

Russo Business School Student Complaints and Appeals Policy and Procedures

Scope and Purpose

This policy and procedure applies to all staff and students of Russo Business School Pty Ltd ABN 34 601 105 319 trading as Russo Business School (RBS) (CRICOS Provider Code – 03441F).

It sets out the policy and procedures for informal and formal student complaints and appeals for students of Russo Business School.

It has been developed to ensure all current and prospective students of Russo Business School are given access to a fair complaints resolution and appeals process. Students have the right to raise a complaint or appeal and to have that matter considered with courtesy, in a timely fashion and without fear of prejudicial treatment.

The policy and procedures have been developed in line with the requirements set out in the Higher Education Provider (HEP) Guidelines and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.

This policy and procedure does not apply to Russo Business School employee complaints.

Definitions and Abbreviations

Act is the *Higher Education Support Act, 2003*.

Appeal is a response to a decision made on a particular matter.

Appellant is a person lodging an appeal.

Complainant is a person lodging a complaint.

Complaint is taken to mean a dissatisfaction with an aspect of a student's studies, student life, the institution or the institution's environment.

Course is an appropriate suite and sequence of subjects that meets the requirements and specifications of the relevant level of the *Australian Qualifications Framework (2nd ed, 2013)* and which leads to the conferral of an award. For example, a Diploma of Business.

Official Communication refers to official Russo Business School emails and/or a written document sent to the student's residential address provided by the student.

Respondent is a person responding to a complaint or appeal.

Student is a person undertaking an accredited course at Russo Business School.

Subject is a unit of study that focuses on the development of knowledge, skills and the application of knowledge and skills in a given content area in accordance with the requirements and specifications of the *Australian Qualifications Framework (2nd ed, 2013)*. A subject may form part of a course.

ASTAS – Australian Student Tuition Assurance Scheme

COPHE – Council of Higher Education

CRICOS – Commonwealth Register of Institutions and Courses for Overseas Students

ESOS – Education Services for Overseas Students

DIBP – Department of Immigration and Border Protection

TPS – Tuition Protection Service

Principles

1. Complaints and appeals of an academic nature include issues related to student progress, assessment, curriculum, academic misconduct and awards.
2. Complaints and appeals of a non-academic nature cover all other matters including fees, enrolment, customer service, matters that fall within the Student Code of Conduct and other operational matters.
3. During all stages of complying with this policy and procedure, Russo Business School will take steps to ensure that:
 - a. The complainant and any respondent will not be victimised or discriminated against;
 - b. A complainant or an appellant may at any stage seek the assistance of a Russo Business School support person, other than a person acting in the capacity of a qualified legal practitioner for assistance in the submission of a complaint or appeal;
 - c. A complainant or an appellant has the right to be represented, or accompanied, by a third party (such as a family member, friend, counsellor, or other professional support person other than a qualified legal practitioner) if they so desire;
 - d. A full explanation in writing for decisions and actions taken as part of the process will be provided if requested by the complainant or respondent;
 - e. Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, Russo Business School will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome; and
 - f. There is no cost to the complainant to utilise this grievance procedure.

Internal Informal Resolution

4. As a general principle, and where appropriate, a student should first attempt to resolve the matter informally through discussion and/or correspondence with the person involved in the situation.

Internal Formal Resolution

5. Except as otherwise provided in Russo Business School policies and procedures, where consideration at the informal level does not lead to a resolution, or the student is not satisfied with the resolution provided, the student may proceed to lodge a formal appeal in writing with the Executive Dean, Russo Business School. A student has twenty-eight (28) days, from the date of the decision or event, to lodge an appeal.
6. The Executive Dean, Russo Business School or their nominee (who must be independent of the complaint or appeal), will seek to clarify the outcome that the complainant hopes to achieve. This may occur by seeking a written or verbal request or by a face-to-face interview or meeting.
7. The Executive Dean, Russo Business School or their nominee (who must be independent of the complaint or appeal), will then endeavor to resolve the grievance and will respond in writing within fourteen (14) days of the receipt of the grievance on the steps to be taken to address the grievance, including the reasons for the decision. The response will inform the complainant of their right to appeal to the Student Appeals and Grievances Committee.

