

PROCEDURE

Procedure Title

Academic and Non-Academic Complaints and Appeals Procedure

Parent Policy

Academic and Non-Academic Complaints and Appeals Policy

Preamble

The principles of the Academic and Non-Academic Complaints and Appeals Procedure are:

1. Students are encouraged to raise their complaint directly with the person concerned in the first instance. If effectively handled, most complaints will not escalate to the level of an appeal. A complaint may be made verbally or in writing, for example via email.
2. If the matter is not resolved by informal discussion the student may pursue the matter through the formal appeal steps outlined in the Academic and Non-Academic Complaints and Appeals Procedure and lodge a written appeal with the Appeals Officer(s) according to the Academic and Non-Academic Complaints and Appeals Policy (Parent Policy).
3. Students intending to lodge an appeal should do so as soon as possible but no later than six (6) months from the date of the event that gave rise to the complaint or, where the appeal relates to a unit of study, four weeks from the release of results for that unit.
4. This policy does not apply to students enrolled with other providers. Offshore providers delivering Monash College MCD, MUFY, MPP and/or MUELC programs will apply their own appeals policies and procedures that must align with the principles outlined in the Monash College Academic or Non-Academic Complaints and Appeals Policy.

In cases where the origin of the appeal is a provider, the appeal will be handled using the provider's appeals policy and procedure. Offshore providers are required to notify Monash College in writing (Appeals Officer) when any student enrolled in a Monash College program lodges an appeal.

5. Students lodging an appeal will be made aware of support services.
6. Students and staff members may be accompanied by one support person at any mediation, consultation or hearing. This person may be a student advisor, staff or student member of Monash College Diplomas (MCD), Monash University English Language Centre (MUELC), Monash Professional Pathways (MPP) or Monash University Foundation Year (MUFY) or a provider, a family member or any other person approved by the person conducting the mediation or consultation (although the

accompanying person is not to act as an advocate or a lawyer for the student or staff member).

7. Students may withdraw an appeal at any stage by giving written notice to the Appeals Officer(s) currently handling the appeal.
8. Where a complaint or appeal is determined to be frivolous or vexatious, it may be dismissed. In such instances the student will be notified in writing of their right of appeal, the appeal process and support available.

Records of all appeals, applications for the review of decisions, and the outcomes of the appeals process will be retained for a period of seven years. These records will be kept securely stored and filed separately to the student or staff file.

Definitions

Complaint	An informal expression of dissatisfaction typically raised with a staff member (or their manager).
Appeal	A formal expression of dissatisfaction made by submitting a written notice to the Monash College appeals email account from a MCD, MUELC, MPP or MUFY student following an unresolved complaint lodged according to the Student Academic and Non-Academic Complaints and Appeals Procedure.
Appeals officer	A Monash College employee(s) vested with the responsibility to accept the lodgement of an Appeal, on behalf of the organisation.
Student	Encompasses current, past and prospective students.
Frivolous	A finding that an appeal is not seriously made, or relies on trivialities that do not warrant a review of the matter concerned.
Vexatious	A finding that an appeal is made for another purpose (i.e. the appeal is not made as a genuine attempt to seek review of the matter concerned) or to cause unjustified trouble.
MCD	Monash College Diplomas
MUELC	Monash University English Language Centre
MPP	Monash Professional Pathways
MUFY	Monash University Foundation Year

Provider	An institution or other body or person in Australia that provides or seeks to provide CRICOS registered courses to overseas students as defined by the ESOS Act.
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under section 10 of the ESOS Act.
ESOC Act	<u>Education Services for Overseas Students Act 2000.</u>

Procedure

Ref	Steps	Responsibility
1.	<p>Making a Complaint</p> <p>1.1 In the first instance, a student should attempt to resolve the complaint with the teacher or staff member concerned.</p> <p>1.2 If the complaint involves an allegation of bias on the part of the teacher or staff member concerned, it may be directed to the staff member's manager for resolution.</p> <p>1.3 Students may seek assistance from support staff in resolving a complaint; for example the Student Engagement Coordinators, Guardians and Learning Consultants.</p>	<p>Student, Teacher or Staff Member</p> <p>Support staff including Student Engagement Coordinators and Guardians</p>
2.	<p>Lodging an Appeal</p> <p>2.1 A student not satisfied with the outcome of attempts to resolve a complaint with the staff member or their manager, may lodge an appeal with the Appeals Officer(s), by formalising their complaint in writing. This matter is now considered an appeal. Students may seek assistance from support staff in preparing a written appeal.</p> <p>2.2 Students should lodge the appeal with the Appeals Officer(s) via the Monash College Appeals email account</p> <p><u>StudentAppeals@monashcollege.edu.au</u></p>	Student

