

These Procedures support the *Student Complaints Policy*

**Procedures Owner:** College Director and Principal, Associate Principal

**Keywords:** Complaints, Administration, Quality

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## 1. INTENT

- 1.1 These Procedures are to be used by ACBT Staff involved in the management of Student Complaints.
- 1.2 These Procedures support the *Student Complaints Policy*.

## 2. ORGANISATIONAL SCOPE

- 2.1 These Procedures apply to all ACBT Staff and to all prospective and Enrolled Students.

## 3. DEFINITIONS:

- 3.1 The *Glossary of Policy Terms* applies to these Procedures.

## 4. PROCEDURES CONTENT:

### Informal Student Complaint

- 4.1 Students are encouraged to raise concerns and problems they have with the Staff member making the action or decision at issue.
- 4.2 Staff must be open to hearing the Student's concerns and actively work towards resolution, including gathering information from the Student and, where appropriate, from other Staff members.

- 4.3 Wherever possible, Student Complaints are resolved through this Informal Complaint process, as expeditiously as possible.
- 4.4 While Informal Complaints are not recorded at ACBT, it is the Staff member's responsibility to alert Managers about aspects of the College's Policies, Procedures or actions that need to be changed or updated in light of a Student Complaint.
- 4.5 Staff member addresses the Informal Complaint and communicate the outcome to the student in writing, providing the Student with information on how to progress the Complaint to a Formal level.

### Formal Student Complaint

- 4.6 ACBT or the partner provider make available to Students a Student Formal Complaint Form and supporting information allowing for the submission of Student Complaints concerning College services or administrative practices by
  - a) a link on the Policies and Procedures section of the website.
- 4.7 Formal Student Complaints are to be submitted in writing, preferably on the Student Complaint Form and submitted by post, by email or by hand to the associate Principal.
- 4.8 Formal Student Complaints not submitted on the prescribed form will be evaluated by the Associate Principal and actioned if possible:
  - a) being mindful of access and equity considerations relating to Students with disabilities or those Students who are studying offshore; and
  - b) provided sufficient information is available to allow for a Student Complaint to be documented and considered, i.e.
    - i. Personal Information: Name, Student Number, Student email address, Residential and Postal Address and Telephone Number and
    - ii. Complaint Information: Description of the Complaint, Description outlined in the Steps Taken to Resolve Complaint and Description of the Desired Outcome.
- 4.9 Formal Student Complaints will be evaluated to determine whether attempts to resolve the Complaint have been made by the Complainant, and whether the Formal Student Complaint describes matters which fall outside the Student Complaints Policy, i.e. an academic decision for which Informal Review and Formal Review mechanisms are provided in the relevant academic policy.

### Acknowledgement of Formal Student Complaints

- 4.10 Formal Student Complaints will be acknowledged by the Associate Principal & Student and Academic Services Manager within five (5) Calendar Days by:
  - a) email, to promptly acknowledge receipt; and/or
  - b) telephone, to listen to the Student's concerns; and/or
  - c) post, to provide a formal acknowledgement and a copy of the Student Complaint Policy.
- 4.11 When acknowledging International Students' Formal Student Complaints, Associate Principal & Student and Academic Services will provide information about the College's obligation to maintain Student Enrolment while Student Complaints are ongoing.

- 4.12 The acknowledgement will also provide information regarding the right of Students to have a support person with them should they be asked to meet with a College Staff member during the hearing of a Formal Student Complaint.
- 4.13 The acknowledgement will advise the Complainant it is their responsibility to provide all relevant information they want considered by the investigator.

