

	<h1>Academic Student Complaints</h1>	Document Number	PR-CL007a
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References	Standard	Element	
	AS 9001:2000 Education & Training Requirements	8.2	
	AQTF 2007	Standard 1 & 2	
	CRICOS, 2000 Overseas Students, ONSE, EQ	4.1 Registered courses continue to meet all requirements	
	NEAS, 2005 English Language	D: Student Services	
	QNC, 2005 Nursing Education	5.0 The implementation of the course reflects the education provider's quality mechanisms for the support of courses	
	AS 9004:2000 Performance Improvement	To be reviewed	
	AS/NZS 4444.1:1999 Information Security	To be reviewed	
	AS/NZS ISO 4360-1999, 2004 Risk Management	To be reviewed	
	AS 15489.2-2002 Records Management	To be reviewed	
AS 4269-1995 Complaints Handling	To be reviewed		

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1. PURPOSE

The purpose of this policy is to provide a fair and equitable procedure for King's International College (KIC) students to submit and process an academic complaint.

This policy was approved by the King's International College Board of Directors on 3rd June 2009.

Policy and Procedure review date:	June 2010
Policy and Procedure last reviewed date:	June 2009
Procedure approved by:	King's International College Board of Directors
Overall Responsibility approved by KIC Board:	Mr Brendon Blakemore - General Manager & Director

2. POLICY

The policy endeavours to establish procedures through which:

- All parties have access to clearly defined processes designed to facilitate resolution of complaints
- Complaints are addressed in a timely and equitable manner
- The principles of natural justice are observed in the conduct of proceedings to which this policy relates

Students are encouraged initially to attempt to resolve the complaint informally (informal complaint) by talking directly with the person concerned to resolve the problem or seeking the assistance of a Head of School (or delegated nominee).

During all stages of the Complaint Procedure, the College will take all steps to ensure that the complainant and the respondent will not be victimised or discriminated against. An explanation in writing for decisions and actions taken at any stage of the process will be provided if so requested by the complainant or the respondent.

This policy is communicated to academic and support staff during induction and through staff and student information handbooks. The Head of School is responsible for the training of academic staff in the application of this policy. The Administration Manager is responsible for the training of support staff in its application.

Under these procedures the complainant and/or respondent have a right to be represented by a third person (such as a family member, friend, counsellor or other professional support person) if they so desire.

3. SCOPE

The scope of this policy includes all students King's International College who wish to submit a complaint about an academic matter.

The procedure related to this policy is available to students regardless of the location of the College at which the complaint has arisen, the mode in which they study or their place of residence. Where at all possible, all complaints will be resolved in an informal manner prior to the implementation of this policy and procedure.

This policy does not replace or modify policies or any other responsibilities that may arise under other policies or under statute or any other law. Also, these dispute resolution procedures do not circumscribe an individual's rights to pursue other legal remedies.

4. DEFINITIONS

Term	Definition
Academic Complaint	Refers to a complaint about assessment, student academic progress, course content, the quality of course delivery, and academic achievement in a course of study.
Complaint	a complaint presented by an individual, or a group, based on the opinion of that individual or group that he/she or they are, or have been, receiving unfair treatment.
Complainant	Refers to the person(s) who formally instigates a complaint.
Complaint Procedure	A prescribed set of processes to be followed when a complaint is presented.
Formal Complaint	Refers to the formal lodging of a written complaint.
Informal Complaint	Refers to a range of processes, such as a discussion, a request or a query, lodged with an assessor or staff member.
Natural Justice	requires that the person affected by a disputed matter be given the right to present his/her case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used; and members of the decision making body be free of bias or other personal interest in the outcome.
Respondent	Refers to the person(s) or institution against whom the complaint is lodged.
Student	A person who is enrolled or who are, or would be, entitled to VET FEE-Help assistance in any VET Course of Study/VET Unit of

	Competency/Module offered by the King's International College , regardless of the location of the campus at which the complaint has arisen, the student's place of residence or the mode of study. The term 'student' in these procedures can also refer to a group of students.
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5. REGULATIONS

5.1 LEGISLATION

- Anti-Discrimination Act 1991
- Disability Services Act 1992
- Education Services for Overseas Students Act 2000
- Freedom of Information Act 1992
- Higher Education Support Act 2003 (HESA)
- Privacy Act 1988
- Privacy Regulation 2001
- Vocational Education Training and Employment Act 2000
- Vocational Education Training and Employment Regulation 2000
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Commission Act 1986
- Disability Discrimination Act 1992
- Equal Employment Opportunity for Women in the Workplace Act 1999
- Racial Hatred Act 1995
- Freedom of Information Act 1992
- Ombudsman Act 2001
- Age Discrimination Bill 2003
- Criminal Law (Rehabilitation of Offenders) Act 1986
- Workplace Relations Act 1997

