

Student Complaints and Appeals Policy and Procedures

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1. PURPOSE

The Student Complaints and Appeals Policy and Procedures establish the principles and framework to provide a fair, timely, and effective system for addressing student complaints and appeals at Barton Business School ("BBS").

They also set out what must be done to resolve student complaints and appeals if objective, unbiased decisions from BBS are to be achieved and students are to have the best possible outcomes.

This policy and procedures aim to ensure that all student concerns are managed to meet the [Higher Education Standards Framework \(Threshold Standards\) 2021 requirements, particularly Standards 2.4.1-2.4.5.](#)

The policy and procedures also comply with the requirements specified in the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), the [Education Services for Overseas Students Act 2000](#) and the [Higher Education Support Act 2003](#).

2. SCOPE

This policy and associated procedures apply to domestic and international students enrolled in or intending to enrol in an accredited course at BBS.

They also apply to all BBS staff responsible for implementing this policy and associated procedures.

3. DEFINITIONS

Refer to BBS's *Glossary of Terms*.

4. POLICY

Students have the right to lodge complaints and appeal decisions about academic and non-academic matters relating to their educational experience at BBS.

BBS is committed to treating all complaints seriously and respecting the rights and privacy of all involved parties in its dealings with student complaints and appeals.

4.1. PRINCIPLES

- a. Students must have access to fair, timely, and effective complaints-resolution processes.
- b. Students must not be charged for using complaints-resolution processes.
- c. All parties' rights in a complaint or appeal must be respected and protected.
- d. All student complaints and appeals must be addressed equitably, judged only on their merits, and involve no retribution.
- e. The doctrines of natural justice and procedural fairness must be the guiding principles for all matters related to student complaints and appeals.
- f. The complainant and respondent must not be victimised or discriminated against in any manner.
- g. All details of a complaint and the subsequent investigation must remain strictly confidential.
- h. Students must receive accurate, relevant, and timely information about this policy and the associated procedures before admission to BBS and during orientation programs.
- i. Board members, committee members, and staff must be familiarised with this policy and associated procedures during their induction process.
- j. All students, board members, committee members, and staff must have access to the Student Complaints and Appeals Policy and Procedures. The policy and procedures must always be available on the BBS website.
- k. Any party to a complaint or appeal has the right to be accompanied by a support person during the complaint process.
- l. BBS must acknowledge receipt of the complaint or appeal in writing within five (5) working days and commence assessment of the complaint or appeal within ten (10) working days of it being made. The outcome must be finalised promptly.
- m. All parties involved in a complaint or appeal must be regularly informed in writing of progress on the complaint or appeal.
- n. Students must be notified in writing of decisions, including the reasons for any decision, and information about further avenues of resolution.
- o. BBS encourages evidence-based organisational learning to generate improvements that aim to prevent the recurrence of grievance issues.

4.2. TYPES OF COMPLAINTS AND APPEALS

- a. **ACADEMIC MATTERS**
 - i. admission, enrolment, and academic progression
 - ii. credit or recognition of prior learning (RPL) decisions
 - iii. unit delivery and course content
 - iv. assessments, assessment results, and unit grades
 - v. teaching and learning resources and support
 - vi. teaching quality, qualifications, and experience of teachers
 - vii. academic integrity

b. NON-ACADEMIC MATTERS

- i. resources and facilities
- ii. fees, fines, refunds, and other financial matters
- iii. breaches of the Student Code of Conduct
- iv. psychosocial safety conditions such as bullying, discrimination, or harassment that affect the psychological and social well-being of students.
- v. critical incidents
- vi. health and wellbeing

c. COMPLAINTS AGAINST EDUCATION AGENTS AND THIRD PARTIES

- i. Students may lodge a complaint regarding:
 - a. Education agents acting on behalf of BBS.
 - b. Third-party providers engaged by BBS to deliver courses or related services.
 - c. Any breaches of contractual or ethical obligations by these parties that impact students' learning experience or rights.
- ii. Complaints about education agents or third-party providers will be assessed using the same fair, transparent, and timely processes outlined in this policy.

