

Complaints, Appeals and Opportunities for Improvements Procedure

1. Purpose

1.1 This procedure outlines the process for the management of complaints, appeals and other feedback at Perth Bible College

2. Scope

2.1 This procedure applies to all staff, residents and students of Perth Bible College. Students enrolled in an SCD award should refer to the *Student Grievance Policy and Procedure* on the SCD website.

3. Responsibility

- 3.1 It is the responsibility of the Principal for the implementation of this policy.
- 3.2 The staff member receiving a complaint/ opportunity for improvement is responsible to accurately record and report the complaint. The Principal, Dean of Students, College Administrator and/or Dean of Studies is responsible for the assessment of formal complaints and appeals.

4. Definitions

<i>Appeal</i>	A request for a decision to be reviewed by an independent area. Appeals can be lodged about academic and non-academic decisions made, including: <ul style="list-style-type: none"> • student misconduct; • academic misconduct; • refused transfer requests; • course progress; and • student enrolment cancellation.
<i>Compassionate or Compelling Circumstances</i>	Circumstances generally out of the student’s control which will have an impact upon the student's wellbeing or course progress.
<i>Complainant</i>	The person who lodges a complaint.
<i>Complaint</i>	A complaint which requires a process of review by Perth Bible College and a response to the Complainant within a required timeframe.
<i>Domestic Students</i>	A student who is an Australian citizen, a New Zealand citizen, the holder of an Australian Permanent Resident visa or the holder of an Australian humanitarian visa.

<i>International Student</i>	A student studying in Australia on a student visa issued by DoHA.
<i>Intervention Strategy</i>	Action taken by Perth Bible College to assist a student who is making unsatisfactory progress in their program.
<i>Opportunity for Improvement</i>	An opportunity for improvement includes all types of feedback from Perth Bible College stakeholders. This includes minor complaints that are not formal complaints, innovative ideas, and other forms of feedback.

5. Procedure

Informal Complaints

- 5.1 In the first instance, where a student, resident or staff member feels that they are dissatisfied with some aspect of the service provided by the College, it is suggested that they speak with the person in charge of delivering the service in an attempt to resolve the problem. Students may verbally request assistance from their Faculty Advisor or the Dean of Students in this process.
- 5.2 If a complainant is uncertain whether to follow the formal process for their complaint, they may have the process further explained by the Dean of Students or College Administrator. Neither the Dean of Students nor the College Administrator is to suggest to a complainant whether to make their complaint formal but may outline the potential positive and negative consequences.

Opportunities for Improvement

- 5.3 In alignment with the Quality Assurance Framework, Perth Bible College is dedicated to the continuous improvement of its services. For this reason, the College aims to capture any opportunities for improvement in its *Opportunities for Improvement Register*.
- 5.4 Any staff member receiving feedback regarding the College's services is required to:
 - 5.4.1 if possible, come up with a solution to the issue and implement it. Otherwise, write down the feedback and inform the person providing the feedback that it will be discussed with other staff and the outcome communicated with them;
 - 5.4.2 record the opportunity for improvement in the *Opportunities for Improvement Register*. This includes if the issue was already solved to identify trends;
 - 5.4.3 if applicable, report the feedback to relevant staff and determine the most appropriate outcome;
 - 5.4.4 inform the person who provided the feedback with the outcome.

- 5.5 If the opportunity for improvement is of a larger scale, it may need to be escalated to the Principal and/or senior staff. In this case, the staff member receiving the feedback is to communicate the opportunity as requiring the attention of the Principal to the person providing the feedback. Also inform the person providing the feedback that, due to the scale of the opportunity, they may not receive communication of the outcome.
- 5.6 If the opportunity for improvement is of a larger scale, the Principal and/or senior staff are to assess the need of the opportunity, identify potential pathways forward, and undertake appropriate planning. This could include the inclusion of the opportunity in a future corporate plan and/or strategy.

Formal Complaints

- 5.7 There are various categories of complaints and include, but are not limited to:
- 5.7.1 academic matters, including teaching quality, intellectual property, plagiarism and cheating;
 - 5.7.2 administrative matters regarding policies, procedures, decisions and access to required resources;
 - 5.7.3 intimidation by other students, residents or staff members (including bullying);
 - 5.7.4 staff member behaviour;
 - 5.7.5 stealing;
 - 5.7.6 damage to property;
 - 5.7.7 IT and resources available (including internet and hardware);
 - 5.7.8 facilities and resources;
 - 5.7.9 class scheduling; and
 - 5.7.10 collective complaints by a number of people with a similar issue.

