

Student Complaints and Appeals Resolution Procedure

Document

Procedure Name	Student Complaints and Appeals Resolution Procedure
Overarching Policy	Student Complaints and Appeals Policy
Brief Description	The Student Complaints and Appeals Resolution Procedure outlines the activities and tasks required, and by whom, to implement a process across SIBT that relates to, and is consistent with, the Student Complaints and Appeals Policy to which it refers.
Approving Officer	Director of Student and Academic Services
Effective Date	26 February 2024
Review Date	16 July 2026

Version Control

Date Approved	Version No.	Summary of Changes	Approver
15/02/2024	1	Initial Issue	Senior Management Team
21/7/25	2	Alignment with updated policy and new form and register. Clarified outcomes nomenclature to ensure data integrity in reporting and communications. Inserted hyperlinks to improve functionality. Clarified Appeal submission requirements.	Director of Student and Academic Services

Related Documents

Name	Location
Student Complaints and Appeals Policy	SIBT Website
Formal Complaints and Appeals Form	SIBT Website
Student Complaints and Appeals Register	SIBT Intranet

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1 Purpose

- a) The purpose of this Procedure is to:
 - i. Advise how complaints and appeals, within the scope of these procedures, may be raised, how they will be assessed and resolved, where appropriate; and
 - ii. Describe the way SIBT will conduct investigations where required;
 - iii. Clarify responsibilities; and
 - iv. Give effect to the [Student Complaints and Appeals Policy](#).

2 Application

- a) This Procedure applies to:
 - i. Non-academic matters for current students and prospective students, and
 - ii. Academic matters for current students.
- b) This Procedure does not apply to student complaints regarding allegations of sexual harassment and sexual assault which are managed by the [Sexual Harassment Prevention and Response Policy](#) and [Sexual Assault Prevention and Response Policy](#) respectively.
- c) This procedure does not apply to grade reviews which are managed by the [Grade Review Policy](#) and [Grade Review Form](#). An appeal on the outcome of a Grade Review application however is covered under this procedure.

3 Definitions

Term	Meaning
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
Prospective student	A person seeking to enrol in a SIBT program.
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.
Complainant	Means a member of the SIBT community who has made a complaint.
Delegated Manager	The senior SIBT staff member responsible for considering a complaint.
Informal Resolution	Direct action and/or discussion with the staff member who received the complaint resulting in a mutually accepted outcome.
Statutory Declaration	A legal document that sets out facts that the author declares to be true and accurate.
Student	A person enrolled in a SIBT program

4 Procedural Statements

- a) The application, investigation or resolution of a complaint or appeal under these procedures must be in accordance with the principles set out in the [Student Complaints and Appeals Policy](#).
- b) There is no cost associated with the SIBT internal complaints and appeals.
- c) This procedure has been developed in line with the Higher Education Standards Framework (Threshold Standards) 2021; National Code of Practice for Providers of

Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); and the Higher Education Provider Guidelines 2023.

- d) Staff will make all attempts to respond to complaints within the time limits set out in this procedure.
- e) A Complaints and Appeals Register is maintained to support analysis of incidents and identify systemic issues that may be mitigated to prevent or reduce the recurrence of incidents.

5 Procedures

5.1 Stage 1 Informal Complaint or Appeal Resolution Procedure

Timeframe: within 10 working days or as soon as possible after the issue occurred.

- a) All SIBT staff are committed to resolving issues for students as quickly and efficiently as possible. Therefore, students or prospective students are strongly encouraged to seek to resolve issues informally directly with the person or area concerned with the issue (either on their own or with another person as a support person).

5.1.1. Step 1:

- a) Communicate directly with the person responsible for the decision or behaviour that is the subject of the issue.
- b) Both parties to discuss their point of view and attempt to resolve the matter in a courteous and respectful manner.
- c) Contact can be via email, phone or in person.

5.1.2. Step 2:

- a) Agree on resolution and actions required to finalise the issue or if unresolved bring in a manager to assist with a mutually agreeable resolution.
- b) If the informal resolution is in response to an SIBT decision, the staff member will ensure the communication loop is closed with the Complaint and Appeals Administrator, so the resolution is fully concluded in systems and with all relevant stakeholders.
- c) Informal Complaints and Appeals outcome will be referred to as:
 - a. Resolved – action was required and mutually agreed outcome provided
 - b. Noted - where it is mutually agreed no action is required
- d) Students or prospective students unable to resolve an issue or concern through informal resolution, or consider informal resolution inappropriate, can make a complaint using the [Formal Complaints and Appeals form](#).

