

AC-A5 ACADEMIC COMPLAINTS POLICY AND PROCEDURE



1 PURPOSE

The purpose of this policy and procedure is to establish formal and informal procedures to address academic complaints received by the Institute from a prospective student, enrolled student, or member of faculty. The following principles apply in the Institute's handling of academic complaints:

- a. communication will be honest, candid, open and clear;
- b. intimidation/bullying will not be tolerated from any parties to the academic complaint;
- c. the Institute will ensure that all decisions are applied consistently, fairly and without reprisal;
- d. the Institute will articulate the types of academic complaints that can and cannot be handled under this policy and procedure;
- e. the Institute will articulate the rights and responsibilities of staff and students in the lodging, processing, and resolution of academic complaints.
- f. resolution of academic complaints will be handled quickly, without bias, confidentially and with understanding; and
- g. procedures for the review of a complaint by an independent third party will be set in place if internal processes fail to resolve an academic complaint.

2 BACKGROUND

Section 2.4 of the *Higher Education Standards Framework (Threshold Standards) 2015* states:

2.4 Student Grievances and Complaints

1. Current and prospective students have access to mechanisms that are capable of resolving grievances about any aspect of their experience with the higher education provider, its agents or related parties.
2. There are policies and processes that deliver timely resolution of formal complaints and appeals against academic and administrative decisions without charge or at reasonable cost to students, and these are applied consistently, fairly and without reprisal.
3. Institutional complaints-handling and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant, and provision for review by an appropriate independent third party if internal processes fail to resolve a grievance.
4. Decisions about formal complaints and appeals are recorded and the student concerned is informed in writing of the outcome and the reasons, and of further avenues of appeal where they exist and where the student could benefit.
5. If a formal complaint or appeal is upheld, any action required is initiated promptly.¹

¹ https://www.legislation.gov.au/Details/F2015L01639/Html/Text#_Toc428368857 accessed 27 July 2020.

3 SCOPE

With the exception of the following exclusions, this policy applies to all staff and students of BBI-TAITE.

Exclusions: The following complaints are excluded from this policy and procedure:

- differences of opinion concerning the quality of an academic assessment item and the grade awarded for that item – refer to [AC-A9 Assessment Policy and Procedure](#), Section 5.7 *Review of mark for an assessment task*, and Section 5.8 *Review of grade procedure*;
- a disciplinary decision of the Institute, or a decision that is currently under appeal under another policy of the Institute;
- concerns of a non-academic nature such as administrative, employment, or financial concerns, or a concern involving property damage or personal injury;
- disciplinary action taken by the Institute that relates to misconduct under [AC-A10 Academic Integrity Policy and Procedure](#), and disciplinary action taken for non-academic misconduct.

4 DEFINITIONS

Academic complaint: is a representation to the Institute that relates to a concern with an academic policy or procedure, the conduct of academic staff or students, or a complaint concerning the quality of delivery of units offered by the Institute. Refer to [Section 5 Policy](#) below for a list of potential academic complaints.

Complainant(s): the person(s) who have lodged or are lodging a complaint to the Institute.

Confidential: means that information concerning a complaint is only released to those who have a legitimate role under policy to know, for example, the Associate Dean (Academic).

Course(s)/Course(s) of Study: refers to all courses and awards offered by the Institute.

Exclusions: Refer to [Section 3 - Exclusions](#) above.

Informal Complaint: means a matter of concern addressed/resolved at the first reporting of the complaint before it becomes a formal complaint under policy.

5 POLICY

5.1 Resolution of issues or concerns - the Institute encourages students and staff to resolve concerns at the first reporting of the complaint prior to lodging a formal complaint. The Institute is committed to:

- ensuring that academic complaints are resolved in an ethical manner;
- following transparent, ethical, and timely procedures for addressing complaints and appeals;
- ensuring that all parties are treated equally and fairly;
- being respectful of the privacy and reputations of the parties involved;
- complying with current laws and principles of fairness;
- providing an appeals process that enables the independent review of a decision concerning an academic complaint;
- upholding the Institute's values; and
- administering without charge to a complainant.

