

STUDENT COMPLAINTS, GRIEVANCES AND APPEALS PROCEDURE

Governing Policy

[Student Complaints, Grievances and Appeals Policy](#)

Purpose

This procedure explains how students may seek to raise a Complaint, Grievance or Appeal for the attention of AIB, and the review process for AIB to implement to resolve these. In this procedure, 'students' refers to both students enrolled in coursework programs and also Candidates enrolled in Research and Research pathway programs.

Definitions

Unless otherwise defined in this document or the governing policy all capitalised terms are defined in the [glossary](#).

Appeal is an application that seeks review of a formal determination which has been made by AIB in line with its policies and procedures and as an outcome of investigations in the Stage 1 level of the AIB resolution process.

Complainant is any prospective, current or former student of AIB who wishes to express dissatisfaction with an academic or non-academic matter.

Complaint is feedback or matter that can be resolved informally by an AIB staff member through standard procedures.

Grievance can be defined as a person's formal expression of dissatisfaction with any aspect of AIB's (or related parties') services and activities, including both academic and non-academic matters, such as:

- (a) the enrolment, induction/orientation process
- (b) the quality of education provided
- (c) academic issues, including student progress, assessment, curriculum and awards in a course of study
- (d) handling of personal information and access to personal records
- (e) the way someone has been treated, including allegations of discrimination, bullying, assault or sexual misconduct.

Grievances are formally submitted to AIB as per Stage 1 of the resolution process.

Internal Appeal Report is as defined in section 4.5 below

Written Response is as defined in section 3.5 below

Procedure

1. Procedure Overview

This procedure can be utilised by Complainants to submit a Complaint, Grievance, and/or Appeal of an academic or non-academic nature. Those of an academic nature include issues related to student progress, assessment, curriculum and awards in a course of study. Non-academic matters cover:

- AIB administrative processes associated with student recruitment, fee payments, customer service experience and other non-academic activities, and
- all other matters including discrimination, sexual misconduct, cyberbullying and concerns regarding personal information that AIB holds about an individual.

As per the definition of Complaint, students may seek prompt and informal resolution to minor matters; this policy and procedure also relates to formal Grievances and Appeals that normally require escalation and are outside of standard and daily procedures.

If any Complaint or Grievance relates to:

- discrimination or bullying, refer to Stage One –Grievance (section 3 of this procedure)
- sexual misconduct, refer to the AIB Sexual Assault and Sexual Harassment Policy and Procedure as available on the [AIB website](#)
- whistleblowing disclosures, refer to separate Whistleblower Policy and Procedure available on [AIB website](#)
- FEE-HELP refund grievances, refer to the Special Circumstances Application Procedure.

Any Complaint or Grievance evidenced as frivolous and vexatious will be dealt with as per the [Student Code of Conduct Policy and Procedure](#).

- 1.1. The review process will have regard to both AIB policies and equitable outcomes for students.
- 1.2. During all stages of this procedure:
 - (a) the Complainant and any respondent will not be victimised or discriminated against.
 - (b) the Complainant will have an opportunity to present their case formally.
 - (c) each party to a Grievance or Appeal may be accompanied and assisted by a support person at any relevant meetings; a support person is usually a family member or a friend in a capacity of an observer and support but not a lawyer as this is not a legal proceeding.
 - (d) a full explanation in writing for decisions and actions taken as part of the formal process will be provided by AIB to the Complainant.
 - (e) where the internal or external resolution processes result in a decision that supports the Complainant, AIB will promptly implement any decision and/or corrective and preventative action, including remedy where applicable, required and advise the Complainant of the outcome.
 - (f) where required, a Complainant may seek an appointment with the Academic Dean or nominee so that relevant policy and procedures may be explained.
- 1.3. A flowchart outlining AIB's resolution processes within this procedure is presented in [Appendix A](#).

2. Before an Issue Becomes a Grievance – Informal Resolution Opportunities

- 2.1. Complainants are encouraged, wherever possible and appropriate, to resolve concerns or difficulties informally with the person(s) concerned as soon as possible or by emailing Student Central at studentcentral@aib.edu.au or by calling (08) 8212 8111. Contact should be no later than 10 working days after the event or a relevant dated written AIB correspondence.
- 2.2. AIB acknowledges that there may be some Complaints of a welfare, safety, harassment or other serious nature of which it is inappropriate for Complainants to contact the person(s) concerned to resolve the matter; such situations may be referred to an AIB Executive or senior manager or, if unsatisfied or deemed necessary and appropriate, to appropriate external authorities such as police, and/or other authority.
- 2.3. If the issue relates to a student's dissatisfaction with an assessment or subject mark/grade, the student must refer in the first instance to section 10.3 of the [Assessment Procedure](#) which relates to re-marking assessments.

