

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

Responsible Officer	Chief Academic Officer
Approved by	Academic Board
Approved	27 October 2023
Commenced	27 October 2023
Review by	October 2023
Relevant Legislation and Policies	<ul style="list-style-type: none"> • Australian Qualifications Framework (AQF) • Education Services for Overseas Students (ESOS) Act 2000 • Education Services for Overseas Students (ESOS) Regulations 2019 • Higher Education Standards Framework (HESF) 2021 • Higher Education Support Act (HESA) 2003 • National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code) • National Standards for Foundation Programs • Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
Responsible Organisational Unit	Academic Affairs

TABLE OF CONTENTS

1. Policy Statement	2
1.1 Authority	2
1.2 Application	2
1.3 Scope	2
1.4 Principles	2
1.5 Special Conditions or Exceptions	3
2. Procedures	3
2.1 Step 1: Informal Discussion/Negotiation	3
2.2 Step 2: Formal Internal Grievance and Complaint	4
2.3 Step 3: Panel Internal Review	5
2.4 Step 4: External Independent Arbitration	6
2.5 Continuation of Enrolment	7
2.6 Record Keeping	8
2.7 External Contact Details	8
3. Accountabilities	8
3.1 Responsible Officer	8
3.2 Contact Officer	8
4. Supporting Information	8
4.1 Supporting Documents	8
4.3 Related Documents	9
4.4 Superseded Documents	9

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

5. Definitions and Acronyms	9
6. Revision History	10
7. Flowchart – Showing Process and Decision Points	11

1. Policy Statement

1.1 Authority

The Australian Institute of Music Limited (AIM), known as ‘the Institute’, is governed by the Board of Directors (BoD) with academic authority delegated to the Academic Board (AB). The BoD and AB share joint responsibility for ensuring that all academic policies and procedures follow ‘best practice’ principles for Higher Education and other sectors of educational delivery, in compliance with relevant Australian legislation and current regulatory requirements.

The Institute will treat all grievances and complaints seriously, ensuring that the policy is fair and the procedures are clear and the details of the process kept confidential for all parties, except where disclosure of information may be required by law. A strong focus of this policy and procedure is the efficient and constructive resolution of all grievances and complaints in order to ensure positive learning and teaching environment and cooperative working relationships.

1.2 Application

This policy and procedure applies to:

- Prospective and current domestic and international students at AIM.
- Former students who have completed their qualification or withdrawn from the Institute, may lodge a complaint after their enrolment has officially ceased or formal written notification of a decision was issued.
- All award and non-award AIM courses.
- AIM campuses in Sydney and Melbourne, and other approved locations.

1.3 Scope

There are five primary areas of concern for this policy:

1. Academic Issues
2. Non-academic and administrative issues
3. Fees and Fee-help disputes
4. Compliance requirements
5. Conduct- both staff and student

1.4 Principles

- The Institute treats all grievances and complaints seriously.
- All grievances and complaints are treated as strictly confidential
- Grievance and complaint handling procedures are fair and equitable, appropriately confidential, consistently managed and properly documented.
- Natural justice and best practice are followed to achieve educationally constructive and operationally fair reasonable outcomes.
- AIM reserves the right to determine if the Grievance is a Genuine Complaint or Genuine Grievance i.e. the complaint or grievance is not frivolous, vexatious, malicious or lacking in substance.

Special Provisions affecting the lodging of complaints and grievances:

AIM reserves the right to add special provisions to its grievance processes as circumstances may require:

Academic:

- Advice on academic issues can be obtained from the Head of Learning and Teaching

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

Non-academic and administrative:

- Advice on non-academic and administrative issues can be obtained from the Head of Student Experience and Success (or delegate).

Fee-help:

- Any dispute regarding the reporting of a Fee-Help dept must be lodged within 12 months of the withdrawal from the unit or when the unit was undertaken.

Compliance:

- Any grievance or complaint involving compliance related concerns (visa, disability, ESOS) should be referred for expert opinion to the Head of Student Experience and success (or delegate).

