

Student Complaints and Appeals Policy

Document

Document Name	Student Complaints and Appeals Policy
Brief Description	The Student Complaints and Appeals Policy provides information on the complaints and appeals process for current and prospective students of the Sydney Institute of Business and Technology (SIBT).
Responsible Officer	Director of Student and Academic Services
Delegated Approver	Senior Management Team
Initial Issue Date	19 June 2015
Date for Next Review:	10 April 2028

Version Control

Date Approved	Version No.	Summary of Changes	Approver
10/4/25	7	Update External Appeal section to External Review and NSO details. Applied improvements based on benchmarking, Improved clarity and readability for students.	Senior Management Team

Related Documents

Name	Location
Academic Integrity Policy	SIBT Website
Admissions Policy	SIBT Website
Assessment Policy	SIBT Website
Attendance Policy	SIBT Website
Certification Documentation Issuance Policy	SIBT Website
Deferring, Leave of Absence, and Cancelling Student's Enrolment Policy	SIBT Website
Discrimination, Harassment, Victimisation and Bullying Policy	SIBT Website
Enrolment Policy	SIBT Website
Grade Review Policy	SIBT Website
Program Development, Monitoring and Review Policy	SIBT Website
Program Progress Policy	SIBT Website
Credit for Prior Learning Policy	SIBT Website
Refund Policy	SIBT Website
Special Consideration Policy	SIBT Website
Student Complaints and Appeals Resolution Procedure	SIBT Website
Student Code of Conduct	SIBT Website
Student Welfare and Wellbeing Support Policy	SIBT Website
Staff Code of Conduct	SIBT Website
Transfer of Provider Policy	SIBT Website
Workplace Health and Safety Policy	SIBT Website
Formal Complaint Form	SIBT Website
Formal Appeal Form	SIBT Website
Higher Education Support Act 2003	https://www.legislation.gov.au/
Higher Education Standards Framework (Threshold Standards) 2021	https://www.legislation.gov.au/
Education Services for Overseas Students Act 2000	https://www.legislation.gov.au/
National Code of Practice for Providers of Education and Training to Overseas Students 2018	https://www.legislation.gov.au/
Higher Education Provider Guidelines 2023	https://www.legislation.gov.au/

Contents

1. Purpose.....	4
2. Definitions	4
3. Application	4
4. Policy Statement	4
5. Policy Principles.....	5
6. Types of Complaints and Appeals	6
6.1 Academic Complaints/Appeals	6
6.2 Non-academic Complaints/Appeals.....	6
7. Complaints and Appeals Stages.....	8
7.1 Stage 1 – Informal Complaint or Appeal.....	8
7.2 Stage 2 – Formal Complaint	8
7.3 Stage 3 – Internal Appeal	8
7.4 Stage 4 – External Complaints Review.....	9
8. Responsibilities	10
9. Withdrawal of Complaint or Appeal	11
10. Administrative Procedures	11
11. Monitoring and Reporting	11
12. Review	11

1. Purpose

- a) The purpose of this Policy is to ensure all current and prospective students of the Sydney Institute of Business and Technology (SIBT) are provided with the access to a fair, effective and equitable complaints resolution and appeals handling processes.

2. Definitions

Term	Meaning
Academic Complaint	A complaint that relates directly to learning, teaching and assessment which may include complaints about the effectiveness of teaching or the quality of teaching or assessment material.
Appeal	A process to request a review of a decision made on a particular matter either informally or formally
Appellant	A current or prospective student who has lodged an appeal.
Complainant	Means a member of the SIBT community who has made a complaint.
Complaint	An issue or concern raised by a student who considers they have been wronged because of an action, decision or omission within the control or responsibility of SIBT.
Delegated Manager	The senior SIBT staff member who is responsible for considering a complaint or informal appeal.
Informal Resolution	Direct action and/or discussion with the staff member who received the complaint resulting in a mutually accepted outcome.
Non-academic Complaint	A complaint that is not directly related to learning and teaching, such as a complaint about finance or advertising
Respondent	A person responding to an allegation, complaint or appeal against their actions or behaviour.
Serious Complaint	Is a complaint that: if proven, could involve an offence under law (e.g. assault, sexual assault, theft etc); or obliges SIBT to act (e.g. sexual harassment, harassment, victimisation etc); or may otherwise present a significant risk to SIBT, its students, staff or community.
Vexatious	A complaint that is assessed as being made for the purpose of either or any combination of the following: annoying, bothering, embarrassing, harassing, causing trouble for and/or unfairly damaging the respondent.

