



Version	1.6
Approved by:	Executive General Manager – Technology & Design Division
Date Approved:	30.08.2022
Implementation	Respective Student Services Managers, Operations Managers
Maintenance Owner	Executive General Manager - Quality, Accreditation & Compliance

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SECTION 1 – INTRODUCTION

1) PURPOSE

Academy of Information Technology Pty Ltd (AIT) its brands and partners aim to provide a fair, equitable and productive learning environment for all its students. This policy seeks to support the achievement of this goal by providing a transparent and consistent process for resolving non-academic grievances and complaints across all delivery locations.

This policy is to aid the resolution of informal complaints and the process for addressing formal non-academic grievances, complaints, or process appeals.

2) SCOPE

This policy is an overarching Group policy and applies to:

- i) All students (domestic and international) of AIT;
- ii) All staff of AIT including employees and contractors; and
- iii) All courses delivered by AIT including those delivered on their behalf by education providers with whom there is a licensing arrangement.

If there are any discrepancies between an affiliate's policy and this policy, the AIT policy will apply.

- Academy of Information Technology Pty Ltd (also trading as Coder Academy and Work Ready Education) RTO: 90511, Registered Higher Education Provider. PRV12005, CRICOS: 02155J
- Move Academy Pty Ltd (delivering on behalf of AIT) RTO: 41087

3) DEFINITIONS

Word/Term	Definition
Anonymous Complaints	The AIT education providers do not generally respond to anonymous complaints unless they involve allegations of a serious nature, such as corruption or criminal behaviour. Where appropriate, the delegated Student Services Officer may decide that an investigation is warranted.
Appeal	A student may appeal against any decision made by AIT staff by submitting an Appeal Decision Form.
Conflict of Interest	A participant may disqualify themselves from participating in these complaint procedures should they consider that their involvement would create a conflict of interest. The convenor of any meeting is required to ensure that any participant in the processes specified by this Policy can declare whether they have a conflict of interest. Any participant who perceives a possible conflict of interest should report the matter to their Executive General Manager who shall decide on what action is appropriate and may disqualify a person from participating in the decision-making process.
Complaint	<p>Any student or member of the public can make an informal or formal complaint at any time, including if they are dissatisfied with the outcome of any informal complaint already made.</p> <p>An informal complaint becomes a formal complaint when a student submits a Complaints Form to their education provider.</p> <p>A formal complaint must be lodged in writing (letter or email) with Student Services. In cases where no formal complaint has been received, the Student Services Manager, Academic Director/Manager, Quality, Accreditation and Compliance Manager, Executive General Manager, PEO, and members of relevant Academic Boards may decide that an investigation is warranted, in which case they will initiate the formal complaints process.</p>
Defamation	<p>Persons making a complaint in good faith, giving evidence as a witness to a complaint, or involved in the mediation or investigation of a complaint would have a defence of qualified privilege in the event of a defamation action.</p> <p>Qualified privilege means that the person is not liable for a false and defamatory publication if it is made by a person in the discharge of some public or private duty, whether legal or moral in the conduct of his or her own affairs in matters where his or her interests are concerned. Such defence or qualified privilege is lost if it is found that the person making the statement showed malice. Malice can be shown if the person knew the statement was false or was reckless as to its truth or falsity, that the person was actuated predominantly by spite or ill will or that the person introduced extraneous and irrelevant matter into the statement.</p> <p>A complainant who raises a complaint in good faith is protected against any action for defamation by the defence of qualified privilege, provided the complainant raises the complaint in accordance with established procedures and does not intentionally make a malicious or substantially frivolous complaint.</p>
Formal Complaint	Started by submitting a complaint form. The process follows the procedures described in this policy and the included flowcharts
Frivolous or Vexatious Complaints	Frivolous or vexatious complaints or complaints without substance will not proceed beyond preliminary investigation. Students making vexatious complaints may be subject to an action under the Student Code of Conduct.

