

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 BBI-TAITE from prospective students, enrolled students, or members of faculty.

The following principles apply in the Institute's handling of academic complaints. The Institute will:

- a. communicate honestly, candidly, and openly
- b. not tolerate intimidation or bullying from any parties to an academic complaint
- c. ensure that all decisions are applied consistently, fairly and without reprisal
- d. articulate the types of academic complaints that they can and cannot handle under this policy and procedure
- e. articulate the rights and responsibilities of staff and students in the lodging, processing, and resolving of academic complaints
- f. handle the resolution of academic complaints quickly, without bias, confidentially and with understanding, and
- g. set procedures for reviewing a complaint by an independent third party 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

Except for the following exclusions, this policy applies to all staff and students of BBI-TAITE. These exceptions are a complaint that concerns:

- differences of opinion on 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 a mark for an assessment task*, and Section 5.8 *Review of grade procedure*
- a disciplinary decision of the Institute
- a decision that is currently under appeal under another policy of the Institute
- a non-academic complaint, for example, of an administrative, employment, or financial nature, or a concern involving property damage or personal injury
- the Institute’s disciplinary action taken relating to misconduct under [AC-A10 Academic Integrity Policy and Procedure](#), and
- the Institute’s disciplinary action taken relating to non-academic misconduct.

4 DEFINITIONS

Academic complaint means a representation to the Institute concerning an academic policy or procedure, the conduct of academic staff or students, or the quality of delivery of units offered by the Institute.

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

Confidential means the Institute will only release information concerning a complaint to those who have a legitimate role under the 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 Scope above.

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

Without reprisal means without revenge, retaliation, retribution or recrimination, there will be no form of punishment for the individual(s) making a complaint(s).

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 before lodging a formal complaint. BBI-TAITE is committed to:

- ensuring that they resolve academic complaints ethically
- following transparent, ethical, and timely procedures for addressing complaints and appeals
- ensuring that they treat all parties 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 the complaint without charge to a complainant.

5.2 *Anonymous complaints*

The Institute will typically 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*

Academic complaints include, but are not limited to:

- a. academic qualifications for admission to a course
- b. an offering by the Institute of a unit or course
- c. credit or recognition of prior learning awarded at the time of admission to a program
- d. progression in a course
- e. leave of absence from study or assessment
- f. withdrawal from a course 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 research
- o. perceived improper conduct of another student or students of the Institute towards a student or group of students (refer to [AC-A10 Academic Integrity Policy and Procedure](#))
- p. perceived improper conduct of a member of staff of the Institute towards a student or a group of students
- q. perceived improper 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 if it deems it 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 an academic complaint, as defined under 5.3 above, to the Associate Dean (Academic), the Principal/CEO, or the Associate Dean (Courses), or
- 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 complainant should forward an academic complaint to the authorised officer within seven days of the complainant becoming aware of the issue or receiving advice or results. Where requested, the authorised officer will provide the complainant with guidance within five (5) working days. If requested, this advice will include a written, detailed explanation.

Complainants should address complaints outlined below 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), or another authorised officer, within seven (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 seven (7) days of the complaint becoming evident relating to admission decisions and processes with the Associate Dean (Academic), or another authorised officer, who will review the decision before 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 impact of making an academic complaint.
- 6.2.4 *Academic policy, academic decision, academic practice, a research topic, or research methodology*: where an enrolled student or faculty member has a complaint concerning these areas of concern, they are encouraged to consult the Associate Dean (Academic), or another authorised officer, 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 considering an academic complaint and the formal process(es) involved, including notification.

6.3 *Formal Process: Notification, Inquiry and Appeal*

Outlined below are the types of academic complaints that may lead to a formal complaint:

6.3.1 *Application for admission or academic credit*

- a. *Review of a decision*: a prospective applicant who has had their application for admission or academic credit refused, or disputes conditions placed on them, may request a review of the decision.
- b. *Lodging of a complaint*: the applicant lodges their complaint concerning admission or academic credit with the Institute's Registrar within seven (7) 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 (7) calendar days of receiving the complaint, the Registrar refers it to the Associate Dean (Academic). The latter may choose to send it to the Academic Board Standing Committee (ABSC) for determination.
- d. *Time limit on consideration of complaints*: the ABSC must consider the referred complaint within 21 calendar days of the Registrar receiving the complaint.
- e. *Advice to the complainant*: the Registrar advises the complainant of the Committee's decision within the next seven (7) calendar days and, if requested, the Registrar provides a detailed explanation of the decision and appeal processes if the complainant wishes 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 accompanied by a supporter or adviser, who may not be a legal professional.

6.3.4 *Notification of decision and availability of appeal*

The Institute notifies the complainant of the cases and their appeal rights within seven (7) days of the determination.

6.4 *External Review/Appeal Procedures*

6.4.1 *External review organisation*

The Institute has nominated *Independent Higher Education Australia* (IHEA) as the external review organisation to address unresolved complaints not worked out using BBI-TAITE's internal processes.

Forward requests for an external review of an Institute decision concerning your complaint to:

The Chief Executive Officer
Independent Higher Education Australia (IHEA)
Suite 612, Level 6, 198 Harbour Esplanade
DOCKLANDS VIC 3008.

6.4.2 *Independent reviewer*

IHEA will appoint an independent reviewer to assess the complaint, determine an outcome, and advise the Institute's Authorised Officer, the complainant, and the external review organisation within 30 days of the lodgement of the complaint. In the review's outcome, the external reviewer will indicate the rationale and reasons for their decision.

6.4.3 *Outcomes binding on all parties*

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

6.4.4 *Implementation of the outcomes of the external review*

The Authorised Officer will ensure that the Institute implements the review outcomes within 30 days of receiving advice from the reviewer.

6.4.5 *Advice to complainant*

The Authorised Officer 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 KEY RELATED DOCUMENTS

- *R2 Records management policy and procedure*

8 NOTES

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| Contact Officer | Associate Dean (Academic) |
| Implementation Officer/s | Associate Dean (Academic) |
| Approval Authority / Authorities | Academic Board |
| Date Approved | 15/12/15 |
| Date of Commencement | 1/1/17 |
| Date for Review | 24 Months after commencement |
| Amendment History | <p>23/02/2017 – Amended to include reference to the Student Wellbeing and Engagement Officer in the procedures.</p> <p>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.</p> <p>03/12/2018 – Amended: all references to Director of Student Services changed to Registrar.</p> <p>27/07/2020 – Extensive review of the entire policy and procedure – addition of new text concerning external review of a complaint.</p> <p>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)</p> <p>08/02/2022 Removal of Relaxing Provision clause</p> <p>15/03/2022 Tidy up of text and procedures</p> |
| Key Stakeholders | <p>Academic Board</p> <p>Academic Board Standing Committee</p> <p>Faculty & Sessional Academics</p> <p>Current students and potential applicants</p> <p>Associate Dean (Academic)</p> |

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