

STUDENTS COMPLAINTS AND APPEAL POLICY INFORMATION

Aim

- 1.1 This policy aims to provide a framework for managing all complaints and appeals in a fair, efficient and effective way.

Definitions

- 1.2 *Complaint.* A complaint is an expression of dissatisfaction that students' rights, existing interests and/or reasonable expectations have been adversely and unjustifiably impacted because of an action, decision or omission within the control or responsibility of the College.
- 1.3 *Appeal.* An escalation of a student's complaint to either an internal or external process for resolution.

Scope

- 1.4 The College is committed to creating an environment where the views of all stakeholders are valued, listened to and acted upon within the context of continuous improvement.
- 1.5 Complaints arise when a student is dissatisfied with any particular aspect of the College's services, and requires action to be taken to resolve the matter.
- 1.6 Appeals arise when a student is not satisfied with a decision that the College has made. Appeals mostly relate to assessment decisions but they can also relate to other decisions.

2. Complaint & Appeals Principles

Principles

- 2.1 The College is committed to having an effective system of complaint management that responds to complaints in a positive way and contributes to the continuous improvement of the teaching and learning environment.
- 2.2 This Policy and related *10-03-007 Student Complaint Form* are promoted to and are readily accessible by students via the Kenvale College Website, Kenvale College Student Portal and upon request by third parties.
- 2.3 Any student has the right to make a complaint and if they are not satisfied with the decision that has been made and they have reasonable grounds, they can appeal the outcome.
- 2.4 All students are encouraged to resolve their complaint informally as the first step; however should the student deem that informal resolution is not possible, appropriate or satisfactory, they may submit a formal complaint using *10-03-007 Student Complaint Form*. If, after the formal complaint process the student is not satisfied with the decision/outcome they have the opportunity to appeal.

- 2.5 All students are given the opportunity to formally present his or her case at no or minimum cost. They can be accompanied and assisted by a support person at any relevant meetings.
- 2.6 A complainant may at any time withdraw their complaint, by written notice to the College and in this case, any processes arising out of the complaint may, at the discretion of the Managing Director, be either continued or discontinued.
- 2.7 All formal complaints and appeals will be acted and decided on within 10 working days of receiving the written complaint or appeal. The College will keep a written copy of the complaint, process and outcome in the student's personal file.
- 2.8 All complaints and feedback will be reviewed as part of the continuous improvement processes.

Results

- 2.9 Decisions made in favour of the student will be implemented and preventive or corrective action will be taken by the College immediately. The student will also be advised of that action.
- 2.10 Parties to a formal complaint or student appeal will be kept informed of the progress of the complaint or appeal, and, within a reasonable timeframe, will be provided with written advice.
- 2.11 Confidentiality must be maintained to the greatest possible extent at all stages of the complaint management process. Communication must be limited to persons to whom disclosure is consistent with their official position and responsibility, or with a specific responsibility to assist in the resolution of the complaint or appeal.
- 2.12 Parties to a complaint will conduct themselves honestly and courteously and seek to achieve an amicable resolution of the complaint where possible.
- 2.13 No Complainant, Appellant or Respondent will be victimised or discriminated against in the course of the carrying out of the complaints and appeals process, either internally or externally, as outlined in this policy.

Communication channels

- 2.14 The College has a wide range of services available to aid students across all operations of the College. This includes support and access to a number of staff members and departments: Student Services, Counselling services, Marketing, Mentoring, and Industry Liaison etc.
- 2.15 The College has a small student to staff ratio thus ensuring all stakeholders the possibility of access and channelling feedback and appeals.
- 2.16 The College considers information provision an important element of communication. For this reason the College endeavours to provide all official communication through a variety of means such as, but not limited to website, Intranet posting, JobReady (Student Management System), verbal announcement, notice-board messages, emails etc. The most common and agreed method of

communication is email using the College's official email address
(SurnameN@kenvale.edu.au)

3. Handling Complaints and appeals

- 3.1 Upon receipt of a complaint or appeal, every attempt is made to resolve grievances through an informal process, to maintain positive relations between all stakeholders. The following are the steps to a complaint resolution:

3.1.1 Informal Complaint (or Feedback)

3.1.2 Formal Complaint

3.1.3 Appeal Procedure

3.1.4 External Review

These steps will be explained as follows:

3.1.1 Informal Complaint (or feedback)

The initial stage of an informal complaint (or feedback) shall be for the student to communicate directly with the operational representative of the College at any level. This should be done within 7 days of the incident.