Conduct – both staff and student:

- Any complaint or grievance involving potential litigation, illegal/unlawful conduct, potential criminal conduct, or claims of serious misconduct or risk must be referred promptly to the Head of Learning and Teaching (or delegate)

1.5 Special Conditions or Exceptions

This policy and procedure does not apply to matters covered under separate policies and procedures including:

- Attendance requirements
- Extension of assessment deadlines
- Reasonable and routine student requests for re-marking or review of the accuracy of assessment results
- Assessment appeals
- Applications for consideration of extenuating circumstances, deferral or withdrawal without penalty
- Staff grievances and complaints or third-party grievances and complaints.

Neither does this policy and procedure take precedence over, or provide exemption from, other AIM policies and procedures.

2. Procedures

There are four (4) stages in the process to resolve a grievance and complaint at AIM. Matters may be resolved at any stage, without the need to progress to the next stage. Each stage represents an increased level of formality that includes submission and review of additional, more substantive evidence and record-keeping.

This process comprises:

- Informal Discussion/Negotiation
- Formal Internal Grievance and Complaint
- Panel Internal Review
- External Independent Arbitration
- All prospective, enrolled and past students are entitled to access this policy and procedure, within the specified timeframes, regardless of the location of the campus at which the grievance or complaint has arisen or their place of residence.
- No grievant or respondent will be victimised or discriminated against in any of the stages set out in this policy and procedure.

2.1 Step 1: Informal Discussion/Negotiation

Many concerns can be successfully addressed at the Informal level through discussion between the concerned parties. Any such discussion should be documented and appropriately reported. Any agreement reached as a

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

result of such discussion should be copied to all concerned parties. Grievant should seek advice on how to productively engage in such discussions or negotiations from the Student Association or a competent third party where they feel uncomfortable with the process. Students are not required to engage in an informal process where they feel uncomfortable or under any perception of duress. Similarly, staff are under no obligation to engage in an informal process where there are concerns over outcomes, liabilities or potential litigation.

In initiating an informal discussion/negotiation, the student is responsible for ensuring that they make clear the nature and grounds of the grievance and complaint, and where applicable, provide evidence to support the complaint. They should also make clear the resolution they seek. The student may elect to take a support person, to their discussion/meeting.

Staff handling the initial grievance or complaint should ensure that they:

- Take the matter seriously.
- Refer the matter to their supervisor if the complaint involves a member of staff and would result in real or perceived conflict of interest for the staff member.
- Listen to, and understand the nature of, the grievance or complaint.
- Explore all the options and evaluate possible implications for resolving the issues with the student.
- Avoid any behaviour which might reasonably be interpreted as dismissive, interrogative or judgemental.
- Record all conversations and correspondence in writing (including formal and informal) with the student relating to the grievance or complaint.
- Send a copy to the student and to the SSM for filing.

Following any investigation the staff member or supervisor should respond to the student, in writing via email, within ten (10) working days of the student's initial raising of their grievance or complaint. This written response should briefly and clearly outline the nature and grounds of the student's grievance or complaint and the decision of staff member or supervisor on the matter, giving reasons and providing a link to this Grievances and Complaints Policy and Procedure. If the student is satisfied with the response, no further action is required. If the student is dissatisfied with the response, including either the decision or the time taken to resolve the matter, the student can proceed to Step 2.

2.2 Step 2: Formal Internal Grievance and Complaint

A formal process requires the grievant to lodge a written complaint up to ten (10) working days from the date of occurrence of the aggrieved matter. They must provide a detailed written documentation which clearly and objectively identifies the issue, provide directly relevant substantiating evidence in support of the complaint where it is possible to do so, and organise any evidence in a clear and logical manner. The student should also clearly state the outcome they are seeking from making the complaint or raising the grievance. This documentation is submitted via the *Student Grievance and Complaint form*. This form is submitted to the Student Services Manager who will check the form for completeness to ensure all relevant supporting materials have been attached before forwarding to the relevant Head of Learning and Teaching (HoLT) and/or Head of Student Experience and Success (HoSES) for review. Upon receipt the HoLT/HoSES will determine whether the grievance is genuine and if so initiate a meeting between the concerned parties.

