



Centre for
English Language

STUDENT GRIEVANCES AND APPEALS POLICY

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SECTION A - INTRODUCTION

A.1 Purpose

This Policy details the commitment of the South Australian Institute of Business and Technology (SAIBT) and the Centre for English Language in the University of South Australia (CELUSA) to the provision of proper and fair avenues of redress for student concerns.

A.2 Scope

This policy covers all students of the:

- South Australian Institute of Business and Technology (SAIBT)
- Centre for English Language in the University of South Australia (CELUSA)

A.3 Definitions

Word/Term	Definition
Appeal	Requesting and obtaining a review of a previous decision
Complainant	Student who has filed a formal written complaint
Grievance	The complaint
Intimidation	Threatening or bullying behaviour
Orientation	Information day/week that all students attend when commencing their SAIBT/CELUSA program or course or ELICOS non-award
Respondent	The person who acts on the complaint
Responsible adult	A person who is 18 years or older and who (in relation to a minor) is for the time being, in loco parentis to the minor
Victimisation	Selective or unfair discrimination against an individual or individuals

A.4 Acronyms

Abbreviation	Phrase or Word
CELUSA	Centre for English Language in the University of South Australia
ITR	Intention to Report
SAIBT	South Australian Institute of Business and Technology

SECTION B - POLICY STATEMENT

B.1 Principles

This policy is underpinned by the principles of natural justice and procedural fairness, and emphasises the need to resolve a grievance as early as possible and as close to the source as possible.

All students have the right to have a grievance or appeal dealt with in relation to any academic or non-academic matter in which they feel that they have been unjustly treated or where SAIBT and CELUSA has not acted in accordance with its policies and procedures.

All grievances and appeals will be treated seriously and dealt with promptly, impartially, sensitively and confidentially.

This policy exemplifies SAIBT and CELUSA's commitment to a just, harmonious and fair learning environment by providing students with access to processes which support the thorough resolution of grievances and disputes.

B.2 Policy

1 Introduction

- 1.1 Every student may access the rights embodied in this policy, irrespective of the location of the campus at which the grievance has arisen, the student's place of residence or the mode (face-to-face or on-line) in which they are studying.
- 1.2 Grievances and appeals will be dealt with fairly and without victimisation or intimidation either during or after a grievance resolution process. Neither the complainant nor the respondent will be victimised or discriminated against at any stage in the grievance resolution process.
- 1.3 A student who feels that a decision made by a member of staff does not accord with SAIBT and CELUSA's policies and procedures, or who has an experience which, they believe, contravenes SAIBT and CELUSA's stated policies and procedures, has the right to have their grievance considered in a timely fashion.

2 Appeals

- 2.1 At all stages of the grievance and appeals process a full written explanation of decisions and actions taken will be provided to the complainant or respondent upon request or as legislated.
- 2.2 The complainant and/or respondent will be invited to formally present their case and, if they wish, may be accompanied by an advocate, such as a family member, friend, counsellor or other professional support person with the exception of a qualified legal practitioner.
- 2.3 Under 18 students will also be invited to formally present their case. If they choose to do so, they must be accompanied by an advocate who is not a lawyer who is at least 18 years of age.
- 2.4 If a student is not satisfied with the process or outcomes of SAIBT and CELUSA's internal grievance and appeals process, they have the right, at no cost to them, to seek external arbitration of their grievance through the Office of the Training Advocate:
<http://www.trainingadvocate.sa.gov.au/>
- 2.5 At any time students can also access mediation and support services at their own expense.