4.3. COMMUNICATING AND STAFF TRAINING

- a. The Student Complaints and Appeals Policy and Procedures must be communicated to:
 - i. Students in pre-enrolment materials and marketing materials.
 - ii. Students during orientation programs.
 - iii. Students via the BBS website, student handbooks, and Learning Management System (LMS).
 - iv. Board members, committee members, and staff during their induction.
 - v. Board members, committee members, and staff via the BBS website and staff handbook.
- b. All managers must induct their staff in implementing this policy and its obligations, rights, and procedures.

5. COMPLAINTS AND APPEALS RESOLUTION PROCEDURES

All student complaints and appeals must be addressed through the following processes:

5.1. STEP 1 – INFORMAL RESOLUTION

- a. Students are encouraged to speak directly with the person concerned and to attempt to resolve the matter informally within ten (10) working days of the issue occurring.
- b. If a student is uncomfortable approaching the person, they may seek the support of a staff member or student representative to mediate the conversation.
- c. Both students and staff are responsible for discussing the matter for resolution in good faith to reach a mutually agreeable outcome within five (5) working days of the issue being raised.
- d. If required, staff may seek advice from other BBS staff.
- e. Staff must inform the Student Wellbeing Officer as soon as practicable if the matter is not suitable for informal resolution.
- f. A student may lodge a formal complaint in writing to BBS if they are not satisfied with the outcome of the informal resolution. This must be done within five (5) working days of receiving the outcome.

5.2. STEP 2 – FORMAL COMPLAINT

- a. If the issue is not suitable for informal resolution, the student can lodge a formal complaint by completing the Student Complaint Form and submitting it within twenty (20) working days from the first occurrence of the matter.
- b. A Student Wellbeing Officer must be available to help students with lodging a complaint.
- c. A complaint lodged after twenty (20) working days from the first occurrence of the matter usually will not be accepted unless the student can demonstrate unexpected or extenuating circumstances (such as death, serious medical injury or condition, or other significant circumstances beyond the student's control) that prevented their submitting the complaint by the deadline.
- d. The completed Student Complaint Form must outline the nature of the complaint, what the student had done to resolve the issue informally, and the outcome they desire. Evidence must also be provided to assist in reaching a fair and equitable outcome.
- e. Where a student has attempted to resolve a complaint informally, the time for lodging the formal complaint must commence after any outcome of that informal process. No student must be disadvantaged by attempting an informal resolution of the complaint.
- f. A Student Wellbeing Officer must ensure the complaint is entered into the Complaints Register and then referred to the person most appropriate to address the complaint.

- g. Depending on the nature of the complaint, the academic issues must be directed to the Dean, and the non-academic issues must be directed to the Administration and Human Resources Manager. The Dean (academic) and/or the Administration and Human Resources Manager (non-academic) must explain to the student the way in which their complaint will be addressed.
- h. The student may seek the assistance of a Student Representative if they need advice or support in preparing the formal complaint.
- i. Within five (5) working days of receiving a student's formal complaint, the student must be provided with a written acknowledgement of receipt of their complaint and advised of the timeframe for review of their complaint.
- j. BBS must commence assessment of the complaint within ten (10) working days of it being made.
- k. The Dean (Academic) and/or the Administration and Human Resources Manager (non-academic):
 - i. must promptly commence assessment of a student complaint;
 - ii. consider the complaint, including all relevant documentation, and finalise the outcome within twenty (20) working days from receipt of the complaint.
- l. If a conflict of interest exists, the Chair of the Academic Board (academic) or the Chair of the Board of Directors (non-academic) must determine an appropriate alternative process.
- m. The student must be given an opportunity to formally present their case face-to-face to the person handling the complaint. The student may ask for a support person to accompany them to the meeting.
- n. The student must be notified in writing of the outcome within five (5) working days of the decision being made. The notification advice must state that the student has a right to appeal the decision within 20 working days from the date of the letter of notification. The student must also be provided with a full explanation of the decision in writing.
- o. In case the resolution of the complaint takes longer than 20 working days, the student must be notified in writing of the reasons for the delay and the expected timeframe to reach a decision.
- p. BBS must promptly implement any decision and corrective or preventive actions following the outcomes of a complaint-resolution process.
- q. The outcomes of a complaints-resolution process must be recorded in the Complaints Register and the student's file.
- r. Formal complaints and appeals must be resolved without charge to the student.
- s. The student is responsible for remaining enrolled during the resolution process. BBS must also maintain the student's enrolment throughout the resolution process.
- t. If the outcomes of a complaints-resolution process result in the cancellation or suspension of an international student's enrolment, BBS must report this outcome to the Department of Home Affairs. Except where immediate suspension or cancellation is necessary to protect the student's health or wellbeing, or the wellbeing of others, this must not occur until all

internal and external review and appeal processes undertaken by the student have been exhausted.