When a case escalates from one stage to the next, the student must present evidence to demonstrate that the previous determination was lacking in either judgement and/or due process. At each stage of the process, both the complainant and respondent have a right to:

- Be accompanied by a third party for personal support, not including legal representatives;
- Receive all information relating to the grievance and complaint;
- Receive a full explanation in writing for decisions and actions taken as part of the procedures.

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

In requesting formal consideration of their grievance and complaint the student must explain the basis for the submission of the grievance and complaint and the expected outcome. The student should:

- Explain the circumstances and grounds for their complaint.
- Provide details and the date of the initial decision following the Step 1 process, where possible, and attach copies of written communication between the student and the staff member that took place at Step 1;
- Explain why a formal request for consideration of the complaint is requested.
- State the expected outcome they are seeking; and
- Attach evidence that supports their grounds for making a complaint, this may include new evidence.

The Head of Learning & Teaching and/or Head of Student Experience & Success will investigate the grievance and complaint with procedural fairness. This includes consulting with relevant academic and administrative staff and reviewing the student record as appropriate.

The written grievance and complaint will be dealt with within a reasonable time, normally within ten (10) working days of receipt of the student submitting the grievance and complaint for formal consideration. Step 2 deliberations will consider the Step 1 response and the appropriateness of the decision reached by the staff member and the reasons given for that decision. The Head of Learning & Teaching and/or Head Student Experience & Success will also review any additional explanation or evidence provided by the student. They may decide to hold a meeting with the student for further clarification of the complaint and the evidence submitted.

Following this review a further decision will be taken to either:

- Confirm the original decision, or
- Vary the original decision, stating the changes in detail, or
- Set the initial decision aside in favour of a new decision, giving details of the new decision to the Student together with a link to AIM's Student Grievances and Complaints Policy and Procedure.

If the student is satisfied with the response at this stage, no further action is required. If the student is dissatisfied with the decision outcome or the time taken to resolve the matter, he or she can proceed to Step 3.

2.3 Step 3: Panel Internal Review

If a student formally disputes a decision taken at Step 2, to resolve their grievance and complaint they must, within ten (10) working days of their receipt of the written response from the Head of Learning & Teaching and/or Head of Student Experience & Success regarding the outcome of the review of their grievance or complaint, submit a request to the Chief Academic Officer asking that this be heard by AIM's Appeals Panel. The student will be invited to attend a meeting of AIM's Appeals Panel and may be accompanied by a support person.

In requesting that their grievance or complaint be heard by AIM's Appeals the student must resubmit the grievance or complaint via the *Student Grievance and Complaints form*, with any further substantiation or evidence relating to their complaint to the Student Services Manager (SSM). The SSM will assess the information for completeness to ensure all relevant supporting materials have been attached, and that Step 1 and Step 2 of the grievance and complaints process has taken place.

The complaint should:

- Clearly outline the nature and further grounds in support of their grievance and complaint.
- Provide the dates and information relating to the Step 1 and 2 decisions and attach copies of any written communication between the student and the staff member that took place at Step 1 and Step 2;
- Explain why a reconsideration is being requested.
- State the expected outcome they are seeking.

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

- Attach any further substantive evidence not previously provided that supports the grievance and complaint, where available.

The Chief Academic Officer will review all previous evidence and decisions and decide whether there are grounds for consideration by the AIM Appeals Panel or to dismiss the complaint. If the Chief Academic Officer decides there are sufficient grounds for an appeal, they will convene a panel of three members from AIM's Academic Board to reconsider the full body of evidence presented by the student in relation to the grievance and complaint, in accordance with the AIM's Appeals Policy and Procedure. Any member of staff who was involved in Steps 1 or 2 may not be nominated to be a member of the panel. In the course of panel deliberations, the Chief Academic Officer may: consult with relevant academic and administrative staff, as well as students of AIM, on matters pertaining to the case, and/or request that the student and the initial staff member involved meet with the panel in person or via teleconference.

