

Student Complaints and Appeals Policy (GC)



Queensland Institute of Business Technology Pty Ltd
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Document

Document Name	Student Complaints and Appeals Policy (GC)
Brief Description	This Policy has been developed to ensure all current and prospective students of Griffith College are given access to a fair complaints resolution and appeals process. This Policy applies to all students.
Responsibility	Quality and Compliance Manager
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Authorising Body	Management Committee

Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
08/03/2023	10	Removal of PC/PA from decision maker in informal academic issues; replaced with Deputy Academic Director; Removal of 'Griffith University' Homestay; Added *Review of Grades Process must be followed as a separate issue	Quality and Compliance Manager

Related Documents

Name	Location
QIBT Enterprise Agreement 2015 - 2018	Policy HUB
Staff Grievances Policy	Policy HUB
Show-Cause Against Exclusion Form	Online Form
Griffith College Formal Appeal Application Form	Online Form
Griffith College Informal Appeal or Complaint Form	Online Form
Student Complaint and Appeals Process Flowchart (Diagram 1)	Document
Managing Student Complaints and Appeals Procedure	Document

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1 Purpose and Scope

1.1 Introduction

This Student Complaints and Appeals Policy sets out the global approach of Griffith College relating to the management of student complaints and appeals.

1.2 Legislation

This policy is consistent with:

- The Higher Education Support Act (HESA) 2003
- The Higher Education Standards Framework 2021 (Threshold Standards) - Standard 2.4 Student Grievances and Complaints
- The Education Services for Overseas Students Act (ESOS) 2000
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) - Standard 10

1.3 Purpose

The purpose of this Policy is to ensure all current and prospective students of Griffith College are given access to a fair complaints resolution and appeals process. A student has the right to raise a complaint or appeal, and to have that matter considered with courtesy, at no or minimal cost, in a timely fashion and without fear of prejudicial treatment.

This policy must be read and understood in conjunction with related Griffith College policies, including but not limited to:

- a. [Student Code of Conduct](#)
- b. [Sexual Assault, Harassment, Victimisation, Discrimination and Bullying Policy](#)
- c. [Equal Opportunity and Diversity Policy](#)

1.4 Scope

Any current or prospective student of Griffith College who believes they have experienced incorrect, inappropriate or unfair treatment in the course of their relationship with Griffith College (or any of its Agents or other related parties engaged by the provider) is entitled to access the complaints and appeals process set out in this policy, regardless of the location of the campus at which the matter has arisen, the student's place of residence or the mode in which they study.

A student may lodge a complaint at any time while they are a current or prospective student of the College.

A student has 20 working days, from the date of the decision or event, to lodge an appeal.

Former Students of Griffith College who seek to appeal a decision made during their enrolment at the College will be dealt with on a case by case basis and at the discretion of the College Director and Principal.

Griffith College employee complaints are to be dealt with according to the Staff Grievances Policy, depending on the nature of their employment.

2 Policy Statement

This policy has been developed in line with requirements set out in HEP Guidelines and the National Code of Practice for Providers of Education and Training to Overseas Students. It sets out the procedures a student should follow when they have a complaint wish to appeal a decision.

2.1 Definitions

- *Complaint:* An expression of dissatisfaction occurring as a result of routine Griffith College operations.
- *Complainant:* A person lodging a complaint.
- *Appeal:* A formal process to challenge a decision made on a particular matter.
- *Appellant:* A person lodging an appeal.
- *Respondent:* A person who is responding to a complaint against them.
- *Relevant Senior Officer:* The Griffith College staff member responsible for consideration of a complaint or appeal.

