

Student Complain Policy

Policy Category	Operations
Document Owner	Paula Mills, CEO
Responsible Officer	Community and Campus Manager
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1. Context

The Academy of Entrepreneurs recognises that effective complaint management and equitable and transparent review mechanisms contribute to a positive study environment. Students should feel confident in the knowledge that their complaints about academic and non-academic matters, or their concerns about the behaviour of others towards them, will be addressed appropriately, fairly and in a timely manner by Academy of Entrepreneurs.

Students should also be confident that they will not be penalised or disadvantaged as a result of lodging a complaint. This policy is designed to ensure that student complaints are resolved promptly, with sensitivity to all parties, and in accordance with the principles of procedural fairness.

2. Definitions

Academic appeal: an application made to have an academic judgment reviewed (e.g. assessment mark, subject result, academic progression decision).

Procedural fairness: a fair and proper procedure appropriate to the circumstances, where decisions are made without bias and are supported by evidence and communicated with reasons.

Review: an application made to have a decision on a previous application (e.g. formal complaint, special circumstances) reviewed.

Student complaint: a complaint about a decision, action or behaviour that results in a claim that the student has sustained academic or non-academic disadvantage.

3. Scope

This policy applies to all enrolled students, and to people who have completed an application to enrol as a student (included wherever “students” are referred to for the purpose of this policy).

This policy governs student complaints on academic and non-academic matters and reviews of non-academic decisions.

Information on academic appeals, including assessment, academic progression and academic integrity decisions, is contained within each of those academic policies.

4. Principles

The Academy of Entrepreneurs is guided by the following principles in resolving all student complaints:

- Complaint and review procedures will be readily available to ensure that staff and students
- Understand their rights and responsibilities, including their right to have a support person present at any interview or proceeding (the support person may be a legal representative or another person of the student’s choosing)
- Every opportunity will be provided to resolve complaints informally and quickly at the local level through mediation and negotiation
- Parties to the complaint resolution process will not be disadvantaged as a result of lodging the complaint, investigating the complaint or responding to the complaint

- The principles of courtesy, mutual respect, confidentiality and procedural fairness will be observed by all parties to the complaint resolution process
- Complaints and appeals will be resolved expeditiously and there will be no direct financial cost to the student relating to internal review processes
- Complaint and review procedures will be applied consistently and transparently
- A student's enrolment will be maintained while the complaint process is ongoing
- The complaint and review process will be well documented, and the results will be communicated to relevant parties in a timely manner
 - Students will be provided with a written statement of the outcome of any formal complaints, including full details of the reasons for the outcome
 - Records of complaints and reviews will be kept for a minimum of five years
- The complaint resolution process will be used by Academy of Entrepreneurs to identify areas for improvement in the quality of services and support it provides to students
- The complaint resolution process does not circumscribe an individual's rights to pursue other legal remedies or to have their complaint reviewed externally

5. Types of complaint

The Academy of Entrepreneurs employs a four-step approach (see 6 below) in dealing with all student complaints and reviews, though the procedures and timelines for dealing with specific types of complaints may be different.

5.1 Academic Complaints

Academic complaints are complaints about the delivery of a student's enrolled subjects. Examples include, but are not limited to, dissatisfaction with:

- The content of a subject
- The design or delivery of a subject
- The clarity of an assessment item
- The equipment, resources or materials required or recommended for a subject
- Feedback provided by a teaching staff member

5.2 Non-Academic Complaints

Non-academic complaints are complaints about the services and facilities provided by Academy of Entrepreneurs, or about non-academic decisions made by Academy of Entrepreneurs, usually by professional staff.

Examples of non-academic complaints include, but are not limited to, dissatisfaction with:

- A decision to deny a request for a refund under Academy of Entrepreneurs' Student Fee Policy
- A decision to impose penalties for the non-payment and late payment of fees
- The administration of admission, enrolment, examinations and graduation
- Services or facilities, such as library borrowing, building access, and support services
- Health and safety management
- Management of student personal information

Non-academic complaints also include complaints about unfair treatment committed by another member of the Academy of Entrepreneurs community which may include:

- Discrimination
- Harassment
- Victimisation
- Vilification
- Bullying

6. Complaint Resolution

Consistent with the principles of this policy, and taking into account that some types of complaint are addressed according to specific policies and procedures, Academy of Entrepreneurs' approach to complaint resolution generally involves:

6.1 Informal Discussion

Complaints should be resolved informally within 10 working days whenever possible through discussion between the student and the person directly responsible for the decision or behaviour that is the subject of the student's complaint. The complaints should be raised promptly via email, phone or direct conversation. It is the responsibility of both parties to explore options for resolving the issue as soon as possible after it has been raised and to do so in a courteous and respectful manner.

