



Centre for
English Language

STUDENT GRIEVANCES AND APPEALS PROCEDURE

SECTION D - PROCEDURE

Related Policy

Student Grievances and Appeals Policy

D.1 Procedure

| Responsible | Procedure Steps | | W/I |
|---------------------|-----------------|---|-----|
| | 1 | Outline of the grievances and appeals process | |
| Student | 1.1 | While this process outlines the four (4) stages of the Student Grievances and Appeals Process, Stage 1 is not appropriate in serious matters, for example where you have been informed of an intention to preclude you from further assessments or you have received a letter of intention to report. In these situations you should commence this process at Stage 2 – formal grievance. | |
| | 2 | Access to mediation services | |
| Student | 2.1 | Community Mediation Services can assist with resolving disputes in many ways, by: <ul style="list-style-type: none"> • providing information about positive and constructive alternatives to the Legal system; • encouraging people to explore options together to reach a mutually acceptable agreement; and • conducting negotiations with the other party | |
| | 2.2 | Community Mediation Services operate offices throughout the State of South Australia, including: Adelaide City Angle Park Christies Beach Elizabeth Warradale http://www.saccls.org.au/centre_details.php?centre_id=20 | |
| | 3 | Stage 1 - informal grievance | |
| Student | 3.1 | In the first instance grievances should be discussed with the person/s involved if this is not possible you are free to communicate to any other staff member that may be able to assist. | |
| Staff member | 3.2 | Try to resolve the grievance and notify the student of the outcome within 5 working days of receipt of the grievance. | |
| Student | 3.3 | If you are not satisfied with the outcome, start Stage 2 of the process. | |
| | 3.4 | Continue to attend classes during Stage 2. | |

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| | 4 | Stage 2 - formal grievance | |
| Student | 4.1 | Submit your formal written letter to the Student Services Unit within: <ul style="list-style-type: none"> • 20 working days for intention to report appeals related to attendance or academic progress • 10 working days for all other appeals | |
| Student Services Centre | 4.2 | Complete the cover sheet with the student and attach the Stage 2 letter and any evidence submitted by the student. | |
| Program Support | 4.3 | Create the student appeal pack. | |
| | 4.4 | Send the student pack to the relevant staff member for consideration. If the appeal is about a refund it must be sent to the College Director. | |
| Staff member | 4.5 | Check to ensure all processes have been correctly followed. | |
| | 4.6 | Respond, to the Stage 2 appeal within 7 working days of receipt of the grievance and return the student pack to Program Support. | |
| | 4.6.1 | If the appeal is regarding unsatisfactory attendance and the attendance on the Intention to Report (ITR) letter is below 70% invite the student to an interview to present their case. | |
| | 4.6.2 | If the student attends the interview advise them that the appeal can only be considered on the grounds of due process being incorrectly followed. | |
| | 4.6.3 | Consider all other appeals on the basis of the students' written submission. | |
| Program Support | 4.7 | Write Stage 2 outcome letter advising the student of the outcome of the appeal. | |
| | 4.8 | Email the letter to the student. | |
| Student | 4.9 | If you are not satisfied with the outcome of Stage 2, your appeal is regarding a Notice of Intention to Report (ITR) for unsatisfactory attendance, and your attendance on your ITR letter is below 70% miss Stage 3 and proceed directly to Stage 4 within 10 working days of the date on the Stage 2 outcome letter. | |
| | 4.10 | For all other appeals, start Stage 3 within 10 working days of the date on the Stage 2 outcome letter. | |
| | 4.11 | Continue to attend classes throughout stage 3. | |
| | 5 | Stage 3 – review of appeal decision | |
| Student | 5.1 | Submit your formal written letter to the Student Services Centre. | |
| Student Services Centre | 5.2 | Complete the cover sheet with the student and attach the Stage 3 letter and any evidence submitted by the student. | |

