

Student Complaints Policy



Purpose/objective

This Policy sets out the principles that guide student complaint management at the Australasian Academy of Higher Education (AAHE).

Scope

This Policy applies to concerns and complaints raised by prospective, current and former AAHE students about AAHE services, processes and decisions and the conduct of other AAHE students, staff and associates. 'Associates' includes education agents. AAHE will respond to any complaint or appeal an overseas student makes regarding education agents or any related party AAHE has an arrangement with to deliver the overseas student's course of related services.

Student requests for reviews of results are handled under the Assessment Policy and Procedure. Student appeals against decisions relating to their academic progress are handled under the Academic Progress Procedure. Student appeals against decisions relating to their conduct are handled under the Student General Misconduct Procedure or the Student Academic Integrity Policy. Student appeals against decisions relating to their enrolment are handled under the Enrolment Policy. Student appeals against decisions relating to fees are handled under the Fees and Charges Policy and Procedure.

Definitions

Terms used in this document are defined in the AAHE Glossary.

Policy

1. Principles

- 1.1 AAHE aims to provide students with a complaint resolution process that is fair, impartial, confidential and responsive, and that seeks to maintain a harmonious environment and to protect the health and wellbeing of all parties involved.
- 1.2 AAHE students have the right to raise legitimate concerns and to lodge complaints when they are dissatisfied with their experience at AAHE or the conduct of another AAHE student, staff member or supervisor.
- 1.3 All parties to a complaint are expected to engage with the process in good faith. Any student who is found to have made false allegations against another person or to have victimised another person for their involvement in a complaint will be subject to disciplinary action.
- 1.4 A student who is invited to or requests a meeting to discuss their complaint may do so at no cost and may bring a support person other than a legal practitioner to the meeting.
- 1.5 Where an investigation is required, the investigator will be impartial and the principles of natural justice will apply.
- 1.6 AAHE sees complaints as an important part of its quality assurance processes and will monitor the underlying causes and ensure that they are addressed.
- 1.7 Any actions arising from complaints will be completed promptly.

Procedure

2. Raising concerns and complaints

- 2.1 Students are encouraged to raise any concerns they may have directly with the area or individual involved in an attempt to resolve the matter informally, where they feel comfortable doing so.
- 2.2 A student may also ask a AAHE staff member to assist them to resolve the matter informally.
- 2.3 Where the informal resolution process initiated by the student has failed or is inappropriate (such as in cases of alleged illegal behaviour, discrimination or sexual harassment), the student should lodge a formal complaint.
- 2.4 A student who wishes to report a serious matter (such as sexual harassment) without lodging a formal complaint is encouraged to discuss other options for handling the situation with the Registrar.

3. Formal complaints

- 3.1 Formal complaints should be lodged with the Registrar on a Student complaint form as soon as it becomes apparent that an informal process is inappropriate or has failed. The form requires the student to explain the nature of the complaint and the outcome they are seeking.
- 3.2 Anonymous complaints and complaints lodged more than six months after the incident will be investigated at the Registrar's discretion.
- 3.3 The Registrar will acknowledge receipt of the complaint in writing within five working days, providing an indication of the process and timeframe for resolving the complaint.
- 3.4 Where the student's safety or wellbeing appears to be under threat, the Registrar will also ensure that the student has access to counselling and academic support and is protected from potential harm while at AAHE.
- 3.5 The Registrar will determine how the complaint will be resolved and may:
 - assist the student to resolve the matter informally
 - investigate the complaint, seeking whatever information is needed to reach a conclusion, and determine the outcome
 - ask another independent staff member to investigate and determine the outcome
 - assist the student to report the matter to the Police where a crime may have been committed
 - refer the matter for handling under a different AAHE procedure, such as the Student General Misconduct Procedure or the Staff Misconduct Procedure
 - refer the student to an external body where the Registrar considers the matter to be outside AAHE's remit.
- 3.6 Where an investigation is conducted, the investigator
 - must act fairly and in accordance with the principles of natural justice at all times
 - may require the student to provide more information or to attend an interview, to which they will be allowed to bring a support person of their choice who does not have legal training
 - may investigate the facts to determine whether the complaint is justified on the balance of probabilities and/or whether the original action or decision was correct and in line with relevant policies, legislation and procedural fairness
 - will write a report for the Registrar regarding the findings, outcome and systemic issues or other matters AAHE needs to address.
- 3.7 The formal complaint resolution process will normally take no longer than 20 working days. The student who lodged the complaint will be notified where there is a delay.

