



ACADEMIC GRIEVANCE POLICY AND PROCEDURES

Preamble

Academic Grievance Procedures are for grievances which relate to student progress, assessment, curriculum and awards in a course of study. This policy specifies EIBT's commitment to ensuring a harmonious, fair and just learning environment by ensuring that students have access to processes that allow for grievances, disputes, problems and complaints of an academic nature to be resolved.

This policy is underpinned by the principles of natural justice and procedural fairness, and emphasize the need to resolve the grievance as early as possible and as close to the source as possible.

1.0 Introduction

All students of Eynesbury Institute of Business and Technology Business can use these procedures to submit a grievance about an academic matter. Any student who feels that an academic decision made by EIBT or one of its staff or a situation experienced by the student is not in accordance with EIBT's policies and procedures or is unjust or manifestly wrong, has the right to raise the grievance and to have that grievance considered in a timely fashion.

The complainant and respondent will not be victimized or discriminated against in any of the four stages set out in this policy.

At all stages of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures must be given if so requested by the complainant and/or respondent.

The complainant and/or respondent have the right to be represented by a third person (such as a family member, friend, counsellor or other professional support person) if they so desire. A list of Community Mediation and Support Centres is included (See 9.0 below).

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.

2.0 Complaint Procedures

Students or people seeking to enrol in any accredited higher education course offered by EIBT have four main stages at which a complaint may be addressed. The first stage is informal. The three stages following this initial stage are formal procedures. Each stage is free of charge. Each stage consists of a transparent process so that student's grievances may be dealt with expeditiously and equitably.

Every effort will be made to resolve the grievance at the informal level. If the student is not satisfied with the outcome at the informal stage, they may invoke the formal process at any stage during informal discussions.

3.0 Stage 1 - Informal Grievance Procedure – Academic Director

In the first instance, grievances should be discussed with the person/s involved. If this is impracticable, complainants should communicate with the Academic Director, EIBT who will endeavour to resolve the grievance in the absence of the other party. Every effort will be made to make a decision within 14 days of the grievance being brought to the Academic Director.

The authority responsible for considering and deciding on various academic informal grievances is set out below.

3.1 Within Trimester Marks

If a student has a grievance concerning the marks awarded for an assessment item during the trimester, they must contact their lecturer within 14 days of results being published to discuss the extent to which they have or have not achieved the objectives set for the assessment item. If a student is not satisfied with the outcome of the discussion with their lecturer they may contact the Academic Director who will endeavor to resolve the grievance. If the student is not satisfied with the Academic Directors decision, they may commence formal grievance procedures. Formal grievance procedures must be commenced within 7 days of the student meeting with the lecturer and/or Academic Director - see 4.1 below.

3.2 Final Grades

If a student has a grievance concerning the marks awarded for their final grade, they must contact their lecturer within 14 days of results being published to view and discuss their result. If a student is not satisfied with the outcome of the discussion with their lecturer they may contact the Academic Director who will endeavour to resolve the grievance. If the student is not satisfied with the Academic Directors decision, they may commence formal grievance procedures. Formal grievance procedures must be commenced within 7 days of the student meeting with the Academic Director - see 4.2 below.

3.3 On Contract

If a student has a grievance concerning being placed on contract, they are advised to discuss their grievance with the Academic Director, EIBT. If a student is not satisfied with the outcome of their discussions with the Academic Director, they may then commence formal grievance procedures. Formal grievance procedures must be commenced within 7 days of meeting with the Academic Director - see 4.3 below.

3.4 Preclusion

If a student has a grievance concerning being precluded from EIBT, they are advised to discuss their grievance with the Academic Director, EIBT. If a student is not satisfied with the outcome of their informal appeal they may then commence formal grievance procedures. Formal grievance procedures must be commenced within 7 days of meeting with the Academic Director - see 4.4 below.

3.5 Grievances Concerning Penalty for Academic Misconduct

If a student has a grievance concerning a penalty imposed for an incident of academic misconduct, they are advised to discuss their grievance with the Academic Director, EIBT. If a student is not satisfied with the outcome of this discussion they may then commence formal grievance procedures. Formal grievance procedures must be commenced within 7 days of meeting with the Academic Director - see 4.5 below.

4.0 Stage 2 - Formal Grievance Procedure - Academic Advisory Committee

Where consideration at the informal level does not lead to a resolution, the student may then proceed with the formal grievance procedure. The authority responsible for considering and deciding on the formal grievances at Stage 2 is the Academic Advisory Committee, as set out below.