| Responsible | Procedure Steps | | W/I |
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| | | | |
| Program Support | 5.3 | Create the student appeal pack. | |
| | 5.4 | Send to the EO Grievance and Appeals Committee with the student's current postal and email addresses. | ✓ |
| Executive Officer, Appeals Committee | 5.5 | Write the Stage 3 letter of invitation to attend the appeal meeting. Post and email it to the student and cc Program Support. | ✓ |
| Student | 5.6 | Respond to the letter to advise if you will be attending the appeal meeting. | |
| Executive Officer, Appeals Committee | 5.7 | Send all the appeal papers to the Grievance and Appeals Committee members advising when each student appeal will be heard. | |
| Grievance and Appeals Committee | 5.8 | Review each student appeal pack and prepare for the meeting. | |
| Student | 5.9 | If you attend the appeal hearing bring along any additional evidence and/or non-legal representative in relation to your appeal. | |
| Grievance and Appeals Committee | 5.10 | Hear the appeal, review and make a decision. | |
| EO Appeals Committee | 5.11 | Draft minutes of the appeal hearing and send to the College Director to approve. | |
| College Director | 5.12 | Review and amend the draft minutes as required and return to the EO Appeals Committee. | |
| EO Appeals Committee | 5.13 | Write the Stage 3 outcome of appeal/grievance letter and post and email it to the student and cc Program Support within 5 working days of the meeting. For refund appeals that are upheld advise Director, Shared Services, relevant accountant and Marketing prior to notifying the student. | ✓ |
| | 5.14 | Email the approved appeal hearing minutes to Program Support. | |
| Program Support | 5.15 | Action any conditions that have been applied to a rejected appeal, | |
| | 5.16 | Ensure conditions are monitored and penalties are applied if they are not adhered to by the student. | |
| Student | 5.15 | If you are not satisfied with the outcome of Stage 3 start Stage 4 within 10 working days of the date on the Stage 3 outcome letter. | |
| | 5.16 | Continue to attend classes throughout stage 4. | |
| Program Support | 5.17 | If no stage 4 appeal has been lodged within 10 working days of the date on the Stage 3 outcome letter the outcome of Stage 3 will stand. | |

| Responsible | Procedure Steps | | W/I |
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| | 6 | Stage 4 - external agency for international and domestic student grievances | |
| Student | 6.1 | Contact the Office of the Training Advocate (OTA) Ground Floor 55 Currie Street (entrance doors at Bus Stop W1 on Currie Street) Adelaide SA 5000 Phone (toll free) 1800 006 488 | |
| Program Support | 6.2 | Ensure the student remains enrolled. | |
| Office of the Training Advocate | 6.3 | Notify the College Director of the appeal lodgement and request any required information. | |
| College Director | 6.4 | Send the OTA appeal lodgement notification to the relevant staff. | |
| Program Support Team Leader | 6.5 | Respond to the OTA request for information. | |
| Office of the Training Advocate | 6.6 | Review the appeal. | |
| | 6.7 | Make a decision and notify the student and College Director of the outcome. | |
| College Director | 6.8 | Notify the relevant staff of the OTA decision. | |
| College Director | 6.9 | Where the OTA has made recommendations for policy or procedural changes implement changes as required within 10 days of receiving the notification. | |
| Program Support Team Leader | 6.10 | Notify the student of any action as a result of the OTA decision. | |
| | 7 | Confidentiality and record keeping | |
| Program Support | 7.1 | Ensure all written documentation is placed in the confidential Student Grievances file. | |

D.2 Supporting Documentation

| Related material | Location |
|---|------------|
| Grievances and Appeals Process | SharePoint |
| Grievances and Appeals Committee Terms of Reference | SharePoint |

| Form templates | Retention time | Location |
|--|----------------|--------------------------------------|
| SAIBT and CELUSA Grievance and Appeal Cover Sheet | | |
| APPEAL HEARING – SAIBT or CELUSA invitation letter | | I:\QualityUnit\Appeals\SAIBT Appeals |
| SAIBT APPEAL outcome letters | | I:\QualityUnit\Appeals\SAIBT Appeals |

