

## VET FEE-HELP Academic Grievance and Appeals Policy

### Policy Information

<b>Policy Name:</b>	VET FEE-HELP Academic Grievance and Appeals
<b>Policy Number:</b>	622
<b>Current Version:</b>	07 – 12/05/2011
<b>Purpose:</b>	This policy provides information relating to Grievances and Appeals for students and persons who are or would be entitled to VET FEE-HELP assistance (HESA – Schedule 1A, Part 1, Subdivision 4D, Clause 19 and VET Provider Guidelines – Chapter 6). The Grievance and Appeals process is at no cost to the complainant, and is applicable regardless of the location of the Southbank Institute of Technology (SBIT) campus at which the Grievance or Appeal has arisen, the complainant's place of residence or the mode in which they study.
<b>Scope:</b>	This policy applies to both students and persons seeking to enrol that are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act. The VET FEE-HELP Academic Grievance and Appeals Policy relates to SBIT activities including academic misconduct, enrolment determinations, student progress, assessment, awards and learning materials and include complaints in relation to the student's academic records.
<b>Exceptions:</b>	VET FEE-HELP Non-Academic Grievance and Appeals Policy No. <a href="#">621</a> VET FEE-HELP Non-Academic Grievance and Appeals Procedure No. 6021
<b>Policy Owner:</b>	Director, Market & Business Development
<b>Policy Author:</b>	FEE-HELP Coordinator, Student Services Management, Rebecca Kulpa
<b>Related policies and legislation:</b>	<ul style="list-style-type: none"> <li>▪ Higher Education Support Act Section 2003 (HESA) Higher Education Support Act 2003 – Schedule 1A <a href="http://fedlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/0/91FD9474C87B50A0CA256F85000DEF57/\$file/HigherEducationSupport2003WD02.pdf">http://fedlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/0/91FD9474C87B50A0CA256F85000DEF57/\$file/HigherEducationSupport2003WD02.pdf</a></li> <li>▪ VET Provider Guidelines VET Provider Guidelines <a href="http://www.comlaw.gov.au/ComLaw/legislation/legislativeinstrument1.nsf/0/5D499A487D119401CA25745D001125F3/\$file/VETProviderGuidelinesInstrumentcoversheetsignaturepageProv.pdf">http://www.comlaw.gov.au/ComLaw/legislation/legislativeinstrument1.nsf/0/5D499A487D119401CA25745D001125F3/\$file/VETProviderGuidelinesInstrumentcoversheetsignaturepageProv.pdf</a></li> <li>▪ VET Provider Handbook VET Provider Handbook <a href="http://www.dest.gov.au/NR/rdonlyres/E348ED26-96E3-4FCF-906D-131F9C28B82B/22877/VETProviderHandbookFinalDraftwithnoteJul08.pdf">http://www.dest.gov.au/NR/rdonlyres/E348ED26-96E3-4FCF-906D-131F9C28B82B/22877/VETProviderHandbookFinalDraftwithnoteJul08.pdf</a></li> <li>▪ AQTF Standard 2.6 Complaints and appeals are addressed efficiently and effectively</li> <li>▪ SBIT Policy No. <a href="#">621</a>– VET FEE-HELP Non-Academic Grievance and Appeals</li> </ul>
<b>Internal procedures guided by this policy:</b>	<ul style="list-style-type: none"> <li>▪ SBIT Procedure No. <a href="#">6009</a> – Student Complaint</li> <li>▪ SBIT Procedure No. <a href="#">1203</a> – Client Feedback (Have Your Say)</li> <li>▪ SBIT Procedure No. <a href="#">6022</a> – VET FEE-HELP Academic Grievance and Appeals</li> </ul>

## Policy

The purpose of an internal appeals process is to have unfavourable decisions heard and/or reconsidered by relevant staff within SBIT.

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body. The purpose of an external appeals process is to consider whether SBIT has followed its policies and procedures. The purpose of an external appeals process is not to make a decision in place of SBIT.

### 1.0 General Information

- Academic grievances may include but are not limited to: enrolment outcomes, poor teaching, administrative errors, course delivery, assessment, grades, graduation, teaching facilities and learning resources.
- VET FEE-HELP Academic Grievances and Appeals should be submitted using the 'VET Academic Grievance and Appeal Form'
- Complaints about SBIT staff are processed in accordance with SBIT Procedure No. [6009](#) – Student Complaint.
- Complainants may provide feedback on products and services offered by SBIT in accordance with SBIT Procedure No. [1203](#) – Client Feedback (Have Your Say).
- Appeals regarding Academic Misconduct matters are processed in accordance with the SBIT VET Student Rules.
- The information set out in this document does not replace or modify procedures or any other responsibilities which may arise under other SBIT policies or procedures or under statute or any other law.

