
Complaints and Appeals Policy

Version number	6
Approved by	Academic Board
Date of approval	22/08/2023

Purpose

Access to an effective system of complaints and appeals for students is crucial to the operation of Sydney Institute of Higher Education (SIHE) as a higher education provider. Such a system aids in resolving disputes and is key to the continual improvement of SIHE systems and processes.

The purpose of this Policy is to provide a framework for managing complaints and appeals. This policy outlines an independent, easily and immediately accessible complaints and appeals process for students and staff at SIHE.

SIHE is committed to the effective and efficient resolution of complaints and appeals and will ensure that all complaints and appeals are resolved in an objective, equitable and timely manner.

Scope

This policy applies to:

- Current students: Students who are currently studying at SIHE
- Past students: Students who have completed studies at SIHE within the last six months
- Prospective students: Students who are seeking to enrol at SIHE
- Current staff: Staff currently employed by SIHE (academic and non-academic)
- Past staff: Staff who were employed by SIHE within the last six months

Principles

- All students will be advised of the *Complaints and Appeals Policy* and procedures and student support services during SIHE Orientation.
- All staff will be advised of the *Complaints and Appeals Policy* and procedures and student support services during SIHE staff induction.
- Complaints and appeals may be submitted regarding any aspect of SIHE operations, including aspects provided by a third party, agent, related party, contractor or SIHE's education agents.
- All complaints and appeals will be handled in a serious, sensitive, and timely manner and discussed only with those persons relevant to the case.
- Those who lodge a complaint or appeal in accordance with this Policy will not be subject to

negative treatment or penalised due to the lodgement.

- Staff involved in the resolution of a complaint or appeal will act fairly at all times and ensure that decisions will be based on thorough and unbiased consideration of the facts and the views expressed by all parties.
- No action will be taken or suggested without consultation with the relevant staff or student.
- Outcomes or decisions made to resolve or respond to a complaint or appeal must be achievable within SIHE's powers and policies, and relevant legislative requirements.
- Students enrolment status will not be affected by the lodging of a complaint or appeal.
- Staff employment status will not be affected by the lodging of a complaint or appeal.
- SIHE must facilitate access to channels of complaint and appeal for all students, including those with special needs. Additionally, SIHE must make specific efforts to ensure that under-represented and/or disadvantaged groups have a full understanding of the process.

Procedures

SIHE is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias. Through this Policy and procedure, SIHE ensures that complaints and appeals are:

- responded to in a consistent and transparent manner.
- responded to promptly, objectively, with sensitivity and confidentiality.
- are used as an opportunity to identify potential causes of complaint or appeal and take actions to prevent the issues from recurring, as well as identifying any areas for improvement.
- available at no cost to the staff or student lodging the complaint or appeal.

General Process

- The *Complaints and Appeals Policy* and procedure and forms are made available to students and other stakeholders by directly contacting SIHE, through the SIHE website, the @complaints inbox, the Student Handbook, and the SIHE Office Procedures OneNote.
- All grievances, complaints and appeals must be made within 15 business days of the occurrence of the issue. The Dean may authorise extended time, if reasonable.
- SIHE will address grievances, complaints and appeals in a timely manner. SIHE's appeal and complaint resolution process should commence within 10 business days of a complaint or appeal being lodged.
- Grievances, complaints or appeals may be withdrawn at any time and will be marked the incident will be deemed resolved.

Grievances (Informal complaint)

Where possible, all informal attempts should be made to resolve the issue. Students and staff are encouraged to take the earliest opportunity to discuss their concerns with relevant staff.

If the grievance is a non-academic matter, the person making the grievance may request to speak with the General Manager, Governance and Projects. If the matter is academic, the person may request to speak with the General Manager, Customer Experience.

If the person making the grievance is not satisfied with the outcome, they may choose to lodge a formal

complaint.

SIHE will consider all possible options for resolving the grievances, prior to lodging a formal complaint.

Complaint (formal)

All formal complaints must be submitted to the @complaints inbox, within 15 business days of the incident. The complainant must complete the *Complaints and Appeals Form* and state their case, providing as many details as possible.

The General Manager, Governance and Projects will review all non-academic complaints upon receipt and acknowledge receipt to the complainant by reply email.

The General Manager, Customer Experience will review all academic complaints upon receipt and acknowledge receipt to the complainant by reply email.

The **Student Academic Support Committee** will be notified of all academic complaints and request further information and/or organise a review panel, as they see fit.

The **Student Academic Support Committee** will communicate with the complainant or appellant as soon as possible requesting evidence to be submitted within 5 business days. The process will be put on hold until all evidence has been received.