8. Where the complainant/appellant is not satisfied with the outcome of the appeal to the Executive Dean, Russo Business School and believes that:
 - a. There was insufficient opportunity to present their case to the decision-maker; or
 - b. The process was not carried out in accordance with Russo Business School policy or procedures; or
 - c. The decision was made contrary to the evidence provided; or
 - d. New information or evidence is available that has not been previously considered;

Then that student may submit a written appeal can be lodged with the Russo Business School Student Appeals and Grievances Committee. The appeal should be lodged within fourteen (14) days of the date of notification from the Executive Dean, Russo Business School as per point (7) above.

9. The Russo Business School Student Appeals and Grievances Committee shall consider the appeal in order to determine whether it should be accepted for hearing, in whole or in part, or rejected on the following grounds:
 - a. The appeal does not address one or more of the above criteria;
 - b. The student has not provided Russo Business School with accurate contact details and ensured that they are available to receive notifications from Russo Business School. Late or non-receipt of official communications will not normally be accepted as grounds for an appeal to be heard, if changes of address have not been notified and received by Russo Business School in a timely manner; or
 - c. The appeal is lodged outside the time allowed for lodgment of an appeal.
10. If an appeal is rejected on any of the above grounds, the Russo Business School Student Appeals and Grievances Committee will advise the student of the grounds for rejection. Where appropriate and possible, the Committee may assist the student by clarifying the criteria that must be met in order for the Russo Business School Student Appeals and Grievances Committee to accept the appeal for hearing.
11. On accepting an appeal for hearing, the Russo Business School Student Appeals and Grievances Committee will take all reasonable steps to consider the appeal and respond in writing to the appellant within fourteen (14) days or receipt of the appeal documentation.
12. The Russo Business School Student Appeals and Grievances Committee may invite the appellant or the respondent or both to present their case in person to the Russo Business School Student Appeals and Grievances Committee.
13. The Russo Business School Student Appeals and Grievances Committee membership will vary according to the nature of the appeal. The Chair, Academic Board will determine the composition of the Russo Business School Student Appeals and Grievances Committee. To avoid any apprehension of bias, an alternative senior staff member will replace any Committee member responsible for the decision that leads to the appeal, or who was involved in earlier resolution processes.

External Appeal

14. Where the appellant is not satisfied with the outcome of the Russo Business School Student Appeals and Grievances Committee hearing, and believes that:
- There was insufficient opportunity to present their case to the decision-maker; or
 - The process was not carried out in accordance with Russo Business School policy or procedures; or
 - The decision was made contrary to the evidence provided; or
 - New information or evidence is available that has not been previously considered they may appeal to an external body according to the table below,

Australian Student	International Student
<p>The student may contact the Australian Mediation Association, as an independent dispute resolution body to arrange a mediation between the parties with such costs at the expense of Russo Business School:</p> <p>Phone: 1300 MEDIATE (633 428) Email: info@ama.asn.au Fax number: 07 3257 0054 or lodge an online notification of the Grievance http://ama.asn.au/contact-us/</p>	<ul style="list-style-type: none">• Contact the Overseas Student Ombudsman: http://www.ombudsman.gov.au/making-a-complaint/overseas-students.• Complete the online form. Alternately, telephone, mail and fax appeals are accepted. The Ombudsman will pay for an interpreter if required.

15. Where a student engages in the Russo Business School Complaints & Appeals process, it does not remove their right to pursue other legal remedies, or take further action under Australia's consumer protection laws and in particular Russo Business School confirms that the student may apply to the Administrative Appeals Tribunal for a review of the reviewable decision that has been confirmed, varied or set aside under section 209-5 or 209-10 of the Higher Education Support Act, and provide the contact details of the closest Administrative Appeals Registry and the approximate costs of lodging an appeal with the Administrative Appeals Tribunal.
16. Russo Business School will acknowledge receipt of an application for review of a reviewable decision in writing and inform the applicant that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.
17. The reviewer of a reviewable decision must inform applicants of their right to apply to the Administrative Appeals Tribunal for a review of the reviewable decision that has been confirmed, varied or set aside under section 209-5 or 209-10 of the Act, and provide the contact details of the closest Administrative Appeals Registry and the approximate costs of lodging an appeal with the Administrative Appeals Tribunal.

Enrolment Status

18. Where a current student chooses to access this policy and procedure Russo Business School will maintain that student's enrolment while the grievance handling process is ongoing.

Record Keeping and Confidentiality

19. A written record of all complaints, grievances and appeals handled under this policy and procedure and their outcomes will be maintained for a period of at least five years to allow all parties to the grievance appropriate access to these records, upon written request to the Executive Dean, Russo Business School. These records will be maintained at 349 Queen Street, Brisbane, QLD 4000.

