

STUDENT GRIEVANCE AND APPEALS POLICY

Policy Category	Academic		
Document Owner	Dean		
Responsible Officer	Registrar		
Review Date	June 2020		
References and Legislation	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code); and the Higher Education Support Act 2003 (Cth)		
Related Documents	Governing Board Charter; APIC Academic Governance Charter; Academic Integrity Policy; Assessment Policy.		
Version	Change Description	Approved	Effective Date
1.5	Minor changes to improve clarity Section 10. administrative amendments to improve clarity around escalation of appeals.	21 July, 2017	
2.0	Updated to ensure alignment with National Code 2017 updates	Academic Board 14 June 2018	30 June 2018

1. Purpose

Asia Pacific International College (the College) places students at the heart of its operations and is committed to providing students with a fair, equitable, and transparent learning environment that ensures student access to grievance and appeal processes that provide for fairness, transparency and accountability.

This policy describes the decision framework for student grievances and appeals, including the process for independent external review of decisions made under this policy.

The College is committed to resolving students' grievances with the College and its staff or appeals against decisions made by the College and its staff as quickly and as sensitively as possible.

This policy aims to assist all parties to resolve complaints, issues and concerns that arise and reflects College expectations and responsibilities of the College, staff and students in resolving student grievances and appeals.

2. Scope

This policy applies to the College, its staff and students, and to persons who may not yet be students but who have demonstrated an intention to enrol as a student in the College.

The policy and procedure set out in this document does not remove the student's right to take further action under Australia's Consumer Protection Laws, nor circumscribe the student's right to pursue other legal remedies.

Time limitations

Grievances and appeals under this policy will only be considered under this policy within three months of cessation of enrolment whether through withdrawal or exclusion.

3. Definitions

Item	Definition
<i>Appeal</i>	An application to reconsider a decision made by the College.
<i>Exclusion</i>	Permanent cancellation of a student's enrolment in their course and the termination of their rights and privileges as a student of APIC, including their right to re-apply for admission.
<i>Grievance</i>	A complaint or concern raised against some aspect of the College including, but not limited to, actions, processes or facilities which are considered unfair, disadvantageous, wrong or inadequate.
<i>Onshore international student</i>	An overseas student who is studying in Australia on a student visa.
<i>Unsatisfactory Academic Progress</i>	Refers to the academic status of a student who is identified as having achieved a Fail (or equivalent) grade in two or more of the units in which they were enrolled during a teaching semester.

4. Principles

The following principles underpin student grievance, complaint and appeal resolution processes against College decisions.

Timeliness

It is College intention that any grievance or appeal will be dealt with as quickly as possible and normally within the timeframes indicated within this policy.

Confidentiality

Student grievances and appeals will be treated confidentially. Access to information about a grievance or appeal will only be granted to staff deciding the matter. All records will be kept strictly confidential.

Without prejudice or disadvantage

Any grievance or appeal will be considered without prejudice and solely on its merits and the evidence provided. The complainant will not be disadvantaged while the grievance or appeal is in progress, for example, the student should be allowed to continue enrolment or to attend class. The no disadvantage rule does not apply to the decision reached by the College under this policy.

The enrolment of overseas students studying in Australian on a student visa will be maintained throughout the student's participation in the internal grievance and appeals process and the College will not report the student to the relevant Australian Government departments unless extenuating circumstances relating to the welfare of the student apply. If the internal appeals process is complete, and has supported the

College's decision, the College will advise the student within ten (10) working days of the right to access an external complaint handling and appeals process and will give the student appropriate contact details.

Record-keeping and access to records

Records of grievances and appeals and their outcomes will be kept strictly confidential and stored by the Registrar's Office.

The complainant and/or respondent will have a right to supervised access to all documents held by the College concerning his or her grievance or appeal.

The Registrar's Office shall maintain a Register of Grievances and Appeals that records the unique folio number of the case.

Cost

There will be no charge to the student through the internal grievances and appeals processes. If the matter proceeds to an external mediator or complaints body the student is responsible for ascertaining whether or not he or she will incur charges at that stage. International students incur no charges for the Australian Government's Overseas Students Ombudsman service.