Ref	Steps	Responsibility
3.	<p data-bbox="326 323 711 359">Role of the Appeals Officer(s)</p> <p data-bbox="375 390 1036 499">3.1 To avoid conflicts of interest or a perceived bias, two Appeals Officers will be appointed by Monash College.</p> <p data-bbox="375 537 1016 636">3.2 The Appeals Officer(s) must record and monitor the number and nature of appeals received from students.</p> <p data-bbox="375 674 1057 772">3.3 The Appeals Officer(s) must maintain a file of all correspondence and communication in relation to an appeal.</p>	Appeals Officer(s)
4.	<p data-bbox="326 810 651 846">Processing of the Appeal</p> <p data-bbox="326 877 1052 1098">4.1 The Appeal Officer(s) will determine whether the appeal is academic or administrative in nature, record details of the appeal, acknowledge the receipt of the appeal and explain the timelines for resolution and any other relevant information.</p> <p data-bbox="326 1146 1049 1213">4.2 The Appeals Officer(s) will provide students with information about student support services.</p> <p data-bbox="326 1262 1068 1602">4.3 In the case of an Academic Appeal, the Appeals Officer(s) will forward the matter to the Director, Monash College Diplomas (for MCD appeals), Director Monash Professional Pathways (for MPP appeals) or the Director, English and Foundation Year (for MUELC and MUFY appeals). In the case of an administrative appeal, the Appeals Officer(s) will forward the matter to the Chief Operating Officer.</p> <p data-bbox="326 1650 1024 1791">4.4 If the person to whom the appeal relates is the decision maker in the first instance, the appeal will be forwarded to the Chief Executive Officer or his/her nominee.</p>	

Ref	Steps	Responsibility
	<p>4.5 To avoid unnecessary delay, conflicts of interest or a perceived bias, the appeal will also be forwarded to the Chief Executive Officer or his/her nominee in cases where the Director, Monash College Diplomas, Director, Monash Professional Pathways or the Director, English and Foundation Year is personally involved or unavailable.</p>	<p>Appeals Office(s)</p>
<p>5.</p>	<p>Investigation and conciliation</p> <p>Role of the Director, Monash College Diplomas, the Director Monash Professional Pathways, the Director, English and Foundation Year and the Chief Operating Officer.</p> <p>5.1 The person to whom the appeal has been directed is the Director, Monash College Diplomas (for MCD appeals), the Director, English and Foundation Year (for MUELC and MUFY appeals), the Director Monash Professional Pathways (for MPP appeals) and the Chief Operating Officer (for administrative appeals).</p> <p>5.2 The Director, Monash College Diplomas (for MCD appeals), the Director English and Foundation Year (for MUELC and MUFY appeals), the Director Monash Professional Pathways (for MPP appeals) the Chief Operating Officer (for administrative appeals), the Appeals Officer(s) or delegates thereof, will conduct an investigation and may consult with any person relevant to the matter. This is the person to whom the appeal has been directed.</p> <p>5.3 The person to whom the appeal has been directed will make reasonable endeavours to reach a decision within ten working days from receipt of the appeal.</p>	<p>Director Monash College Diplomas</p> <p>Director English and Foundation year</p> <p>Director Monash Professional Pathways</p> <p>Chief Operating Officer</p> <p>Appeals Officer(s)</p>

Ref	Steps	Responsibility
	<p>5.4 The person to whom the appeal has been directed may determine that the appeal is frivolous or vexatious, and decide that no further investigation is necessary.</p> <p>5.5 The person to whom the appeal has been directed may call a conciliation meeting with all parties concerned, for the purpose of arriving at an agreed resolution. The findings of the investigation to date may be presented at this meeting in writing which will normally be held within ten working days of the conclusion of the investigation.</p> <p>5.6 If, due to unforeseen circumstances (e.g. staff on leave), an investigation or conciliation cannot be concluded within ten working days, the Appeals Officer(s) will keep the student informed of the status of the matter and the reasons for any delay.</p> <p>5.7 The person to whom the appeal has been directed may arrange for the provider's relevant academic or administrative head (delegate) to conduct the conciliation meeting and update the Appeals Officer(s) of the progress and outcome of the conciliation.</p> <p>5.8 If a resolution cannot be reached after two conciliation meetings, the person to whom the appeal has been directed (or delegate) will offer MCD's, MUELC's, MPP's or MUFY's best available solution to the student in writing.</p> <p>5.9 The person to whom the appeal was directed will communicate the decision in writing, including reasons for the decision on the appeal to the student and any other affected parties (taking into account relevant Privacy considerations).</p>	

