

NON-ACADEMIC APPEALS PROCEDURE

Parent Policy: A011 Complaints and Appeals Policy (Student Related Matters)

Effective Date: 14/12/2009

Version Number: 1.0 **Last Amendment Date:** n/a

Related Documents: Academic Appeals Procedure

Glossary of Terms

Implementation & Review: SAIBT/CELUSA Executive

Superseded Documents: C002 Non Academic Grievances, 21/08/2007

Any person who requires assistance in understanding any aspect of this document should contact the Quality & Compliance Officer.

1 Purpose

This procedure outlines the process by which a student or intending student can appeal a non-academic decision made by SAIBT or CELUSA. This procedure should be interpreted in accordance with the *Complaints and Appeals Policy*.

2 Procedure

2.1 Stage 1: Informal Complaint

Complainants should initially discuss the matter with the staff member involved within 10 working days of the issue arising. The staff member will endeavour to resolve the grievance within 10 working days.

2.2 Stage 2: Formal Appeal

If the complainant is not satisfied with the outcome of Stage 1, or Stage 1 is not appropriate, they should lodge a formal written appeal with one of the following staff members (depending on the nature of the grievance):

- a) Academic Director
- b) Senior Counsellor
- c) Manager, Student Services Centre
- d) Director: Finance
- e) Director: Marketing

The grievance will be dealt with within 10 working days of receipt of the complaint.

2.3 Stage 3: Review of Appeal Decision

If the complainant is not satisfied with the outcome of Stage 2 and believes that:

- a) there was insufficient opportunity to present their case to the decision-maker; or
- b) the process was not carried out in accordance with SAIBT/CELUSA policies or procedures; or
- c) the decision was made contrary to the evidence provided;

the complainant may submit the complaint in writing to the Director within 10 working days of the Stage 2 decision.

The Director will initiate a review of the complaint, and make a decision based the following considerations:

- Available evidence
- Relevant legislation
- The procedures followed in making the initial decision

In order to do this, the Director may interview the complainant, the staff member(s) involved in the original decision, the Student Counsellor and relevant external staff. The student may request a hearing and may be assisted or represented at the meeting by any staff member or student. No party will be permitted to have legal representation at an appeals hearing.

The Director will notify the complainant in writing of the decision within 10 working days of receipt of the grievance, including reasons for the decision and the actions to be taken.

2.4 Stage 4: External Appeal

If the complainant is not satisfied with the outcome of Stage 3 and believes that:

- a) the process was not carried out in accordance with SAIBT/CELUSA policies or procedures; or
- b) new evidence is now available that supports previous claims made by the student to support their appeal. The evidence must be from the time period leading up to the date on which the appeal was heard, and must not have been available at the time the decision was made.

the complainant may request that the matter be dealt with through the external dispute resolution process. This appeal must be made in writing and be lodged within 10 working days of the Stage 3 decision, with a copy provided to SSC. The appointed body is:

The Office of the Training Advocate (OTA)
55 Currie Street
Adelaide SA 5000
Telephone: 1800 006 488

The OTA will review the case, seeking input from all parties before making recommendations. The College Director and Principal will ensure that the recommendations are implemented within 30 days of receipt of any recommendations from OTA.

While the parties attempt to resolve the matter, the student will continue to attend classes as normal. Should the grievance still remain unresolved, either party may seek legal remedies.

2.5 Confidentiality and Record Keeping

Details of all grievances and their outcomes will be kept in a separate confidential file stored in the office of the Manager, SSC for a period of five years. Parties to the complaint will be allowed supervised access to these records.

3 Procedure Revision

This procedure may be revised from time to time without notice. The current version is always available in electronic form from the SAIBT and CELUSA websites.

APPENDIX 1: FLOW CHART