5.2 Stage 2 Formal Complaint Procedure

Timeframe: The student has 10 working days, from the date of the decision or event, or after exhausting options within the informal process, to lodge a formal complaint.

- a) Before lodging a formal complaint, a student may seek confidential, independent professional advice from a SIBT Student Learning Advisor to understand:
 - i. Whether the appropriate steps have been undertaken to attempt to resolve the complaint informally; and/or

- ii. Whether a formal complaint is appropriate, or whether another SIBT process should be pursued; and/or
 - iii. The student complaint procedures and what resolution may be possible as an outcome of a formal complaint.
- b) Types of complaints covered by this procedure include issues with:
- i. Elements of teaching and learning including but not limited to program quality, delivery, teaching, resources, facilities, feedback, assessments;
 - ii. Administrative services including but not limited to admission, enrolment, examination, completion, and award issuance;
 - iii. Services and facilities including but not limited to campus facilities, health and safety;
 - iv. Discrimination, harassment, victimisation, vilification, or bullying.

5.2.1. Step 1

- a) Students should check with the Student Learning Advisor if they are unsure of the evidence and details required to support their formal complaint and the timeframe in which they need to submit.
- b) All evidence is to be collated prior to lodging a Formal Complaint, as incomplete applications or applications without supporting evidence cannot be considered.
- c) A Formal Complaint must be supported by evidence that may include, but is not limited to:
 - i. Copy of the Informal Complaint;
 - ii. Copy of emails, letter or messages;
 - iii. Photos or screenshots;
 - iv. Medical certificates and reports;
 - v. Student or witness(es) Statutory Declaration. A statutory declaration is a legal document that contains a written statement about something that is true. It must be witnessed by an approved person. A Statutory Declarations template is available [SIBT Website](#).
- d) All evidence must be in English or include a certified translation.

5.2.2. Step 2

- a) Students are required to complete the online [Complaints and Appeals form](#) and attach their evidence.
- b) Student are encouraged to consult with a Student Learning Advisor for:
 - i. Assistance to complete the Formal Complaint Form; or
 - ii. Clarity on the details or evidence to provide; or
 - iii. Assistance if they feel they cannot meet the deadline for submitting the Formal Complaint.

5.2.3. Step 3

- a) The submission of a Complaints and Appeals will automatically confirm with the Complaints and Appeals Administrator and the student that the complaint has been received.
- b) The Complaints and Appeals Administrator will advise the student within five (5) working days whether any further information is required and the next steps in the process.
- c) The Complaints and Appeals Administrator will undertake an initial assessment of the complaint and forward the complaint to the Delegated Manager who will consider the

complaint. The Complaints and Appeals Administrator will consult with the Quality and Compliance Manager, on the case if required.

- d) The Delegated Manager will:
 - i. Be a senior staff member who is knowledgeable in the area of a complaint and, have no direct or indirect connection to the complaint;
 - ii. Assess the seriousness of the complaint and determine the appropriate course of action, including convening discussions with relevant parties, if required;
 - iii. Collate and review any relevant documentary evidence and request additional information, if required;
 - iv. As much as possible, determine appropriate resolution being
 - a. Noted (no action was required)
 - b. Resolved (action that was required)
 - v. Advise the Complaints and Appeals Administrator of the outcome within 10 working days.
- e) The Complaints and Appeals Administrator will advise the student in writing of the outcome within 5 days of the Delegated Manager's decision.

5.3 Stage 3 Formal Appeal Procedure

Timeframe: The student has 20 working days, from the date of the decision or event, to lodge a formal appeal.

5.3.1. Appealable decisions

- a) A student or prospective student may appeal an SIBT decision as advised in a written notification regarding:
 - i. Formal complaint outcome;
 - ii. Unsatisfactory level of attendance;
 - iii. Unsatisfactory academic progress;
 - iv. Non-payment of fees;
 - v. Academic misconduct penalty;
 - vi. Non-academic misconduct penalty;
 - vii. Refund of fees application;
 - viii. Remission of FEE-HELP debts;
 - ix. Enrolment selection outcome;
 - x. Credit or Advanced Standing application outcome;
 - xi. Special Consideration application outcome;
 - xii. Grade Review application outcome;
 - xiii. Deferral application outcome (international students);
 - xiv. Leave of Absence application outcome (international students);
 - xv. Withdrawal application outcome (international students); or
 - xvi. Transfer to another Provider application outcome (international students); and
 - xvii. Withdrawal without Academic or Financial Penalty request outcome.

