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Complaints and Disputes

4. Complaints and Disputes Policies and Procedures Relating to Students

4.1 Student complaints and disputes

4.1.1 Policy and guidelines

The College's complaints and disputes policy applies to all complaints, whether non-academic or academic, brought by students. The College's procedures regarding non-compliance by students with College policies and procedures are contained in Appendix 1 of this manual, as well as the Assessment Rules in Appendix 2.

4.1.2 Policy

4.1.2.1 This policy applies to all students, including students not yet enrolled with the College or seeking to enrol, and irrespective of the location where the matter complained of has arisen, a student's place of residence or the Program the student is undertaking.

4.1.2.2 For all complaints and disputes, non-academic and academic, the College will apply the following principles, which comprise its complaints and disputes policy:

- resolution will be sought at the most appropriate level commensurate with the seriousness of the complaint
- mediation will occur wherever possible
- the principles of natural justice will be observed
- documentation will not be necessary at the initial stage, but will be required if a complaint is of a serious nature, or is not readily resolved
- confidentiality will be preserved to the extent possible to achieve resolution of the complaint
- the College will take steps to ensure that neither the complainant nor the respondent will be victimised or discriminated against
- both the complainant and the respondent may be accompanied and assisted by a third party if desired
- both the complainant and the respondent may request reasons for decisions to be in writing at any phase of the process
- the College will ensure that all staff are aware of these principles and procedures
- the College will not charge the student any costs or fees in relation to the complaints and disputes process
- nothing in the policy and the guidelines, processes and procedures pursuant to the policy affects a student's rights to seek remedies at law where available.

4.1.3 Guidelines

4.1.3.1 For all complaints and disputes, non-academic and academic, the College will follow these guidelines in applying the complaints and disputes policy:

- where the complaint relates to a staff member, the College will not discuss it with that staff member nor reveal the student's identity without first advising the student
- written material will be kept confidential and will not be shown to anyone who is not directly involved in handling the complaint. When the complaint is finalised, all written material will be placed on a confidential file (not the student's or staff member's personal file), and kept on file for a period of five years. During this time, the materials will be treated as confidential documents accessible only to interested parties. After five years, the file and materials will be destroyed
- the assistance of the Student Liaison Officer will be sought, where appropriate, with the student's consent
- where a complaint involves an allegation of serious misconduct by a staff member, the Program Director will report the matter to the Principal, and will take no further action unless directed by the Principal
- the College will not act if the complaint relates to circumstances outside:
 - the premises of the College
 - the Program or terms of staff employment, and/or
 - the student's capacity as a student
- meetings may be by tele or video conference where most convenient to all parties.

4.1.4 Student Liaison Officer

The name of the current Student Liaison Officer, who can give you guidance in the conduct of complaints and disputes, can be obtained from the relevant Program Director (the Student Liaison Officer is currently the Director, Academic Policy and Quality). If you have a grievance or complaint that cannot be resolved internally, the College will advise you of the appropriate body where you can seek further assistance.

4.1.5 Non-academic complaints and disputes procedure

4.1.5.1 If you have a complaint relating to:

- a member of staff
- another student, or
- the administration of a Program,

you may bring the complaint to the relevant Program Director for consideration in confidence.

4.1.5.2 After you have supplied to the Program Director sufficient particulars of the complaint for it to be adequately considered, the Program Director will advise you of the manner in which he/she proposes to deal with the complaint.

4.1.5.3 If after 21 days:

- the complaint is not resolved to the satisfaction of all parties, or
- appropriate action has not been taken in respect of the complaint, you may bring the complaint to the notice of the Chief Academic Officer.

4.1.5.4 If you bring the complaint to the notice of the Chief Academic Officer:

- the Chief Academic Officer or his/her delegate, will invite you to make submissions in respect of your complaint. The Chief Academic Officer or his/her delegate will resolve the complaint within 14 days of the date of the invitation to make submissions.

4.1.5.5 If, you are not satisfied with the Chief Academic Officer's decision and the outcome of the complaints and disputes process, you may appeal in writing to the Appeals Committee within 28 days of receiving written notice of the Chief Academic Officer's determination.

4.1.6 Academic complaints and disputes procedure

4.1.6.1 This clause does not apply to complaints and disputes concerning allegations of unsatisfactory academic conduct or academic misconduct against students, which are dealt with at 3.1.

4.1.6.2 If you have a complaint relating to an academic matter, you may bring the complaint to the Program Director for consideration in confidence.

4.1.6.3 Any student who is dissatisfied with a final grade awarded in a subject may apply for a clerical re-addition of the examination marks by contacting the Program Director no later than 14 days after the official date for the issue of results. If an error is found, the mark will be adjusted accordingly. The Program Director will advise the student of the outcome, including any alteration to the grade awarded, within 14 days of the application being received.

4.1.6.4 If your complaint is in respect of a passing grade, which you wish to appeal, there is a non-refundable administrative charge of \$50. Complaints in respect of passing grades (ie, where you believe that you should have achieved a higher grade) must be made in writing within 14 days of the publication of the result and must be accompanied by the non-refundable administrative charge.

4.1.6.5 After you have supplied to the Program Director sufficient particulars of the complaint for it to be adequately considered, the Program Director will advise you of the manner in which he/she proposes to deal with the complaint.

4.1.6.6 If after 21 days:

- the complaint is not resolved to the satisfaction of all parties, or
- appropriate action has not been taken in respect of the complaint

you may bring the complaint to the notice of the Assessment Review Committee in accordance with the procedures in the Assessment Rules in Appendix 2 of this manual.

4.1.6.7 If you bring the complaint to the notice of the Assessment Review Committee, the Assessment Review Committee will set up a meeting with you within seven days in order to seek a resolution. The Assessment Review Committee will resolve the complaint in accordance with the procedures in the Assessment Rules in Appendix 2 of this manual.

- 4.1.6.8 If you are dissatisfied with the determination of the Assessment Review Committee and the outcome of the complaint, you may appeal to the Appeals Committee in accordance with the Assessment Rules in Appendix 2 to this manual.
- 4.1.6.9 If you are dissatisfied with the determination of the Appeals Committee and the outcome of the complaint, you may appeal to the External Appeals Panel in accordance with the Assessment Rules in appendix 2 to this manual.
- 4.1.6.10 It will be the responsibility of the relevant Program Director to implement any determinations of the Assessment Review Committee, Appeals Committee or External Appeals Panel.

4.1.7 Overseas Students Ombudsman

Overseas students holding student visas arranged via the College of Law can complain or appeal any decision (non-academic) by contacting the Overseas Students Ombudsman. The Overseas Students Ombudsman is free and independent.

Find out more at <http://www.oso.gov.au/> or phone 1300 362 072.