2.2 Policy Principles

The principles which underpin this policy are as follows:

- The consideration of complaints and appeals will be dealt with according to principles of procedural fairness which respect the right of a complainant or appellant to be heard by an impartial party;
- In all matters of dissatisfaction, students and staff should attempt to resolve the conflict informally in a cooperative manner. If this is not possible, or the outcome is unsatisfactory, the formal process may be commenced. It is best practice that issues are resolved as close to the source as possible.
- Complainants, appellants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints or appeal process;
- Staff will make all attempts to respond to complaints within the time limits set out in this policy;
- Griffith College Complaints & Appeals Processes will be made available to the public on the Griffith College website;
- Complainants, appellants and/or respondents have the right to be represented, or accompanied, by a third party (such as a family member, friend, counsellor, or other professional support person other than a qualified legal practitioner) if they so desire;
- All communications arising from the complaints process, together with the proceedings of the Appeals Committee, will remain confidential, except to the extent necessary to give effect to this Policy.
- Where the appeal relates to suspension of enrolment, students may maintain their enrolled status whilst awaiting the outcome of the appeal.
- If, at any time during the internal or external appeals process, a decision is made which supports the complainant/ appellant, Griffith College will immediately implement the decision and advise the complainant/ appellant of the outcome.
- The Griffith College Student Counsellors are available to assist students with preparing a written appeal. The Student Counsellors cannot give advice regarding the likelihood of success.
- To avoid any apprehension of bias, where a relevant Senior Officer has been involved in the matter at an earlier stage, they will disqualify themselves from considering the case. An alternate senior staff member will consider the matter, in their place.

2.3 Complaints & Appeals Process

For the purposes of this policy, cases are grouped into two broad categories depending upon how they arise:

- *Complaint:* a consequence of dissatisfaction with an aspect of routine operations at Griffith College
- *Appeal:* in response to a decision made on a specific matter that the student considers to be unreasonable

Refer to [Diagram 1](#) for the process a student should follow when making a complaint or lodging an appeal.

2.3.1 Informal Resolution

Making an informal appeal against a decision

A student has 20 working days, from the date of the original decision or event, to lodge an appeal. An appeal is only formalised once an informal appeal decision and outcome is known.

To make an informal appeal (Step 1), the [Griffith College Informal Appeal or Complaint Form](#) must be completed.

The form will be reviewed and the relevant Senior Officer will engage with the student to resolve the issue informally as appropriate.

Making an informal complaint about a situation

A student may lodge a complaint at any time while they are a current or prospective student of the College.

Students who wish to express dissatisfaction about a situation relating to their student experience which they consider unsatisfactory, may submit the [Griffith College Informal Appeal or Complaint Form](#).

The form will be reviewed and the relevant Senior Officer will engage with the student to resolve the issue informally.

Table 1 identifies, for each category of appeal or complaint, the relevant Senior Officer (decision maker) who will attempt to resolve the situation.

Relevant Senior Officers receiving a student complaint or informal appeal must respond in a timely manner. The outcome will be conveyed in writing to the student via email and recorded on the student's file on the Griffith College student database (see [Diagram 1](#)).

There is no cost associated with a complaint or informal appeal.

Informal Appeal upon receipt of a "Notification of Intent to Exclude (and Report)"

A student who has received a Notification of Intent to Exclude (and Report), and who believes they can provide reasons as to why their exclusion should not proceed must, within 20 working days of notification, submit a [Show-Cause Against Exclusion Form](#) to their Program Convenor, along with any supporting documentation. A student who submits a [Show-Cause Against Exclusion Form](#) will be permitted to pay their tuition fees and provisionally enrol at the College while their case is being considered.

The Show-Cause submission will result in one of three outcomes (informal appeal outcome):

- eligibility for exclusion is confirmed;
- the student will be permitted to continue with their studies subject to a period of probation; or
- the student will be permitted to withdraw from their current program and permitted to change their provider, or pathway, to study a more appropriate program.

The outcome of a Show-Cause against exclusion will be conveyed in writing to the student via email and recorded on the student's file on the Griffith College student database. Any additional request to Withdraw or request a Transfer of Provider received by the College during the period

that the Show-Cause Against Exclusion submission is being reviewed will be halted until a decision is finalised as detailed above and if warranted, actioned as an informal appeal.

