

Student Complaints and Grievances Policy and Procedure

1. Purpose

The purpose of this policy is to manage student complaints and grievances effectively and efficiently, and to use feedback to improve practice.

Student satisfaction is enhanced through the provision of an effective complaints management system.

The principles of natural justice shall apply to student complaint management:

- all parties to a complaint shall have the right to be heard;
- all relevant submissions and evidence shall be considered;
- matters that are not relevant shall not be taken into account; and
- the decision maker shall not be biased or appear to be biased.

Complaint handling shall comply with AS ISO 10002-2006 Customer Satisfaction – Guidelines for Complaints Handling in Organisations.

Analysis of student complaints shall contribute to continuous improvement of the Institute's policy and practice and to the student experience.

2. Scope

This policy applies to all enrolled students of the Institute, or groups of students including students of the MIT Language Centre; and former students up until twelve months following withdrawal or expired leave of absence from an Institute unit or course.

The scope of the Policy and Procedures includes students' dealings with Melbourne Institute of Technology (MIT), MIT's education agents or any related party that MIT has an arrangement with to deliver a student's course or related services.

Exclusions

The policy covers issues arising from a student's involvement with the Institute except this policy does not apply to determinations relating to:

- complaints of unlawful discrimination, sexual harassment and bullying by staff or students, which are addressed by the Equal Opportunity Policy and Procedure;
- admission or enrolment matters, covered by Academic Appeals Policy and Procedure;
- credit application outcomes, covered by Academic Appeals Policy and Procedure;
- an outcome of a classification as Stage 1- student at risk, covered by the Academic Appeals Policy and Procedure;
- exclusion for unsatisfactory academic progress, covered by the Academic Appeals Policy and Procedure;
- the outcome of an application for special consideration, covered by the Academic Appeals Policy and Procedure;

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- the students final result in any unit, covered by the Academic Appeals Policy and Procedure.

3. Definitions

Term	Definition
Academic Registrar	the person holding the position of General Manager within the Institute.
Advocate	an independent person who can provide a student with advice about the complaints and grievances process and the steps towards resolution, and assist the student with the submission and presentation of his/her complaint or grievance and accompany the student to any relevant meeting or hearing.
Appeal	a request for reconsideration of a decision. An appeal may be either an initial complaint about a decision relating to an administrative or academic matter or a request for a review of the outcome of a complaint or grievance.
Complainant	the person making the complaint.
Complaint	A reasonable expression of dissatisfaction or discontent, decision or omission within the control or responsibility of the Institute in the delivery of academic, administrative or support services.
Grievance	a complaint to be investigated according to formal complaint handling processes. This includes complaints that are not able to be resolved through informal processes or mediation, and matters relating to allegations of misconduct where disciplinary action against a student or staff member may be an outcome of the investigation
Head of unit	relevant Head of School, ELICOS Academic Manager, Campus Director, Executive Dean, Head Librarian or Academic Registrar.
'High Risk' complaint	a complaint of corruption or fraud that has the potential to involve significant risk to the Institute or its students and staff.
Institute Secretary	Means the person holding the position of Secretary of the Board of Directors within the Institute.

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Local level	the area of the Institute or member(s) of staff responsible for delivering the service or conducting the process about which the complaint is being made, and includes the MIT Language Centre.
Natural Justice	the natural justice principles including: <ul style="list-style-type: none">• The respondent shall have a right to be heard before the decision is made;• All parties to a complaint shall have the right to be heard;• All relevant submissions and evidence shall be considered;• Matters that are not relevant shall not be taken into account; and• The decision maker shall not be biased or appear to be biased.
Respondent	someone who responds or makes reply to a student complaint allegation.
Responsible officer	an Institute staff member independent of the subject of the complaint, nominated by the Academic Registrar.
Student	an enrolled student of the Institute, or groups of students; and former students up until twelve months following withdrawal or expired leave of absence from an Institute unit or course.
Student Complaints Committee	the committee established to hear complaints under clause 5 of this policy and procedure.
Vexatious complaint	complaints deliberately intended to annoy or bring distress or suffering to other parties.

4. Policy Statement and Principles

- 4.1. In the handling of student complaints and grievances the Institute is committed to:
1. **VISIBILITY:** Information about how and where to complain should be well publicised to Institute students and staff and other interested parties.
 2. **ACCESSIBILITY:** The complaints handling process should be easily accessible to all complainants. This includes readily accessible information about the process, flexibility in the methods of making complaints and special arrangements and/or support for complainants with specific needs.