3.8 The Registrar will notify the student of the outcome and the reasons for that outcome within five working days after it is decided. They will also explain the grounds, process and deadline for requesting an internal review where the student remains dissatisfied.

4. Internal review

4.1 A student may request an internal review of their complaint outcome within 10 working days after they are notified of the outcome.

4.2 Internal review requests must be lodged with the Registrar on a Student complaint review request form and will only be considered on one of the following grounds:

- new evidence is available that could not be provided when the student originally lodged their complaint
- the outcome is not supported by the facts or the evidence
- there has been a misapplication of AAHE policies or procedures
- the decision maker was biased or had a conflict of interest.

4.3 The Registrar will refer the request to the Chair of the Academic Board for complaints relating to academic matters, or to the Chief Operating Officer (COO) for other matters.

4.4 The Chair of the Academic Board or COO will review the request and may:

- dismiss the complaint if he or she considers it to be lacking in substance and confirm the complaint outcome
- change the complaint outcome where he or she considers that the student's argument has merit
- appoint another investigator to investigate the complaint and provide a report on which the Chair of the Academic Board or COO (as appropriate) will make a decision
- where the facts of the matter or the policy or principles that might be applied are unclear, establish a Student Complaints Committee, comprising at least three independent members including the Chair, to investigate the matter and make a determination.

4.5 The Registrar will notify the student in writing of the outcome and the reasons for that outcome within five working days after it is decided. The notification will also explain how a student can request an external review where the student remains dissatisfied.

5. External review

5.1 A student who is dissatisfied with the outcome of the internal review process may seek an external review by:

- an independent external reviewer nominated by AAHE
- an independent external mediator nominated by AAHE (for example through the [Dispute Settlement Centre of Victoria](#))
- the [Office of the Commonwealth Ombudsman](#), which investigates complaints from international students (see their online complaint form or telephone 1300 362 072)
- lodging a complaint with an external body where appropriate; for example:
 - [Australian Human Rights Commission](#) or [Victorian Equal Opportunity & Human Rights Commission](#) (discrimination, sexual harassment, victimisation, other human rights breaches)
 - [Office of the Australian Information Commissioner](#) (privacy complaints)
 - [WorkSafe Victoria](#) (work health and safety complaints).

5.2 Where an external mediator or reviewer is appointed and charges a fee, AAHE and the student will each pay 50% of the costs.

5.3 AAHE will implement any recommendations as soon as possible where the external process finds in favour of the student and will advise the student of the actions taken.

6. Communicating the complaints process

- 6.1 The Student Complaints Policy and Procedure will be communicated to students through a variety of channels, including letters of offer, the Student Handbook, AAHE website and orientation sessions.
- 6.2 The AAHE complaints process will be explained to staff during their induction and staff will be encouraged to respect students' right to raise their concerns and to see complaints as making a positive contribution to quality improvement at AAHE.

7. Records and reporting

- 7.1 All records relating to complaints must be stored securely and retained in accordance with the Records Management Policy.
- 7.2 The Registrar will prepare a report each semester for the Academic Board regarding student complaints and will brief the Executive Management Committee immediately where any risks or potential breaches of the Higher Education Standards Framework are identified.
- 7.3 The Registrar will also prepare an annual report on student feedback and complaints for the Board of Directors.

Related documents and relevant legislation

[Higher Education Standards Framework \(Threshold Standards\) 2021](#)

[TEQSA Guidance Note: Grievance and Complaint Handling](#)

[TEQSA Guidance Note: Wellbeing and Safety](#)

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

[Higher Education Provider Guidelines 2023](#)

Equity and Diversity Policy and Procedure

Prevention of Fraud Policy

Records Management Policy

Sexual Assault and Sexual Harassment Policy and Procedure

Student Code of Conduct and Student Misconduct Procedure

Staff Code of Conduct

Student Complaint Form

Student Complaint Review Request Form

Student Complaints and Appeals Flowchart

Document information

Document owner: Academic Board

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1	Academic Board	5/1/21	1/10/23	