- u. BBS will provide the student with written notice of the suspension or cancellation, including the reasons for the decision, and inform them of their right to appeal. In cases where the student's health or wellbeing, or the wellbeing of others, is likely to be at risk, BBS may immediately suspend or cancel the student's enrolment. In such cases, the student's enrolment will not be maintained during the appeal process if BBS determines that continued enrolment would present an ongoing risk.

5.3. STEP 3 – INTERNAL APPEAL

- a. If the student is not satisfied with the initial outcome of a formal complaint, they may appeal in writing to a person senior to the person who handled the complaint. If the complaint is about the Chief Executive Officer, then the student may appeal in writing to the Chair of the Board of Directors. If the complaint is about the Dean, then the student may appeal in writing to the Chair of the Academic Board. This appeal must be submitted to BBS within 28 days of the notification of the original decision.
- b. The student must provide genuine reasons for seeking a review of the decision and submit evidence to show that grounds for an appeal exist.
- c. Grounds for appeal of a decision could be new evidence not known to the student before making the complaint or an alleged irregularity of procedure in making the decision.
- d. Within five (5) working days of receiving a student's appeal of a complaint decision, the student must be provided with a written acknowledgement of receipt of their appeal and advised of the timeframe for review of their appeal.
- e. BBS must commence assessment of the appeal within ten (10) working days of it being made.
- f. A Student Wellbeing Officer must check that the documentation is correctly completed and contains all required supporting evidence before referring them to the relevant staff member.
- g. The staff member to whom the appeal is referred must promptly commence the assessment of the appeal.
- h. The staff member to whom the appeal is referred must promptly consider the appeal, including all relevant documentation, and finalise the outcome within twenty (20) working days from receipt of the appeal.
- i. The student must be given an opportunity to present their appeal face-to-face to the staff member handling the appeal. The student may ask for a support person to accompany them to the meeting.
- j. The student must be notified in writing of the outcome within five (5) working days of the decision being made. The notification advice must state that the student has a right to appeal the decision to an external agency, at no cost to the student, within 20 working days

from the date of the letter of notification. The student must also be provided with a full explanation of the decision in writing.

- k. In case the resolution of the appeal takes longer than twenty (20) working days, the student must be notified in writing of the reasons for the delay and the expected timeframe to reach a decision.
- l. BBS must promptly implement any decision and corrective or preventive actions following the outcomes of an appeal process.
- m. The outcomes of an appeal process must be recorded in the Complaints Register and the student's file.
- n. If an appeal results in the cancellation or suspension of an international student's enrolment, BBS must report this outcome to the Department of Home Affairs, but not until external review and appeal processes have been exhausted.

5.4. STEP 4 – EXTERNAL APPEAL

- a. If a student is not satisfied with the proposed resolution from the Internal Appeal, they can request the matter be dealt with externally. BBS will provide the contact details of the external appeal avenues on the written notification of the internal appeal outcome. An External Appeal must be made within twenty (20) working days of the notification of the outcome of the Internal Appeal.
- b. Students have several avenues for an external review. For a review of the decision, the student may seek, at first instance, mediation of the decision through the Resolutions Institute's Student Mediation Scheme. If they are unsuccessful, they can then seek an expert determination through the Resolution Institute's Expert Determination Scheme. Both are at no cost to the student.
- c. If the mediation is successful to the student's satisfaction, BBS must complete any actions following the resolution within twenty (20) working days. Any delay must be explained to the student. The additional time needed for completion must be indicated to the student.
- d. Failing a satisfactory outcome for the student, they may pursue Expert Determination with the Resolution Institute further. Additional details about each process can be found at the [website of the Resolution Institute](#).
- e. The student's enrolment must be maintained during External Appeal. Once the External Appeal is completed, the outcome must be entered into the Complaints Register and recorded on the student's file.
- f. If an appeal results in the cancellation or suspension of an international student's enrolment, BBS will report this to the Department of Home Affairs but not until the external review processes have been completed.

