



Student Complaints and Appeals - Academic & Non-Academic Policy and Procedure

1.0 Purpose

The purpose of this policy and procedure is to define Minerva College's (the College) system for dealing with student complaints and appeals relating to academic and non-academic matters.

2.0 Definitions

2.1 **Complaint:** a statement that something is unsatisfactory or unacceptable.

As a student of Minerva College, you are entitled to make a complaint about your student experience at any time should the need arise. A complaint can be about any aspect of our business, and includes issues regarding the conduct of:

- the RTO, its trainers, assessors or other staff;
- a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
- a learner of the RTO.

Complaints may be submitted online via our website at <http://www.minervacollege.edu.au/forms>.

2.2 **Appeal:** to apply for review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

As a student of Minerva College, you are entitled to appeal assessment outcomes or complaints handling outcomes if you feel they are unjust. You can appeal assessment decisions up to twenty-one (21) days after the decision has been made. A copy of the Minerva College appeals form can be requested by emailing our administration team at info@minervacollege.edu.au.



3.0 Responsibility

The Chief Executive Officer is responsible for the implementation of this policy and procedure and to ensure that staff and students are aware of its application.

4.0 Policy

The College committed to maintaining an effective, timely, fair and equitable complaints and appeals handling system that is easily accessible. This is achieved by:

- 4.1 having a culture that views complaints and appeals as an opportunity to improve the College systems and processes;
- 4.2 having a complaints and appeals handling system that is student focused;
- 4.3 handling complaints and appeals promptly, objectively and sensitively, with due regard to natural justice, procedural fairness and confidentiality;
- 4.4 ensuring the *Student Complaints and Appeals – Academic and Non-academic Policy and Procedure* is publicly available at all times via the College website;
- 4.5 instructing all prospective students to read the *Student Complaints and Appeals – Academic and Non-academic Policy and Procedure* is prior to making the decision to enrol with the College;
- 4.6 encouraging the parties to approach a complaint or appeal with an open view and to attempt to resolve problems through discussion and conciliation.
- 4.7 ensuring that the views of all parties to a complaint or appeal are respected, and not discriminated against nor victimised;
- 4.8 acknowledging complaints and requests for appeals in writing;
- 4.9 implementing the complaints and appeals policy and procedure at no cost to the student;



- 4.10 ensuring there is consistency in our response to complaints and appeals;
- 4.11 informing the student that, at any stage in the complaint or appeal process, they are entitled to have their own nominee included to accompany and support them;
- 4.12 providing for a review by an appropriate party, independent of the College and the student, at the request of the student making the complaint or appeal, if the College processes fail to resolve the complaint or appeal;
- 4.13 maintaining a student's enrolment whilst a complaint or appeal is in progress and the outcome has not been determined.
- 4.14 providing the student with a written statement of their complaint or appeal outcome at the conclusion of the process, including details of the reasons for the outcome;
- 4.15 ensuring that where the outcome of a complaint or appeal process has highlighted a systemic College issue, the Executive Management Committee implements appropriate rectification action to prevent the issue reoccurring;

5.0 Complaints Procedure

- 5.1 Students should initially attempt to resolve a complaint through an informal process directly with the person involved. This aims to resolve the complaint as quickly and as close to the source of complaint as possible.
- 5.2 If an attempt to resolve a complaint informally with the person involved is unsuccessful, or the student is unsatisfied with the outcome, the student is invited to request a meeting with the Director of Studies to discuss the matter.

The Director of Studies will assist the student to resolve the complaint informally at the meeting. If required, the Director of Studies will commit to investigating the matter and arrange a follow up meeting with the student to discuss the outcome of investigation and offer a solution if necessary.



- 5.3 If the attempt to resolve a complaint informally with the assistance of the Director of Studies is unsuccessful, or the student is unsatisfied with the outcome, the student is invited to submit a formal complaint using the College online complaint form (<http://www.minervacollege.edu.au/forms>) or by a hard copy form available from the Director of Studies.

If the student submits a complaint using the online form, an automatically generated return email is sent to the student confirming that the College has received the complaint.

If the student submits a hard copy complaint form, it must be emailed attention of the Director of Studies at info@minervacollege.edu.au. The Director of Studies will then email the student confirming that the College has received the complaint.