Formal Complaints Process – Non-Academic (stage 1)

- 5.8 The stages of the formal complaints resolution process are:
- 5.8.1 the complainant lodges a written complaint to the Dean of Students or the College Administrator;
 - 5.8.2 any written complaint received (via email or in-person) must be recorded using the *PBC Incident Report Form – Template* and recorded in the incident register for actioning;
 - 5.8.3 a written acknowledgement of the complaint is sent to the complainant by the Dean of Students or College Administrator;
 - 5.8.4 if required, a meeting will be arranged with the complainant and Dean of Students or College Administrator where additional evidence is requested;

- 5.8.5 if it is not appropriate for the Dean of Students or College Administrator to be appointed as the complaint handler, then another person of authority will be selected;
- 5.8.6 the complainant will be given an opportunity to present their case, and may choose to be accompanied by a support person;
- 5.8.7 a conciliation process or internal investigation will be initiated; and
- 5.8.8 once an outcome has been reached, the Dean of Students or College Administrator, or other person of authority, will communicate the outcome to the complainant within 20 working days.

Reviewing the Complaint

- 5.9 On receiving the written complaint, the complaint handler will:
 - 5.9.1 advise any respondent(s) of the complaint raised against them and of their right to be accompanied and assisted by a third party;
 - 5.9.2 acknowledge the receipt of the submitted grievance within ten days;
 - 5.9.3 facilitate resolution in a timely manner, normally no more than four weeks;
 - 5.9.4 where other parties are involved, monitor the process to ensure a mutually acceptable resolution is reached without undue delay;
 - 5.9.5 provide all parties comprehensive written advice about the outcome;
 - 5.9.6 complete the *Grievance Response Form* with the person who submitted the grievance; and
 - 5.9.7 collect all documents and records of the process and ensure they are stored confidentially for at least five years.
- 5.10 Where a complainant is dissatisfied with the response to the complaint or the time taken to resolve the matter, the complainant may request the matter be referred to the Principal.
- 5.11 The complaint handler may also refer the matter to the Principal if the matter remains unresolved by the process outlined in 5.7.

Finalising a Formal Complaint and Notifying the Student

- 5.12 Once a final resolution has been completed, a written statement of the complaint decision will be sent to the complainant by the complaint handler.
- 5.13 If the resolution of the complaint is not in the complainant's favour, the notification is to include the internal appeals information, including how to access the external appeals. Contact details of the external appeals avenue will be included to the complainant, who will be notified that they have 10 working days to lodge an appeal and notify Perth Bible College of the lodgement of the external appeal, if applicable.

- 5.14 Where a complainant is dissatisfied with the response to the complaint or the time taken to resolve the matter, the complainant may request the matter be referred to the Principal.
- 5.15 If the internal investigation finds in the complainant's favour, Perth Bible College is to:
- 5.15.1 notify the complainant of the finding;
 - 5.15.2 immediately implement the decision or recommendation; and/or
 - 5.15.3 take preventative or corrective action required by the decision and notify the complainant of that action.

Grievance Committee (stage 2)

- 5.16 Matters referred to the Principal where the complainant is unsatisfied with the outcome of stage 1 decisions must occur within 15 days of receiving notification of the outcomes.
- 5.17 The Principal may appoint a Grievance Committee of up to three members of senior staff, none of whom has been involved in the handling of the complaint, if this is considered appropriate for resolving the complaint.
- 5.18 The Principal or the Grievance Committee will investigate the matter further and respond to all parties with their outcomes and decisions for resolution.
- 5.19 The Principal or the Grievance Committee should respond within four weeks of receiving the grievance.
- 5.20 If unsatisfied that the appropriate resolution processes have been followed or that the time taken to resolve the matter by the Principal or the appointed Grievance Committee, the complainant may request the matter be referred to the PBC Board of Management.
- 5.21 The Principal or the Grievance Committee may also refer the matter to the Board level where the resolution may impact significantly on the operations of PBC.
- 5.22 If the complainant is dissatisfied with the decision or with the time taken to deal with the grievance, the complainant may submit the matter for external review as outlined in section 5.54ff. below.

Board Level Review (stage 3)

- 5.23 Matters referred to the PBC Board level where the complainant is unsatisfied with the outcome of stage 2 decisions must occur within 15 days of receiving notification of the outcomes.
- 5.24 Matters may only be referred to the Board level where the complainant can demonstrate that there has been a failure to carry out actions within the resolution

process or that the required actions were not undertaken in a timely manner, normally considered to be four weeks of the grievance submission to the Principal.