Table 1: Relevant Senior Officers for Informal Resolution of Complaints and Appeals

Area of Complaint or Appeal	Type	Informal Resolution		Formal Resolution	
		Decision Maker	Timeframe to lodge informal complaint or appeal	Decision Maker	Timeframe to lodge formal complaint or appeal
Academic					
Assessment and exam results Special consideration Deferred assessment Conferral of Awards Academic credit for prior learning	Appeal	Deputy Academic Director	20 business days from date of decision	Appeals Committee	5 working days from the date of the outcome from the complaint or informal appeal
Academic integrity breach Program progression such as probation or exclusion	Appeal	Deputy Academic Director	20 business days from date of decision		
Dissatisfaction with the content/design/delivery of a unit Dissatisfaction with the clarity of an assessment * Dissatisfaction with feedback provided by a teaching staff member *Review of Grades need to follow separate process	Complaint	Deputy Academic Director	Any time while student is a current or prospective student of the College		
Non-Academic					
Refund disputes	Appeal	Director, Student & Academic Services	20 business days from date of decision	Appeals Committee	5 working days from the date of the outcome from the complaint or informal appeal
Enrolment (e.g. transfer of provider, withdrawal, or intention to cancel enrolment due to non-attendance, non-payment of fees or non-progression)	Appeal	Director, Student & Academic Services	20 business days from date of decision		
Homestay (e.g. a dispute between a homestay student and a homestay family)	Complaint	Student Counsellor – who will engage Homestay Coordinator.	Any time while student is a current or prospective student of the College	Director, Student & Academic Services	5 working days from the date of the outcome from the complaint or informal appeal
Health and Safety on campus	Complaint	Manager, Student and Academic Services			
Staff or student conduct , including but not limited to discrimination, harassment, victimisation, vilification or bullying	Complaint	College Director and Principal			
Other Complaints - any issue arising as a consequence of a student's experience at the College, such as dissatisfaction with service and facilities provided. Including Agents or third party.	Complaint	Relevant Senior Departmental Officer		College Director and Principal	

2.3.2 Formal Appeal to the Appeals Committee

Where the appellant is not satisfied with the outcome of the Complaint or Informal Appeal and believes that:

- there was insufficient opportunity to present their case to the decision-maker (must provide reasonable information that can specify how the student was prevented from presenting their case to the decision maker); or
- the process was not carried out in accordance with Griffith College policy or procedures (must state what Griffith College policy or procedure was not followed and how the process was not carried out correctly); or
- the decision was made contrary to the evidence provided (must specify why the decision is considered contrary); or
- new information or evidence is available that has not been previously considered (must specify what the new information is, and why it should affect the outcome);

The appeal should be lodged within 5 working days of the date of the outcome from the complaint or informal appeal.

Students should complete a [Griffith College Formal Appeal Application Form](#) and submit this along with relevant supporting evidence.

When applying for a review of decision through a formal appeal, the student bears the onus of proof and is responsible for establishing that the decision in the first instance was an unreasonable decision.

The case must be clearly presented and provide all relevant evidence from the beginning of the appeal process. New evidence should not be introduced during the process unless:

- there has been a major change in circumstance since the student first initiated the complaint or appeal;
- the new information or evidence was not reasonably available to the student at the time the appeal was initiated; and
- the new information or evidence has a material effect on the appeal.

The Secretary of the Appeals Committee shall consider the appeal to determine whether it should be accepted for hearing, in whole or in part, or rejected. The following are examples of why an appeal may be rejected:

- the appeal does not address one or more of the criteria above (section 2.3.2);
- the student has not provided Griffith College with accurate contact details and ensured they are available to receive notifications from Griffith College. Late or non-receipt of official communications will not normally be accepted as grounds for an appeal to be heard, if changes of address have not been notified and received by Griffith College in a timely way; or
- the appeal is lodged outside the time allowed for lodgement of an appeal.

If an appeal is rejected on any of the grounds outlined immediately above, the Secretary of the Appeals Committee will contact the student and explain the grounds for rejection. Where appropriate and possible, the Secretary may assist the student by clarifying the criteria that must be met in order for the Appeals Committee to accept the appeal for hearing. In extenuating circumstances, the Secretary may provide additional time for completion of the application and commence the appeal process only on receipt of completed documentation.

