

PROCEDURE - STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

<p>1. Purpose</p>	<p>To demonstrate a clear commitment to the receipt and proper processing of all grievances and subsequent appeals relating to the operations of SAE Institute Pty Ltd trading as SAE.</p>
<p>2. Scope</p>	<p>This procedure applies in the context of SAE Institute Pty Ltd operations in Australia and its approved offshore delivery sites, and is applicable to students enrolled with, or intending to enrol with SAE.</p> <p>Procedures for SAE campuses internationally may vary in compliance with statutory requirements in other countries of operation. Students registered with SAE Institute Pty Ltd who transfer their studies to a campus outside Australia, will have their registration with SAE in Australia terminated and are required to adhere to the guidelines, policies and procedures of the legal entity to whom they have transferred their registration. This procedure is applicable to all students or prospective students of SAE, irrespective of their place of residence, campus or mode of study.</p>
<p>3. Associated Policies and Procedures</p>	<p>This procedure should be read in conjunction with the following policies and procedures:</p> <ul style="list-style-type: none"> • Student Grievance, Complaints and Appeals Policy
<p>4. Associated Documents</p>	<p>This procedure should be read in conjunction with the following documentation:</p> <ul style="list-style-type: none"> •
<p>5. Procedure</p>	<p>5.1 Introduction</p> <p>The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.</p> <p>5.2 Before an issue becomes a Formal Grievance</p> <p>Students/potential students and staff are encouraged, wherever possible, to discuss and resolve concerns or difficulties directly with the person(s) concerned. There are Student Services Advisors, Administrators, Campus Academic Coordinators, Senior Lecturers, Supervisors, IT and Accommodation Coordinators, available to assist students to resolve their issues at this informal level.</p> <p>Prior to lodging a formal grievance, students may discuss their concerns with the appropriate Campus Manager or Campus Academic Coordinator who may facilitate a resolution to the grievance at the informal stage.</p> <p>5.3 Stage 1 – Lodging a Formal Grievance</p> <p>All formal grievances must be lodged in writing to the:</p> <ul style="list-style-type: none"> • Campus Manager for all general grievances; or • Campus Academic Coordinator for all academic grievances. <p>A formal grievance should include a detailed breakdown of the reasons for the grievance and include any supporting materials or evidence that is relevant to the matter.</p> <p>5.4 Processing a Formal Grievance</p> <p>Upon receipt of a written grievance:</p> <p>The matter will be considered by the Campus Manager and/or the Campus Academic Coordinator and, and where appropriate, other staff of SAE.</p> <p>If, in the opinion of the Campus Manager or Campus Academic Coordinator there are insufficient grounds or cause to proceed, due reason will be communicated to the complainant in writing and the matter considered closed.</p> <p>If, in the opinion of the Campus Manager or Campus Academic Coordinator, there are sufficient grounds or cause to proceed, then a proposed resolution will be put forward to the complainant in writing within ten (10) working days of the grievance having been received.</p>

PROCEDURE - STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

5.5 Process for Academic Grievances Relating to Unit/ Assessment Grade Outcomes:

Note: All academic grievances relating to unit/assessment grade outcomes must be lodged within ten (10) working days of results being published.

Where a final grade awarded for part or whole of a unit is in dispute, the Campus Academic Coordinator will ensure that the academic decision will be re-assessed by two independent assessors who were not involved in the original decision.

In the event that these assessors find the academic decision to be unfair, appropriate action will be taken and the final grade will be moderated accordingly.

5.6 Stage 2 - Appeal

If the complainant is not satisfied with the outcome at Stage 1 of these procedure, they may appeal to the:

- Head of Academic Services for academic grievances; or
- Head of Student Services for all general grievances.

The complainant shall submit the appeal in writing within ten (10) working days of receiving the written notification of the outcome from Stage 1.

The Head of Academic Services or Head of Student Services having received the appeal shall:

- Acknowledge its receipt within five (5) working days;
- Inform the Chair of the Academic Board and the Managing Director and CEO that an appeal has been received;
- Inform the Campus Manager and Campus Academic Coordinator at the campus where the grievance was processed at Stage 1, that an appeal has been received;
- Decide to enforce the implementation of the recommendations made at the end of Stage 1; or
- Dismiss the case, giving reasons in writing to the complainant; or
- Determine whether there are sufficient grounds to convene a Grievance Panel and, if so, shall establish a Grievance Panel from the pool of approved Grievance Panel members to hear the appeal.