Grievance	A grievance exists when a student is not satisfied with the products or services provided by an AIT education provider, regarding any aspect of its business operations.
Informal complaint	<p>An informal complaint can be made to any member of AIT staff either verbally or in writing. It is not dealt with through the formal process. Informal complaints involve discussion between relevant parties towards an outcome focused resolution.</p> <p>Any student or member of the public may make an informal complaint at any time. Many problems can be resolved informally, and complainants are encouraged to try to resolve the issue directly with the person concerned. If a student or member of the public is dissatisfied with the outcome of an informal complaint, they may lodge a formal complaint by submitting a Complaints Form to their education provider.</p> <p>Pursuing an issue informally does not prevent the student also seeking to resolve it through the formal process.</p>
Rights	This policy, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if Australian Consumer Law applies.
Special Circumstances	<p>Special circumstances (also known as Compelling and/or compassionate circumstances, or Special Consideration) are events beyond the students control that impact upon their ability to maintain continuity of study or enrolment and may not be addressed through online study. Examples may include extended periods of hospitalisation for conditions not present at time of enrolment, the death of a family member, secondment overseas by government agencies including the armed forces</p> <p>Circumstances are such that it makes it impractical for the student to submit their assessment or continue or complete their studies including:</p> <ol style="list-style-type: none"> 1. Illness Supporting evidence will be required and may include <ul style="list-style-type: none"> • a doctor’s certificate, or if a mental illness; a report from a registered psychologist/psychotherapist, 2. A death in the family Supporting evidence will be required and may include <ul style="list-style-type: none"> • a funeral notice (or Order of Service) 3. For a relevant cultural event or practice, Or <ul style="list-style-type: none"> - Representation at State level for a particular sport. Or - Requirement to participate in a performance event Or - Voluntary service in the SES to attend a natural disaster or other event, Or - Service in the Defence Force to attend a national or state emergency, or compulsory training. Supporting evidence will be required and may include <ul style="list-style-type: none"> • a Statement signed by an authorised officer of the appropriate organisation, which validates that the date/s of the commitment corresponds with the date/s for which Special Consideration is requested. 4. If you were impacted by domestic violence or other police matter. Supporting evidence will be required and may include

	<ul style="list-style-type: none"> • A Police Report number; or • Statutory Declaration providing an outline of the matter, and the dates of impact. <p>5. Serious Unforeseen Personal Events including:</p> <ul style="list-style-type: none"> - Natural disasters, such as bush fires or flooding. - Impacts from COVID-19, such as sudden lockdowns or border closure. - Family members being impacted by COVID-19. - Technology breakdowns that result in lost work. - Sudden serious accident involving yourself or someone else which impacts you. <p>Supporting evidence will be required and may include</p> <ul style="list-style-type: none"> • An official document that corroborates the nature of the event, showing dates of impact relevant to the Special Consideration being sought for the assessment item.
Victimisation	<p>Any victimisation of a complainant will be regarded seriously and should be referred to the CEO for appropriate action. Any student who victimises a person in relation to these complaint procedures may be subject to an action under the Student Code of Conduct or the Bullying and Harassment Policy. A staff member who victimises a student in relation to these complaint procedures may be subject to an action under the Staff Code of Conduct or the Bullying and Harassment Policy.</p>

1.1

SECTION 2 – POLICY

1) OVERVIEW

All stakeholders are entitled to access an efficient mechanism to raise and settle grievances. AIT is committed to identifying and responding to any issue or grievance considering any aspect of its business operations. AIT has established a complaint and grievance resolution system to resolve:

- a. non-academic grievances between staff and students, between staff members and between students; and
- b. between students and any of the following: the education provider, their agents or any related party engaged in services on behalf of the education provider.

All AIT brands will respond to any grievance raised by participants, candidates, employees, facilitators, students, and any other stakeholders promptly and objectively regardless of the location of the teaching site, the place of residence of the complainant, the mode of study, or the nature of the non-academic complaint. There are no costs to students from AIT when using the AIT Grievance, Complaints, and Appeals Policy or procedures.

AIT welcomes all forms of feedback, and students are openly invited to offer feedback on any matter at any time.

At all times, AIT education providers will respect the rights of all students to use other avenues available to them to address their grievances.

2) CONFIDENTIALITY

Records of grievances and their outcomes and the Grievances Register will be kept for 7 years in strictly confidential files. Parties to the grievance will be allowed supervised access to these records on request. Management of and access to any grievance records (including the Grievances Register) will be restricted to the Student Services Managers, EGM-Group Quality, Accreditation and Compliance, and the CEO.

All parties, subject to the grievance process, shall always treat Grievance as confidential and shall not reveal the names of complainants making a grievance or where applicable those referred to in the grievance to any third party without the express permission of those concerned.