### Formal Student Complaint Referral

- 4.14 If there has been no apparent attempt to resolve the Complaint informally, in the first instance, Associate Principal will request the Student to approach the Staff member directly to attempt to resolve the Complaint informally.
- 4.15 If, after consultation with the Complainant, Associate Principal is of the view that it is unreasonable to ask the Student to attempt to resolve the matter, Associate Principal may use their discretion and refer the concerns to the Staff Member identified as being in a position to advise on or progress the Informal Student Complaint resolution. The aim of this referral is to:
- a) seek a positive outcome for the College and Student through prompt assistance by the Quality and Compliance Manager towards identifying the most appropriate person(s) to respond to the concerns; and
  - b) record the Informal Student Complaint contact which will be retained in the College's official record-keeping system by Associate Principal.
- 4.16 Where the College has established mechanisms to deal with issues relating to academic concerns, such as Assessment, Unit Results and Grades, Recognition of Prior Learning and Academic Progress, Associate Principal & Student and Academic Services will advise the Student to refer these concerns to the appropriate area for information on initiating the necessary processes. The aim of this referral is to:
- a) seek a positive outcome for the College and Student through prompt assistance by Associate Principal & Student and Academic Services towards identifying the most appropriate process to resolve or address the Student's concerns; and
  - b) record the referral which will be retained in the College's official record-keeping system by Associate Principal & Student and Academic Services.
- 4.17 Where an Informal Student Complaint has been attempted by a Complainant and a Complainant describes concerns about services or administrative practices of the College, Associate Principal & Student and Academic Services will refer the Formal Student Complaint for investigation and response to the appropriate Senior Staff member. The aim of this referral is to:
- a) designate the investigation of an Informal Student Complaint to the person or persons responsible for overseeing the relevant aspect of service or administration in the College;
  - b) provide information reminding investigators of the basic steps and requirements to be observed when undertaking enquiries; and
  - c) arrange a confidential College file to be created for the keeping of records relating to the Student Complaint and a Complaint summary added to an annual Student Complaints Register.

### Investigation of a Formal Student Complaint

- 4.18 Commensurate with the nature of a Formal Student Complaint, the relevant Senior Staff member will consider while investigating, relevant principles such as:
- a) making reasonable effort to communicate with the Complainant (which may be by telephone, in person or via email), to ensure the matters of the Student Complaint are understood;
  - b) at their discretion, undertake enquiries to ascertain any additional information or advice which can be added to the final response to the Complainant;
  - c) determining whether Formal conciliation between parties to a Formal Student Complaint may be productive, in consultation with the Quality and Compliance Manager and taking into account external services; and
  - d) conducting the Formal Student Complaint management process in accordance with any other relevant principles of procedural fairness.

### Formal Student Complaint Response

- 4.19 A response will be provided to a Complainant within thirty (30) Calendar Days of the lodgement of a Formal Student Complaint. The response issued to a Complainant will provide written reasons for any decision made in relation to a Formal Student Complaint.
- 4.20 The College will aim to conduct a prompt and authoritative review of concerns lodged under the Student Complaints Policy, addressing a Student's concerns through corrective action when determined to be necessary and contributing to continuous improvement in the organization where possible.
- 4.21 This response would usually be issued by the relevant investigating Staff member, especially in circumstances where a Formal Student Complaint falls within the activities of just one area of the College.
- 4.22 Where a Formal Student Complaint crosses a number of areas of responsibility within the College, the Quality and Compliance Manager will, in consultation with Staff members responsible for these areas, determine whether a compiled response may be issued by the Quality and Compliance Manager on the basis of reports provided by the relevant Staff members.
- 4.23 A report will be produced by the investigator and sent to the Complainant by the Associate Principal & Student and Academic Services Manager. A copy of the signed, final response will be forwarded to the investigator for their records.
- 4.24 Reasons must be recorded for all significant decisions taken during the Formal Student Complaint management process.
- 4.25 Complainants will be advised of external avenues of Complaint (i.e., the Sri Lankan Ombudsman, the Human Rights and Equal Opportunity Commission) where relevant or as required under legislation.

### Appeal against a Formal Student Complaint Outcome

- 4.26 Students will be advised that if they are not satisfied with the outcome of a Formal Student Complaint, they may submit an Appeal to the Student Appeals Committee, as outlined in the *Student Appeals Policy*.