Ref	Steps	Responsibility
5.	<p>5.10 If the MCD, MUFY, MUELC or MPP student is not satisfied with the decision the student may appeal at no financial cost, in writing, to the below external bodies.</p> <p>For international students, contact:</p> <p>The Overseas Students Ombudsman by email at ombudsman@ombudsman.gov.au Telephone: 1300 362 072 within Australia. Outside Australia: +61 2 6276 0111.</p> <ul style="list-style-type: none"> - Website: http://www.ombudsman.gov.au/making-a-complaint/overseas-students <p>For domestic students, contact:</p> <p>The University Student Ombudsman by email at ombudsman@monash.edu</p> <p>The process of review is outlined in the University Student Ombudsman procedures available at www.ombudsman.monash.edu.au</p> <p>If the Overseas Student Ombudsman or the University Student Ombudsman makes recommendations in relation to an appeal they have reviewed, those recommendations will be forwarded to the Monash College Appeals Officer(s), who will be responsible for presenting them to Monash College to consider implementing or effecting their recommendations where it is agreed this is appropriate.</p> <p>If, in the opinion of Monash College, any recommendations made by the Overseas Student Ombudsman or the University Student Ombudsman cannot or should not be implemented, the Monash College Appeals Officer(s) will, where possible, seek an alternative recommendation from the Overseas Student Ombudsman or the University Student Ombudsman.</p> <p>If no alternative recommendation is made, the Appeals Officer(s) will report to the Board of Directors as to the reason for and the extent of, the non-compliance with the recommendation.</p>	Student – MCD, MUFY, MUELC, MPP

Legislation and Standards	National Code of Practice for Registration Authorities and providers of Education and Training to Overseas Students 2018: Standard 10 - Complaints and Appeals
Reference Policies and Supporting Documentation	<p>Academic and Non-Academic Complaints and Appeals Policy</p> <p>Academic Progress Policy - Monash College Diplomas (MCD)</p> <p>Academic Progress Procedure - Monash College Diplomas (MCD)</p> <p>Academic Progress Policy - Monash University Foundation Year (MUFY)</p> <p>Academic Progress Procedure - Monash University Foundation Year (MUFY)</p> <p>Student Progress Policy - Monash University English Language Centre (MUELC)</p> <p>Student Progress Procedure - Monash University English Language Centre (MUELC)</p>
Responsibility for Implementation	Director, Monash College Diplomas Director Monash Professional Pathways Director, English and Foundation Year Appeals Officer(s)
Status	Revised
Key Stakeholders	Monash College Senior Leadership Team Appeals Officer(s) Manager Student Administration Support Staff including Student Engagement Coordinators and Guardians Current Students Past Students Prospective Students
Approval Body	Monash College Senior Leadership Team

Date Effective	28/01/2016
Next Review Date	28/01/2019
Owner Job Title	Associate Director, Governance Governance
Procedure Author	Associate Director, Governance
Contact	Monash College Appeals Officer Monash College CRICOS provider 01857J StudentAppeals@monashcollege.edu.au

Change History

Version number	Approval date	Approved by	Brief outline of changes
2.2	11.12.2019	Director, Governance	Legislation update
2.1	19/05/2016	NA	External appeals contact for domestic students updated to the University Student Ombudsman.
2.0	28/01/2016	MC Senior Leadership Team	Language modified to ensure the Policy is easily understood. Inclusion - Referencing Standard 8 (Complaints and Appeals) National Code of practice for Registration Authorities and Providers of Education and Training to Overseas Students. Removal – Policy does not apply to students enrolled with other providers.

			Addition of “no cost” to students who lodge a complaint or appeal.
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Version number	Approval date	Approved by	Brief outline of changes
			<p>Change of the word Grievance to Appeals.</p> <p>Addition of two Appeals Officers rather than one Officer and one Assistant.</p> <p>Insert ACPET instead of Commonwealth Ombudsman.</p> <p>Communicate through Monash College intranet and website – remove reference to other providers.</p> <p>Several additions to “Definitions”. Addition of MPP.</p>