3. Stage One – Grievance

- 3.1. After following the process referred to in section 2 above but dissatisfaction remains, Complainants may submit a Grievance in relation to academic and non-academic issues.
- 3.2. Grievances must be submitted in writing using the [Grievance Form](#) (together with details and documentary evidence) marked to the attention of the Academic Dean and emailed to quality@aib.edu.au. Submission should normally occur within 20 working days after completion of the informal Complaints process described in section 2 or the date of the event / the date of AIB's written correspondence of which the formal Grievance is based. All submissions are processed as confidential.
- 3.3. Receipt of the Grievance will be acknowledged in writing via email by the designated administrator. The Grievance resolution process will commence within 10 working days of the receipt of the formal Grievance and all reasonable measures will be taken to reach the resolution as soon as practicable, usually within 20 working days of receipt of the Grievance.
- 3.4. The Academic Dean or nominee will, if necessary, seek to clarify the outcome that the Complainant hopes to achieve. Such clarification may be sought by written or verbal request or by a face-to-face interview with the Complainant. When such clarification occurs in a face-to-face interview the Complainant or respondent may invite a support person to accompany them.
- 3.5. AIB will endeavour to resolve the Grievance and will provide a written response ("Written Response") to the Complainant as soon as practicable, usually within 10 working days from the resolution date. The Written Response will include details on the steps taken to address the Grievance, the outcome, the reasons for the decision and AIB's process for formal Appeal. Where multiple Grievances are received from the same Complainant(s) AIB will resolve at its discretion, providing one Written Response or a combined Written Response.

- 3.6. Generally, in terms of actioning the process referred to in this section 3:
- (a) if the Grievance relates to an academic issue, the Director of Academic Operations will action the process, but the final decision will be approved by and the Written Response will be signed by the Academic Dean or nominee; and
 - (b) if the Grievance relates to a non-academic issue, the Director of Academic Operations will nominate the head of the relevant department (or suitable alternative) to action the process, but the final decision will be approved by and the Written Response will be signed by the CEO or nominee.

4. Stage Two – Internal Appeal Review

- 4.1. The Complainant may lodge a written Appeal using the [Internal Appeal Review Form](#) (together with new details and documentary evidence) only when they can evidence that the applicable policy/procedure was not followed and/or natural justice had not been applied. All submissions will be processed confidentially. The request for Internal Appeal Review must be marked to the attention of the Student Appeals Committee and emailed to quality@aib.edu.au within 10 working days of the date of the Written Response. If it is not lodged within this timeframe, the outcome of the Written Response will stand.
- 4.2. Receipt of the Appeal will be acknowledged in writing via email by the designated administrator who will convene the Students Appeals Committee. The Appeal process will commence within 10 working days of receipt of the written appeal and all reasonable measures will be taken by AIB to reach the Appeal resolution as soon as practicable, usually within 20 working days.
- 4.3. The members of the Student Appeals Committee will be independent from the original decision made in Stage One.
- 4.4. The Student Appeals Committee will consist of the following members who will be appointed by the CEO:
- (a) An external member of the Academic Board (as Chair)
 - (b) 1-3 academic staff members
 - (c) 1-3 professional staff members
 - (d) either the Diversity & Equity Officer or a Student Central representative.
- 4.5. The Student Appeals Committee may at their discretion consult with the Complainant and other relevant parties. The Complainant or the respondent may request that a support person be permitted to accompany them to these discussions.
- 4.6. As soon as practicable, the Student Appeals Committee will provide a written report (“Internal Appeal Report”) to the Complainant usually within 10 working days from the sitting of the committee. The Internal Appeal Report will contain information about the additional steps taken to address the Appeal, including the outcome, the reasons for the decision, and further options for resolution.

5. Stage Three – Further resolution options

- 5.1 If the Complainant is dissatisfied with the outcome of their internal Appeal and has exhausted all AIB internal resolution processes, they can:
- (a) request independent mediation for the purposes of resolution (refer to section 5A below); or

- (b) lodge a request for an independent external review by Independent Higher Education Australia (“IHEA”), a peak representative body for Australian independent higher education providers of which AIB is a member, within 10 working days of the date of the Internal Appeal Report (see section 5B below). External appeals lodged after 10 working days will not automatically be considered; IHEA will first refer the request to AIB to make a decision on whether to grant the Complainant’s request for an external Appeal.