### Dealing with Unreasonable Complainant Conduct

### 4.27 Guiding Principles

- a) Students have a right to Complain about the College's decisions and actions. All Complainants should expect their concerns to be treated seriously and promptly by the College.
- b) The College has a right to decide how to deal with a Student Complaint. This includes making decisions on the issues which will be investigated, who will conduct the investigation, the time and resources to be allocated to the Complaint, the assistance the Complainant needs to provide and how the Complaint will be resolved:
  - i. Unreasonable persistence – refusing to accept that a Complaint is closed, re-framing an old Complaint, persevering obstinately with an argument, continuing to phone or contact the College after a matter is closed.
  - ii. Unreasonable demands – raising issues beyond the College's responsibilities, asking for a remedy that is impractical or disproportionate, insisting that more time be spent on a Complaint than is warranted, insisting on speaking to the College Director and Principle, directing the College on how to handle the Complaint. Should the College believe the Complainant is making unreasonable demands, time limits will be set on what the College will do – for example, which issues will be investigated, who will investigate the Complaint, how it will be investigated, the possible outcomes and how communication should occur between the Complainant and the College.
  - iii. Unreasonable lack of cooperation – if there is an unreasonable lack of cooperation from a Complainant, the College will set conditions – for example, the Complainant may be required to define the Complaint issue, identify the supporting evidence and/or provide key correspondence or documents;
  - iv. Unreasonable arguments – exaggerating issues, holding irrational beliefs, being obsessed with irrelevancies or trivialities, refusing to consider counter-arguments, being guided by conspiracy theories. These arguments will be identified and set aside. Limits will be placed on what the College will examine and the style of communication that is expected. If it becomes clear the Complaint is groundless, it will be declined; and
  - v. Unreasonable behaviour – threatening violence, abusing investigation Staff, being rude or aggressive. Unreasonable behaviour will not be tolerated: a Complainant can be told that a telephone call will be terminated unless more moderate language is used, that threats are unacceptable and may be reported to the police, that rude and distemperate correspondence may not be answered or may be returned. see <http://www.ombudsman.gov.lk/>

### Administration and Reporting

- 4.28 Formal Student Complaints will be recorded in a central database that will assist the College to analyse Student Complaints to identify opportunities to improve service, identify areas of risk and/or identify policy issues within the college.
- 4.29 Associate Principal & Student and Academic Services will keep a record of Student Complaint information, such as:
- The Complainant’s Student number;
  - A brief summary of the issues raised in the Complaint;
  - The subject of the Complaint;
  - The remedy/outcome sought;
  - The action (attempts to resolve/conciliate/determination or referral/dismissal) taken or proposed; and
  - A brief statement for the above action.
- 4.30 De-identified reports on Student Complaints received will be provided to the Academic Council each Study Period and to the Board of Directors four times annually.

### 5. RELATED DOCUMENTS

- 5.1 These Procedures support the *Student Complaints Policy*.
- 5.2 Related to these Procedures are the *Student Appeals Policy* and the *Student Appeals Procedures*.
- 5.3 Academic review mechanisms (for concerns related to Assessment, Unit Results and Grades, Recognition of Prior Learning, Academic Progress status, Study Load, Academic Misconduct Outcomes and penalties, Examinations and Deferred Examinations) are outlined in the relevant policies, including:

*Academic Progression Policy*  
*Admissions Policy*  
*Enrolment Policy*  
*Assessment Policy*  
*Academic Integrity Policy*  
*Credit and Recognition of Prior Learning (RPL) Policy*

- 5.4 Other documents used in the development of these Procedures include:

[Australian Standard Customer Satisfaction – Guidelines for complaint handling in organizations \(AS ISO 10002-2006\)](#)  
[TEQSA Act 2011](#)  
[TEQSA Guidance Note: Grievance and Complaint Handling \(2019\)](#)  
[Higher Education Provider Guidelines – Chapter 4](#)  
[Higher Education Support Act 2003 – Subdivision 19-D](#)  
[Higher Education Standards \(Threshold Standards\) 2015](#)

### 6. CONTACT INFORMATION:

For queries relating to this document please contact:

<b>PROCEDURES OWNER</b>	College Director and Associate Principal
<b>ALL ENQUIRIES CONTACT:</b>	Quality and Compliance Manager

<b>TELEPHONE:</b>	0112565595
<b>EMAIL ADDRESS:</b>	

**7. APPROVAL HISTORY:**

<b>PROCEDURES APPROVED BY:</b>	Associate Principal
<b>DATE PROCEDURES FIRST APPROVED:</b>	June 2022
<b>DATE LAST MODIFIED:</b>	
<b>REVISION HISTORY:</b>	
<b>NEXT REVISION DUE:</b>	May 2023