- 5.25 The complainant must submit in writing to the Chair of the PBC Board (contact details available from the PBC office):
 - 5.25.1 Details of the original grievance, and
 - 5.25.2 the actions which have been undertaken in attempt to resolve the grievance, and
 - 5.25.3 the perceived failure to carry out actions within the resolution process, or
 - 5.25.4 the actions which are considered to be untimely and the timeframe which has passed.

- 5.26 The Chair will table the submission at the next meeting of the Board and the Board will decide if a review is required. If required, the Board will appoint a Committee of up to three members to investigate the claims further. If not required, the Board will respond, through the Chair, to the complainant outlining the reasons for no further action being taken.

- 5.27 The Chair of the PBC Board will respond to all parties with their outcomes and decisions for resolution once the Board has discussed the matter at their next meeting.

- 5.28 If the complainant is unsatisfied with the decision of the PBC Board or with the time taken to deal with the grievance, the complainant may submit the manner for external review.

Formal Appeals - Academic

- 5.29 An appeal is the process of informing Perth Bible College about a complainant's dissatisfaction with a decision made by Perth Bible College. Appeals may be lodged by a complainant due to a decision made by Perth Bible College including, but not limited to, the following:
 - 5.29.1 an assessment outcome or result;
 - 5.29.2 a complaint outcome;
 - 5.29.3 admission;
 - 5.29.4 enrolment;
 - 5.29.5 unsatisfactory course progress;
 - 5.29.6 unsatisfactory attendance (ELICOS only);
 - 5.29.7 transfer;
 - 5.29.8 withdrawal;
 - 5.29.9 credit;
 - 5.29.10 exclusion;
 - 5.29.11 disciplinary matters (including misconduct, cheating, unfair advantage and plagiarism);

- 5.29.12 special consideration;
- 5.29.13 fees and charges; or
- 5.29.14 refunds.

5.30 Appeals relating to an assessment outcome must be lodged within two weeks of the date the original assessment outcome was provided. Appeals relating to other matters should be lodged as soon as practical.

5.31 A complainant may appeal on the following grounds:

- 5.31.1 Perth Bible College's failure to record the outcome of an assessment accurately;
- 5.31.2 compassionate or compelling circumstances;
- 5.31.3 Perth Bible College's failure to abide by its documented policies and procedures;
- 5.31.4 Perth Bible College has not implemented its intervention strategy and other policies according to its documented policies and procedures;
- 5.31.5 new evidence and facts have emerged that could change the decision; or
- 5.31.6 the penalty imposed or decision reached could be considered unreasonable.

5.32 Compassionate or compelling circumstances may include, but are not limited to:

- 5.32.1 serious illness or injury (documented by a medical certificate stating that the complainant was unable to complete expected responsibilities);
- 5.32.2 bereavement of a close family member (parents, siblings, spouse, children or grandparents) that is documented by a death certificate (to be provided);
- 5.32.3 a major political upheaval or disaster in the complainant's home country requiring emergency travel;
- 5.32.4 traumatic experience – such as being involved in or witnessing an accident; or
- 5.32.5 committing a crime or being impacted by a crime (a police report is required).

Formal Appeals Process (stage 1)

5.33 The stages of the formal appeals resolution process are:

- 5.33.1 the student lodges a written appeal to Dean of Studies;
- 5.33.2 a written acknowledgement of the appeal is sent to the student by the Dean of Studies within 10 working days;
- 5.33.3 if it is not appropriate for the Dean of Studies to be appointed as the appeal handler, then the Academic Dean will handle the appeal;
- 5.33.4 facilitate resolution in a timely manner, normally no more than four weeks;

- 5.33.5 if required, a meeting will be arranged with the student and the Dean of Studies (additional evidence may be requested);
- 5.33.6 the complainant will be given an opportunity to present their case, and may choose to be accompanied by a support person;
- 5.33.7 a conciliation process or internal investigation will be initiated; and
- 5.33.8 once a decision has been made for the appeal, the Dean of Studies will respond with a resolution within 20 working days.

Academic Appeals

5.34 Appeals against grades of individually assessed items:

- 5.34.1 The Lecturer should reassess the graded item and then meet with the student to discuss the outcome. If the grade is altered, this must be recorded on the marking template.
- 5.34.2 If the lecturer believes the original grade should stand, the lecturer will allow the student to nominate an appropriate lecturer to re-mark the item.
- 5.34.3 Both lecturers will discuss the outcome of the re-marking and the unit lecturer will meet with the student to discuss the outcome. If the grade is altered, all relevant records must be amended.
- 5.34.4 If both lecturers agree that the original grade should stand, this will remain the grade for this item.
- 5.34.5 If the grade stands, the unit lecturer will inform the student of their further rights of appeal as outlined in section 5.39.