- 5.4 Any students that experience difficulty when completing the complaint form should ask a College staff member to assist them.
- 5.5 Once a complaint form has been lodged (with any relevant supporting material), the formal complaints process will commence within five (5) working days from the day it was received.
- 5.6 A record of the complaint is recorded in the student's file, on the student record management system, and on the College complaints register by the Director of Studies.
- 5.7 The Director of Studies will contact the student to arrange a formal meeting regarding the complaint. The students will have the opportunity to formally present their case to the Director of Studies, in writing or in person. There is no cost to the student to for this process.

During the meeting, the student may be accompanied and assisted by a support person. This applies to any meetings involving the complaint.

The College aims to resolve any complaint within ten (10) working days from the commencement of the formal complaint process, unless all parties agree in writing to extend this time.

- 5.8 A complaint can only be dealt with by the Director of Studies or Chief Executive Officer. Whoever deals with the complaint must not be the



subject of the complaint and cannot be involved in any subsequent appeal of the decision.

In the event that the Director of Studies and the Chief Executive Officer are not eligible to hear the complaint, the complaint will be directed to an external body for review at no cost to the student.

The external body to hear a student complaint is the Resolution Institute:

Website <https://www.iama.org.au>

Phone: +61 2 9251 3366

Freecall: 1800 651 650

Email: infoaus@resolution.institute

5.9 The Director of Studies or Chief Executive Officer will:

- work with the student to identify how the complaint can be resolved to the satisfaction of the student;
- consult and negotiate with all parties involved with the complaint in order to obtain their commitment and agreement to the proposed solution;
- formally document the resolution to the complaint including reasons for the method of resolution, and provide the student with a written copy of the document;
- arrange for the proposed resolution to be signed off by the student;
- monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution; and
- advise the student to take the complaint to appeal if a resolution cannot be agreed upon.

5.10 Where the RTO considers that more than 60 calendar days will be required to process and finalise the complaint or appeal, the RTO:

- will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
- regularly update the complainant or appellant on the progress of the matter.



5.11 At the conclusion of the complaints handling process, the Director of Studies will provide the student, in writing within five (5) working days, the formal outcome of the complaint, including associated reasons for the outcome.

The record of the outcome, and reasons for the outcome, will also be placed in the students file. A copy of this document will be provided to the student.

5.12 At the conclusion of the complaints handling process, the College will implement the outcome (as conveyed to the student) and undertake any continuous improvement activities arising from the complaint.

If any matter arising from a student formal complaint indicates a systemic College issue, The Director of Studies will report the findings, in writing, to the Executive Management Committee so the matter can be used to inform the continuous improvement activities of the College.

5.13 Students who are not satisfied with the outcome of the formal complaints handling process are entitled to lodge an appeal against the outcome by:

- obtaining a copy of the student appeal form from the Director of Studies or Chief Executive Officer;
- completing the student appeal form;
- lodging the student appeal form with the Director of Studies or Chief Executive Officer.

5.14 Once the Student appeal form is lodged with the Director of Studies or Chief Executive Officer, it will be dealt with as described in the Internal Appeal Process below.

6.0 Internal Appeal Procedure

6.1 Internal appeals may arise from a number of sources including assessment decisions, disciplinary decisions, and complaint decisions. The essential nature of an appeal is that it is a request by a student to reconsider a decision made by the College or a third party providing services on the college's behalf.



6.2 Students who are not satisfied with a decision made by the College or a third party providing services on the college's behalf are able to appeal the decision by:

- obtaining a copy of the student appeal form from the Director of Studies or Chief Executive Officer;
- completing the student appeal form;
- lodging the student appeal form with the Director of Studies or Chief Executive Officer via email at info@minervacollege.edu.au.

6.3 Any students that experience difficulty when completing the complaint form should ask a College staff member to assist them.

6.4 The student's enrolment will be maintained whilst the appeal is in progress and the outcome has not yet been determined.

6.5 Once a student appeal form has been lodged (with any relevant supporting material), the formal appeals process will commence within five (5) working days from the day it was received.

6.6 A record of the appeal is recorded in the student's file.

6.7 The Director of Studies will contact the student to arrange a formal meeting regarding the appeal. The students will have the opportunity to formally present their case to the Director of Studies, in writing or in person. There is no cost to the student to for this process.

During the meeting, the student may be accompanied and assisted by a support person. This applies to any meetings involving the appeal.

The College aims to resolve any appeal within ten (10) working days from the commencement of the formal appeal process, unless all parties agree in writing to extend this time.

