



University of  
South Australia

Centre for  
English Language

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# STUDENT GRIEVANCES AND APPEALS PROCEDURE

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## SECTION D - PROCEDURE

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### Related Policy

Student Grievances and Appeals Policy

### D.1 Procedure

Responsible	Procedure Steps		W/I
	<b>1</b>	<b>Outline of the grievances and appeals process</b>	
<b>Student</b>	<b>1.1</b>	While this process outlines the four (4) stages of the Student Grievances and Appeals Process, Stage 1 is not appropriate in serious matters, for example where you have been informed of an intention to preclude you from further assessments or you have received a letter of intention to report. In these situations you should commence this process at Stage 2 – formal grievance.	
	<b>2</b>	<b>Access to mediation services</b>	
<b>Student</b>	<b>2.1</b>	Community Mediation Services can assist with resolving disputes in many ways, by: <ul style="list-style-type: none"> <li>• providing information about positive and constructive alternatives to the Legal system;</li> <li>• encouraging people to explore options together to reach a mutually acceptable agreement; and</li> <li>• conducting negotiations with the other party</li> </ul>	
	<b>2.2</b>	Community Mediation Services operate offices throughout the State of South Australia, including: Adelaide City Angle Park Christies Beach Elizabeth Warradale  <a href="http://www.saccls.org.au/centre_details.php?centre_id=20">http://www.saccls.org.au/centre_details.php?centre_id=20</a>	
	<b>3</b>	<b>Stage 1 - informal grievance</b>	
<b>Student</b>	<b>3.1</b>	In the first instance grievances should be discussed with the person/s involved if this is not possible you are free to communicate to any other staff member that may be able to assist.	
<b>Staff member</b>	<b>3.2</b>	Try to resolve the grievance and notify the student of the outcome <b>within 5 working days</b> of receipt of the grievance.	
<b>Student</b>	<b>3.3</b>	If you are not satisfied with the outcome, start Stage 2 of the process.	
	<b>3.4</b>	Continue to attend classes during Stage 2.	

Responsible	Procedure Steps		W/I
	<b>4</b>	<b>Stage 2 - formal grievance</b>	
<b>Student</b>	<b>4.1</b>	Submit your formal written letter to the Student & Academic Services <b>within 20 working days</b> .	
<b>Student and Academic Services Officer (SASO)</b>	<b>4.2</b>	Complete the cover sheet with the student and attach the Stage 2 letter and any evidence submitted by the student.	✓
<b>Student and Academic Services Officer (SASO)</b>	<b>4.3</b>	Create the student appeal pack.	✓
	<b>4.4</b>	Send the student pack to the relevant staff member for consideration. If the appeal is about a refund it must be sent to the College Director.	✓
<b>Staff member</b>	<b>4.5</b>	Check to ensure all processes have been correctly followed.	
	<b>4.6</b>	Respond, to the Stage 2 appeal <b>within 7 working days</b> of receipt of the grievance and return the student pack to Student & Academic Services.	
	<b>4.6.1</b>	If the appeal is regarding unsatisfactory attendance and the attendance on the Intention to Report (ITR) letter is below 70% invite the student to an interview to present their case.	
	<b>4.6.2</b>	If the student attends the interview advise them that the appeal can only be considered on the grounds of due process being incorrectly followed.	
	<b>4.6.3</b>	Consider all other appeals on the basis of the students' written submission.	
	<b>Student and Academic Services Officer (SASO)</b>	<b>4.7</b>	Implement the decision or recommendation and/or take the preventive or corrective action if required by the decision.
<b>Student and Academic Services Officer (SASO)</b>	<b>4.8</b>	Write Stage 2 outcome letter advising the student of the outcome of the appeal and email it to the student.	✓
<b>Student</b>	<b>4.9</b>	If you are not satisfied with the outcome of Stage 2, your appeal is regarding a Notice of Intention to Report (ITR) for unsatisfactory attendance, and your attendance on your ITR letter is below 70% miss Stage 3 and proceed directly to Stage 4 <b>within 10 working days</b> of the date on the Stage 2 outcome letter.	
	<b>4.10</b>	For all other appeals, start Stage 3 <b>within 10 working days</b> of the date on the Stage 2 outcome letter.	
	<b>4.11</b>	Continue to attend classes throughout stage 3.	
	<b>5</b>	<b>Stage 3 – review of appeal decision</b>	
<b>Student</b>	<b>5.1</b>	Submit your formal written letter to the Student & Academic Services	
<b>Student and Academic</b>	<b>5.2</b>	Complete the cover sheet with the student and attach the Stage 3 letter and any evidence submitted by the student.	✓