The student will be advised of the outcome of the Panel recommendations, in writing via email with ten (10) working days of the meeting of the Panel. The Panel may decide to: uphold the Step 2 decision, vary the Step 2 decision, stating the changes in detail, or set the Step 2 decision aside in favour of a new decision.

If the student is satisfied with the response at the stage, no further action is required.

If the student is dissatisfied with the outcome of the panel decision, then the student will be advised they can take the matter to external arbitration, which is Step 4 of the process. The student must be advised that seeking external arbitration may involve costs and that the final decision is binding in both parties.

Stage 4: if following the conclusion of all internal processes including consideration by AIM's Appeals Panel the student remains dissatisfied, the student may elect to lodge a formal complaint with a mutually agreeable independent external arbiter or regulatory authority, and costs may be incurred.

2.4 Step 4: External Independent Arbitration

Stage 4, unresolved complaints may be escalated to an appropriately authorised independent person or body, external to the Institute, that may be: nominated by the Institute as an independent external arbiter, or referred by the applicant to a higher education association or authority, or referred to the Overseas Students Ombudsman for international students. The student must be advised on how to seek external arbitration and that costs may be incurred in obtaining an external hearing of a complaint which are borne equally 50% by the complainant and 50% by the Institute. The student must formally notify the institution that they will be seeking external resolution.

The complainant is responsible for ascertaining whether or not he or she will incur charges and pay costs at that stage. International students incur no charges for the Australian Government's Overseas Students Ombudsman service. If the external arbitrator finds in favour of the student, upon application and with receipts provided, the Institute may reimburse the student (in part or in full) direct costs of external arbitration.

Process for Domestic Students: If not satisfied with the Step 3 decision, either the domestic student or the Institute may request that the matter be dealt with through an external independent dispute resolution process. A service for this purpose is provided through the Student Mediation Scheme by the Resolution Institute to review the case as follows or the Administrative Appeals Tribunal (AAT) <https://www.aat.gov.au/>:

- a) The complainant and/or the Institute makes written application to the external independent arbitrator detailing the grievance and complaint, explaining the outcome of the internal processes.
- b) The Step 3 decision will then be reconsidered in light of all relevant legislation, regulation, procedural guidelines and sector precedents to prioritise and critically evaluate the summary evidence; clarify the grounds for external arbitration and determine any associated costs to be paid in advance.

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

- c) If valid grounds for the grievance or complaint are found, the parties to the dispute may be required to attend a meeting called by the reviewer to hear a considered opinion, discuss the implications, and reconcile their differences.
- d) Neither party will be privileged over the other, nor will either party be discriminated against, victimised or in any way compromised as a result of the meeting.
- e) Each party may elect to be accompanied and assisted by a support person, not including a legal representative.
- f) The external independent arbitrator will consider the grievance and complaint in light of all obligations relating to the evidence and/or the meeting outcome to make a determination, with or without recommendations; the arbitrator will notify the complainant, the SSM of the Institute and the arbitrator concurrently; and provide a decision in writing within 30 days giving reasons and a rationale for any decisions and/or actions recommended to be taken to end the dispute.

Process for International Students:

If not satisfied with the decision in Step 3, the international student or Institute may request that the matter be dealt with through an external dispute resolution process via the Overseas Student Ombudsman. The Overseas Student Ombudsman offers a free and independent service for overseas students who have a grievance or complaint against a provider or want to lodge an external appeal about a decision made by the Institute. The Overseas Students Ombudsman will schedule and investigated disputed matters raised with them following their own external protocols at no cost to the student or the institute.

2.5 Continuation of Enrolment

In cases other than matters of complaints against a student's serious disruptive or extreme behaviour impacting other students, or in cases of voluntary withdrawal, a student's ongoing enrolment at AIM will normally be maintained during the conduct and investigation of any grievance and complaint hearing until the matter has been decided.