Appeals related to disciplinary decisions or complaint decisions

6.8 Appeals relating to disciplinary decisions or complaint decisions will be heard by a three-person appeals panel, with panel members selected



from the College Chief Executive Officer, Director of Studies, operational staff, or members of the teaching staff. No member of the appeals panel is to have been directly involved in the original decision.

6.9 The role of the appeals panel is to:

- ensure the formal appeals process commences within five (5) working days from the day the appeal form was received;
- provide the student, or the students representative, with an opportunity to present their appeal to the appeals panel;
- review the evidence and information provided by the student, the students representative and the College.
- make an appeal decision based on the evidence provided to either support the students appeal and reverse the decision by the College that lead to the appeal, or to support the College case and proceed with the original decision.
- arrange for the decision to be signed off by the student and the Chief Executive Officer (this is not agreement by the student but to record that the decision has been transmitted to the student).
- within 24 hours of making its decision, the appeals panel must have formally documented the decision of the panel including reasons for the decision and convey the written decision and reasons for the decision to the student. A copy of this information is placed in the student's file.

Appeals related to assessment decisions

6.10 Students appealing an assessment decision (including RPL) will be given the opportunity for reassessment by a different assessor selected by the College. Costs of reassessment will be met by the College.

6.11 The recorded outcome from the assessment appeal will be the most favourable result for the student from either the original assessment or the reassessment.

6.12 Only one assessment appeal for each assessment task will be allowed.

Internal Appeal Procedure – Finalisation



6.13 The outcome of an internal appeal, and the reasons for the outcome, will be recorded in writing and signed and dated by the student and the College and placed in the student file. A copy of this document will be provided to the student.

6.14 At the conclusion of the appeals handling process, the College will implement the outcome (as conveyed to the student) and undertake any continuous improvement activities arising from the appeal.

If any matter arising from a student formal appeal indicates a systemic College issue, The Director of Studies will report the findings, in writing, to the Executive Management Committee so the matter can be used to inform the continuous improvement activities of the College.

6.15 There are no further avenues within the College for complaints or appeals after the internal appeals process has been completed. However, students are entitled to initiate an external appeals process.

7.0 External Appeals

7.1 Students who are not satisfied with the outcome of an internal appeal are entitled to make an external appeal by:

- obtaining a copy of the student appeal form from the Director of Studies or Chief Executive Officer;
- completing the student appeal form and selecting the external appeal option on the form;
- lodging the student appeal form with the Director of Studies or Chief Executive Officer.

7.2 Once the Student appeal form is lodged with the Director of Studies or Chief Executive Officer it will be dealt with as described in the External Appeal Process below.

7.3 The external body to hear a student complaint is the Resolution Institute:
Website <https://www.iama.org.au>
Phone: +61 2 9251 3366
Freecall: 1800 651 650



Email: infoaus@resolution.institute

The cost of mediation is to be shared equally between the parties involved in mediation.

- 7.4 The external appeals procedure will be determined by the Resolution Institute.
- 7.5 Following the receipt of the outcome of the external appeal, the College must immediately implement the decision, convey the outcome to the student, place a copy of the documentation on the student file and student record management system, and undertake any improvement actions arising from the complaint.
- 7.6 Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies.

8.0 Record keeping and confidentiality

- 8.1 Records of all complaints and appeals handled under this procedure and their outcomes will be recorded in the student record management system and will be maintained for a period of at least five years. This is to allow all parties to the complaint or appeal access to these records, upon written request to the Chief Executive Officer.
- 8.2 All records relating to external complaints will be treated as confidential and will be covered by the *Personal Information Security and Records Retention Policy and Procedure*.

If you have any suggestions as to how we can improve our performance with respect to our handling of complaints and appeals, or if you would like further information on anything included in this policy, please contact the College Chief Executive Officer at info@minervacollege.edu.au.



Revision History

Revision	Date	Description of modifications
1.1	24 December 2014	Original
1.2	2 June 2015	Deleted section 5.40 and included section 6.0 Record keeping and confidentiality
1.3	13 October 2016	Format changes and minor content edits
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Approval

Revision	Date	Approved & Endorsed by
1.1	24 December 2014	Executive Management Committee
1.2	2 June 2015	Executive Management Committee
1.3	13 October 2016	Executive Management Committee
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Revision	Date	Approved & Endorsed by
1.5	14 September 2017	Executive Management Committee