5.3.2. Grounds for Appeal

- a) An appeal made under section 5.3.1 must be on one or more of the following grounds:
 - 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. There is new information that could not reasonably have been provided at the time of the original decision, and that would probably have affected the decision, or any penalty imposed.
- b) The category of an appeal will determine the evidence required to support the appeal.
- c) An appeal will not be considered on the basis the student disagrees with the outcome of a complaint or decision.
- d) An appeal will not be considered if there is no evidence provided to support the grounds selected from 5.3.2 a) i-iv

5.3.3. Appeal Submission Requirements

- a) Incomplete applications cannot be processed; therefore, students are encouraged to seek advice from a Student Learning Advisor or Counsellor who will assist in ensuring each of the following criteria are adequately detailed and supported by appropriate evidence:
 - i. make clear the nature and grounds for the appeal
 - ii. provide the date of the initial decision (if applicable)
 - iii. explain why a reconsideration of the decision is being requested (if applicable)
 - iv. attach copies of any written communication between the student and the staff member that occurred during an informal resolution stage (if applicable)
 - v. attach evidence that supports the grounds for their appeal which may include new evidence, and
 - vi. outcome/s sought.

5.3.4. Limitations

- a) Failure to read and act upon a notice or correspondence sent to a student's SIBT email account are not grounds for an appeal.

5.3.5. Lodgement of an Appeal

- a) Appeals will only be accepted if they are submitted via the [Formal Appeal Form](#) on the SIBT website within 20 working days of the original decision. The appeal must:
 - i. State the decision being appealed;
 - ii. The outcome the student is seeking from the appeal;
 - iii. Identify the ground or grounds for appeal;
 - iv. Include supporting evidence that will support the grounds for appeal.
- a) Appeals will be assessed against the criteria in 5.3.3 by the delegated Administration person who will:
 - i. Commence action on assessing the appeal within 10 working days of it being made.
 - ii. Check grounds for appeal is valid and;
 - iii. Evidence provided is supporting the appeal that has been received;
 - iv. Check the appeal has been submitted within the timeframe.
- b) The delegated Administration person will advise, within five (5) working days of the webform submission, of any missing documentation and the timeframe for submission of additional documents. The appeal date is the date the delegated Administration person confirms all documents are in hand.

- c) The delegated Administration person will verify all supporting evidence, including medical certificates, noting any that cannot be authenticated and hand the case over to the Student Appeals Committee Secretary.
- b) For appeals that do not meet all the evidentiary requirements, the delegated Administration person will:
 - i. Advise the appellant of the shortcoming in the appeal and allocate five (5) working days for the appellant to provide the additional information; and
 - ii. Upon receipt of the additional documents, the Delegated Administration person will follow the procedure under 5.3.5b);
 - iii. If further documentation is not received within five (5) working days, the delegated Administration person will advise the appellant in writing, their appeal has been rejected.

5.3.6. Consideration of Appeal

- a) For appeals that meet all the requirements under 5.3.3, the Student Appeals Committee Secretary will:
 - i. Select appeal panel members ensuring no conflicts of interest in panel membership;
 - ii. Schedule the meeting of the panel within 15 working days of when all appeal documents were received; and
 - iii. Send appeal documentation to panel members; and
 - iv. Minute the appeal meeting deliberations and outcome; and
 - v. Provide the Student Appeals outcome notice to the delegated Administration person who will advise the appellant, in writing within five (5) working days of the panel meeting.
- b) Assessment of an appeal will commence within 10 working days of lodgment and be concluded as soon as reasonably practicable by the relevant academic appeal panel or non-academic appeal panel as set out in the Governance Charter.
- c) The outcome of the hearing will be documented including reasons for the appeal panels decisions and the decision recorded as follows:
 - i. Upheld – new or amended decision
 - ii. Dismissed – original SAC decision stands;
 - iii. Not Accepted – no grounds, incomplete, after deadline;
 - iv. Resolved informally
 - v. Cancelled repeated - duplicate lodgement with no change to issue
 - vi. Open – if outcome is pending
- d) The Student Appeals Committee Secretary, will, within five (5) working days of a decision being made, confirm the communication to be sent to the Appellant in writing by the delegated Administration person. Communication will include:
 - i. The appeal panel's decision and their reasons for the decision;
 - ii. Their right to apply for a review of the Appeal panels adherence to SIBT's established guidelines and principles;
 - iii. Their right to apply for an external review of the decision.

5.3.7. Review Officer Procedure

- a) If an Appellant requests a review of a Student Appeals panel decision:
 - i. The student must request a Review through the Student Appeals Committee Secretary within 28 days after the day on which the student first received notice of the decision.