Once the internal AIM grievances or complaints process is complete, and following the conclusion of any appeal, of the final outcome of the grievances and complaints process results in a decision to defer, suspend or cancel an International Student's enrolment, the Institute is obliged, unless there are verifiable compassionate or compelling circumstances, to notify the relevant Australian Government department through PRISMS of the change in enrolment status. In this case, the Institute will defer, suspend or cancel an international student's enrolment, and the student has 28 calendar days to leave Australia, or show the Department of Home Affairs (DoHA) a new Confirmation of Enrolment (CoE), or provide the DoHA with evidence that he or she has accessed an external appeals process.

If a grievance or complaint is raised against a student, the student will continue to attend normal classes whilst the matter is being reviewed. However, on a case-by-case basis, AIM reserves the right to decide whether or not to continue to permit class attendance by the student against which a grievance and complaint has been raised throughout the internal or external processes. Depending on the circumstances, this might include a decision for the student to either continue to attend classes, or be excluded from attending classes but continue to undertake class work and/or assessment outside of the classroom environment. The Institute would normally only take such action under extreme circumstances where it was determined necessary to maintain AIM's duty of care to the majority of other students and staff. In this case, due consideration of suitable guidance and alternate academic support will be given to avoid an potential academic disadvantage to the student (whether domestic or international - see National Code Standard 10), in order to minimise the impact of a temporary denial of face-to-face learning opportunities on subsequent completion of their studies.

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

2.6 Record Keeping

At all stages of the grievances and complaints resolution process, reasons and a full explanation will be given in writing for decisions and actions taken:

- Records of grievance or complaint processing will be kept strictly confidential and stored in a separate file for a period of at least five (5) years, with the outcomes noted on the student record.
- The complainant and/or respondent will have a right of supervised access to all documents held by the Institute concerning their grievance or complaint upon written request.
- The SSM shall maintain a register of all grievance, complaints and appeal cases noting that the date the grievance or complaint was first lodged by or against the student, the policy and procedure/s under which the case was considered, the outcome of each procedural stages, and the date the matter was resolved. Senior staff of AIM and staff of Commonwealth and State Government agencies, who may not necessarily have direct involvement in the grievance or complaint case/s, may access this register if required to do so in their normal work undertakings or by law. These records will be noted on the Grievance and Complaints Register against actions and outcomes and cross referenced to the student file, kept strictly confidential and stored securely by the Student Services Manager.

2.7 External Contact Details

Domestic Students	International Students
Student Mediation Scheme Resolution Institute Level 2, 13-15 Bridge Street, SYDNEY NSW 2000 02 9251 3366 https://www.resolution.institute/membership-information/student-mediation-scheme	Overseas Students Ombudsman (OSO) GPO Box 442 CANBERRA ACT 2601 AUSTRALIA 1300 362 072 https://www.ombudsman.gov.au/complaints/international-student-complaints

3. Accountabilities

3.1 Responsible Officer

- a. **Chief Academic Officer:** overall responsibility for this policy and procedure.

3.2 Contact Officer

- a. **Associate Head(s) of Learning & Teaching:** Will supervise all lecturers and other staff involved in conducting a **Stage 1** complaint and grievance discussions in place of the lecturer or professional member of staff in cases of real or perceived conflict of interest.
- b. **Head of Learning & Teaching and/or Head of Student Experience & Success:** is responsible for reviewing **Stage 2** (Formal Internal Grievance or Complaint), of the grievance and complaint resolution process, responding to the student within 10 working days
- c. **Chief Academic Officer:** Is responsible for organising the **Stage 3** (Formal Internal Panel Review) of the grievance and complaint resolution process, responding to the student within 10 working days
- d. **Student Services Manager:** responsible for monitoring each stage of the complaint resolution process; assessing all submissions for completeness before forwarding to the relevant reviewer (Head of Learning & Teaching/ Head of Student Experience & Success /Chief Academic Officer); informing the student and staff member/s concerned of interim outcomes and final decisions; ensuring the confidentiality, secure storage, authority and supervision of access to all case files; logging and managing the *Grievances and Complaints Register*