| Records (including completed forms) | Retention time | Location |
|-------------------------------------|--|--------------------------------------|
| Student appeal pack - assessment | Destroy 10 years after action completed | |
| APPEAL Invitation Stage 3 letter | <ul style="list-style-type: none"> Allegations not proved, destroy 6 months after last action taken Allegations proved, no disciplinary action taken, destroy 2 years after last action taken Allegations proved and disciplinary action taken, destroy 10 years after action completed | I:\QualityUnit\Appeals\SAIBT Appeals |
| Approved minutes | Destroy 10 years after action completed | I:\QualityUnit\Appeals\SAIBT Appeals |
| APPEAL Stage 3 Outcome Letter | <ul style="list-style-type: none"> Allegations not proved, destroy 6 months after last action taken Allegations proved, no disciplinary action taken, destroy 2 years after last action taken Allegations proved and disciplinary action taken, destroy 10 years after action completed | I:\QualityUnit\Appeals\SAIBT Appeals |

D.3 Version Control

| Version Number | Summary of Changes | Approved by | Date of Effect | Privilege Level |
|-----------------------|---|--------------------|-----------------------|------------------------|
| v2.0 | <ul style="list-style-type: none"> Put into new template minor amendment to clause 5.15 removal of clause 5.5 | Quality Manager | 9/2014 | Public |
| v2.1 | <ul style="list-style-type: none"> Addition of new clauses 4.5, 4.6.1, 4.6.2, 4.6.3, 6.10 clause 4.9 changed, clause 4.10 added records added to table | College Director | 12/2014 | Public |
| v2.2 | Clause 4.8 amended to only emailing the student the Stage 2 letter. | Quality Manager | 2/2015 | Public |
| v2.3 | Addition to clause 5.13, to advise Finance of refund appeals upheld at Stage 3. | Quality Manager | 5/2015 | Public |
| v2.4 | Add Ombudsman SA, for domestic students, to Stage 4 of the appeals procedure. | Quality Manager | 6/2015 | Public |
| v2.5 | <ul style="list-style-type: none"> Remove Ombudsman SA, for domestic students, to Stage 4 of the appeals procedure Addition of 'international and domestic student' to title of clause 6 | Quality Manager | 7/2015 | Public |
| v2.6 | Amendment to flow chart to remove separation for academic and non-academic appeals | Quality Manager | 8/2015 | Public |
| v2.7 | <ul style="list-style-type: none"> 4.1 changed to 20 working days for ITRs related to attendance or academic progress, flow chart changed to match addition of new clause 5.15 and 5.16 Clause 5.13 altered to advise Director, Shared Services, relevant accountant and Marketing | Quality Manager | 11/2015 | Public |

Stage 1: Informal Complaint

- Discussion with staff member involved in initial decision or issue.
- If sent an Intention to Report letter or have been reported for plagiarism go straight to Stage 2.
- Make an appointment to speak with an Academic Staff member within 10 working days of the decision or issue occurring.
- Notification of outcome within 5 working days.



Stage 2: Formal Complaint

- Submit written appeal to Student Services within 10 working days of Stage 1 decision (20 days for intention to report appeals for attendance or academic progress).
- Decision reviewed by head of Directorate or Unit, or Academic Director.
- Written response within 7 working days.



Stage 3: Review of Appeal Decision

- Submit written appeal to Student Services within 10 working days of the Stage 2 decision.
- Decision reviewed by the Appeal Committee.
- Written response within 5 working days.



Stage 4: External Appeal

- Lodge external appeal directly to the Office of the Training Advocate (OTA) within 10 working days of Stage 3 decision.
- Decision reviewed by the OTA.
- Written response in accordance with OTA decision.

*** To make an appointment with an Academic staff member please contact Student Services directly***

- Stage 1 is not appropriate in serious matters, for example where the student has received a Letter of Intention to Report. Students in this situation should commence the appeal process from Stage 2.
- Students over 18 **may** be accompanied by a support person (excluding legal rep) to a Stage 3 appeal hearing. Students under the age of 18 **must** be accompanied by a support person.
- Contact the Office of the Training Advocate (OTA): 55 Currie Street, Adelaide. Phone: 1800 006 488