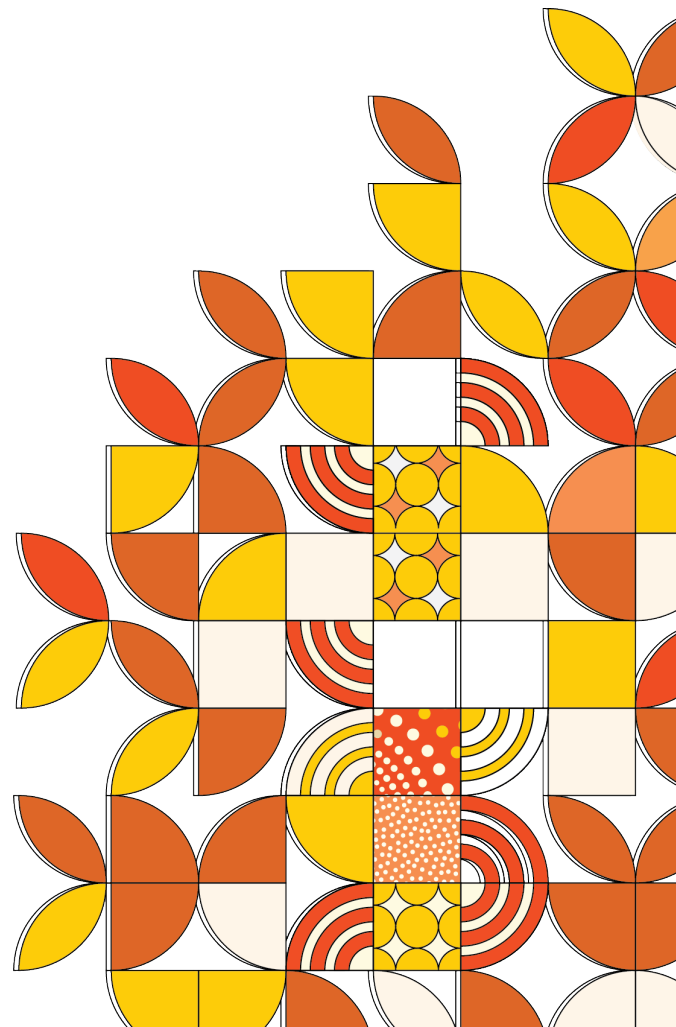


Student Complaints and Appeals Procedure



SECTION 1

Purpose

1. The purpose of Student Complaint and Appeals Procedure is to set out the procedures that the Institute of Health & Management (IHM) will follow and use to ensure that it responds to all student complaints, grievances and appeals in a timely, appropriate, fair, and equitable manner.
2. IHM is committed to providing an effective, efficient, timely, fair, and confidential complaints and appeals procedure for all students based on the principles of natural justice and procedural fairness.

Scope

3. This procedure applies to students enrolled in a course of study at IHM including:
 - a) All on shore international students, to whom the Education Services for International Students Act 2000 applies.
 - b) All students enrolled in an ongoing course of study that is delivered fully online or through any form of distance education that does not involve students' presence at a designated physical location.
 - c) All domestic students.
 - d) ALL ELICOS students.
4. Applies to staff, education agents, management and corporate governance representatives of IHM.
5. This policy covers issues arising from a student's involvement with IHM that relate to decisions based on academic or general misconduct, academic judgement, unlawful discrimination, sexual harassment, or bullying.
6. This policy also covers issues arising from a student's choice not to read and act upon notice or correspondence sent to the student's email account.
7. This policy is consistent with:
 - a) Education Services for Overseas Students Act 2000.
 - b) National Code of Practice for Providers of Education and Training to Overseas Student 2018
 - c) Higher Education Standards Framework (HESF) 2021
 - d) ELICOS (English Language Intensive Courses for Overseas Students) Standards 2018

Definitions

8. Definitions for key terms are presented in the Glossary of Terms

Suite Documents

9. This Procedure is linked to the following policy:
 - a) Student Complaint and Appeals Policy
 - b) See also the Associated Information listed in the 'Related Internal Documents' in Section 3 below.