3) STALLED COMPLAINTS

If a formal complaint has been instigated by a student and they have not followed the prescribed process (lodge form with evidence, wait for result, lodge appeal form etc), the student will be informed that no further progress will occur until the process is followed. The flow chart/s in this policy are a guide for the process to follow for both students and staff. The status of the grievance in the Complaint Register will be set at 'Stalled by student' until the process is properly followed again.

OR

The Executive General Manager (of the relevant business unit) will have a monthly review of any unresolved complaints listed on the Complaints Register that have not progressed either due to the student not following the process or unexpected internal delays. The EGM will appoint an independent Senior Officer to review the situation and guide the complaint to a resolution.

If a stalled complaint cannot be resolved internally, an independent party may be nominated for an external review of decision/s made, like the Commonwealth Ombudsman for Overseas Students.

SECTION 3 – NON-ACADEMIC GRIEVANCES/COMPLAINTS

1) INFORMAL APPEALS OR COMPLAINTS

Often there are situations when an issue is raised or there are differences between expectation and actual experiences. These are often addressed with discussion and clarification between the two parties. An informal complaint can be made to any member of staff verbally or in writing. It is not dealt with through a formal process.

An informal appeal or complaint is focused on resolution. Any student may make an informal complaint at any time within 12 months from the date of the event leading to the complaint. Many problems can be resolved informally, and all parties are encouraged to try to resolve the issue directly between the people concerned. Alternatively, an informal complaint can be made through student services.

AIT expects any staff member contacted about an appeal or complaint to provide the complainant with information about how an informal appeal works and if necessary, how to pursue the complaint (in line with this policy). This includes informing students the informal complaint process is not a mandatory step before commencing a formal complaint.

Staff members who receive a complaint are encouraged to resolve complaints as quickly and informally as possible, normally within 10 working days of the complaint being raised.

Where the complaint cannot be resolved in this timeframe, student services must be informed, and the complaint may be referred to this formal process. A complainant may commence a formal complaint at any time. It is not dependent on the informal complaint approach.

Even though informal, a summary of the informal appeal or complaint will be recorded in the Complaints Register for regulatory reasons and continuous improvement purposes.

2) FORMAL COMPLAINT (GRIEVANCE)

If the grievance cannot be resolved through speaking with the Student Services Manager, the student may submit a Complaints Form to the relevant student services unit as follows:

- a. A complaint can be lodged in writing by using the Complaints/Appeal Form. A student can lodge their complaint/Appeal at the Student Services office. The written complaint must contain sufficient information necessary for the complaint to be assessed. All available information including a brief description of what the complaint is about, how it arose, who is involved, what (if any) steps have been taken to resolve the complaint to date, and what outcome the complainant is seeking, along with any supporting documentation. A record of the complaint will be kept on file.
- b. A student will have the opportunity to formally present their case at no cost from AIT. Either party to the complaint may be accompanied and assisted by a support person at any relevant meeting (such as a family member, parent/guardian if under 18 years old, friend, counsellor or other professional support person). Any costs associated with a student support person are a student cost.
- c. AIT management will investigate and respond to all complaints or appeals lodged by a student. The process will commence within 10 working days of the formal lodgement of the complaint or appeal and supporting information, and all reasonable measures will be taken to finalise the process in the shortest possible time.