The case is then considered by the staff member in consultation with the Student Support Officer who upon receiving the complaint from the respective staff member will log this incident in the *Complaints and Appeals Register*.

A response will be issued within 10 working days by a staff member or a representative of the Management Team.

3.1.2 Formal Complaint

a) Introduction

Students dissatisfied with the response to the informal feedback or complaint may initiate a formal complaint in writing.

Written complaints should be issued to the Student Support Officer through an email to studentcomplaints@kenvale.edu.au within 7 days of the incident using the *10-03-007 Student Complaints and Appeals Form*. Relevant supporting evidence needs to be added to substantiate the claim.

Some grounds for Academic Complaint/Appeals include but are not limited to: attendance records, enrolment, student records, medical certificates academic misconduct, unit/course content, assessments, course credit, course delivery, course transfers, deferrals, suspensions or cancellation of enrolment decisions and other academic matters.

Some grounds for Non Academic Complaints/Appeals include but are not limited to: fees, bullying, discrimination, course release, inappropriate behaviour such as harassment, abusive language and sexual misconduct.

The College provides a set of guidelines for all teaching and learning activities of the College as set out in *1-01-009 Academic Freedom Policy*, *1-01-002 Academic & Research Integrity and Misconduct* and *1-01-006 Assessment Management, Validation and Moderation Policy*.

b) Review of Assessments

Students dissatisfied with the response to the informal feedback or complaint may initiate a formal complaint in writing to have an assessment re-graded.

Requests for a re-grade must be submitted in writing to the Academic Director no later than 14 days after the graded assessment has been returned to the student. Re-grading may result in the assessment grade being higher or lower than the original grade.

Should there be an appeal regarding other assessment outcomes, it is the student's responsibility to produce the evidence necessary to review individual assessments.

If students consider that their final grades received in any subject is not correct, they must appeal in writing for a revision of the mark, within 14 days of the College notifying the student of the grade. After that time, no appeals will be considered.

c) Request for "Special Consideration"

Special Consideration is a process that affords equal opportunity to students, including enrolled students, and non-award students who have experienced circumstances that adversely impact their ability to complete a single assessment task.

A request for Special Consideration may be also submitted by students when there are circumstances that prevent him/her from fulfilling the academic and general code of conduct and other obligations contracted with the College.

Students dissatisfied with the response to the informal feedback or complaint in regard to special consideration may initiate a formal complaint in writing.

The Managing Director (or representative) will acknowledge the complaint within 3 days, and processing of the complaint will commence.

In consultation with the Management Team and any other relevant stakeholder, the Managing Director will consider the issue based on the evidence provided and any evidence or statements from staff members or others involved in the issue. Minutes will be recorded in writing using *10-02-020 Meeting Minutes Template*.

The Student Support Officer will notify the complainant in writing of the details and reasons for the decision within 10 working days of receipt of the complaint.

If the issue cannot be resolved within this timeframe, the Student Support Officer will update the complainant within 10 working days of the status of the complaints process and advise an estimated date for resolution.

d) Request for “Permission of Leave”

Permission of Leave is the process when students currently enrolled at Kenvale College are requesting leave during their studies. Students can only apply for leave if there are compelling and compassionate reasons to do so upon providing evidence and supporting documents in order to support those reason(s).

Students dissatisfied with the response to the informal feedback or complaint may initiate a formal complaint in writing.

The Managing Director (or representative) will acknowledge the complaint within 3 days, and processing of the complaint will commence.

In consultation with the Management Team and any other relevant stakeholder, the Managing Director will consider the issue based on the evidence provided and any evidence or statements from staff members or others involved in the issue. Minutes will be recorded in writing using *10-02-020 Meeting Minutes Template*.

The Student Support Officer will notify the complainant in writing of the details and reasons for the decision within 10 working days of receipt of the complaint.