SECTION 2

Procedure

10. Complaints and Appeals

- 10.1 All students are encouraged to resolve complaints informally with the Lecturer/Student Support Staff member before making a formal complaint.
- 10.2 All students, upon admission are provided with the Student Handbook which contains information on complaints and appeals which is also explained during student orientation programs.
- 10.3 The student may submit a formal complaint in writing, by email or by filling out the complaints form available on the IHM website and Student Hub or by filling out the paper form available at any of the campus locations.
- 10.4 The relevant IHM staff members are inducted with the Student Complaints and Appeals Policy and Procedure during staff induction and/or training.
- 10.5 The Student Complaints and Appeals Policy Procedure is accessible from the IHM Knowledge Hub.
- 10.6 All parties will have a clear understanding of the steps involved in implementing the Student Complaints and the Appeals Procedures.
- 10.7 At any stage in the complaints or appeals process, students are entitled to have their own nominee included in the resolution process.
- 10.8 If the students are using a paid nominee, it will be at their own expense.
- 10.9 The nominee must present their photo ID when accompanying the student at any of the meetings held on the IHM campus.
- 10.10 IHM will respond to any complaint or appeal within five (5) working days and attempt to resolve any complaint or appeal fairly and equitably within twenty (20) working days from the response.
- 10.11 If the matter is particularly complex and it is going to take longer to resolve, the complainant/appellant is to be advised in writing to provide reasons for the extra time required.
- 10.12 The student will also be given regular updates on the progress of the complaint/appeal.
- 10.13 Students may raise any matters of concern relating to course delivery and assessment, the quality of the teaching, learning resources and educational support, student amenities, discrimination, sexual harassment, and other issues.
- 10.14 Students may also lodge complaints or appeals regarding their dealings with IHM's education agents or any related party that IHM may have an arrangement with to deliver the overseas student's course or related services.
- 10.15 If a student is not satisfied with the admission procedure, a complaint about IHM's admission process following the formal complaints process may be lodged.
- 10.16 Students will be able to access institutional processes at no cost.
- 10.17 Access to review by a third party will be available if IHM internal processes do not lead to the resolution of a formal complaint.
- 10.18 Students are entitled to resolve any dispute by exercising their rights to pursue other legal avenues.
- 10.19 Students will be provided with details of external authorities they may approach if required.

11. Informal Process

- 11.1 Students are encouraged to resolve issues informally by communicating the issues to the Lecture, Student Support officer or the respective staff member.
- 11.2 If not satisfied, students are encouraged to discuss their issue with the relevant Course Coordinator.
- 11.3 If there is no satisfaction or resolution from the discussion with the Course Coordinator the student can opt to follow IHM's formal complaints process.
- 11.4 Students can raise an informal complaint through email, post, or speaking to the respective person. Alternatively, the student can also speak with one of the IHM administration and student support officers at (+61) 3 9450 5111, (+61) 1800 763 757 (Toll-free).

12. Formal Complaints Process

- 12.1 Students should complete the 'Complaints and Grievances Form' which is a paper-based form, available from the IHM campus Office or lodge the Online form available on IHM Student Hub and Website.
- 12.2 The complaint, written outcome and the reasons for the decision will be recorded in the in the student management system under Student Profile.
- 12.3 IHM will conduct a comprehensive review of the complaint, and if deemed necessary, facilitate a meeting. The composition of the meeting panels will be determined to ensure the absence of any conflicts of interest, thereby upholding procedural fairness throughout the entire process.
- 12.4 If required, during the investigation, the complainant will be provided with the draft report prepared by the concerned staff and given an opportunity to provide any further evidence that the student may wish to produce to support his/her complaint.
- 12.5 If the student opts to use a paid nominee, it will be at their own cost.
- 12.6 The nominee must present their photo ID while accompanying the student at any of the appointments at IHM.
- 12.7 The students are informed of the outcome of the complaint which will be recorded in the student portal.
- 12.8 Students may use the Formal Appeals Process if they are not satisfied with the outcome of the complaint resolution process.
- 12.9 If the student is dissatisfied with the resolution proposed by IHM, IHM can refer students to an independent mediator such as Student Mediation Scheme provided by Resolution Institute.

