



## STUDENT GRIEVANCE AND MEDIATION POLICY

<b>Responsibility for Implementation:</b>	<b>Compliance &amp; Admin Manager</b>
<b>Approved by:</b>	PEO
<b>Date of Approval:</b>	2016 (V1), 2019 (V2)
<b>Date of review:</b>	June 2021

### 1. Purpose

- 1.1. Students or persons seeking to enrol in a course of study with SBI are entitled to access the grievance procedure as set out by SBI, regardless of the location of the campus at which the grievance has arisen, the student's place of residence, or the mode in which they study.
- 1.2. SBI recognizes the rights of students or those seeking to enrol in a course of study at SBI to have unhindered access to mediation. This means they have the right to report problems, concerns or grievances regarding any aspect of their education or other activities, which are within the control of SBI and its management staff.
- 1.3. SBI recognises mediation as an official avenue for resolving grievances in accordance with published and accountable procedures as set out in this Grievance Mediation Policy and Procedures.

### 2. Scope

SBI has individual academic, administrative and supervisory avenues for mediation. Should other avenues come into conflict with the Student Grievance Mediation Policy, this policy overrides all other avenues for meditation. This policy also applies to any complaints about third party (e.g., education agents) providing services on the RTO's behalf.

### 3. Definitions

A grievance is a complaint or conflict which arises out of an act, decision or omission which the grievant considers being unjust, wrongful or discriminatory and which is within the control of SBI.

Mediation is a process by which the participants in a dispute, together with the assistance of a neutral person, systematically isolate disputed issues in order to develop options, consider alternatives, and reaches a consensual settlement that will accommodate their needs.

Academic grievance may include issues relating to:

- Selection and admission
- Content and delivery of units in your course
- Recognition of prior learning (RPL)
- Advanced standing
- Assessments (for example assignments, tests, examinations)
- Special consideration
- Plagiarism.



Non-academic grievance may include issues relating to:

- Fee payment
- Suspension or cancellation of candidature
- Withdrawal without penalty
- Misconduct (other than plagiarism)
- Critical incidents
- Harassment and discrimination
- Health and well being
- Facilities
- Third party (e.g., education agents) complaints

#### **4. Bullying or Harassment**

SBI will not tolerate inappropriate behaviour of any kind. Any student who lodges a complaint or grievance will not be subject to discrimination or victimisation. Any respondent to a complaint or grievance will not be subject to discrimination or victimisation.

#### **5. Procedures**

5.1. Grievance Mediation. SBI will ensure the following when dealing with complaints, grievances and appeals:

- a) Each complaint, grievance, appeal and its outcome is recorded in writing;
- b) Both parties to the complaint or grievance are entitled to appropriate access to any records related to the complaint or grievance;
- c) Each party may be accompanied and assisted by a support person at any relevant meetings
- d) Each appeal is heard by an independent person or panel; and
- e) Each appellant;
- f) has an opportunity to formally present his or her case; and
- g) is given a written statement of the appeal outcomes, including a full explanation for the decision.

5.2. SBI will publish grievance policies and procedures in prominent public spaces on campus, as well as on the website. The policies will be presented at orientation for both staff and students. The Compliance & Admin Manager is the person who is responsible for the training of academic staff in the application of the policy. The Compliance & Admin Manager is also responsible for advising the students of the policy during the orientation process. SBI is dedicated to the fair hearing and resolution of all grievances and will discuss with students and staff their familiarity with procedures for dealing with complaints, grievances and appeals.

5.3. SBI makes a clear statement to students that no matter of the outcome of the grievance application, the students who lodge the grievance application will not receive any reprisal, prejudice, bias, or anything alike from the teachers, students, or SBI in future.

#### **6. Grievance Procedures**

If a problem, complaint or grievance is being experienced with a staff member or a student, the following procedure should be used:

**6.1. Informal stage:**

- a) Identify and discuss the complaint or grievance with the other party.
- b) Discuss the best outcome to the complaint or grievance.
- c) Agree to act to resolve the complaint or grievance.

**6.2. Stage One**

If after talking to the person the complaint or grievance remains unresolved you will need to lodge a formal complaint in writing. Academic grievances will be mediated by Compliance & Admin Manager and non-academic grievances will be mediated by the Student Service Manager. If the grievance involves the Compliance & Admin Manager or Student Service Manager, the mediation will be conducted by the Principal Executive Officer (PEO).

The process will commence within 10 working days of lodgement of complaint. Students will have the opportunity to formally present your case. Both parties to the complaint or grievance may bring a support person who is a third party to all of these meetings.

SBI will provide both parties to the complaint or grievance with a written statement advising of the complaint outcome, including the reasons for the decision within ten working days of the commencement of the process.

**6.3. Stage Two**

If you are dissatisfied with the decision and you may appeal to the PEO within 10 working days of receipt of the decisions. The PEO has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.

**6.4. Stage Three**

If you are dissatisfied with the outcome of the mediation you may appeal the decision by requesting an external independent arbiter. You must access the external independent arbiter within 30 days of receipt of the decision. SBI will cover the cost of the external independent arbiter.

Any student who accesses the complaints and appeals process will maintain their enrolment until the case is resolved.

Please access the below organisations:

**Australian Skills Quality Authority (ASQA)**

Ph: 1300 701 801

Email: [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au)

Web site: <https://www.asqa.gov.au/>

**NSW Office of Fair Trading**

1 Fitzwilliam Street,

## Sydney Business Institute

ABN 59 609 650 160 RTO Code: 45097  
Level 6, 8 Quay Street, Haymarket NSW 2000  
Phone: 02 9211 4958 Email: [info@sbi.edu.au](mailto:info@sbi.edu.au)  
Website: [www.sbi.edu.au](http://www.sbi.edu.au)



Parramatta NSW 2150 Australia Tel: 61 2 9895 0111, 13 32 20

Fax: 61 2 9895 0222

Web site: [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

**Overseas Student Ombudsman (OSO)**

GPO Box 442 Canberra, ACT 2601

Ph: 1300 362 072 or 02 6276 0111 Fax; 02 6276 0123

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Web site: [www.oso.gov.au](http://www.oso.gov.au)

### 7. Complaints Substantiation

SBI has a clear policy on handling complaints from students, staff and stakeholders. Once a formal complaint is made all steps to resolve the matter must be documented as follows:

- a) Receive the complaint in writing with details of the complaint, date and signature of the complainant.
- b) The written complaint will be forwarded to the Compliance & Admin Manager for academic grievances or the Student Service Manager for non-academic grievances.
- c) The Compliance & Admin Manager or Student Service Manager will handle the complaint without prejudice and document all actions taken to investigate and resolve the complaint.
- d) The Compliance & Admin Manager or Student Service Manager will inform the PEO of the complaint in writing.

If not resolved, a thorough investigation should be carried out and documented.

If SBI needs to rectify its own policy and procedures, SBI must act immediately and document any changes to policies and procedures. This will be dealt with by the appropriate committee on a case by case basis and any changes will be implemented as soon as practicable.

Serious attempts should be made to resolve a complaint in a manner acceptable to all parties in order to reach a mutually satisfactory resolution. Details of the process and resolution must be documented and copies given to all parties involved. A complete file of the complaint will be kept confidentially and the steps taken to resolve the matter must be retained by SBI for a minimum of five years after action completed and then destroyed.