- d. The student will be notified in writing of the outcome (the decision), via their student email facility, or their secure personal JIVI message area if they have one and will include details of the reasons for the decision. If the process results in a decision in favour of the student, AIT will immediately implement the decision and advise the student of the actions taken.
- e. Internal Appeal of decisions - If a member of the public or a student believes that a formal complaint has not been resolved within a specified time frame or is dissatisfied with the decision of a formal complaint, then they may make a written request to the Executive General Manager, Group Quality, Accreditation & Compliance appealing for internal review of the decision. An internal appeal of the decision will involve senior staff who have not been involved in making the decision regarding the formal complaint. The student will be informed of the outcome of the appeal and subsequent review of the decision-making process in writing.
- f. Students who are not satisfied with the outcome of an decision-making process review, may wish to refer to an external agency, e.g. Students must instigate any external appeal process within 28 days of the outcome of their appeal of the decision and provide evidence of commencement within this time. Students may appeal through the following agencies:
 - I. **The Overseas Students Ombudsman**
www.ombudsman.gov.au/How-we-can-help/overseas-students (free service)
 - II. **Anti-Discrimination**
NSW - www.antidiscrimination.justice.nsw.gov.au/Pages/adb1_makingacomplaint/adb1_makingacomplaint.aspx (free service)
VIC - www.humanrights.vic.gov.au/for-individuals/discrimination/ (free service)
WA - www.wa.gov.au/service/community-services/social-justice-and-equity/make-discrimination-and-harassment-complaint.
Complaints to the Fair Work Commission about unlawful discrimination have a 21-day time limit - www.legalaid.wa.gov.au/find-legal-answers/your-rights/discrimination-harassment-and-bullying/discrimination
QLD: www.ombudsman.qld.gov.au/how-to-complain/make-a-complaint/out-of-jurisdiction-categories/discrimination-sexual-harassment-victimisation-vilification-reprisal
SA: www.eoc.sa.gov.au/complaints/making-a-complaint
ACT: hrc.act.gov.au/complaints/
 - III. **Fair Trading / Consumer Protection –**
National: www.accc.gov.au/consumers/consumer-protection
NSW: www.fairtrading.nsw.gov.au/buying-products-and-services/buying-services/education-and-training (free service),
VIC: www.consumer.vic.gov.au/products-and-services/problem-with-a-service (free service)
WA: www.commerce.wa.gov.au/consumer-protection/complaints
QLD: www.qld.gov.au/law/your-rights/consumer-rights-complaints-and-scams
SA: www.sa.gov.au/topics/rights-and-law/consumer-rights/disputes/consumer-complaints
 - IV. **Mediation** - An independent mediator may be selected using the Australian Mediation Register at www.amr.asn.au (various; some free, some charge fees). Also available in NSW is the Community Justice Centre (1800 990 777) www.cjc.justice.nsw.gov.au/ (free service).
QLD: <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/settling-disputes-out-of-court/mediation-services>.
WA: <https://www.legalaid.wa.gov.au/find-legal-answers/about-law/mediation-and-dispute-resolution>.

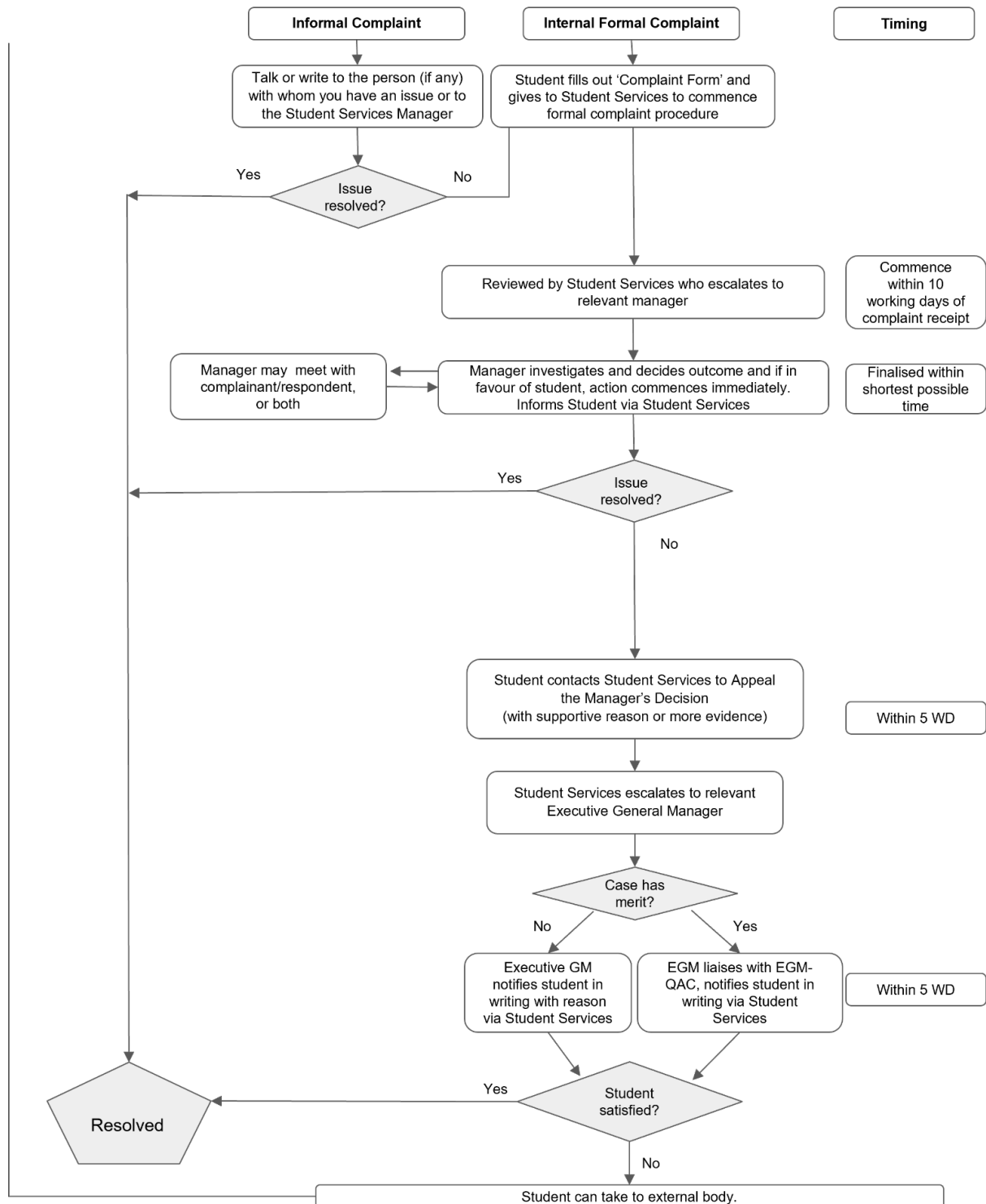
SA: <http://www.mediationaustralia.net.au/contact.htm>.