13. Formal Appeals Process

- 13.1 Students should complete the 'Appeals form' which is a paper-based form, available from the IHM campus Office or lodge the Online form available on IHM Student Hub and Website.
- 13.2 The Appeal is recorded in the Knowledge Hub Student management system and Student Profile.
- 13.3 The Appeal is handled by the Appeals committee which convene a panel (someone more senior and not previously involved in the case added to the panel for appeals) who will investigate the appeal and decide.
- 13.4 The students are informed by email of the outcome of the appeal which is recorded in the Student Portal.
- 13.5 If the student is dissatisfied with the outcome of the appeals process, the student can access the provision of an independent mediator: Student Mediation Scheme provided by Resolution Institute.
- 13.6 At the completion of the internal resolution process, if a student is dissatisfied with the outcome of the

complaint/appeal decision made by IHM, then the student may wish to refer the matter to an external/independent mediator such as:

- a) The state Ombudsman
- b) Australian Human Rights (Sexual Assault, Sexual Harassment, or discrimination Related matters)
- c) Australian Information Commission (Privacy-related matters)

14. The four stages of the Grievance Procedure/Process

14.1 Stage 1 - Informal Resolution Process

- a) Wherever possible the resolution of student grievances will be managed informally. Claimants are encouraged to attempt to resolve the grievance informally and amicably at an early stage. This can be done by speaking directly and booking a meeting with a member of student support or academic staff or can contact IHM by phone, email, post or via the feedback options in the Student Portal.
- b) Once feedback or grievance is received, a meeting will be scheduled with the course coordinator for academic matters and/or with the registrar for non-academic matters. The meeting request will be sent to the student along with an acknowledgement of receipt of the grievance.

14.2 Stage 2 - Formal Resolution Process

- a) The formal grievance procedure begins when a student or potential student states in writing that they have a grievance using the formal grievance paper form submitted directly to IHM Staff in the campus offices or the online form received through IHM Website or student Hub, and through the any other designated Staff member. Students should use the appropriate Grievance Form available on the IHM website or the online form via the Student Portal for confidential submission.
- b) Formal grievances/Complaints respect the right and the privacy of the individual, and all formal grievances must be lodged individually. Each Claimant's circumstances are different and as such will be reviewed with the best interests of the individual in mind.
- c) The receipt of the formal complaint is acknowledged by IHM staff within 5 working days.
- d) The Registrar, Head of School or the Student Services may investigate the claim at this stage using all available resources which could include such information as written evidence, staff statements, or any other information deemed relevant to the grievance. For academic grievances, this will include forwarding paperwork directly to the Head of School, for investigation and recommendation.
- e) For academic matters, a complaints committee chaired by the Head of school with the course coordinator and unit chair as members will assess the complaint.
- f) For non-academic matters, the complaints committee will be chaired by Registrar with members from the respective department (Accounts, Admissions, Marketing etc) and student support and administration.
- g) Within 20 working days of receiving the completed formal grievance/complaint form, the concerned functionary will ensure that the claimant is provided with comprehensive written advice about the decision.

14.3 Stage 3 - Appealing the Original Decision

- a) Students have the right to request a review or appeal of a decision, in accordance with this policy. Such applications to IHM are considered with courtesy, with due regard to confidentiality, and without fear of prejudicial treatment. All students are afforded procedural fairness as set out in this policy, being a fair opportunity to present their case (including to respond to adverse material before the decision-maker) and the right to have a decision made by an unbiased decision-maker.
- b) Students are required to act responsibly and not seek reviews or lodge appeals for trivial or

- vexatious reasons.
- c) Students are expected to provide serious reasons and factual evidence in support of an appeal or request for review.
 - d) A student may seek to review or appeal the decisions where the student considers it was an unreasonable decision.
 - e) In applying for the review or appeal of a decision, the students bear the onus of proof and is responsible for establishing that the decision in the first instance was an unreasonable decision, a review will be considered on the following grounds:
 - I. the policies and procedures have not been followed; or
 - II. the process has been incorrectly followed and/or criteria incorrectly applied; or
 - III. new evidence is available that was not available to the original decision-maker at the time the grievance was initiated.
 - f) The student is required to present their case in writing and provide the student misconduct and Appeals Committee with all information relevant to the decision. The student misconduct and Appeals committee can only base their decision on the material presented to them.
 - g) It is the responsibility of the students to identify fully the grounds on which they believe that the decision was unreasonable and provide all relevant evidence from the beginning of the review or appeal process. New grounds for review or appeal or new evidence should not be introduced during the process unless:
 - i. there has been a major change in circumstances since the students initiated the formal grievance.
 - ii. the new information or evidence was not reasonably available to the student or the original decision maker at the time the grievance was initiated; and
 - iii. the new information or evidence has a material effect on the formal grievance raised.
 - iv. Where new information or evidence relating to a matter is accepted the review officer or appeal body may refer to the decision-maker or person who undertook the initial review of the matter.
 - h) At this stage, the original decision is reviewed by the Appeals Committee. Students or potential students who are dissatisfied with the outcome of their grievance may lodge an appeal of the decision detailing the reasons for the appeal to the Registrar within 10 working days of being informed of the decision via email.
 - i) The Appeals Committee Chair acknowledges the receipt of an application for review of a reviewable decision in writing and inform the applicant that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.
 - j) The Committee membership includes external members of IHM's governing bodies, internal staff, and a student representative for full terms of reference and membership. The Committee will meet to consider the appeal and may interview the complainant or other stakeholders during its considerations.
 - k) The student misconduct and appeals committee members function as the review officers and were not part of the initial decision-making for the complaint.
 - l) The review officers in the committee involve senior management executives holding higher positions in the organisational structure than those members of the complaints committee.

