Institute's *Privacy Policy*. Records

of the investigation procedures and their outcomes will be maintained for a period of at least 5 years.

2.6 External Mediation/Dispute Resolution

If, after all aspects of the Institute's Internal Grievance procedure are exhausted, the student feels the matter remains unresolved, the student may access external mediation. The Senior Student Services Manager will provide clear information on external mediation and dispute resolutions options.

If a student is not satisfied and considers their complaint is relevant to the Institute's non-compliance with the Higher Education Standards Framework (Threshold Standards) 2021 they may contact TEQSA see: <http://www.teqsa.gov.au/complaints>

External Mediation and Dispute Resolution

Domestic students will be referred to:

Resolution Institute

The Resolution Institute is an independent national association of dispute resolution.

Level 1, 13-15 Bridge Street

Sydney NSW 2000

Phone: (+61 2) 9251 3366

Fax: (+61 2) 9251 3733

Freecall: 1800 651 650

Email: infoaus@resolution.institute Website: www.resolution.institute

Domestic FEE-HELP

A student who is enrolled in or entitled to FEE- HELP and is not satisfied with the decision may apply to the Administrative Appeals Tribunal (AAT) for a review of that decision. Further information about the AAT including all costs and required application forms can be obtained from www.aat.gov.au.

International Students

An international student may lodge an external appeal or complain about the decision to the Overseas Student Ombudsman. The Overseas Student Ombudsman offers free and independent advice to international students who may have a complaint about their private education or training provider.

The student will be referred to:

Overseas Student Ombudsman GPO Box 442 Canberra ACT 2601

Phone: 1300 362 072

www.oso.gov.au

2.7 Student Grievance Committee (SGC)

Composition of the Student Grievance Committee

The Committee consists of the Chair of the SGC, at least one student representative and at least one representative from management and from academic staff respectively. The SGC Chair is appointed by and reports to the Chair of Academic Board on all academic matters.

In non-academic matters, the SGC Chair reports to the Chair of Council. In consultation with the SGC Chair, the Chair of Academic Board or the Chair of Council, as the case may be, appoints other members of the SGC.

Role of the Student Grievance Committee

As outlined in Section 4.6, the SGC is responsible for investigating and determining all formal student grievances. In addition to this role, the SGC performs a key oversight role in monitoring and reviewing student grievances. The SGC meets twice a year, over and above times required for the investigation and resolution of formal grievances, with the aim of ensuring the Institute adopts an effective pro-active approach to addressing student concerns. In coordination with other staff and key Institute committees and boards, the SGC facilitates processes such as:

- Communicating to students of the availability and responsible use of resources and procedures to deal with their complaints;
- Communicating to staff and training to ensure awareness of procedures and best practice in handling student concerns;
- Reporting and recording of student complaints including those concerns resolved at the informal level;
- Reviewing trends in student complaints and implementation of appropriate actions; and
- Reviewing relevant policies and procedures and proposing changes where necessary.

Responsibilities

The Senior Student Services Manager and Deans provide six-monthly reports to the SGC on the number and nature of informal complaints and the steps taken to resolve them. In addition, the reports should highlight any trends and attempts to address matters of potential concern. Although informal complaints are not entered on the Institute's Complaints and Appeals Register, the SGC will use these reports in order to comprehensively review areas of student concern.

In addition to responsibilities listed in procedures for complaint investigation and reporting, The SGC is responsible for reporting regularly to the Academic Board. The Committee must ensure that Academic Board is aware of recurring issues and any particularly serious or sensitive issues. The SGC may make recommendations to Academic Board to help mitigate potential problems.

The Academic Board is responsible for considering the SGC's review findings and for acting on recommendations if it considers it necessary and appropriate. The Academic Board must ensure steps are taken at administrative level to remedy policies, procedures and/or practices that are in need of improvement.

3. RELATED DOCUMENTS

- i. Access and Equity Policy
- ii. Assessment Policy and Procedure Coursework
- iii. Bullying, Harassment and Discrimination Prevention Policy
- iv. Code of Conduct for Students
- v. Examinations Policy and Procedure
- vi. Fees and Charges Policy
- vii. Guidelines on Minimum Resources for Higher Degree Research Students
- viii. Higher Degree Research Assessment and Assessment Appeals Policy
- ix. Higher Degree Research Admissions Policy
- x. Higher Degree Research Confirmation of Candidature and Progression Review Policy
- xi. Recognition of Prior Learning (RPL) Policy
- xii. Student Academic Integrity Policy
- xiii. Student Complaints and Appeals Procedure
- xiv. Student Progression, Exclusion and Graduation Policy
- xv. Student Selection and Admissions Policy

4. VERSION CONTROL.

Historical Version	Approved by	Approval Date
2020.10	Academic Board	26 October 2020