ACT: <https://crs.org.au/about-crs/contact-us/>

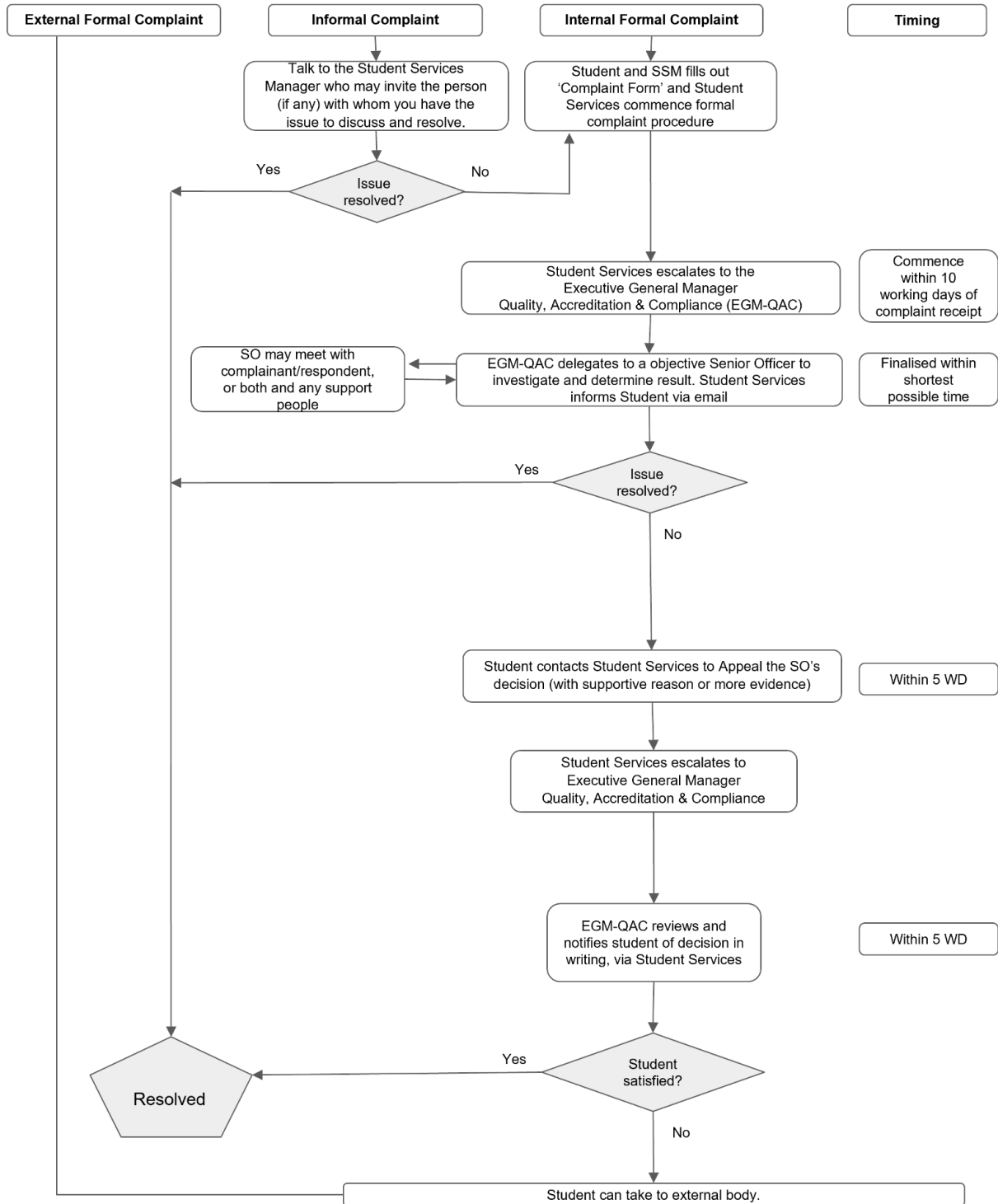
V. For issues of a more serious nature, contact your local police.