It is acknowledged that in some circumstances, students may not feel comfortable raising their complaint directly with the person who is the subject of the complaint. Advice on taking the first steps towards resolving a complaint informally is available from the Academic Manager (academic complaints) or Community and Campus Manager (non-academic complaints).

There is no compulsion to resolve complaints informally. Students have the option of requesting a formal review as the first step in the complaint resolution process.

Whenever possible, informal complaints will be resolved within 10 working days.

There are no fees for lodging informal complaints.

6.2 Formal Complaint

If the issue cannot be resolved informally, or if the student is dissatisfied with the initial decision regarding the matter, they may ask for a formal review of their complaint by completing a Formal Complaint Form. The completed form must include a clear statement of the grievance, including all relevant facts, supporting documents and must specify the resolution the student is seeking. These will be reviewed and decided by:

- Academic Manager (or delegate) for academic matters
- The Community and Campus Manager (or delegate) for non-academic matters and residential matters

The student will be notified in writing of the outcome, including full details of the reasons for the decision, within 10 working days of their formal complaint being lodged. Students will be notified of any delays which may occur during the process. There are no fees for lodging formal complaints.

6.3 Internal Review

A student may request a review of the outcome of their formal complaint within 20 working days of receiving the written response if they believe that the results are unfair or incorrect on one of the following two grounds:

- The process has been incorrectly followed and/or criteria incorrectly applied, or
- new evidence is available which was not available to the original decision maker.

Appeals on the grounds that the student disagrees with the outcome will not be heard. A student can request a review of a decision by forwarding a completed Review (Appeal) Form to the Community and Campus Manager, including the following:

- The decision and circumstances the student is requesting be reviewed, and
- an outline of how the policies and procedures have not been followed, and/or
- additional, new, evidence to support the claim, and
- the student's desired outcome.

The Community and Campus Manager will forward the request to the CEO who will assess the submission and take one of the following options:

- refer the Review back to a formal complaint (under 6.2)
- refer the Review to the appropriate senior staff member for a decision (e.g. CEO) or
- independently investigate the request for a review

The student will be notified in writing of the outcome, including full details of the reasons of the decision, within 10 working days of their appeal request being lodged. The Community and Campus Manager will notify student of any delays, which may occur during the process. There are no fees for requesting internal reviews.

6.4 External Review

If a student's complaint against the Academy of Entrepreneurs has been heard as a Review of a Formal Complaint, the only avenue for further review or appeal is external. No further internal review or appeal is available. In following external avenues for complaint resolution, students may choose to lodge an external appeal or complaints to the Resolution Institute Student Mediation Scheme ('the External Grievance Mediator'). Refer to the External Review (Appeals) Procedure for the contact details. Students can seek other external reviews or appeals by seeking assistance from agencies such as the Ombudsman, relevant Commission or the Office of Fair Trading. Refer to the External Review (Appeals) Procedure for the contact details.

A student with a complaint against the Academy of Entrepreneurs may seek external review at any stage of the complaint resolution process, although it is expected that a student will have accessed internal processes before commencing external proceedings. If Academy of Entrepreneurs receives notification that a complaint is the subject of formal external enquiry or legal action, the internal resolution process will be suspended until the external action is completed.

7. Record Keeping

The Academy of Entrepreneurs keeps appropriate records of all complaints, including documentation relating to formal complaint and reviews for at least five years, and allows parties to the complaint appropriate access to these records consistent with the provisions of the Privacy Policy.

8. References

Education Services for Overseas Students (ESOS) Act 2000

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007) – Standard 8 Guidelines

VET Student Loan Rules 2016 – Standards 87 and 88