On accepting an appeal for hearing, the Committee will take all reasonable steps to consider the appeal and respond in writing to the appellant within 10 working days of receipt of the completed appeal documentation. In order to ensure the fullest consideration of the appeal, the Committee may ask either the appellant or the respondent (or both) to present their case in person to the Committee.

The Griffith College Appeals Committee membership is outlined in Table 2.

Table 2: Appeals Committee Membership

Appeals Committee Members
College Director & Principal (<i>Chair</i>)
Academic Director
Director, Marketing & Admissions
Director, Student & Academic Services
Student Counsellor
Alternative Griffith College Committee Members
Deputy Academic Director
Admissions Managers
Marketing Managers
Manager, Quality & Compliance
Manager, Student & Academic Services

At least half of the Appeals Committee must be present in the making of a decision on a student's appeal. Where a Committee member is unavailable, an alternative Committee member may be invited to consider the appeal.

To avoid any apprehension of bias, an alternative Committee member will replace any Committee member responsible for the decision that led to the appeal, or who was involved in earlier resolution processes.

The Appeals Committee may recommend a change in College policy or procedure as a result of deliberations. The Relevant Senior Officer will be asked to respond with an action plan, or a rationale why recommendation is not implemented.

There is no cost associated with an appeal to the Appeals Committee.

2.3.3 External Appeal

Where the appellant is not satisfied with the outcome of the Appeals Committee hearing, and believes that:

- there was insufficient opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with Griffith College policy or procedures; or
- the decision was made contrary to the evidence provided; or
- new information or evidence is available that has not been previously considered,

they may request that the matter to be referred to Griffith College's nominated independent appeals reviewer. The appellant has 10 working days from the date of the decision from the Appeals Committee to lodge an external appeal.

Domestic Students

The Independent Higher Education Australia (IHEA) will act to appoint an external reviewer who is independent. The IHEA appointed reviewer will make a determination and advise the relevant officer of Griffith College, the complainant and IHEA within 30 days, providing in writing the reasons and rationale for any decisions and/or actions to be taken. If the IHEA-appointed reviewer makes recommendations in relation to a reviewed complaint, the relevant officer of Griffith College will ensure that the recommendations are implemented within 20 working days. Decisions of the IHEA-appointed reviewer shall be final and binding on all parties.

Reviewable decisions (these decisions are related to HECS and FEE-HELP Debt) made under Chapter 3 of the Higher Education Support Act (HESA) where external review is the responsibility of the Administrative Appeals Tribunal are not covered by IHEA. Similarly, complaints relating to regulatory decisions of the Tertiary Education Quality Standards Agency (TEQSA) and outside of the institutions control are not handled by IHEA.

Students seeking to have a matter referred by IHEA to an external reviewer must make an application in writing to the Chief Executive Officer of IHEA, detailing the complaint, the process applied as at that point in time, the decision to be reviewed and grounds for an external review of the decision.

Chief Executive Officer
Independent Higher Education Australia
Suite 612, Level 6
198 Harbour Esplanade, Docklands, VIC 3008

If the matter is resolved with only IHEA's intervention the appeal process is free, otherwise a cost is advised to the appellant when the complexity of the case is known. As a member of the Resolution Institute, where required, Griffith College will work with the student in good faith to access the Student Mediation Scheme to resolve the issue.

International Students

International students who wish to lodge an external appeal or complaint about the decision resulting from the above process can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education provider. See the Overseas Students Ombudsman website <https://www.ombudsman.gov.au/complaints/international-student-complaints> or phone 1300 362 072 for more information.

The student and Griffith College will be bound by the decision of the ombudsman and such decisions are final and non-reviewable. While the parties attempt to resolve the matter, the student will continue to attend classes as normal unless the student has a reasonable concern about an imminent risk to his or her health and safety.

2.3.4 Other External Appeal Options

Where a student engages in the Griffith College Complaints & Appeals process, it does not remove their right to pursue other legal remedies or take further action under Australia's consumer protection laws.