5. Policy

Students with the College may raise a grievance or appeal a decision of the College under this policy.

The College will promote and maintain an environment where students feel empowered to raise grievances or appeal a decision and have such grievances addressed by the College in a respectful, responsible and timely manner.

The College aims to ensure that students and staff involved in a grievance or appeal resolution process under this policy are not subjected to any form of victimisation or discrimination as a direct result of the grievance being raised.

A student with a grievance or appeal as defined should raise their complaints or concerns along with any evidence, directly and confidentially with the appropriate staff member as identified under the procedures section of this policy.

The staff member will review the matter confidentially and respond directly in writing to the student concerned clearly stating the outcome of the consideration, the reasons for the decision and the process to follow in case the student would like to appeal the decision. The timeframes that apply to the grievances or appeals and the responses will be according to the procedure section below.

Throughout the grievances or appeals process:

- i) For each stage of the process, both the complainant and respondent have the right to be represented by a third party.
- ii) For each stage of the process, both the complainant and the respondent have the right to a full explanation in writing for decisions and actions taken as part of the procedures.

6. Procedure

Informal Internal Grievance or Appeal

It is preferable that any grievance or appeal be resolved informally. The College encourages the student to take their grievance or appeal directly to the staff member who is responsible for the matter or issue

with a view to arriving at a mutually agreeable resolution. Students may contact the staff member in person via email to the staff member's College email address or by phone and request telephone transfer to the staff member.

This should be done within ten (10) working days of the matter or issue to which the grievance or appeal refers.

That staff member should resolve the grievance or appeal no later than ten (10) working days after the receipt of the grievance or appeal.

The student is responsible for ensuring when entering this informal process that they make clear the nature and grounds of the academic grievance or complaint and, where applicable, provide evidence to support any claims.

Formal Internal Grievance or Appeal to the Registrar

If the student is not satisfied with the result of the informal process the student can escalate the matter to a formal process by writing to the Registrar within ten (10) working days.

The written submission should clearly state:

1. The background to the grievance or appeal
2. The exact grievance or nature of the appeal
3. What steps have been taken to address the grievance or appeal including dates
4. A brief description of how the matter can be resolved from the point of view of the student

The Registrar will investigate the case presented and may:

- a) designate any staff member, who has not had prior involvement in the case, to assist with the investigation;
- b) form a working party to investigate and report on the matter
- c) consult with relevant academic and administrative staff as well as students of the College on matters pertaining to the case; and/or
- d) request the student to meet with them in person or via teleconference to discuss the case.

The Registrar will respond directly in writing to the student concerned no later than twenty working days after the receipt of the grievance.

Formal Internal Appeal to the APIC Appeals Committee

If the student is not satisfied that their grievance has been resolved after the first formal stage they may appeal in writing to the APIC Appeals Committee via the Registrar's Office.

The appeal to the APIC Appeals Committee must contain evidence that the matter has not been dealt with properly or state the reason or reasons the matter should be reviewed by the APIC Appeals Committee such as new information or evidence that was not considered previously.

External Grievances and Appeals Processes

If the student's grievance or appeal remains unresolved following consideration by the APIC Appeals Committee, the student may request a review through an external independent mediator or body.

Domestic students can request mediation through the [Resolution Institute](#). The costs of mediation will be shared jointly by the student and by Asia Pacific International College.

Onshore international students can request a free and independent external review service through the [Overseas Students Ombudsman](#). In most cases the external body will consider whether the College has followed its policies and procedures rather than make a decision on the matter itself.

Asia Pacific International College will give due consideration to any recommendation(s) arising from external review within thirty (30) working days of receipt of the recommendations. The APIC Appeals Committee will be responsible for ensuring that any recommendation(s) received are fully implemented.

If a student remains dissatisfied with the outcome of an external review or mediation, they may refer the matter to an external agency such as the [Anti-Discrimination Board of NSW](#), [NSW Fair Trading](#), [the Victorian Equal Opportunity & Human Rights Commission](#), or [Consumer Affairs Victoria](#).