Note: The Campus Manager or Campus Academic Coordinator that processed the grievance at Stage 1 of the formal grievance, shall provide the Chair of the Grievance Panel with copies of all evidence and materials as well as all formal documentation related to the case, within five (5) days of receipt of notification of the appeal.

5.7 Convening an Appeals Panel:

A Grievance Panel shall consist of no less than three (3) members selected from the pool of approved Grievance Panel members. The Grievance Panel will normally be chaired by the Head of Academic Services or Head of Student Services. In selecting the panel members, the Chair shall consider the nature of the grievance and the selected members shall have had no prior involvement in the grievance (refer to the list of approved grievance panel members).

The pool of approved Grievance Panel members shall normally include a variety of staff from the national offices, senior management and may include members of the Academic Board.

The Grievance Panel shall hear the appeal within fourteen (14) working days of receipt in accordance with the procedures detailed below. The decision of the panel shall be final. If necessary the Chair shall have a casting vote.

The Chair of the Grievance Panel shall submit, within five (5) working days of the panel meeting, a written report to the Managing Director and CEO. The Chair shall provide the complainant with written confirmation of the outcome of Stage 2 (appeal) of the grievance.

PROCEDURE - STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

The Chair of the Grievance Panel shall seek to ensure that any actions arising from the decision of the panel are taken within the timescale identified in the report and shall report any failure to complete actions to the Managing Director and CEO.

5.7.1 Procedural Rules for the Conduct of National Grievance Panel

The Grievance Panel will examine the circumstances and evidence in the case. Where necessary the panel may ask the complainant, Campus Manager and/or Campus Academic Coordinator and if deemed necessary any other party involved in the case, to provide further documentation and if necessary participate in a hearing.

5.7.2 Hearings

Hearings shall take place at dates and times notified in writing to the complainant, members of staff and other students concerned, at least seven (7) working days before the hearing.

The Chair of the panel shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the panel intends to call to give evidence together with a copy of any statement obtained from those persons which are to be referred to at the hearing.

A person of their choosing may accompany the complainant or any respondents directly involved in the grievance. If the complainant or any respondent intends to be accompanied, the name and contact details of the accompanying person shall be notified to the Chair not less than seventy-two (72) hours prior to the meeting of the Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances with the prior approval of the Chair of the panel.

The complainant and respondents directly involved in the grievance and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Grievance Panel.

If the complainant or any respondent wishes to introduce documents to the Panel, they shall supply copies of all such documents to the Chair at least five (5) working days before the date of the hearing. The Chair shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Chair may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five (5) working days.

The Grievance Panel shall meet and make their final deliberations in private. The panel shall initially decide and then inform all parties concerned how it will conduct the hearing subject to the procedures being consistent with the principles of these grievance procedures and of these procedural rules. Meetings may be conducted via telephone conference where it is impractical to have all members present in one location. Any person that is unable to be present for the meeting, may, subject to the approval of the Chair, submit a written statement to the Grievance Panel. Where all reasonable attempts have been made to contact the complainant, the Grievance Panel may proceed with the hearing with the complainant in absentia, if in the view of the panel there is sufficient documentation and evidence available to make a determination on the grievance.

The Grievance Panel shall establish the exact nature of the grievance, establish the facts as far as it is possible to do so, consider the facts, determine its decision and report its decision in writing within five (5) working days to the Managing Director and CEO, copied to all parties involved in hearing the appeal.

5.8 Stage 3 – Appeal to Managing Director and CEO

If the complainant is not satisfied with the outcome of their appeal in Stage 2, they may lodge a written appeal to the Managing Director and CEO.

The complainant shall submit the appeal in writing within ten (10) working days of receiving the written notification of the outcome from Stage 2.

PROCEDURE - STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

The Managing Director and CEO having received the appeal shall:

- Acknowledge its receipt within five (5) working days;
- Decide to enforce the implementation of the recommendations made at the end of Stage 2; or
- Dismiss the case, giving reasons in writing to the complainant; or
- Seek agreement to an alternative set of recommendations.