3. Application

- a) This Policy governs:
 - i. Non-academic matters and decisions and are applicable to prospective and current students and students on deferral or leave of absence; and
 - ii. Academic matters and decisions and are applicable to current students including those on deferral or leave of absence.
- b) This Policy and the associated procedure are complementary and should be considered in conjunction with each other.

4. Policy Statement

- a) As a general principle, staff and students are mutually responsible for resolving issues quickly through informal discussion and/or in writing at the local level, limiting the

number of people involved, for the purpose of avoiding an escalation of the issue in scope and impact.

- b) In resolving issues, student and staff communications, including those mediated through online application business systems, are to uphold, maintain, support, embody mutual respect, fairness and fulfilment of their obligations as specified in the Student Code of Conduct and Staff Code of Conduct.
- c) Any current or prospective student of SIBT who believes they have experienced incorrect, inappropriate or unfair treatment in the course of their relationship with SIBT is entitled to access the complaints and appeals process set out in this policy, regardless of the location of the campus at which the matter has arisen, the student's place of residence or the mode in which they study.
- d) The complainant/appellant has the right to raise a complaint or appeal, and to have that matter considered with courtesy and confidentiality, in a timely fashion and without fear of prejudicial treatment.
- e) SIBT believes issues should be resolved wherever possible and appropriate at the informal level. Discussion between a student and a member of staff is considered the first stage to resolving the issue prior to a formal complaint or appeal being lodged.
- f) Anonymous complaints will be accepted, reviewed and investigated to the extent possible, but only where sufficient information has been provided.
- g) SIBT will attempt to protect the identity of people making a complaint where it is practical and appropriate, taking into account any requirements of procedural fairness.
- h) Complaints lodged after six months from the date of the relevant incident(s) will be assessed and only investigated where:
 - i. it is a serious complaint as defined in this policy; and
 - ii. the complainant can demonstrate that circumstances beyond their control prevented them from lodging the complaint within the six-month deadline; and
 - iii. it is still practical for SIBT to investigate the complaint.

5. Policy Principles

- a) Consideration of complaints and appeals will be dealt with according to principles of procedural fairness which respect the right of a complainant or appellant to be heard by an impartial party.
- b) In all matters of dissatisfaction, students and staff should attempt to resolve the issue informally in a cooperative manner. If this is not possible, or the outcome is unsatisfactory, the formal process may be commenced. SIBT is committed to best practice where issues are resolved as close to the source as possible.
- c) Complainants, appellants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints or appeal process.
- d) SIBT will make all attempts to respond to complaints within the time limits set out in this policy.
- e) The SIBT Complaints and Appeals Policy is publicly available on the SIBT website.
- f) Complainants, appellants and/or respondents have the right to be represented, or accompanied, by a third party (such as a family member, friend, counsellor, or other professional support person other than a qualified legal practitioner) if they so desire.

- g) All communications arising from the complaints process, together with the proceedings of the Student Appeals Committee, will remain confidential, except to the extent necessary to give effect to this policy.
- h) Where the appeal relates to suspension of enrolment, students may maintain their enrolled status whilst awaiting the outcome of the appeal.
- i) If, at any time during the internal or external appeals process, a decision is made which supports the appellant, SIBT will immediately implement the decision and advise the appellant of the outcome.
- j) SIBT Student Learning Advisors and Student Counsellors are available to assist students with preparing a written complaint or appeal however they cannot give advice regarding the likelihood of success.
- k) SIBT complaints and internal appeals process is at no cost to the student.