### 2.0 Appeals Information

- A complainant has the opportunity to formally present their case at no cost.
- A complainant will not be victimised or discriminated against at any stage of the process outlined in this policy.
- The Grievance or Appeal must be lodged within 20 working days of the date the decision was communicated to the complainant in writing by the Head of School. If the appeal is not lodged within the specified timeframe, the decision will stand.
- The Appeals process will be finalised and communicated to the complainant within 20 working days of the formal lodgement of the 'VET Academic Grievance and Appeal Form' and relevant supporting documentation.
- The complainant and/or respondent has the right to be accompanied and assisted by a support person in every relevant meeting they attend.
- The complainant and/or respondent will be provided with a written statement of the outcome of the internal appeals process within 5 working days of the appeal hearing, including details of the reasons for the outcome, and any actions to be undertaken.
- A complainant's enrolment will be maintained, and the complainant is required to attend all classes during an internal appeals process.
- If a complainant is dissatisfied with the SBIT appeals process, they can contact the Queensland Ombudsman's Office <http://www.ombudsman.qld.gov.au/AboutUs.aspx>
- The Ombudsman will only intervene where SBIT's appeals process was not conducted correctly or if SBIT did not make the appeals process available to the complainant.
- Complainants' who wish to exercise their right to have their case heard by an external body, must notify the Manager, Student Services within 5 working days of receiving written notification of the outcome of the internal appeals process.
- Complainants are required to immediately advise SBIT of the outcome of the external appeals process.
- Records of all Grievances and Appeals must be kept and be accessible to all interested parties for a period of 7 years. Such records will remain confidential. Parties to the complaint will be allowed supervised access to these records.

### 3.0 Internal Appeals

Complainants have the right to appeal decisions which they consider to be unfavourable and/or unreasonable in relation to:

- Academic misconduct
- Academic progress
- Eligibility to receive an award
- Learning materials and facilities
- Assessment and grades

In the first instance, complaints should be discussed informally with the person/s involved. However, if this is impracticable, complainants lodge a formal complaint with the relevant Head of School.

This arrangement is free of charge. A decision will be made within 15 working days and communicated to the complainant in writing.

If this does not resolve the complaint, complainants may submit their appeal in writing by completing a 'VET Academic Grievance and Appeal Form' for consideration by the Academic Appeals Panel. All documentation lodged must be original documents or certified copies, no photocopies or facsimiles will be accepted.

Complainants must outline the decision and reasons for the appeal, including any compassionate or compelling circumstances, and may provide documentary evidence in support of their appeal. Appeals must be received within 20 days of receiving notification of the original decision.

Lodging Academic Grievance and Appeal Forms:

By mail:

Manager, Student Services  
Southbank Institute of Technology  
Locked Mail Bag 14  
South Brisbane QLD 4101

In person:

Manager, Student Services  
Southbank Institute of Technology  
Level 5, C Block  
66 Ernest Street  
South Brisbane QLD 4101

### 3.1 Outcome of Internal Appeals

The Appeals Panel will review the application and provide the complainant with a written statement including details of the reasons for the outcome, and any actions to be undertaken. A complainant who is not satisfied with the result of the internal appeals process, has the right to pursue the external appeal processes as outlined below.

### 4.0 External Appeals

Should a complainant be dissatisfied with the outcome of the internal appeals process, they have the right to take their case to an external independent body.

The purpose of an external appeal process is to consider whether SBIT has followed its policies and procedures. The purpose of an external appeals process is not to make a decision in place of SBIT. For example, if a complainant takes their case to the external body (following the internal appeals process) appealing against cheating, the external appeals process would look at the way in which the internal appeal was conducted. The external body would not make a determination as to whether the complainant should be deemed to have engaged in cheating.

Complainants may refer their appeal to the Queensland Ombudsman's office. There is no cost for lodging appeals. The Ombudsman will investigate the case, make an assessment and advise the complainant of the outcome. The Ombudsman's Office will also notify SBIT of the outcome of the external appeal.