5.35 Appeals against overall unit grade:

- 5.35.1 The Dean of Studies will meet with the unit lecturer to discuss the unit grade for the student. If the Dean of Studies is satisfied that the unit grade has been calculated correctly the Dean of Studies will contact the student and move to the next step below. If the Dean of Studies is also the unit lecturer, the Dean of Academics and Research will be responsible to handle the appeal.
- 5.35.2 The student will be required to provide their marked assessment items to the Dean of Studies to allow the entry of individual grades to be checked.
- 5.35.3 The Dean of Studies will meet with the student to discuss the outcome of the assessment of the unit grade.
- 5.35.4 If the student believes that the issue with the unit grade is related to the grade awarded to a single assessment item, they will be directed to section 5.34 above
- 5.35.5 If the unit grade stands, the Dean of Studies will inform the student of their further rights of appeal.

5.36 Appeals against designated course status:

- 5.36.1 The Dean of Studies will verify that the *Student Course Progress Policy* has been correctly applied for the student. Should this not be the case, the student course status will be updated as per the correct application of the policy and the student informed.
- 5.36.2 The Dean of Studies will meet with the student to explain the application of the *Student Course Progress Policy* as related to the student.
- 5.36.3 If the student believes that the issue of academic progress is related to the grade awarded for a specific unit, the student will be directed towards 5.35 above
- 5.36.4 If the designated progress stands, the Dean of Studies will inform the student of their further rights of appeal.

5.37 Appeals against a decision of Academic Misconduct:

- 5.37.1 The Dean of Studies will meet with the student to discuss reasons for contesting the academic misconduct decision.
- 5.37.2 The Dean of Studies will meet with the unit lecturer to discuss the reasons the lecturer believes a case of academic misconduct exists.
- 5.37.3 The Dean of Studies will assess the claims of the student and the unit lecturer against the *Academic Misconduct Policy*.
- 5.37.4 The Dean of Studies will meet with the student to discuss the outcome of their assessment of the decision of Academic Misconduct.
- 5.37.5 If the charge stands, the Dean of Studies will inform the student of their further rights of appeal.

Finalising a Formal Appeal and Notifying the Student

- 5.38 Once a final resolution has been confirmed through conciliation, or the internal investigation has been completed, a written statement of the appeal decision will be sent to the complainant by the Dean of Studies.
- 5.39 If the resolution of the appeal is not in the complainant's favour, the notification is to include the internal appeals information, including how to access the external appeals. Contact details of the external appeals avenue will be included to the complainant, who will be notified that they have 10 working days to lodge an appeal and notify Perth Bible College of the lodgement of the external appeal, if applicable.
- 5.40 If the internal investigation finds in the complainant's favour, Perth Bible College is to:
 - 5.40.1 notify the complainant of the finding;
 - 5.40.2 immediately implement the decision or recommendation; and/or
 - 5.40.3 take preventative or corrective action required by the decision and notify the complainant of that action.

Staff Appeals Committee (stage 2)

- 5.41 Matters referred to the Academic Dean, or if not appropriate to the Principal, where the student is unsatisfied with the outcome of stage 1 decisions must occur within 15 days of receiving notification of the outcomes.
- 5.42 The Academic Dean or the Principal will appoint an Appeals Committee of up to three members of senior staff, none of whom has been involved in the handling of the appeal.
- 5.43 The Appeals Committee will investigate the matter further and respond to all parties with their outcomes and decisions for resolution.
- 5.44 The Appeals Committee should respond within four weeks of the Academic Dean or the Principal receiving the appeal.
- 5.45 If unsatisfied that the appropriate resolution processes have been followed or the time taken to resolve the matter by the appointed Appeals Committee, the student may request the matter be referred to the PBC Academic Council.
- 5.46 The Principal, the Academic Dean, or the Appeals Committee may also refer the matter to the Academic Council level where the resolution may impact significantly on the operations of PBC.
- 5.47 If the complainant is unsatisfied with the decision or with the time taken to deal with the complaint, the complainant may submit the manner for external review.