5.2 *Anonymous complaints*: the Institute will normally not act on anonymous complaints except in cases where the concerns raised are serious and sufficient evidence is provided to support the complaint.

5.3 *Academic complaints* include, but are not limited to:

- a. academic qualifications for admission to a course of study;
- b. offering by the Institute of a unit or course of study;
- c. credit or recognition of prior learning awarded at the time of admission to a program;
- d. progression in a course of study;
- e. leave of absence from study or assessment
- f. withdrawal from a course of study without penalty;
- g. internship performance;
- h. academic supervision;
- i. academic freedom;
- j. ethical practice;
- k. course workload;
- l. the quality of feedback from faculty to students;
- m. rejection of a student's application to undertake concurrent study;
- n. a proposed topic for independent study or Institute supported research;
- o. the perceived inappropriate conduct of another student or students of the Institute towards another student or a group of students (refer to [A10 Academic Integrity Policy and Procedure](#));
- p. the perceived inappropriate conduct of a member of staff of the institute towards a student or a group of students;
- q. the perceived inappropriate conduct of an external internship supervisor towards a student or a group of students; or
- r. a combination of two or more of the above.

5.4 *Resolution of academic complaints* are based on:

- the inherent merit or worth of the complaint; and
- the values and practices of the academic community locally and internationally.

5.5 *Declining a complaint*

Where a complainant acts in a rude, threatening or harassing manner the Principal/CEO or the Associate Dean (Academic) may decline to act on the complaint, and may commence proceedings against the complainant under [AC-A13 Anti-discrimination, bullying and harassment policy and procedure](#) or [AC-C12 Code of Conduct Policy and Procedure](#).

The Institute may decline to deal with a complaint where it is deemed to be:

- a. frivolous;
- b. vexatious;
- c. not made in good faith;
- d. misguided;
- e. lacking in substance, or inherent worth;
- f. lacking in currency.

6 PROCEDURE

6.1 *Authorised Officers*

An academic complaint may be notified to an authorised officer as follows:

- 6.1.1 for both enrolled and prospective students, refer the academic complaint to the Associate Dean (Academic) or the Principal/CEO.
- 6.1.2 for both enrolled and prospective students, if the academic complaint relates to tuition fees, other Institute fees, Fee-Help assistance, or Fee-Help entitlement, refer the complaint to the Registrar or the Director of Student Services and Operations.

6.2 *Resolution of academic complaints – Informal process*

The initial notification of an academic complaint should be made to the authorised officer within seven days of the complaint becoming evident to the complainant, or advice or results being received. The authorised officer will provide the complainant with advice within the next seven days. If requested, this advice will include a written detailed explanation.

Complaints of the nature outlined below should be addressed with the responsible officer:

- 6.2.1 *Clerical, systems or human error* – enrolled students should raise a concern relating to a potential academic complaint involving clerical, systems or human error with the Associate Dean (Academic) within 7 days of the complaint becoming evident and before it becomes formal;
- 6.2.2 *Aspects of admission, a condition placed on admission, or the award of academic credit* – prospective students should raise concerns within 7 days of the complaint becoming evident in relation to admission decisions and processes with the Associate Dean (Academic) who will review the decision before the it becomes formal;
- 6.2.3 *Policy or process decisions, and implications of making an academic complaint* – refer to the Director of Student Services and Operations for advice on policy, processes, and the implications of making an academic complaint.
- 6.2.4 *Academic policy, academic decision, academic practice, research topic or methodology* – where an enrolled student or member of faculty has a complaint concerning academic policy, an academic decision, an academic practice, or a research concern, they are encouraged to consult the Associate Dean (Academic) first before proceeding to a formal complaint.
- 6.2.5 *Options for consideration of the complainant:* the authorised officer will advise the complainant of their options for consideration of the academic complaint and the formal process(es) of notification.