4. Supporting Information

4.1 Supporting Documents

- *Grievance and Complaint Form*
- *Grievances and Complaints Register*

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

4.3 Related Documents

- *Appeals Application*
- *Appeals Policy and Procedure*
- *Student Code of Conduct*

4.4 Superseded Documents

- *Academic Grievances and Complaints Policy and Procedure*
- *Non-Academic Grievances and Complaints Policy and Procedure*

5. Definitions and Acronyms

TERM/ACRONYM	DEFINITION
AIM referred to as the 'Institute'	The Australian Institute of Music Limited ABN: 89 003 261 112; PRV: 12050; CRICOS 00665C.
Academic	Learning, teaching, assessment and research related matters including (but not limited to) eligibility for entry to a program of study, course design and delivery, student participation and attainment, attrition, retention, progression, completion, grade distribution, curriculum content and awards in a course of study.
Academic Appeal	Refers to appeals (with grounds) against decisions relating to course assessment process (assessment marks), student progress (academic progression, suspension or exclusion), enrolment (return to study), or academic integrity and misconduct (cheating, plagiarism, breaching copyright).
Complaint	Refers to a declared dispute, formal accusation or documented expression of dissatisfaction with a decision, action, process or omission, which the complainant considers likely to be unjust, wrongful or discriminatory, to which within the control of the Institute and for which the Institute is asked to officially respond - in this case regarding academic matters. Informal questions of concern requiring explanation and/or moderation are referred to as grievances (refer to Grievance below).
Complainant	Person making a complaint.
Conflict of Interest	Situation where the grievance or complaint directly concerns the person nominated to deal with the matter, in which case the matter must be referred to that person's immediate supervisor. For example, grievances or complaints involving lecturers should be referred to the relevant Associate Head of Learning & Teaching.
Discrimination	A discriminatory action is one which results in less favourable treatment of, or adverse action against, an individual or a group in comparison with another individual or group in the same or similar circumstances.

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

Duty of Care	Is an obligation under law for the Institute to take all reasonable precautions to safeguard individual and collective rights and academic prerogatives, giving priority to maintaining a professional and constructive learning and teaching environment for the majority of students and staff. Particular obligations and responsibilities apply to students under the age of 18 years. It should be noted that any abusive, disruptive, threatening or potentially threatening dispute, grievance or complaint that is of a serious nature (such as coercive, intimidating, aggressive, violent or unlawful behaviour) the Institute will take formal action to intercede and temporarily exclude the perpetrator in order to protect the interests of others in its care.
Grievance	Informal raising of an issue or expression of concern that questions an assumption, directive, act or decision, which the grievant considers may be inaccurate, arbitrary, inappropriate, unfair or misleading and which is within the discretion of the Institute to reconsider and amend. A grievance can have a similar (if less formal or acute) meaning to that of a complaint, in this case regarding academic matters (refer to complaint above).

6. Revision History

Version	Date Approved by Academic Board	Date Approved by Board of Directors	Sections Modified
1.0	12/09/2019		New policy combining the <i>Academic Grievances and Complaints Policy and Procedure</i> and <i>Non-Academic Grievances and Complaints Policy and Procedure</i>
1.1	N/A	N/A	<ul style="list-style-type: none"> Updated to new format Addition of flowchart
1.2	N/A	N/A	<ul style="list-style-type: none"> Slight amendment to format
1.3	N/A	N/A	<ul style="list-style-type: none"> Amendment to role titles
1.4	28 October 2022	15 December 2022	Review on Expiry: <ul style="list-style-type: none"> Updated legislations Updated process of form submissions Updated titles Updated flowchart to reflect new form process
2.0	27 October 2023	02 November	<ul style="list-style-type: none"> Complete review to simplify policy and procedure. Updated to remove 30 calendar day restraint for former students and included provision that any dispute regarding Fee Help debt must be lodged within 12 months of withdrawal

STUDENT GRIEVANCES AND COMPLAINTS POLICY AND PROCEDURE

7. Flowchart – Showing Process and Decision Points