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3. **RESPONSIVENESS:** Receipt of each complaint should be acknowledged to the complainant immediately. Complaints should be addressed promptly, complainants should be treated courteously and kept informed of the progress of their complaint through the complaints handling process.
 4. **OBJECTIVITY:** Each complaint should be addressed in an equitable, objective and unbiased manner through the complaints handling process.
 5. **CHARGES:** Access to the complaints handling process should be free of charge to the complainant.
 6. **CONFIDENTIALITY:** Personally identifiable information concerning the complainant should be available where needed, but only for the purposes of addressing the complaint within the Institute and should be actively protected from disclosure, unless the complainant expressly consents to its disclosure.
 7. **INVESTIGATION OF COMPLAINTS:** Every reasonable effort should be made to investigate all the relevant circumstances and information surrounding a complaint.
 8. **STUDENT-FOCUSED APPROACH:** The Institute will adopt a student- focused approach, be open to feedback including complaints, and should show commitment to resolving complaints by its actions.
 9. **RESOLUTION OF COMPLAINT:** Following an appropriate investigation, the Institute will offer a response. The decision or action taken regarding the complaint should be communicated to the complainant as soon as the decision or action is taken.
 10. **ACCOUNTABILITY:** The Institute should ensure that accountability for and reporting on its actions and decisions with respect to complaints handling is clearly established.
 11. **CONTINUAL IMPROVEMENT:** The continual improvement of the complaints handling process and the quality of services should be a permanent objective of the organisation. *
- 4.2. The Institute is guided by the following principles when handling a complaint or grievance:
1. All parties to a complaint or grievance must act in good faith and seek to achieve an amicable resolution. Intimidation, harassing, threatening or offensive behaviour will not be tolerated from any parties.
 2. No student shall be disadvantaged or victimised as a result of making a complaint.
 3. Where possible and appropriate complaints shall be dealt with at the local level at which the complaint occurs.
 4. The complainant is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings.
 5. High risk complaints should be directed to the Academic Registrar or to the Institute Secretary in instances of financial corruption or fraud. Such complaints will normally



- not be dealt with at the local level.
6. A Student Complaints Committee shall be convened in circumstances deemed necessary by the Academic Registrar.
 7. Anonymous complaints shall only be investigated if they are a high risk complaint.
 8. All parties to a complaint must respect privacy and confidentiality, except where the release of particular information is required by law.
 9. Vexatious complaints may lead to disciplinary proceedings being taken.
 10. The student complaint process shall provide guidance on the roles and responsibilities of all parties.
 11. Details of student complaints shall be known only to those directly involved in its resolution.
 12. There shall be no bias in the management of student complaints.
 13. The outcome of student complaints shall be monitored to ensure fulfillment of any conditions.
 14. Records of student complaints will be retained for seven or fifteen years (depending on the nature of the complaint) in accordance with legislative requirements. Parties to the complaint will be allowed appropriate access to these records. If two or more complaints about the same matter are submitted independently, they may be considered jointly by agreement of all parties concerned.
 15. The student has the right to be accompanied and assisted by a support person or an Advocate to any relevant meeting or hearing, but the person cannot be a legal practitioner.
 16. If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the decision or recommendation and/or take the preventive or corrective action required.

5. Students Complaints Committee

- 5.1. A Students Complaint Committee will be convened by the Academic Registrar in accordance with clause 6.2.3, where the facts of the issue cannot be established or there is no policy or principle to draw on in determining an outcome.
- 5.2. The Student Complaint Committee will comprise:
 - the Campus Director (Chair) or equivalent, not previously involved in the complaint handling;
 - a representative of the Academic Board; and
 - an enrolled student at MIT selected by the Chair of the Student Complaints Committee.

6. Procedure

6.1. Seek advice

- 6.1.1. Prior to raising a complaint a student should seek advice on whether they have a legitimate case and to clarify options for resolving their concerns.

Students wishing to raise a complaint should firstly seek advice from an independent person knowledgeable about the process and aware of potential outcomes such as:

- 6.1.1.1. a student adviser
 - 6.1.1.2. an advocate
 - 6.1.1.3. an appropriate academic staff member
 - 6.1.1.4. a staff member from the student support service.
- 6.1.2. The student and the independent adviser should:
- 6.1.2.1. consider whether the complaint is reasonable
 - 6.1.2.2. clarify the details of the matter, including the events that occurred, the basis for the complaint and the resolution sought
- 6.1.3. where appropriate, identify the most appropriate process under which the matter may be pursued. The student may, on the basis of this discussion:
- 6.1.3.1. take no further action;
 - 6.1.3.2. make an informal approach to the person concerned (the respondent);
 - 6.1.3.3. seek mediation; or
 - 6.1.3.4. proceed directly to the grievance process.
- 6.1.4. Complaints can be made using the MIT Student Feedback Form

6.2. Complaints and grievance process

- 6.2.1. Formal Complaint or Grievance received by staff member at local level.