6.3 *Formal Process – Notification, Inquiry and Appeal*

The types of academic complaints that may lead to a formal complaint are outlined below:

6.3.1 *Application for admission or academic credit:*

- a. *review of decision:* a prospective applicant who has had their application for admission and/or academic credit refused, or disputes conditions placed on them, may request that the decision be reviewed.
- b. *lodging of a complaint:* the applicant lodges their complaint concerning admission or academic credit with the Institute's Registrar within seven days of the date of receipt of the advice of the outcome of the initial application. The Registrar may choose to interview the applicant concerning the issue(s) raised.
- c. *processing of the complaint:* within seven calendar days of receipt of the complaint the Registrar refers it to the Associate Dean (Academic), who may choose to send it to the Academic Board Standing Committee (ABSC) for determination.
- d. *time limit on consideration of complaint:* the ABSC must consider the referred complaint within 21 calendar days of the receipt by the Registrar.
- e. *advice to complainant:* the Registrar advises the complainant of the Committee's decision within the next seven calendar days, and, if requested, provides a detailed explanation of the decision and appeal processes to be followed should the complainant wish to appeal.

6.3.2 *Disputed Grades*

Please refer to [AC-A9 Assessment policy and procedure](#)

6.3.3 *Confidentiality and privilege*

The identities of the complainant(s) involved in a matter, whether an initial complaint, a formal complaint, or an appeal is confidential. The complainant has a right to be heard and to be accompanied by a supporter or adviser.

6.3.4 *Notification of decision and availability of appeal*

The complainant must be notified of the outcome of their complaint, and the possibility of appeal if the decision goes against the complainant, within seven calendar days of the determination being made.

6.4 *External Review/Appeal Procedures*

6.4.1 *External review organization*

The Institute has nominated an external review organisation to address unresolved complaints not worked out using internal processes. Please refer to the BBI-TAITE website for details concerning the external review organisation.

6.4.2 *Independent reviewer*

The external organisation will appoint an independent reviewer to undertake an assessment of the complaint, determine an outcome, and advise the Institute's Associate Dean (Academic), the complainant, and the external review organisation within 30 days of receipt of the complaint.

6.4.3 *Advice of outcome*

In the advice of the outcome of the review, the external reviewer will indicate the rationale and reasons for their decision.

6.4.4 *Outcomes binding on all parties*

The outcomes of the review are binding on all parties to the complaint.

6.4.5 *Implementation of the outcomes of the external review*

The Institute's Associate Dean (Academic) will ensure that the review outcomes are implemented within 30 days of receipt of advice from the reviewer.

6.4.6 *Advice to complainant*

The Associate Dean (Academic) will ensure that a letter is sent to the complainant, advising them of the action taken, within 30 days or the receipt of the outcome of the complaint from the external reviewer.

7 RELAXING PROVISION

To provide for exceptional circumstances, the Associate Dean (Academic) may relax any provision of this procedure and report these decisions to the next meeting of the Academic Board.

8 KEY RELATED DOCUMENTS

- *R2 Records management policy and procedure*

9 NOTES

Contact Officer	Associate Dean (Academic)
Implementation Officer/s	Associate Dean (Academic)
Approval Authority / Authorities	Associate Dean (Academic) / Academic Board
Date Approved	15/12/15
Date of Commencement	1/1/17
Date for Review	24 Months after commencement
Amendment History	23/02/2017 – Amended to include reference to the Student Wellbeing and Engagement Officer in the procedures. 03/03/2017 – Amended external review procedures to include COPHE as BBI's nominated external reviewer and identify other external review bodies. Added Records Management Policy as a key related document. 03/12/2018 – Amended: all references to Director of Student Services changed to Registrar. 27/07/2020 – Extensive review of the entire policy and procedure – addition of new text concerning external review of a complaint. 01/07/2021 – Change the code of policy from A5 to AC-A5 to reflect that is an Academic Policy; Delete references to Academic Dean and replace with Associate Dean (Academic)
Key Stakeholders	Academic Board Academic Board Standing Committee Faculty & Sessional Academics Current students and potential applicants Associate Dean (Academic) Registrar