14.4 **Stage 4 - External Independent Review**

- a) Having completed Stages 1 – 3 of the process as outlined above, claimants who wish to lodge an external appeal or complaint against the outcome of the internal appeal process (including the decision of the Appeals Committee) may seek an independent external review of the decision.
- b) Progress to Stage 4, the Claimant is required to respond within 10 days of receipt of the final decision to the Registrar. The registrar will notify the student of their right to appeal if they are not satisfied with the outcome and provide details regarding access to an external reviewer.
- c) The application to the external reviewer must be lodged within 10 working days of the date of the

written notice of the final internal outcome.

- d) The claimant needs to ensure that this request presents a substantial reason for an external review of the decision and must include all documents relevant to the case so the external reviewer can obtain a full understanding of the grievance. It is not sufficient for the claimant to simply disagree with the decision and request an external reviewer.
- e) The written request needs to present new or additional information to support their case or to substantiate their argument as to why the original decision of the Complaints Committee or previous Stage 2 and Stage 3 appeal did not comply with IHM's Policies, rules, or procedures.
- f) All students have an avenue to appeal to the relevant Commonwealth, State or Territory Ombudsman, about administrative actions or decisions and the related processes, but only after all internal processes for resolution have been followed and concluded.
- g) Domestic Students: IHM is committed to providing students with a fair and equitable process for resolving any complaints or appeals. This includes the provision of an independent mediator. If a student is dissatisfied with the resolution proposed by IHM, they can access the Student Mediation scheme which is guided by the Resolution Institute. Contact details for Resolution Institute:
 - Address: Level 1, 13-15 Bridge Street Sydney NSW 2000,
 - Phone: 02 9251 3366, Fax: 02 92513733
 - Email: infoaus@resolution.institute,
 - Website: www.resolution.institute

Note: Charges and costs for the Student Mediation Scheme will be shared between IHM and the student and IHM is committed to implementing mutually agreed recommendations from an external review.

- h) For students who are applying for a review of a decision for a re-credit of HELP debt, they must apply within 28 days after the day on which the person first received notice of the decision in accordance with the Fees, Charges and Refund Procedure for Domestic Students.
- i) If an appeal is not upheld, the student will be given a written explanation by the external reviewer. It will include the reasons for the decision.
- j) Within 28 working days of receiving the external review decision and recommendations, the registrar (non-academic) or Head of school (academic) will ensure that recommendations arising out of any external review are implemented, give the claimant comprehensive written advice about the outcome, and file all records in confidential storage.
- k) International Students: International students can contact 'The Office of the Commonwealth Ombudsman' If they are not satisfied with a decision made by IHM and make a complaint using the 'Online complaint form'.
 - I. Complaints about IHM administrative actions and decisions can be made to the Commonwealth Ombudsman at no cost.
 - II. If a student has not followed the steps in the IHM policies and procedures that serve as guidelines, the Ombudsman may request that the student does so before accepting to take on the complaints.
 - III. The details of the ombudsman are as below:
 - <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>
 - <https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form>
 - Students can contact the ombudsman office by telephone between 9 am to 5 pm Monday to Friday. In Australia, call 1300362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 62760111.