- g. Recommendations by the appropriate external agencies/regulatory agency in relation to a grievance will be implemented in accordance with the directive provided.
- h. AIT education providers will maintain a student's enrolment while a complaint or appeal process is on-going. Where it is in the best interests of the student's health and or wellbeing, AIT reserves the right to suspend a student from attending class or visiting the relevant campus during this period.
- i. The AIT grievances, complaints and appeals procedures do not limit the rights of students to take action under Australian's consumer protection law if Australian Consumer Law applies.

3) FLOWCHART – NON-ACADEMIC GRIEVANCE



4) FLOWCHART – NON-ACADEMIC GRIEVANCE – STUDENTS UNDER 18 YEARS OLD



5) EXTERNAL NON-ACADEMIC APPEAL - AGENCIES AVAILABLE TO STUDENTS

Domestic or International Students:

NSW: www.fairtrading.nsw.gov.au/buying-products-and-services/buying-services/education-and-training (free service),

VIC: www.consumer.vic.gov.au/products-and-services/problem-with-a-service (free service) `

VET Student Loan Ombudsman: <https://www.ombudsman.gov.au/How-we-can-help/vslo> (free service)

SECTION 4 – SUPPORTING DOCUMENTS AND CHANGE HISTORY

1) PUBLICATION

This policy & procedure is published on the websites of AIT’s education providers and LMS to ensure students have up-to-date and accurate information publicly available to them.

2) SUPPORTING DOCUMENTS

Document name	Document type	Location
Student Code of Conduct	Policy	Internal
Student Handbook	Policy Guide	Internal
TEQSA Threshold Standards 2021, Standards 2.2 Diversity and Equity, 2.3 Wellbeing and Safety, and 2.4 Student Grievances and Appeals	Legislation	Website
Under 18 Years Student Management and Supervision Procedure	Procedure	Website
U18 International Students Guideline	Procedural Guide	Website
ESOS Act 2017	Govt Standards	External
National Code 2018	Govt Standards	External
Higher Education Support Act 2003	Govt Standards	External
ASQA Standards for RTO’s 2015	Regulatory Standards	External
Privacy Act 1988	Legislation	External

3) CHANGE HISTORY

Version	Approval date	Department	Approved by	Change
V1.0	04 May 2016	Group Accreditation & Compliance	Group Manager	Development of Group Policy replacing existing entity level policies
		Principal Executive Officer	CEO	
V1.1	18 May 2018	Group Accreditation & Compliance	Compliance Manager	Replaced CTTT with ACPET
		Principal Executive Officer	CEO	
V1.2	09 October 2019	Group Accreditation & Compliance	Group Manager	Update to new template
		Technology & Design Division	General Manager	
V1.3	21 July 2020	Group Accreditation & Compliance	Group Manager	Update to timeline to lodge an appeal and provide clarity around obligations and processes. Flowchart updated.
		Technology & Design Division	General Manager	
V1.4	20 August 2020	Group Accreditation & Compliance	Group Manager	Merging of Grievance, Complaints and Appeals Policy with Academic Appeals Policy
		Technology & Design Division	General Manager	
V1.5	14 April 2022	Group Quality, Accreditation & Compliance	Executive General Manager	Update of Flowchart. Inclusion of point 5 – Notice for Appeal if served with Notice to Cancel Enrolment
		Technology & Design Division	Executive General Manager	
V1.6	30 September 2022	Group Quality, Accreditation & Compliance	Executive General Manager	Inclusion of state-based support agencies, Update of flowcharts, Clarity of contact for U18YOs.
		Technology & Design Division	Executive General Manager	