- ii. The Student Appeals Committee Secretary will provide the Review Officer with all information pertaining to the Appeal.
- iii. The Review Officer will inform the applicant of the review outcome within a reasonable period, however, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.
- iv. The Review Officer will review the appeal to ensure that the decision-making process adhered to established guidelines and principles;
- v. The Review Officer will inform the applicant of the outcome and, if the decision was confirmed, advise the applicant of their right to seek an External Review (Stage 4).

5.4 Stage 4 External Review

- a) 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 (please note this is not a toll free number and calls from mobile phone may attract additional charges) or calls from outside Australia +61 2 5117 3600

Online Form: [Office of the Ombudsman Online Form](#)

Website: <https://www.nso.gov.au>

- b) Where a request for an external review is submitted, the NSO may check with the Complainant if SIBT's internal process has been exhausted:
- c) An external review will evaluate whether SIBT had complied with its own policies and procedures, including this Procedure and whether the process was fair and SIBT's obligations were fulfilled.
- d) In investigating a Complainant's case, the NSO may make recommendations for SIBT or for the Complainant to take corrective action. It may be determined that the original decision of SIBT's Student Appeal Committee should be upheld, overturned or amended, and that further actions are to be undertaken by SIBT and/or the Complainant.
- e) Where the NSO makes a decision or recommendation in favour of the Complainant, SIBT will implement that decision or recommendation as soon as practicable, and/or take preventative or corrective action required by the decision or recommendation and will advise the Complainant of actions taken in response to the NSO's decision or recommendation.
- f) If the appellant wishes to appeal SIBT's Student Appeals Committee decision, the appellant will have 10 working days from the date of their outcome letter to advise SIBT of the external review request and evidence of lodgement.
- g) While the external appeal is ongoing, SIBT:
 - i. Will maintain the student's enrolment and CoE (international students);
 - ii. Has a discretion to refuse to provide educational services.
- h) If the external appeal process results in a decision or recommendation in favour of:
 - i. The student, SIBT will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the student of that action, or

- ii. SIBT, its previous decision or recommendation will be enacted, and student advised accordingly.

5.5 Records

- a) Records of all complaints and appeals are:
 - i. Kept for a period of seven (7) years;
 - ii. Strictly confidential and filed separately from student files;
 - iii. Under the responsibility of the Quality and Compliance Manager.

6 Implementation and Access

- a) The Student Complaints and Appeals Resolution Procedure is published on SIBT's website and accessible via the Learning Management System with implementation via:
 - i. Updated Policy Notification on Learning Management System;
 - ii. Staff/Student Orientation;
 - iii. Staff Training session.

7 Reporting

- a) Reporting on incidents of complaints and appeals will inform continuous improvement and identification of systemic issues and ensure governance oversight. The Complaints and Appeals Secretary will lead reporting activities which include:
 - i. Bi-monthly to the Senior Management Team on non-academic matters
 - ii. Three times per year to the Academic Board on academic matters
 - iii. Annually to the Senior Management Team, Academic Board and SIBT Board incorporating trend analysis

8 Review

- b) The Student Complaints and Appeals Resolution Procedure will be reviewed by the Procedure Owner:
 - i. At least annually to incorporate continuous improvement initiatives;
 - ii. When changes are made to operational processes that impact this procedure;
 - iii. When the overarching Policy is updated.

Appendix A: Quality Assurance Checklists

The following checklists are intended to minimise opportunities for complaints and appeals by ensuring communication and procedures are easily understood and followed by students and staff. This list has been informed by examining where dismissed appeals could have been circumvented through clarity and communication and will be added to regularly.

1 Intention to cancel (Attendance) Checklist

- ☐ Ensure student is notified (warning letters) via a second method in addition to SIBT student email.
- ☐ Ensure SLA or Counsellor is notified to determine whether a case for Extenuating circumstances is pending.
- ☐ Check by another staff member for any gaps in attendance that need to be rectified by PC/Teacher.

2 Intention to cancel (Non-Payment of Fees) Checklist

- ☐ Ensure student is notified via a second method in addition to SIBT student email.
- ☐ Ensure SLA or Counsellor is notified to determine whether a case for Extenuating circumstances is pending.
- ☐ Refer follow-up to Team/staff member student is most likely to respond to.

3 Intention to cancel (Non-enrolment) Checklist

- ☐ Check whether enrolment is blocked by BOE or other process e.g., student's remaining unit not offered in current semester
- ☐ If there is a delay between identifying students not enrolled and sending the letter, check for late enrolments.
- ☐ Ensure student is notified via a second method in addition to SIBT student email.
- ☐ Ensure SLA or Counsellor is notified to determine whether a case for Extenuating circumstances is pending.
- ☐ Refer follow-up to Team/staff member student is most likely to respond to.