5A. Mediation

- 5.2. If a student requests mediation, AIB will arrange to appoint an independent mediator. The student may propose an alternative mediator if they can show grounds that the AIB-appointed mediator is not independent.
- 5.3. Any appointed mediator must be an accredited member of a nationally recognised mediator accreditation body.
- 5.4. The purpose of mediation is not to review the process or for the mediator to reach a determination but to provide an open forum in order for both parties to:
 - (a) talk about the Complaint or Grievance and seek ways to resolve it, in good faith.
 - (b) discuss issues openly, confidentially and without prejudice.
 - (c) reach an agreement without admission of fault or liability.
- 5.5. The request for mediation must be made within 10 working days from the outcome of the Stage Two – Internal Appeal Review.
- 5.6. The cost of the mediator (if any) will be shared equally by AIB and the student.

5B. External Appeal

- 5.7. The independent external Appeal is managed by the National Student Ombudsman (NSO) which is an Australian Government agency; NSO’s contact details are:

Attention:	National Student Ombudsman
Address:	GPO Box 442, Canberra ACT 2601
Phone:	1300 395 775 (note this is not a toll-free number and calls from mobile phones may attract additional charges) or calls from outside of Australia +61 2 5117 3600
Online Form:	Office of the Ombudsman Online Form
Website:	https://www.nso.gov.au

- 5.8. Where a request for an external Appeal is submitted to the NSO in accordance with 5.1(b) above, the NSO will firstly check with the Complainant if AIB’s internal process has been exhausted: the purpose of an external Appeal is to evaluate if AIB has complied with its own policies and procedures, including this Procedure. In investigating a Complainant’s case, the NSO may make recommendations for AIB or for the Complainant to take corrective action. It may be determined that the original decision of AIB’s Student Appeal Committee should be upheld, overturned or amended, and that further actions are to be undertaken by AIB and/or the Complainant.
- 5.9. The NSO endeavours to resolve the matter quickly; 75% of complaints lodged with the Australian Government Ombudsman offices are finalised within 90 working days. Outcomes are advised in writing to both the Complainant and to AIB. Where the NSO makes a decision or recommendation in favour of the Complainant, AIB will implement

that decision or recommendation as soon as practicable, and/or take preventative or corrective action required by the decision or recommendation, and will advise the Complainant of actions taken in response to the NSO's decision or recommendation.

For further information regarding the NSO, please refer to <https://www.nso.gov.au>.

- 5.10. The external appeal process outlined above will be provided free of charge to Complainants. Any associated costs with the external Appeal will be covered by AIB but it is noted that at the time of publishing this Procedure, the NSO services are advised as 'free' <https://www.nso.gov.au>.

6. Further Action

- 6.1. The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under relevant Australian Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies. Where appropriate, required by law or requested by the student, some internal Grievances may need to be referred externally.

7. Record Keeping & Confidentiality

- 7.1. A written record of all Grievances or Appeals handled under this procedure and their outcomes shall be maintained for a period of at least seven years to allow all parties to a Complaint, Grievance or Appeal appropriate access to these records, upon written request to the Academic Dean.
- 7.2. All records relating to Complaints, Grievances and Appeals will be treated as confidential and will be covered by AIB's Records Management Policy and Procedure and AIB's [Privacy Policy](#). In exceptional circumstances AIB may be legally obliged to report concerns for safety and/ welfare of its students, staff and property.

8. Reporting to AIB Governance Bodies

- 8.1. A summary report of all Grievances handled under this procedure, their outcomes, and details of suitable improvements as appropriate shall be reported annually to the Academic Board and the Quality, Risk and Compliance Committee who will report any issues and/or observations to the Board of Directors. Critical matters may be escalated in interim periods to the Board of Directors as appropriate.

9. Publication and Training

- 9.1. This procedure and its governing policy will be made available to students and persons seeking to enrol with AIB through reference in Student Handbooks and on AIB's website (www.aib.edu.au). For the purposes of communicating with and training staff, this procedure will be referenced in staff training.

Related Forms:

[Grievance Form](#)

[Internal Appeal Review Form](#)

Responsibility:

Academic Dean

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Appendix A: Flowchart of Stages for Student Grievance Handling Procedure