- *Mediation*: The Department of Justice and Attorney-General runs a number of Dispute Resolution Centres throughout Queensland. For more information visit <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/settling-disputes-out-of-court/mediation-services/mediation>
- *Queensland Civil and Administrative Tribunal*: The Tribunal considers a range of matters including anti-discrimination, minor civil disputes (e.g. debts up to \$25,000), children and young people, occupational regulation and review of Queensland State Government administrative decisions. For more information visit <http://www.qcat.qld.gov.au>
- *Office of the Australian Information Commissioner*: Where a student is not satisfied with the manner in which Griffith College has dealt with his/her personal information, including storage, disclosure or correction, the Commissioner will consider complaints or requests. For more information visit: <https://www.oaic.gov.au/>
- *Legal action*: For information on taking legal action to resolve a complaint or appeal, contact a solicitor.

- *TEQSA*: Where a student is not satisfied that the Provider is compliant with its regulations, please refer to the Complaints section to review what TEQSA will accept complaints on: <https://www.tegsa.gov.au/complaints>
- *Australian Human Rights Commission*: For complaints relating to discrimination, sexual harassment, victimisation, vilification.
For more information visit <https://humanrights.gov.au/complaints>
- *Australian Competition and Consumer Commission (ACCC)*: Fee-help, fees and refunds, matters relating to competition and consumer legislation.
For more information visit <https://www.accc.gov.au/>
- *Administrative Appeals Tribunal*: Reviewable decisions in relation to Fee-HELP debt (see chapter 3 of the Higher Education Support Act).
For more information visit <https://www.aat.gov.au/>

2.4 Administrative Procedures

This policy and related documentation is accessible through the Griffith College Policy & Procedures Library (policy.griffithcollege.edu.au).

Records of all complaints and appeals will be kept for a period of five years. These records will be strictly confidential and filed separately from student files. These records will be under the responsibility of the Manager, Quality and Compliance.

Continuous improvement recommendations made by the Appeals Committee will be considered at the College Management Committee and responded to by the relevant Senior Officer within 30 days of notification.

Recommendations arising from any external review of the Student Complaints & Appeals Policy, or related procedures, will be implemented within 90 days of notification.

2.5 Monitoring & Reporting

The Manager, Quality and Compliance is responsible for the collation and analysis of information about the type, causes and numbers of student complaints and appeals on an annual basis. A report on the results of this analysis is provided to Academic Board annually.

3 Responsibilities

Responsibility	CDP	QCM	DIR	MGR	SAC	CN	ALL
Maintain currency of policy	I	R, A	C, S	C, S	S	C	I
Appeals Record Keeping	I	A	C, S	C, S	RA	C	I
Committee Agenda and Minutes	I	A	C, S	C, S	RA	C	I
Process Appeal Requests	I	A	C, S	C, S	RA	C	I
Monitoring and Reporting	I	R, A	C, S	C, S	S	C	I

CDP = College Director & Principal, QCM = Quality & Compliance Manager, DIR = Directors (Marketing, Academic SAS), SAC = Secretary Appeals Committee, CN = Student Counsellor, MGR = Managers (Admissions, Marketing SAS, Q&C), ALL = All staff

R = Responsible, A = Accountable, S = Supporting, C = Consulting, I = Informed

4 Compliance

4.1 General

Manager, Quality and Compliance will ensure staff are informed about this Policy through staff meetings and communications.

Students will be made aware of this Policy through the College website, digital campus, communication and support from Student and Academic Services and Support teams.

4.2 Relevant Legislation

- The Higher Education Support Act (HESA) 2003
- The Higher Education Standards Framework 2021 (Threshold Standards) - Standard 2.4 Student Grievances and Complaints
- The Education Services for Overseas Students Act (ESOS) 2000
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) - Standard 10

4.3 Review

This Policy is tested and reviewed at least every 24 months and when at the time of any changes to the regulatory compliance requirements, legislation, regulation and guidelines. This review process aims to ensure alignment to appropriate strategic direction of Griffith College and continued relevance to Navitas' current and planned operations.

4.4 Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Policy	Manager, Quality and Compliance	Policy Hub	Permanently with control in place for revisions	Policy Hub archive
Process Flowchart	Manager, Quality and Compliance	Document Library	Permanently with control in place for revisions	Document Library archive