The process for reviewing a complaint will commence within 10 business days of the lodgement (and receipt of all supporting documentation) and should be resolved within a reasonable timeframe, usually within 10-15 business days.

All complainants will be given the opportunity to formally present their case and have the option to be accompanied by a support person.

The complaint will be notified of the outcome in a formal written response from SIHE. The response will include information regarding the complainants right to appeal and access external appeal processes.

All details of the complaint will be recorded in the *Complaints and Appeals Register*.

Appeal

If the complainant is not satisfied with the outcome they may appeal. The appeal will only be considered if it is based on the fairness and objectivity of the outcome and has been lodged within 15 business days of the date of the written outcome.

All appeals must be submitted to the @complaints inbox, within 15 business days of the incident. The complainant must complete the *Complaints and Appeals Form* and state their case, providing as many details as possible.

The **SIHE Student Academic Support Committee** will review all appeals upon receipt and acknowledge receipt of complaint to the complainant by reply email.

The process for reviewing an appeal will commence within 10 business days of the lodgement (and receipt of all supporting documentation) and should be resolved within a reasonable timeframe, usually

within 10-15 business days.

The Dean or CEO may conduct a meeting with concerned parties and gather further evidence from the appellant to make a decision based on the grounds of the appeal.

Academic appeals will be reviewed by the **Student Academic Support Committee** for determination according to the processes outlined in this policy.

Non-academic appeals will be reviewed by the General Manager, Governance and Projects for determination according to the processes outlined in this policy.

The appellant will be notified in writing of the outcome of the appeal and the reason for the decision. The response will include information regarding the complainants right to access external appeal processes.

All details of the appeal will be recorded in the *Complaints and Appeals Register*.

Grounds of Appeal

An appeal of an outcome may be made on one or more of the following grounds:

- New evidence of relevant nature is available
- The decision was made without due consideration of relevant facts, evidence or circumstances
- there was bias, prejudice or a conflict of interest by the investigating party
- there was significant policy or procedural irregularity during the investigation process

Academic Appeals

Students may not appeal against academic results based on:

- the subject structure and assessment methods.
- student workload or the amount of work the student has done.
- financial implications of not passing the unit of study.
- grades received by the student in other units of study.
- the need for additional marks to enable a pass or a better grade.

External Avenues

If the student complainant is dissatisfied with the final outcome of the appeal, he or she may refer the matter, at their own cost, to an external organisation which, depending upon the nature of the complaint could include:

- Office of the NSW Ombudsman;
- Commonwealth Ombudsman (for International Students only)
- NSW Anti Discrimination Commission;
- NSW Civil and Administrative Tribunal
- The Australian Competition and Consumer Commission
- NSW Fair Trading, where appropriate.

International students may request external mediation by the Resolution Institute who administer the

Student Mediation Scheme which provides SIHE, students, and complainants with mediation by an independent third party. Where a student requests mediation by the Resolution Institute, SIHE will commence the process within 10 business days of receipt of the request.

International students may request review by the Resolution Institute who administer the External Review Process which provides SIHE, students, and complainants with review by an independent third party. Where a student requests review by the Resolution Institute, SIHE will commence the process within 10 business days of receipt of the request.

Definitions

Grievance - a cause for complaint, especially of unjust treatment

Complaint - an expression of dissatisfaction about an issue related to SIHE policies, procedures or behaviour

Appeal - a process whereby a person disputes a decision made by SIHE because of a formal complaint

Legislation

This policy follows the guidelines of the Higher Education Standards Framework (Threshold Standards) 2021 Section 2.4 (Standards 2.4.1 - 2.4.5) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018, specifically Standard 10 as well as other relevant legislation.

Review Schedule

This policy will be reviewed by the *Academic Board* every three years.

Version History				
Version number:	Approved by:	Approval date:	Revision notes:	Next review date:
1	Academic Board	4/09/2017		
2	Academic Board	16/10/2017		16/10/2020
3	Academic Board	24/07/2019	Incorporating specific timeframes for resolving complaints or appeals and defining processes for external resolution.	24/07/2022
4	Academic Board	29/07/2020	Revision made to comply with National Code and inclusion of Complaints Management Unit	29/07/2023
5	Academic Board	19/07/2020	Revision made to address CRICOS area of concern in Standard 10 regarding cost of external grievance	17/09/2023
6	Academic Board	22/08/2023	Revisions made for clarity on process and appeals vs complaints. Updated to include new governance and employee structure. Addition of complaints form.	22/08/2026

		Removed 'Student' from name to include staff and updated policy to reference staff.	
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End of document: "Complaints and Appeals Policy"

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Related Documents

		Data and Records Integrity Policy
		Information For Students Policy
		Student Feedback Policy