4.1 Within Trimester Marks

Where a student has met with their lecturer and the Academic Director regarding the marks awarded for an assessment item within the trimester and is not satisfied with the outcome of the discussion, they may commence the formal grievance process by submitting an appeal in writing to the Chair, Academic Advisory Committee within 7 days of the decision being made by the Academic Director. All formal appeals submitted by the student must set out the grounds of the appeal, and be accompanied by supporting documentation where relevant. Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days.

The manner in which the formal appeal is to be dealt with will be determined by the Academic Advisory Committee and may include the following:

- Reassessment of the assessment item by the lecturer concerned arranging for the assessment item/paper and all component marks to be reassessed by an EIBT lecturer.
- Assessment by an academic external to EIBT.

The student will receive an outcome to this reassessment within 21 day of receipt of the initial appeal. If a student is not satisfied with the outcome of the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

4.2 Final Grades

Where a student is not satisfied with the outcome of the discussion with the lecturer and the Academic Director concerning their final grade, they may commence the formal grievance process by submitting, in writing, an appeal to the Chair, Academic Advisory Committee, within 7 days of the decision being made by the Academic Director. All formal appeals must set out the grounds of the appeal, and be accompanied by supporting documentation where relevant. Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days.

The manner in which the formal appeal is to be dealt with will be determined by the Academic Advisory Committee and may include the following:

- Reassessment of the assessment item by the lecturer concerned arranging for the assessment item/paper and all component marks to be reassessed by an EIBT lecturer.
- Assessment by an academic external to EIBT.

The student will receive an outcome to this reassessment within 21 day of receipt of the initial appeal. If a student is not satisfied with the outcome of the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

4.3 On Contract

Where a student has been placed on contract and is not satisfied with the decision of the Academic Director, they may appeal in writing to the Academic Advisory Committee, within 7 days of being informed by the Academic Director. Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days. The Academic Advisory Committee may revoke or uphold the decision of the Academic Director and will consider any exceptional or compassionate circumstances which may be the cause of the student's poor academic performance.

The student will receive an outcome to this appeal within 21 day of receipt of the initial appeal. If a student is not satisfied with the outcome of the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

4.4 Preclusion

A student may lodge a formal appeal against preclusion in writing to the EIBT Academic Advisory Committee up to 4 months from the date of the preclusion notification and must set out the grounds of the appeal, and be accompanied by supporting documentation where relevant. Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days. The student will receive an outcome to this appeal within 21 day of receipt of the initial appeal. If a student is not satisfied with the outcome of the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

4.5 Penalty for Academic Misconduct

If a penalty has been imposed for an incident of academic misconduct and the student is not satisfied with the outcome of the decision made by the Academic Director, EIBT, they may submit a formal appeal in writing to the Chair of the EIBT Academic Advisory Committee within 7 days of the penalty notification. All formal appeal applications must set out the grounds of the appeal, and be accompanied by supporting documentation where relevant. Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days. The student will receive an outcome to this appeal within 21 day of receipt of the initial appeal. If the student is not satisfied with the outcome of the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

4.6 Grievances Concerning Refusal of Application for Credit

4.6.1 Diploma level programs

Decisions relating to applications for credit are made by the University of South Australia

Applicants who are dissatisfied with the outcome of a credit application may request a review of the decision. Such a review request must be accompanied by a full statement concerning the basis for the review.

A request for a review of a credit decision is lodged with the relevant Course Coordinator at the University of South Australia who will review the initial decision in terms of the University's 'Recognition of Prior Learning Policy'. Where the basis of the review request relates to the academic judgement of the equivalence of prior study or experience to a program or course, the Course Coordinator will refer the credit review request, together with supporting information and advice, to the Program Director.

A student who is dissatisfied with the decision of the review, may lodge a written appeal the Head of School responsible for teaching the program under the provisions of the University of South Australia's 'Recognition of Prior Learning Policy'

4.6.2 Certificate level programs

Applications for credit towards the Certificate award programs who are dissatisfied with the outcome of their credit application may request a review of the decision. Such a review request must be lodged with the Academic Director and be accompanied by a full statement concerning the basis for the review.

Where the basis of the review request relates to the academic judgement of the equivalence of prior study or experience to a program or course, the Academic Director will refer the credit review request, together with supporting information and advice, to the Academic Advisory Committee who makes a recommendation to the Academic Director.