6. Types of Complaints and Appeals

6.1 Academic Complaints/Appeals

- a) Academic complaints and/or appeals are related to all learning, teaching, and assessment of SIBT courses and units of study and decisions made relating to the student's academic progress.
- b) Complaints may include, but are not limited to:
 - i. An issue with the quality of programs/content/design or delivery (refer [Program Development, Monitoring and Review Policy](#));
 - ii. An issue with assessment clarity, outcome, or feedback (refer [Assessment Policy](#));
 - iii. Conferral of Awards (refer [Certification Documentation Issuance Policy](#));
- c) Appeals may include, but are not limited to:
 - i. Academic decisions including but not limited to:
 - Intention cancel student's enrolment due to unsatisfactory academic progress (refer [Program Progress Policy](#));
 - Penalty for academic misconduct (refer [Academic Integrity Policy](#));
 - Outcome of the application or request for:
 - Credit for Prior Learning ([Credit for Prior Learning Policy](#));
 - Special Consideration (refer [Special Consideration Policy](#));
 - Grade Review (refer [Grade Review Policy](#));
 - Withdrawal without Academic Penalty (refer [Deferring, Leave of Absence and Cancelling Student's Enrolment Policy](#)).
 - ii. Outcome of a Formal Complaint.

6.2 Non-academic Complaints/Appeals

- a) Non-Academic – complaints and/or appeals are related to administration, recruitment, safety, service and facilities provided by SIBT or to SIBT non-academic decisions, usually made by professional staff at SIBT.
- b) Complaints may include, but are not limited to:
 - i. The administration of admission, enrolment, examination and completion (Refer [Admissions Policy](#), [Enrolment Policy](#), [Assessment Policy](#));
 - ii. An issue with service and facilities provided;

- iii. Health and safety on campus (refer [Workplace Health and Safety Policy](#));
 - iv. Discrimination, harassment, victimisation, vilification or bullying (refer [Discrimination, Harassment, Victimisation and Bullying Policy](#)).
- c) Appeals may include, but are not limited to:
- i. Non-academic decisions to:
 - Intention to cancel student's enrolment for non-attendance (Foundation students only), non-payment of fees or non-re-enrolment (refer [Attendance Policy](#), [Enrolment Policy](#));
 - Penalty for non-academic misconduct (refer [Student Code of Conduct](#));
 - Outcome of the application or request for:
 - Enrolment selection outcome (refer [Enrolment Policy](#));
 - Refund of Fees/Remission of FEE-HELP debts (refer [Refund Policy](#));
 - Withdrawal without Financial Penalty (refer [Deferring, Leave of Absence and Cancelling Student's Enrolment Policy](#));
 - Deferral, Withdrawal, Leave of Absence (refer [Deferring, Leave of Absence and Cancelling Student's Enrolment Policy](#));, or
 - Transfer to another Provider (International students only refer [Transfer of Provider Policy](#)).
 - ii. Outcome of a Formal Complaint.

7. Complaints and Appeals Stages

- a) SIBT will endeavour to resolve complaints and appeals in the first instance it is presented to staff; however, if this is not possible, multiple stages to facilitate a resolution are available, and will be followed in accordance with the SIBT [Student Complaints and Appeals Resolution Procedure](#).

7.1 Stage 1 – Informal Complaint or Appeal

- a) A student or prospective student who feels that an academic or administrative issue is unsatisfactory or unacceptable is strongly encouraged to attempt to resolve the matter informally and directly with the person of the area concerned, or with the appropriate supervisor of that person.
- b) A student who has received notice of a decision SIBT intends to action, including but not limited to academic progress management through intervention strategies and enrolment cancellation due to non-payment of fees, non-attendance or failure to re-enrolment are encouraged to first discuss the notification and options with a Student Learning Advisor or Student Counsellor.
- c) A student may proceed directly to the lodgement of a formal complaint where it is more appropriate for serious or sensitive matters.