Academic Council Review (stage 3)

- 5.48 Matters referred to the Academic Council level where the complainant is unsatisfied with the outcome of stage 2 decisions must occur within 15 days of receiving notification of the outcomes.
- 5.49 Matters may only be referred to the Academic Council level where the complainant can demonstrate that there has been a failure to carry out actions within the resolution process or that the required actions were not undertaken in a timely manner, normally considered to be four weeks of the grievance submission to the Principal or the Academic Dean.
- 5.50 The complainant must submit in writing to the Chair of the Academic Council (contact details available from the PBC office):
 - 5.50.1 details of the original appeal;
 - 5.50.2 the actions which have been undertaken in attempt to resolve the appeal; and
 - 5.50.3 the perceived failure to carry out actions within the resolution process; or

- 5.50.4 the actions which are considered to be untimely and the timeframe which has passed.
- 5.51 The Chair will table the submission at the next meeting of the Academic Council and the Council will decide if a review is required. If required, the Academic Council will appoint a Committee of up to three members to investigate the claims further. If not required, the Academic Council will respond, through the Chair, to the complainant outlining the reasons for no further action being taken.
- 5.52 The Chair of the Academic Council may informally seek the input of the Academic Council to allow the matter to be resolved in a timely manner
- 5.53 The Chair of the Academic Council will respond to all parties with their outcomes and decisions for resolution.
- 5.54 If the complainant is unsatisfied with the decision of the Academic Council or with the time taken to deal with the complaint, the complainant may submit the manner for external review.

External Appeals

- 5.55 All complainants have the right to lodge an external appeal within 10 working days from the written notification sent by the College of the internal complaint or appeal finding.
- 5.56 External avenues of appeal include:
- 5.56.1 the WA Ombudsman (for Domestic Students);
 - 5.56.2 the Overseas Students Ombudsman (for International Students);
 - 5.56.3 the Independent Higher Education Australia (IHEA)
 - 5.56.4 Fair Work Ombudsman
- 5.57 Details of the relevant external avenue of appeal will be provided to the complainant within the notification of the internal complaint or appeal outcome.
- 5.58 Complainants may nominate a third party to be involved in the external appeals process if they wish.
- 5.59 Decisions of the external appeal avenues shall be final and binding on all parties.
- 5.60 If the external appeals process results in a decision that supports the complainant, Perth Bible College will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome. The final outcome of the external appeals process must be abided by both parties.

Record Keeping and Confidentiality

5.61 All parties with an interest in the outcomes of a complaint or appeal should keep confidential notes of their discussions with other parties, and copies of such notes and associated findings made available for inclusion in the complainant's file and other party's file where relevant. To ensure that they can be represented as an accurate record of the complaint or appeal process, the parties attending should confirm in writing that the author has truthfully and accurately recorded the proceedings.

5.62 An explanation in writing for decisions and actions taken as part of the procedures will be given to the respondent and complainant.

5.63 Records of all complaints and appeals will be kept and be accessible to all interested parties for a period of 5 years, but not less than 2 years after the complainant leaves the College.

6. Procedure Information

Date first approved: 18/10/2010	Date of effect: 18/10/2010	Date last amended: 23/09/2021	Date of next review: 23/09/2022
Approved by		Principal	
Authorised Officer		Dean of Students	
Supporting documents, policies & forms of this procedure		<i>Student Complaints and Appeals Policy</i> <i>Sexual Assault and Sexual Harassment Policy</i> <i>Sexual Assault and Sexual Harassment Procedure</i> <i>Critical Incident Management Policy</i> <i>Critical Incident Management Procedure</i> <i>Critical Incident and Emergency Management Plan</i>	
Related Legislation and Codes of Practice		<u>Higher Education Standards Framework 2015, Part A: Standard 2.4</u> <u>Tertiary Education Quality and Standards Agency (TEQSA) Act 2011</u> <u>National Code 2018, Standard 10</u>	
Audience		Public	

7. Version History

Review Table			
Date	Review Type	Summary of Changes	Review person/group
	<ul style="list-style-type: none"> • Scheduled • Policy amendment • Admin update 		
18/10/10	Initial Issue		Adam Niven David Smith
27/10/10	Policy Amendment	Policy reworked to operate as stand-alone as part of CRICOS re-accrediting	Adam Niven David Smith

07/03/14	Scheduled	Academic Dean replaced with Dean of Academics and Research	Adam Niven
18/12/14	Admin Update	Minor grammatical corrections	Adam Niven
01/09/17	Scheduled	15.2.1 Dean of Studies; minor grammatical; addition of 13.2.5	T&L, Academic Council
15/08/2019	Policy amendment	New template and amendments made.	Natalie Tierney Capital Review Group consultant
17/08/2021	Admin update	Minor fixes and grammatical changes. General clean up.	Chris Burton
23/09/2021	Policy amendment	Amendments made in alignment with BoM's acceptance of recommendations in report regarding the effectiveness of processes.	Chris Burton