Further information is available at [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au) or by contacting the Queensland Ombudsman's office on:  
 Tel: 07 3005 7000  
 Toll Free (outside Brisbane): 1800 068 908  
 Fax: 07 3005 7067  
 TTY: 3006 8174  
 Email: [ombudsman@ombudsman.qld.gov.au](mailto:ombudsman@ombudsman.qld.gov.au)

Lodging Appeals with the Queensland Ombudsman's Office:

By mail:  
 GPO Box 3314  
 Brisbane QLD 4001

In person:  
 Level 25, 288 Edward Street  
 Brisbane QLD 4000

#### 4.1 Outcome of External Appeals

If the Queensland Ombudsman makes recommendations in relation to a Grievance or Appeal they have reviewed, the Ombudsman will forward those recommendations to the CEO & Institute Director of SBIT who will ensure that the recommendations are implemented within 60 days.

### Glossary of Terms/Definitions

Terms	Definitions
<b>Academic Misconduct</b>	Academic misconduct includes but is not limited to cheating, including supporting others in cheating, plagiarism, electronic plagiarism, unauthorised collusion and falsifying information.
<b>Appeal</b>	Request by a complainant to have a matter heard and/or re-considered after receiving an unfavourable decision.
<b>Appeals Panel</b>	A panel formed to hear VET FEE-HELP academic appeals. The panel will comprise three members of the Southbank Institute VET Academic Board including the Chair (ex officio) and two other members: one internal and one external who have no previous involvement in the matter under appeal.
<b>Compassionate or Compelling Circumstances</b>	Circumstances considered to be beyond the control of the complainant and may include: Serious injury (a medical certificate is provided) Bereavement of close family members (a death certificate may be provided) Major political upheaval or natural disaster in their home country A traumatic experience (ie car accident; witnessing a crime or being involved in a crime etc).
<b>Complainant</b>	A student or person seeking to enrol that is, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act, who makes a complaint to SBIT.
<b>DEEWR</b>	Department of Education Employment and Workplace Relations – previously known as DEST.
<b>External Appeal</b>	Appeal heard by a party external to SBIT.
<b>Grievance</b>	A cause of dissatisfaction where the complainant has an honest belief, based on reasonable grounds, that an academic decision and/or action, an administrative decision and/or action, or the behaviour of another student or staff member is unfair and/or unreasonable.
<b>HYS</b>	Have Your Say – Procedure for complainants to provide feedback on the products or services offered by SBIT.

<b>Internal Appeal</b>	Appeal heard by staff within SBIT.
<b>Ombudsman</b>	The Queensland Ombudsman's Office is an independent complaints investigation agency. The Ombudsman investigates complaints about the actions and decisions of Queensland public agencies and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.
<b>SBIT</b>	Southbank Institute of Technology
<b>VET FEE-HELP</b>	The Commonwealth Government loan scheme to assist eligible students to pay their VET tuition fees, and can cover all or part of the student's tuition fees for VET unit/s of study which form part of a VET course of study. These must be undertaken with a body which is approved as a VET Provider under Schedule 1A of the <i>Higher Education Support Act 2003 (HESA)</i> .

## Revision History

Revision Date:	Status: (Draft/Final)	Summary of Changes	Prepared/Approved By:	Revision #:
07/04/2009	Draft	Initial document	FEE-HELP Project Officer	01
11/05/2009	Draft	Changes made according to requirements of DEEWR and in line with procedure	FEE-HELP Project Officer	02
18/05/2009	Final	Policy endorsed by Institute Board	Institute Board	03
03/09/2009	Final	Updates made as a result of RFI on VET FEE-HELP Application	FEE-HELP Coordinator	04
17/11/2009	Final	Updates made and approved as a result of RFI2 on VET FEE-HELP application	Chief Executive Officer (delegated officer of the Institute Board)	05
04/03/2010	Final	Minor update made and approved as a result of RFI3 on VET FEE-HELP Application	Chief Executive Officer (delegated officer of the Institute Board)	06
12/05/2011	Final	Review with updates to owner and author titles, contact for Academic Grievances and Appeals updated and change to new policy template	FEE-HELP Coordinator	07

## Distribution

- All Directors
- All educational staff dealing with VET students or persons seeking to enrol
- All non-educational staff dealing with VET students or persons seeking to enrol
- All students and persons seeking to enrol at SBIT (via SBIT website)