7.2 Stage 2 – Formal Complaint

- a) Before lodging a formal complaint, a student may seek confidential, independent professional advice from a SIBT Learning Advisor or Counsellor to understand:
 - i. Whether the appropriate steps have been undertaken to attempt to resolve the complaint informally;
 - ii. Whether a formal complaint is appropriate, or whether another SIBT process should be pursued; and
 - iii. The student complaint procedures and what resolution may be possible as an outcome of a formal complaint.
- b) SIBT Student Learning Advisors and Student Counsellors cannot give advice regarding the likelihood of success of an application.
 - c) A student has 10 working days, from the date of the event to lodge a formal complaint. To commence that process, the student must complete the online [Formal Complaint Form](#).
 - d) The Complaints and Appeals Administrator and Complainant will receive a notice acknowledging receipt of the Complaint.
 - e) The Complaints and Appeals Administrator will advise of any missing evidence within five (5) working days and may, at their discretion, extend the time for lodging the evidence to support the complaint.
 - f) Formal Complaints are assigned to a Delegated Manager who has the expertise and authority to resolve the complaint issue. The Delegated Manager will seek to resolve the complaint as quickly as possible.
 - g) A formal notice of the outcome of the complaint will be sent to the Complainant within five (5) working days.

7.3 Stage 3 – Internal Appeal

- a) An appeal can be lodged where the student feels they have grounds to appeal the outcome of a formal complaint, or any decision outlined in Section 6.1c or 6.2c.
- b) Appeals can only be lodged under one of the following grounds for appeal
 - i. There was insufficient opportunity to present their case to the decision-maker; or
 - ii. The decision was affected by discrimination, prejudice or bias; or
 - iii. The process was not carried out in accordance with SIBT policies or procedures; or
 - iv. New information or evidence is available that has not been previously considered during the complaint process.
- c) All appeals must include evidence that supports the grounds under which they are appealing the SIBT decision.
- d) Appeals will not be considered where evidence to support the appeal includes exaggeration, dishonesty, or vexatious intent.
- e) The appeal will not be considered purely based on a student being dissatisfied or disagreeing with the SIBT decision or complaint outcome.
- f) An internal appeal must be lodged within 20 working days of the date on SIBT's communication to the student advising of the decision or the outcome of the formal complaint.
- g) Appeals will only be accepted that:
 - i. Are submitted using the online [Formal Appeal Form](#) and
 - ii. Include evidence that supports their appeal.
- h) The Complaints and Appeals Administrator and Complainant will receive a notice acknowledging receipt of the Appeal.
- i) The Complaints and Appeals Administrator will advise of any missing evidence within five (5) working days and may, at their discretion, extend the time for lodging the evidence to support the complaint.
- j) The Complaints and Appeals Administrator will forward the appeal to the Students Appeals Committee Secretary only when/if all evidence has been provided within the timeframe specified in the notice.
- k) The Students Appeals Committee Secretary will convene an impartial panel from the Appeals Committee membership who will consider the grounds for appeal and evidence within 10 working days and will make a determination as soon as is practicable.
- l) A formal notice of appeal outcome will be sent to the Appellant within five (5) working days of the decision being handed down by the Appeals Committee.
- m) A student can request a review of a Student Appeals Committee decision by the Review Officer however the Review Officer will only assess whether the decision-making process had adhered to established guidelines and principles.