If the issue cannot be resolved within this timeframe the Student Support Officer will update the complainant within 10 working days of the status of the complaints process and advise an estimated date for resolution.

e) Request for “RPL” Recognition of Prior Learning

Recognition of Prior Learning (RPL) is an evidence-based, equitable, and transparent process that assesses prior learning and/or experience, resulting in course credit, which exempts a student from enrolment in a particular subject. The College recognises the value of prior learning and experience. All students who attend the College are entitled to apply for RPL for the course in which they are enrolled. All applications will be assessed equitably and fairly by the College.

Students dissatisfied with the response to the informal feedback or complaint may initiate a formal complaint in writing.

The Managing Director (or representative) will acknowledge the complaint within 3 days, and processing of the complaint will commence.

In consultation with the Management Team and any other relevant stakeholder, the Managing Director will consider the issue based on the evidence provided and any evidence or statements from staff members or others involved in the issue. Minutes will be recorded in writing using *10-02-020 Meeting Minutes Template*.

The Student Support Officer will notify the complainant in writing of the details and reasons for the decision within 10 working days of receipt of the complaint.

If the issue cannot be resolved within this timeframe the Student Support Officer will update the complainant within 10 working days of the status of the complaints process and advise an estimated date for resolution.

3.1.3 Appeal Process

All students who make a complaint under this Policy, and are not satisfied with the outcome, have a right to apply for an appeal.

The notice of appeal must be lodged within 20 business days of the day that the student or eligible person was sent the decision.

The Appeal can be lodged by completing and submitting a new Complaints and Appeals Form. The form with any material supporting should be sent by email to studentcomplaints@kenvale.edu.au.

Academic Appeals will be referred to the Chair of the Academic Board and Non Academic Appeals will be referred to Kenvale College Finance Audit & Risk Committee, who will determine if due process has been followed when determining the outcome of the Appeal.

The Secretary of the respective Board/Committee will communicate the decision in writing within 10 business days from the date that the appeal was considered, including the reasons, to (i) the student or eligible person and (ii) the original decision maker(s).

Students or other eligible persons should ensure that the notice of appeal clearly includes:

- a. Each ground or grounds upon which the appeal is made;
- b. A written submission summarising the substance/basis of the appeal (i.e. the background to the appeal and why the person pursuing the appeal believes the grounds for appeal are met); and
- c. Any documentation or other material supporting the ground or grounds for appeal. This may be provided as an attachment to the notice of appeal.

The outcome of the appeal process will be informed and implemented, as follows:

- a. If the appeal is accepted in whole or in part and the results in favour of the students will be implemented and preventive or corrective action will be taken by the College;
- b. If the appeal is dismissed, the original decision is upheld.

The Appellant will be given a written statement of the outcome of the Hearing, including details of the reasons for the outcome. The findings will be logged in the *Complaints and Appeals Register*.

In the event the student is not satisfied with the result or conduct of the internal complaints and appeals process, Kenvale College will advise the student of their right to access the external appeals process at minimal or no costs.

3.1.4 External Review

If, at the conclusion of all College-based complaint and appeal processes, the student remains dissatisfied with the complaint resolution, they may lodge a request for an external review with the Australian Council for Private Education and Training

(ACPET) which provides independent reviews of decisions and processes undertaken by the College.

In this case, students will be referred to ACPET by the Managing Director. Please see: [ACPET Complaints and Dispute Resolution Policy](#).

4. Application

- 4.1 This policy applies to all students of the College.
- 4.2 This policy is available to the public, current students and prospective students through the College Website.
- 4.3 In line with AQF (2013), this policy will be applied consistently and fairly.

5. Responsibilities

- 5.1 The College Managing Director is accountable for this policy and its compliance.
- 5.2 All departments and staff of the College are responsible for the application of this policy, where applicable.
- 5.3 The College's Management Team is responsible for:
 - Defining and endorsing this Policy
 - 5.3.2 Ensuring that the College's culture and this policy are aligned
 - 5.3.3 Determining that complaints and appeals (feedback) performance indicators are aligned with performance indicators of the College
 - 5.3.4 Aligning complaints and appeals (feedback) objectives with the objectives and strategies of the College
 - 5.3.5 Ensuring legal and regulatory compliance
 - 5.3.6 Assigning accountability and responsibility at appropriate levels
 - 5.3.7 Ensuring that the necessary resources are allocated to complaints and appeals (feedback) procedures, and
 - 5.3.8 Ensuring the framework for managing complaint and appeals continues to remain appropriate