Procedure	Responsibility	Timeline
a) Acknowledge complaint to student. Ensure that the student is directed to make the complaint to the area responsible for the issues associated with the complaint. Complaints involving an education partner institution should involve representatives of the institution in the resolution process.	Staff member who receives complaint	Within 5 working days
b) Evaluate risk level. High-risk complaints must be elevated to the Institute Secretary; high risk complaints are not normally dealt with at the local level.	Staff member who receives complaint	Commence assessment of complaint within 10 working days of receiving a compliant complaint and finalise the outcome as soon as practicable.
c) Investigate complaint. Ensure the student is kept up to date.		
d) Provide notification of outcome to student. NB: Notification must be in writing		Notify student of outcome within 5 working days of outcome.
e) If the outcome is not accepted by the complainant, advise them of the opportunity to seek a review by the Head of unit.		
f) Provide information on written complaint details and outcomes to the Academic Registrar.	Staff member who receives complaint	Within 10 days of outcome
g) Record information about written complaint details and outcome in complaint records.	Academic Registrar's office	Within 10 days of receipt of information

6.3. Appeal of Complaint or Grievance received by Head of unit

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Procedure	Responsibility	Timeline
a) Acknowledge appeal in writing.	Head of unit	Within 5 working days
b) Evaluate risk level. High-risk complaints must be elevated to the Institute Secretary; high risk complaints are not dealt with at the local level.		Commence assessment of appeal within 10 working days of receiving a compliant appeal and finalise the outcome as soon as practicable.
c) Investigate complaint. Ensure the student is kept up to date.		
d) Provide notification of outcome to student.		Notify student of outcome within 5 working days of outcome.
NB: Notification must be in writing.		
e) If the outcome is not accepted by the complainant, advise them of the opportunity to seek a further review by the Academic Registrar's Office.	Head of unit	At time of notification
f) Record information about complaint details and outcome in complaint records.	Academic Registrar's office	

6.3.1. Further Appeal of Complaint or Grievance received by Academic Registrar

Procedure	Responsibility	Timeline
a) Acknowledge appeal in writing.	Academic Registrar	Within 5 working day
b) Appoint a responsible officer to investigate the complaint and take one of the following actions:		Commence assessment of appeal within 10 working days of receiving a compliant appeal.

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Procedure	Responsibility	Timeline
<ul style="list-style-type: none"> transfer responsibility for dealing with complaint to local level if the complaint has not been considered at the local level and it is appropriate for the complaint to be handled locally, or 	Responsible officer	Finalise outcome as soon as practicable.
<ul style="list-style-type: none"> make a determination on practice / process consistent with Institute policy principles; or 	Responsible officer	Finalise outcome as soon as practicable.
<ul style="list-style-type: none"> call a hearing of the Student Complaints Committee where the facts of the issue cannot be established or there is no policy or principle to draw on in determining an outcome. 	Academic Registrar on advice from responsible officer	Finalise outcome as soon as practicable.
<p>c) Notify the student in writing of the outcome of the investigation undertaken.</p> <p>If the outcome is not accepted by the complainant, advise them of other external mechanisms available. This advice will include the following information: <i>Should the Complainant believe that this decision has been reached by a misapplication of Institute policies or procedures:</i></p> <p>For International Students, you may lodge a complaint with the Overseas Students Ombudsman GPO Box 442 Canberra ACT 2601 Tel: 1300 362 072 Website: ombudsman.gov.au Email: overseas.students@ombudsman.gov.au</p> <p>For Domestic Students, you may apply for external review using Resolution Institute an external mediator. Website:</p> <p>Website: https://www.resolution.institute Email: infoaus@resolution.institute</p>		Within 5 working days of outcome.

Procedure	Responsibility	Timeline
d) Record information about complaint details and outcome in the Institute complaint records.		Within 5 working days of the complaint outcome advice
e) If the outcome finds in favour of the student, implement the outcome and advise the student		

7. Responsibilities

The Institute

- 7.1. The Institute recognises that effective communication is of paramount importance when attempting to resolve difficulties experienced by students and is committed to a culture of openness, fairness and continuous improvement.
- 7.2. The Institute will follow transparent, fair and timely procedures for addressing complaints and grievances in accordance with principles of natural justice, ensuring that all parties are treated equally and fairly.
- 7.3. The Institute will give students who raise complaints or grievances the opportunity to formally present their cases and students will not suffer any discrimination as a result of raising complaints or grievances in good faith.

The staff

- 7.4. Institute staff with a role in resolving complaints and grievances will reach conclusions based on a fair hearing of each point of view.
- 7.5. The Academic Registrar has operational responsibility for this policy and procedure.7.6 The Academic Registrar's office will present an annual report of the student complaint records, including complaint outcomes, to the Academic Board (for the consideration of its Teaching and Learning Committee as part of its academic quality improvement feedback cycle), the Board of Directors and the Executive Management.

8. Implementation and communication

This policy and procedure will be implemented and communicated through the Institute via:

- Announcement on the Institute's webpage;
- Internal circulation to staff;
- Staff professional development.

Supporting documents and References

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MIT Policies and Procedures

MIT Student Feedback Form

Academic Appeals Policy and Procedure

AQF (Australian Qualification Framework 2013)

HOME AFFAIRS (Department of Home Affairs) Equal Opportunity Policy

*AS ISO 10002-2006 Customer Satisfaction – Guidelines for Complaints Handling in Organisations

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code)

TEQSA (Tertiary Education Quality and Standards Agency)

Minor changes of editorial nature to clause 3, 4.2.15 and 6.2.3(f) made by EMC on 1.10.2020.

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