5.2 ACCREDITATION ORGANISATIONS & STANDARDS

- Australian Quality Training Framework (AQTF)
- National Code of Practice for Registration Authorities and Providers of Education & Training to Overseas Students 2007
- CRICOS, Office of Non-State Schooling, Education Queensland
- Department of Education & Training (DET)
- Department of Education, Employment and Workplace Relations
- Higher Education, Office of Non-State Schooling, Education Queensland
- National English Language Training Accreditation Scheme (NEAS)
- Queensland Nursing Council (QNC)

5.3 INDUSTRY BODIES

- Queensland Communities
- Higher Education Sector Provider Partners
- Queensland Business Services Industries Training Council (Qld) Inc
- Industry Skills Councils (ISC)
- Industry Associations
- Vocational Education and Training Sector Provider Partners.

6. PROCEDURE

(Process Begins)

1.0 - Informal Resolution

1.1 In the first instance, the student should normally discuss the complaint informally with the relevant academic staff member who should try to resolve it. Where it appears that the complaint should be dealt with under another KIC policy the academic staff member shall immediately refer the student to the appropriate policy. Where a student is unable to make contact with or is reluctant to approach the relevant academic staff member, the student may then raise the matter with the appropriate Head of School.

1.2 Students have up to ten (10) working days to initiate the informal review process, from the date of the occurrence which gives rise to the academic complaint or the date the circumstances giving rise to the complaint are brought to the student's notice/the student becomes aware of the circumstances giving rise to the complaint.

1.3 During the informal process, the academic staff member or Head of School may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the student, and may also include, but is not limited to:

- reviewing the student's records/results; and/or
- discussing the matter with other members of academic staff ; and/or
- allowing the student to re-submit documentation where the academic staff member has reason to believe that the student had valid grounds for misunderstanding relevant requirements.

1.4 The informal resolution process will normally be completed within ten (10) days from the date on which the student contacted the relevant academic staff member or Head of School.

1.5 The student will be advised in writing within two (2) working days of the conclusion of the informal resolution process (by Registered Post to the student's address and by email (where the student has provided his/her email address) of:

- the outcome of the informal resolution process;
- the availability of support services; and
- the appeals mechanism.

1.6 Where consideration at the informal level does not lead to a resolution, or the complainant is not satisfied with the decision, the complainant may proceed to section **2.0 Formal Resolution** of this procedure.

2.0 Formal Resolution

2.1 If a student is not satisfied with the outcome of the informal resolution process or the time taken under the informal resolution stage to resolve the matter, the student may submit the complaint in writing to the Training Operations Manager.

2.2 The written complaint may be submitted at Reception or Mailed to **Training Operations Manager PMB 68 Burleigh MDC Qld 4220**. There are no fees associated with submitting a complaint. The Training Operations Manager will consider the complaint and notify the complainant in writing of the outcome within 10 working days of receipt of the written complaint. If necessary, the complainant and the Training Operations Manager will meet within 10 working days of the initial notification of the complaint to consider a range of options in the resolution of the matter, including involvement of the respondent.

2.3 The written complaint should state the reason/s for the complaint; detail the outcome of the informal resolution process; include any specific issues which the student wishes to present to the Training Operations Manager; and where relevant, attach copies of documentary evidence.

2.4 The Training Operations Manager will consider the formal complaint by:

- reviewing the student's letter and the outcomes of the informal resolution process;
- verifying that all appropriate procedures have been correctly carried out;
- seeking additional information from appropriate academic staff concerning the subject of the complaint;
- discussing the matter directly with the student; and
- undertaking other action as appropriate.

2.5 After consideration of all of the available evidence, the Training Operations Manager may decide to:

- (a) dismiss the complaint; or
- (b) uphold the complaint and direct that:
 - (i) reparation as appropriate be made to the student; and/or
 - (ii) where relevant, the student's academic result be amended and/or
 - (iii) where relevant, that administration systems, policies or procedures be reviewed;
 - (iv) appropriate actions to address systemic or underlying causes (if any) be undertaken, with a view to preventing problems from occurring or recurring; and/or
 - (v) other actions as appropriate.
- (c) where appropriate grant the student an opportunity for re-assessment.

2.6 The student will be informed of the outcome in writing within ten (10) working days of submission of the formal complaint as identified by the date of receipt.

2.7 If the Training Operations Manager has already been involved in the process, or has some other conflict of interest, the General Manager & Director will appoint another person to investigate the formal complaint

3.0 Appeal

3.1 If the student is dissatisfied with the outcome of their complaint, they may lodge an appeal with the General Manager & Director. The General Manager & Director, or their nominee, will acknowledge receipt of the request in writing within 5 working days.