7.4 Stage 4 – External Complaints Review

- a) An Appellant, who is not satisfied with the outcome of an internal appeal, may seek a review by an external agency should notify SIBT within 10 working days of the date on the Stage 3 outcome letter and confirm lodgement of external appeal.
- b) A student may seek an external review of SIBT's decision or process by contacting the National Student Ombudsman (NSO) which is an Australian Government agency. NSO's contact details are:

Attention: National Student Ombudsman

Address: GPO Box 442, Canberra ACT 2601
 Phone: 1300 395 775
 Outside Australia +61 2 5117 3600
 Email: nsooutreach@ombudsman.gov.au
 Online Form: [Office of the Ombudsman Online Form](#)
 Website: <https://www.nso.gov.au>

- c) External agencies may require that a student has lodged and fully exhausted the SIBT complaints and appeals process before they will consider the complaint.
- d) If the NSO refers the matter to another Commonwealth or State Government agency for review, SIBT will assist the relevant agency to complete their review.
- a) The procedures set out in the Complaints and Appeals Resolution Procedure document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

8. Responsibilities

- a) The Complainant or Appellant will:
 - i. Provide serious reasons and factual evidence in support of a complaint or an appeal or request for review.
 - ii. Act in a reasonable manner, without exaggeration, vexation or dishonesty, or unreasonable persistence after an investigation has closed;
- b) The Administration Team will:
 - i. Ensure cases flow through the Complaints and Appeals process within the timeframes allocated to each stage;
 - ii. Maintain communication with all stakeholders on application progress until the case is resolved;
 - iii. Maintain accurate and complete records.
- c) The Delegated Manager will:
 - i. Ensure all communication upholds, maintains, supports, and embodies mutual respect, fairness and fulfilment of their obligations under the Staff Code of Conduct;
 - ii. Work to resolve issues as quickly as possible, with the minimum of formal processes required to reach an amicable solution.
 - iii. Support a culture of continuous improvement and report to management the nature of any informal complaint that was the result of process inadequacy or ambiguity.
- d) The Student Appeals Committee will:
 - i. Consider and decide student academic or non-academic appeals in accordance with the Student Complaints and Appeals Policy;
 - ii. Ensure student appeals are considered and decided by an appropriately selected panel in a timely and independent manner, applying the rules of procedural fairness.
- e) The Review Officer:
 - i. At SIBT, the College Director and Principal is the Review Officer.
 - ii. Will review decisions made by the Student Appeals Committee to ensure that the decision-making process adhered to established guidelines and principles;

- iii. Must hold a position senior to any person involved in making the original decision and cannot review a decision in which they were directly involved.

9. Withdrawal of Complaint or Appeal

- a) At any time during the process a complainant or appellant may withdraw a complaint or appeal by notice in writing to the Delegated Manager either directly or through the student administration.
- b) Upon such withdrawal, consideration of the complaint or appeal will be discontinued.
- c) SIBT reserves the right to further investigate matters on its own initiative based on information that has been provided as part of a withdrawn complaint or based on information that the organisation has subsequently acquired that is relevant to the withdrawn complaint.

10. Administrative Procedures

- a) All SIBT policies and procedures are accessible through the SIBT website.
- b) A Complaints and Appeals Register will be maintained to support analysis of incidents and identify systemic issues that may be mitigated to prevent or reduce the recurrence of incidents.
- c) Records of all complaints and appeals will be kept for a period of seven (7) years. These records will be strictly confidential and filed separately from student files. These records will be under the responsibility of the Quality and Compliance Manager.

11. Monitoring and Reporting

- a) The Quality and Compliance Manager is responsible for maintaining the integrity of the Complaints and Appeals Register to enable the collation and analysis of information about the type, causes and number of student complaints and appeals to be reported on an annual basis.
- b) Data for analysis is provided to the Director of Student and Academic Services for subsequent reporting to the Senior Management Team, Academic Board and SIBT Board of Directors annually with the view to identifying and implementing preventative measures to address the causes of complaints.

12. Review

- a) SIBT monitors the effectiveness and appropriateness of the terms under this Policy to identify continuous improvement opportunities and risk identification and mitigation and to inform updates to the policy.
- b) This Policy will be reviewed by the Responsible Officer and the Quality and Compliance Manager a minimum of every three (3) years, or when there are updates to the regulatory compliance requirements, legislation, regulation, and guidelines.