15. Timeframes

- 15.1 Timeframes may apply and vary based on individual cases.
- 15.2 All complaints must be submitted within a reasonable timeframe of the event occurring.
- 15.3 IHM must consider complaints and grievances in a timely manner, the acknowledgement of receipt of the complaint must be sent within five (5) working days and the outcome of the complaint/appeal must be sent to the student within twenty (20) working days from the initial response.
- 15.4 Complainants will be notified in writing:
 - a) when their complaint has been received
 - b) when a board or committee meets to discuss their complaint
 - c) when a decision is announced regarding their complaint
 - d) when any action is taken to resolve their complaint by IHM or its employees

16. Record Management

- 16.1. IHM will maintain records of all complaints and appeals from students and the assessment of, and decisions, for 7 years.
- 16.2. All the documents used for decision-making, the communications sent out to the complainant and the outcomes will be recorded in the IHM student hub and can be accessible to the student from their student profile under the documents tab.

17. Anonymous or Unidentified Complainants

- 17.1. Anonymous or unidentified complaints will be investigated at IHM's discretion.
- 17.2. This is dependent upon the nature of the complaint and there must be sufficient information for the investigation.
- 17.3. IHM is not required to send a response to an anonymous or unidentified complainant.

18. Managing and Recording Complaints, Appeals and External Review Outcomes

- 18.1. The summary of the complaints and appeals as well as the external review procedures followed, recommendations and outcomes are recorded in the Knowledge Hub and the student profile.
- 18.2. If the complaint or appeal is against a staff member, then it is to be recorded in the staff's HR files. The Course Coordinator will inform HR about the details of the complaint and/or appeal and the outcome(s).
- 18.3. Complaints and Appeals are opportunities for improvement so all outcomes of complaints as well as appeals and the tasks generated consequently will be logged in the continuous improvement Register.
- 18.4. The outcomes and details of the appeals will be saved for record-keeping purposes in the IHM Student Complaints and Appeals section in the IHM Knowledge Hub for at least seven (7) years and in the student profile.
- 18.5. IHM will maintain the enrolment of the student until the complaints and appeals process is completed.
- 18.6. IHM will maintain the student's enrolment through the internal appeals processes for all types of complaints or appeals.
- 18.7. If the appeal is against IHM's decision to report the student for Unsatisfactory Course Progress, IHM will maintain the student's enrolment until the external process is complete and has supported IHM's decision.

- 18.8. If the internal or any external complaint handling or appeal process results in a decision that supports the student, IHM will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

SECTION 3

Associated Information

Related Internal Documents	Bullying and Harassment Policy Bullying and Harassment Procedure Complaints and Appeal Forms Complaints and Appeals Outcome Letter Complaints and Appeals Register Credit and Prior Learning Policy Credit and Prior Learning Procedure Fees, Charges and Refund Procedure Fees, Charges and Refunds Policy International Students Transfer Request Assessment Policy International Students Transfer Request Assessment Procedure Sexual Assault and Sexual Harassment Policy Sexual Assault and Sexual Harassment Procedure Student Assessment and Examination Policy Student Assessment and Examination Procedure Student Code of Conduct Student Code of Conduct Implementation Guidelines Student Complaint and Appeals Policy Student Misconduct Policy Student Misconduct Procedure Student Academic Progression Policy Student Academic Progression Procedure
Related Legislation, Standards, Codes	ESOS (2020). ESOS legislative framework National Code of Practice (2018). National Code of Practice for Providers of Education and Training to Overseas Students 2018 National Code of Practice (2018): Standard 6: Student Support Services National Code of Practice (2018): Standard 8: Overseas student visa requirements National Code of Practice (2018): Standard 9: Deferring, suspending or cancelling the overseas student's enrolment. TEQSA (2020). Online learning good practice TEQSA (2018). Occasional Forum Series: Quality Assurance of Online Learning HESF (2021). Higher Education Standard Framework Domain 1: Student participation and attainment Standard 10: Complaints and appeals
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Change History

Version Control		Version 3.2
Change Summary	Date	Short description of change, incl version number, changes, who considered, approved etc
	30/01/2021 Version 3	<ul style="list-style-type: none"> • Policy and Procedure are separated into two documents • Added version number • Added definitions • Minor editorial changes
	26/07/2021 Version 3.1	<ul style="list-style-type: none"> • Minor editorial changes and updated HESF reference to 2021 from 2015
	27/11/2023 Version 3.2	<ul style="list-style-type: none"> • Transfer into new template • Definitions linked to Glossary of Terms • Feedback from Wells Advisory was updated • Minor editorial changes have been made