A student who is dissatisfied with the outcome of a review of a credit decision may appeal to the Australian Qualification Framework Advisory Board (AQFAB) under the provisions of the 'Australian Quality Training Framework Standards for Registered Training Organisations'.

4.7 Other Academic Grievances

If a student with a grievance, dispute, problem and/or complaint regarding any other academic issue that is not covered in this policy and is not satisfied with the outcome, they may contact the Academic Director, EIBT, to discuss the matter further. The Academic Director will provide a resolution to the student within 7 days of the student meeting with the Academic Director.

If a student is not satisfied with the decision of the Academic Director, they may lodge an appeal to the EIBT Academic Advisory Committee within 7 days of the outcome of the decision by the Academic Director.

Upon receipt of the written appeal, the Chair, Academic Advisory committee will acknowledge in writing, receipt of the appeal within 7 days. The student will receive an outcome to this appeal within 21 day of receipt of the initial appeal.

If the student is not satisfied with the above, they may invoke Stage 3 of the formal grievance procedure - see 5 below.

5.0 Stage 3 - Formal Grievance Procedure - Director, Eynesbury International

Stage three of the formal grievance procedure requires the complainant, if dissatisfied with the outcome of stage one or two, to submit the complaint in writing to The Director, Eynesbury International within 7 days of receiving an outcome from stage 2 of the process.

The Director, Eynesbury International will acknowledge receipt of the grievance, in writing, within 7 days of receiving the grievance. The Director, Eynesbury International will consider the complaint and will notify the complainant of the decision within 14 days of receipt of the complaint. If the student is not satisfied with the decision of the Director, Eynesbury International, they may invoke Stage Four of the procedure - see 6 below.

6.0 Stage 4 - Formal Grievance Procedure - External Agency for Grievances

Where the complainant is unsatisfied with the outcome of the Stage Three and believes that the Director, Eynesbury International:

- did not provide sufficient opportunity to present their case to the decision-maker ; or
- the process was not carried out in accordance with EIBT policy or procedures; or
- the decision was made contrary to the evidence provided;

they may request that the matter to be dealt with through an external dispute resolution process by a body appointed for that purpose. The appointed body is:

The Office of the Training Advocate (OTA)
Education Building
31 Flinders Street
Adelaide SA 5000
Telephone: 1800 006 488

The Grievance will be addressed by the OTA, usually within 48 hours of receipt of the grievance.

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.

The OTA will review the case, seeking input from all parties before making recommendations. The Director, Eynesbury International will ensure that the recommendations are implemented within 30 days of receipt of these recommendations from OTA.

7.0 Legal Action

This Policy does not inhibit a student's right to take further action under Australian consumer laws.

8.0 Confidentiality and Record Keeping

All details of informal and formal grievances shall be kept in the students' confidential file. EIBT will take all necessary steps to ensure that information regarding the grievance shall be disclosed only to those persons who have a right to the information by virtue of their role in the appeals process.

EIBT will keep records of grievances for a period of 5 years. Students of EIBT or those seeking to enroll in a course of study with EIBT, are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of EIBT at which the grievance has arisen, the student's place of residence or the mode in which they study.

9.0 Mediation and Support services

Students who require assistance and support may contact one of three metropolitan community mediation services:

Norwood

Norwood Community Mediation Services

110 The Parade, Norwood, 5067

Phone: (08) 8362 1199

Fax: 8362 0410

Christies Beach

Noarlunga Community Mediation Service

40 Beach Road, Christies Beach 5165

Phone: (08) 8384 5222

Fax: 8384 5212

Brompton (Western)

Western Mediation Service

19 Green Street, Brompton 5007

Phone: (08) 8340 1982

Fax: 8346 9477

10.0 Policy Dissemination and Staff Training

This policy is published on the EIBT website and communicated to:

- Academic staff through the Academic Staff Induction Handbook and the Eynesbury International website (www.eynesbury.sa.edu.au);
- Students verbally during Orientation Day, in writing in the Student Handbook and published on the Eynesbury International website (www.eynesbury.sa.edu.au) and;
- To support staff through the Eynesbury International website (www.eynesbury.sa.edu.au)

The Academic Director, EIBT, is responsible for the training of academic staff in the application of the policy and for verbally advising and explaining the policy to students.

The Director, Eynesbury International, is responsible for the training of support staff in its application and for publishing the policy on the website.

This policy was approved, arising from consideration by the Academic Advisory Committee on the 15th June 2006.

Revised 21 August 2007

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