5.5. FURTHER OPTIONS

As an alternative to the external review processes outlined above, students may consider the option of making a complaint to a relevant regulator or another body about BBS's decision-making and complaints-resolution processes. Some options include, but are not limited to:

- a. Australian Human Rights Commission for discrimination, sexual harassment, victimisation, and vilification.
- b. Victorian Equal Opportunity & Human Rights Commission for discrimination, sexual harassment, victimisation, and vilification.
- c. Administrative Appeals Tribunal for FEE-HELP/HECS-HELP, intellectual property rights, and matters relating to competition and consumer legislation. Refer to the *Domestic Student Fees, Refunds, and FEE-HELP Re-crediting Policy and Procedures* for further information.
- d. Australian Competition and Consumer Commission (ACCC) for FEE-HELP/HECS-HELP, intellectual property rights, and matters relating to competition and consumer legislation.
- e. Consumer Affairs Victoria for refunds, contracts such as Letter of Offer and Terms and Conditions of Enrolment.
- f. Worksafe Victoria for campus safety.
- g. Victorian Civil and Administrative Tribunal (VCAT) for privacy breach and refunds.
- h. TEQSA for Higher Education Standards, ESOS, and National Code compliance.

5.6. WITHDRAWAL OF COMPLAINTS AND APPEALS

- a. The student may withdraw a complaint or appeal at any time during the resolution process.
- b. The withdrawal must be made in writing.
- c. The student must receive a written acknowledgement of the withdrawal of the complaint or appeal within five (5) working days.
- d. The matter will be concluded and deemed to be resolved. The outcome must be entered into the Complaints Register and recorded on the student's file.

6. VERSION CONTROL

Document title	Student Complaints and Appeals Policy and Procedure	
Approved By	The Board of Directors (BoD) and Academic Board (AB)	
Date of Review	This document is to be reviewed every two years at a minimum from the date of final approval.	
Related Documents	<ul style="list-style-type: none"> • Student Academic Integrity Policy and Procedures • Academic Progression and Student-At-Risk Policy and Procedures • Admission Policy and Procedures • Assessment Policy and Procedures • Conflict of Interest Policy • Credit and Recognition of Prior Learning Policy and Procedures • Critical Incident Management Policy and Procedures • Discrimination, Bullying, Harassment, and Sexual Misconduct Policy • Diversity, Equity, and Inclusion Policy • Enrolment Policy and Procedures • Student Orientation Policy and Procedures • Student Code of Conduct • Student Fees and Refund Policy and Procedures • Student Wellbeing and Support Policy and Procedures • Health and Safety Policy and Procedures 	
Related Legislation and References	<ul style="list-style-type: none"> • Higher Education Standards Framework (Threshold Standards) 2021 • National Code of Practice for Providers of Education and Training to Overseas Students 2018 • Education Services for Overseas Students Act 2000 • Higher Education Support Act 2003 • Higher Education Provider Guidelines 2023 	
Version	Notes	Date Approved
1.0	<ul style="list-style-type: none"> • Document approved subject to minor changes in sections 4.1.vi, 5.1, 5.2.xii, 5.3.i, 5.3.vii, and 5.3.xi. 	10/01/2023
2.0	<ul style="list-style-type: none"> • Document approved subject to minor changes in section 4.1 Principles iii to read 'All parties' rights in a complaint or appeal must be respected and protected' and Step 3 Internal Appeal point I. 	28/04/2023

2.1	<ul style="list-style-type: none"> The AB approved the document subject to minor changes in section 4.2.ii (d), the addition of psychosocial safety and social wellbeing for students. 	10/11/2023
2.2	<ul style="list-style-type: none"> Minor formatting changes made. The BoD approved the document with the changes made by the AB. 	13/11/2023
2.3	<ul style="list-style-type: none"> Changes were made to Sections 5.2 (j) and 5.3 (e, j) to meet the National Code 2018 by AB. 	20/09/2024
	<ul style="list-style-type: none"> BoD approved the same version with no changes. 	21/10/2024
2.4	<ul style="list-style-type: none"> BoD approved changes made to incorporate FEE-HELP requirements in line with HESA. 	09/12/2024
3.0	<ul style="list-style-type: none"> The AB approved this document with the addition of sections 4.2 (c), 5.2 (u) and changes in 5.2 (t) 	07/02/2025
	<ul style="list-style-type: none"> BoD approved the same version with no changes. 	17/02/2025