In reaching a determination, the Managing Director and CEO may undertake a hearing with the complainant and the Chair of the Grievance Panel. Further evidence and documentation may also be requested from any of the parties. Such documentation must be submitted to the Managing Director and CEO within five (5) business days of the meeting.

5.9 Stage 4 - External Mediation and Dispute Resolution (Domestic Students)

If the complainant is not satisfied with the outcome of the appeal to the Managing Director and CEO in Stage 3, they may make a written request to the Managing Director and CEO that they wish the matter be dealt with through an external dispute resolution process.

An external mediation and dispute resolution process will be facilitated by the organisation called LEADR which is an independent national association of dispute resolvers.

The Managing Director and CEO will contact LEADR to notify them that a request has been made for external mediation and dispute resolution, within five (5) working days of the request. LEADR will appoint a suitably qualified mediator and make arrangements for a mediation to be held between SAE and the complainant, as soon as practicably possible after receiving notification from SAE.

The complainant or any respondent to the grievance may ask another person to accompany them to the external mediation. This support person is not the primary negotiator and is only able to speak at the mediator's discretion.

The mediator will undertake the mediation in line with the approved LEADR Mediation Model and Rules. This includes the mediator assisting SAE and the complainant to identify the issues between them, and to explore options for, and if possible achieve the expeditious resolution of the dispute, by agreement between SAE and the complainant.

If a grievance still remains unresolved after the external mediation and dispute resolution process, the complainant may decide to refer the matter to an external agency, such as the Office of Fair Trading or the Anti-Discrimination Board.

SAE will bear all reasonable costs associated with the external mediation and dispute resolution process. This procedure will be executed at minimal or no cost to the student.

Contact Details for LEADR:

Level 1, 13-15 Bridge Street
Sydney NSW 2000
Phone: (+61 2) 9251 3366
Fax: (+61 2) 9251 3733
Freecall: 1800 651 650
Email: leadr@leadr.com.au
Website: www.leadr.com.au

In the absence (e.g. vacation or illness) of the person holding a named post in the procedure, the person deputising for them during the time of their absence shall substitute. In cases when the grievance involves the nominated deputy, a member of Executive Management shall be consulted and shall determine who shall be responsible for handling the grievance.

PROCEDURE - STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

5.10 Stage 4 - External Mediation and Dispute Resolution (International Students)

If the complainant is not satisfied with the outcome of the appeal to the Managing Director and CEO in Stage 3, they may lodge an external appeal or complain about this decision, by contacting the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider (except in South Australia).

Contact Details for the Overseas Students Ombudsman:

Overseas Students Ombudsman
GPO Box 442, Canberra ACT 2601
Phone: 1300 362 072 (calls from mobile phones at mobile phone rates) or
+61 2 6276 0111 for call outside Australia
Fax: +61 2 6276 0123
Email: ombudsman@ombudsman.gov.au
Web: www.oso.gov.au

In South Australia, the Office of the Training Advocate already provides a no cost, independent appeals process for overseas students and will continue to do so, with the Overseas Students Ombudsman referring complaints originating in South Australia to the Office of the Training Advocate.

Contact Details for The Office of the Training Advocate:

The Office of the Training Advocate
Ground Floor, 55 Currie Street, Adelaide SA 5000
GPO Box 320 Adelaide SA 5001
Phone: 1800 006 488 (This service is monitored after hours in urgent circumstances – in urgent circumstances please leave a message so an officer can contact you as soon as possible)
Email: trainingadvocate@sa.gov.au
Web: www.trainingadvocate.sa.gov.au/

6. Records

13 July	2007 policy implemented (Approved by Academic board)
9 September	2009 policy amendment (Approved by Chair Academic Board)
15 February	2011 policy approved (Approved by Prof. Zbys Klich, CEO & Managing Director)
28 February	2011 policy approved (Approved by Prof. Zbys Klich, CEO & Managing Director)
6 June	2011 policy approved (Approved by Prof. Zbys Klich, CEO & Managing Director)
20 November	2012 procedure updated (Approved by Prof. Zbys Klich, Chair, Academic Board)

Procedure to be reviewed 20th November 2014

Approved By: Prof. Zbys Klich, Chair, Academic Board
Date: 20th November 2012
Document: 2_A_PRO_003_StudentGrievance_121120