3.2 A student has the right of appeal to the General Manager & Director from a decision of the Training Operations Manager on one or more of the following grounds:

- that the case was not heard on its merits;
- that the student is able to provide new evidence which could not reasonably have been provided at the time of the Training Operations Manager investigation;
- that a procedural irregularity has occurred in the hearing of the complaint during the investigation by the Training Operations Manager.

3.3 A student who wishes to appeal against a decision of the Training Operations Manager shall:

- lodge the appeal in writing to the **General Manager & Director PMB 68 Burleigh MDC Qld 4220**;
- lodge the appeal within five (5) working days of receipt of written notification of the complaint decision.

The written appeal must:

- state the grounds on which the appeal is made, in accordance with section 3.2;
- detail and, where appropriate, provide evidence relevant to the grounds for appeal. A copy of documentary evidence referred to in the letter of appeal must be attached. (Failure to present evidence referred to in the letter of appeal will be taken into account).

3.4 Where the General Manager & Director seeks clarification from the student or the respondent in the form of face-to-face interviews, the student or the respondent may ask another person to accompany them.

3.5 The General Manager & Director will establish an Appeal Panel to consider the appeal and any additional evidence provided by the student. The Appeal Panel will detail the reasons for their decision and any further actions required to resolve the complaint.

3.6 The appeal decision may uphold or overturn the original decision.

3.7 If the original decision is overturned, then the student's complaint is taken to be proved true and further actions required to address the issues will be identified and implemented.

3.8 The General Manager & Director, or their nominee, will provide a written report to the student advising the outcome of the appeal and the further steps taken to address the complaint within 10 working days of receipt of the appeal.

4.0 External Independent Review

4.1 If the student is dissatisfied with the outcome of their appeal, they may make a written request to the General Manager & Director that they wish the matter be dealt with through an external dispute resolution process facilitated by the Australian Council for Private Education and Training (ACPET).

4.2 The General Manger, or their nominee, will then advise ACPET in writing of the request within 5 working days of receipt of this appeal. ACPET will arrange for a Round Table Discussion (RTD) to be held between the College and the student within 10 working

days of the written notification from the General Manager & Director. ACPET do not charge a fee for this service.

Contact Details for ACPET:

Australian Council for Private Education and Training
Lennons Commercial Tower,
Level 26, 76 Queen Street, Brisbane Qld 4000
Telephone: +61-7-3210 1628; Facsimile: +61-7-3210 6347
Website: www.acpet.edu.au

4.3 If Australian Council for Private Education and Training (ACPET) makes recommendations in relation to a complaint they have reviewed, (ACPET) will forward those recommendations to the General Manager & Director within fourteen 14 working days who will ensure that the recommendations are implemented within a period of 30 days.

4.4 If the matter remains unresolved after the RTD then ACPET will appoint an independent mediator within 14 working days of the RTD. ACPET plays no role in the actual mediation.

4.5 The mediator, the student and the College will attempt to resolve the complaint. The College will bear any costs associated with the mediation.

4.6 The student or the respondent may ask another person to accompany them to meetings with ACPET or the mediator.

4.7 The mediator will report the outcome of the mediation to the General Manager & Director, or their nominee, within 14 days of the completion of the review, including any recommendations arising. Once the General Manager & Director, or their nominee, receives the report of the outcomes from the RTD or independent mediation, they will provide a written report to the student within 10 working days of receipt of the report, on the recommended actions to resolve the complaint.

4.8 King's International College agrees to be bound by the independent mediator's recommendations. The General Manger, or their nominee, will ensure that any recommendations made are implemented within 30 days of receipt of the mediator's report.

4.9 If a complaint still remains unresolved after the external dispute resolution process, the student may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading.

5.0 Continuous Improvement

5.1 Any improvement action arising from a student complaint or appeal will be recorded in the improvement action registry. This register will be reviewed by the King's International College Management Team (KMT) monthly.

6.0 Record Keeping

6.1 At all stages of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures will be given if requested by the complainant and/or respondent

6.2 Records of all complaints, applications for review of decisions and outcomes of the complaint process will be strictly confidential and filed in a separate file (not kept on the student or staff file) and stored for a period of 5 years. Parties to the complaint will be allowed supervised access to these records. Where a complaint is proven, the outcome may be placed on the student's or staff member's personal file.

6.1 PROCEDURE FLOWCHART

Nil

6.2 PROCEDURE FLOWCHART NOTES

Nil

7. DOCUMENTATION

Document Number	Document Title	Documentation Responsibility	File Location
RE-CL002a	Student Academic complaint Register	GM&D	K:\Kic Quality Management System\2005-9\Registers Manual\