- 2.6** The principles set out in this policy do not replace or modify any other obligations, responsibilities, procedures or principles which may exist under other higher education provider policies, or under statute or any other law.
- 2.7** Unless a risk exists to either the student or to others, the student's enrolment with SAIBT and CELUSA will be maintained and they will be required to attend class throughout any grievance and appeals process.
- 2.8** There is no restriction to the number of external appeals a student may lodge.
- 2.9** If a student receives multiple Intention to Report (ITR) notifications for unsatisfactory attendance and chooses to lodge multiple external appeals SAIBT/CELUSA will report them following the outcome of any one externally rejected appeal.
- 2.10** If an external appeal is resolved in a student's favour and the student has not lodged an appeal for another ITR, then the student will be reported on the basis of that ITR.
- 2.11** If the internal or any external complaint handling or appeal process results in a decision that supports the student, the College Director will immediately implement any decision or action and, if required, advise the student.
- 2.12** Grievances and appeals raised in accordance with this policy cannot also be raised in accordance with the Parent Complaints Policy.

3 Legal action

- 3.1** This policy does not preclude, or inhibit in any way, a student's right to further action under Australian Law.

4 Confidentiality and record keeping

- 4.1** All necessary steps will be taken to ensure that information regarding the grievance will be disclosed only to those persons who have a legitimate right to the information by virtue of their role in the appeals process.
- 4.2** Records of appeals and grievances will be kept for a period of five (5) years.

5 Policy dissemination and staff training

- 5.1** This policy is communicated to:
- all staff via the website and SharePoint
 - academic staff through the Staff Induction Handbook
 - students in pre-enrolment material
 - students verbally during Orientation Day
 - students via the website
 - the general public via the website.
- 5.2** Academic Directors are responsible for inducting academic staff in the obligations covered in this policy and the attendant procedures. Academic Directors and their staff are also responsible for making themselves available to explain the policy to students in plain language and to advise them of their rights and obligations under the policy.
- 5.3** All Managers are responsible for inducting their staff in the application of this policy's rights, obligations and procedures.

SECTION C - GOVERNANCE

C.1 Responsibility

Identification	Student Grievances and Appeals Policy
Policy Owner	College Director, SAIBT/CELUSA
Approving Authority	SAIBT/CELUSA Academic Board
Initial Issue date	August 2012
Directory Location	College Director, Policies

C.2 Version Control

Version Number	Summary of Changes	Approved by	Date of Effect	Review Date	Privilege Level
v1.0	This Policy supersedes: <ul style="list-style-type: none"> A011 Complaints and Appeals Policy (Student Related Matters) 	SAIBT/CELUSA Executive Group	8/2012	8/2014	Public
v2.0	<ul style="list-style-type: none"> Removal of reference to 'Legal Guardian' and replacement with 'approver of accommodation and welfare arrangements throughout policy. Editorial amendments recommended by Board 	SAIBT/CELUSA Academic Board	3/2013	3/2015	Public
v2.1	<ul style="list-style-type: none"> Editorial changes Moved to a three year review cycle 	Quality Manager	11/2013	3/2016	Public
v2.2	Change to clause 1.5 and split into two separate clauses	SAIBT/CELUSA Academic Board	12/2014	3/2016	Public
v2.3	Minor amendment to clause 1.6	SAIBT/CELUSA Executive Group	6/2015	3/2016	Public
v3.0	Major review <ul style="list-style-type: none"> Addition of 'Approving Authority' box to CI addition of new heading 2 after clause 1.3 and all subsequent headings and clauses renumbered addition to related policies 	SAIBT/CELUSA Academic Board	3/2016	3/2019	Public

	<ul style="list-style-type: none"> • addition of new clauses 2.8, 2.9, 2.10, 2.12 (previous clause 1.9 now 2.11) • Addition of ITR to abbreviations table • removal of 'for whom SAIPT/CELSUA is the approver of accommodation and welfare arrangements in newly numbered clause 2.3 • rewording of newly numbered clauses 2.3 and 2.5 • 'prospective and current' removed from A.2 Scope • 'current, enrolled and prospective' removed from clause 1.1 				
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C.3 Legislative and Organisational Context

Name
ELICOS National Standards
The National Code of Practice 2007
Standards for VET Accredited Courses

SECTION D - PROCEDURE

D.1 Related Procedures

Student Grievances and Appeals Procedure

D.2 Related Policies

Parent Complaints Policy