Responsible	Procedure Steps		W/I
<b>Services Officer (SASO)</b>			
<b>Student and Academic Services Officer (SASO)</b>	5.3	Create the student appeal pack and upload in Teams file.	✓
<b>Executive Officer, Appeals Committee</b>	5.4	Refer to Teams file for appeal pack.	
<b>Executive Officer, Appeals Committee</b>	5.5	Write the Stage 3 letter of invitation to attend the appeal meeting. Email it to the student and cc Student & Academic Services.	✓
<b>Student</b>	5.6	Respond to the letter to advise if you will be attending the appeal meeting.	
<b>Executive Officer, Appeals Committee</b>	5.7	Notify and refer the Grievance and Appeals Committee members to student appeal file and advise when each student appeal will be heard.	
<b>Grievance and Appeals Committee</b>	5.8	Review each student appeal pack and prepare for the meeting.	
<b>Student</b>	5.9	If you attend the appeal hearing bring along any additional evidence and/or non-legal representative in relation to your appeal.	
<b>Grievance and Appeals Committee</b>	5.10	Hear the appeal, review and make a decision.	
<b>EO Appeals Committee</b>	5.11	Draft minutes of the appeal hearing and send to the College Director to approve.	
<b>College Director</b>	5.12	Review and amend the draft minutes as required and return to the EO Appeals Committee.	
<b>EO Appeals Committee</b>	5.13	Write the Stage 3 outcome of appeal/grievance letter and post and email it to the student and cc Student & Academic Services <b>within 5 working days</b> of the meeting. For refund appeals that are upheld advise Director, Shared Services, relevant accountant and Marketing prior to notifying the student.	✓
	5.14	Email the approved appeal hearing minutes to Student & Academic Services.	
<b>Student and Academic Services Officer (SASO)</b>	5.15	Implement the decision or recommendation and/or take the preventive or corrective action if required by the decision and action any conditions that have been applied.	✓
	5.16	Ensure conditions are monitored and penalties are applied if they are not adhered to by the student.	

Responsible	Procedure Steps		W/I
Student	5.15	If you are not satisfied with the outcome of Stage 3 start Stage 4 <b>within 10 working days</b> of the date on the Stage 3 outcome letter.	
	5.16	Continue to attend classes throughout stage 4.	
Student and Academic Services Officer (SASO)	5.17	If no stage 4 appeal has been lodged <b>within 10 working days</b> of the date on the Stage 3 outcome letter the outcome of Stage 3 will stand.	
	<b>6</b>	<b>Stage 4 - external agency for international and domestic student grievances</b>	
Student	6.1	<p><b>International students:</b> The Office of the Commonwealth Ombudsman (Overseas Students Ombudsman) <a href="https://www.ombudsman.gov.au">https://www.ombudsman.gov.au</a></p> <p><b>Domestic students:</b> A range of options depending on the appeal</p> <ul style="list-style-type: none"> <li>• Equal Opportunity Commission of South Australia <a href="http://www.eoc.sa.gov.au">http://www.eoc.sa.gov.au</a></li> <li>• Office of Consumer and Business Services <a href="https://www.cbs.sa.gov.au/">https://www.cbs.sa.gov.au/</a></li> <li>• Australian Human Rights Commission <a href="http://www.hreoc.gov.au">http://www.hreoc.gov.au</a></li> </ul>	
SASO	6.2	Respond to External Appeal bodies' requests for information.	
SASO	6.3	Ensure the student remains enrolled throughout the appeal process where required.	
College Director	6.4	Notify the relevant staff of the external appeal body decision.	
College Director	6.5	Where the external appeal body has requested policy or procedural changes, implement as required.	
SASO	6.6	Implement the decision or recommendation and/or take the preventive or corrective action if required by the decision.	✓
	6.7	Write Stage 4 outcome letter advising the student of the outcome of the appeal and email it to the student.	
	<b>7</b>	<b>Confidentiality and record keeping</b>	
SASO	7.1	Keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.	✓

## D.2 Supporting Documentation

Form templates	Location
SAIBT and CELUSA Grievance and Appeal Cover Sheet	Student & Academic Services
APPEAL HEARING – SAIBT or CELUSA invitation letter	Navigate
SAIBT/CELUSA APPEAL outcome letters	Student & Academic Services

### Related material

Name	Location
Grievances and Appeals Process	SAIBT Policies and Procedures webpage
Grievances and Appeals Committee Terms of Reference	SAIBT Policies and Procedures webpage

*For retention information and disposal schedules see the Navitas Records Management, Retention and Disposal policy: <https://bit.ly/2OQrJEU>*

## D.3 Version Control

<b>Current Version Number</b>	3.0
<b>Date of Effect</b>	10/2019
<b>Privilege Level</b>	Public

## Stage 1: Informal Complaint

- Discussion with staff member involved in initial decision or issue, or make an appointment to speak with an Academic Staff member within 10 working days of the decision or issue occurring.
- If sent an Intention to Report letter or have been reported for Academic Integrity go straight to Stage 2.
- Notification of outcome within 5 working days.



## Stage 2: Formal Complaint

- Submit written appeal to Student & Academic Services within 20 days.
- Decision reviewed by head of Directorate or Unit, or Academic Director.
- Assessment of the complaint or appeal commences within 10 working days of it being made.



## Stage 3: Review of Appeal Decision

- Submit written appeal to Student & Academic Services within 10 working days of the Stage 2 decision.
- Decision reviewed by the Appeal Committee.
- Written response within 5 working days of appeal hearing



## Stage 4: External Appeal

- Lodge external appeal directly to the relevant External Appeal Body within 10 working days of Stage 3 decision.
- Decision reviewed by the relevant External Appeal Body
- Written response in accordance with the External Appeal Bodies' decision.

### **\* To make an appointment with an Academic staff member please contact Student & Academic Services directly\***

- Stage 1 is not appropriate in serious matters, for example where the student has received a Letter of Intention to Report. Students in this situation should commence the appeal process from Stage 2.
- Students over 18 may be accompanied by a support person (excluding legal rep) to a Stage 3 appeal hearing. Students under the age of 18 must be accompanied by an advocate who is at least 18 years of age.
- Contact The Office of the Commonwealth Ombudsman (Overseas Student Ombudsman)  
In Australia, call: 1300 362 072  
Outside Australia, call +61 2 6276 01119