
Student Complaints and Appeals Policy & Procedures

For accredited courses SILA follows Eastern College Australia's *Complaints and Grievance Policy, Complaints and Grievance Procedures – Academic Matters, Complaints and Grievance Procedures – Non-academic Matters*.

SIL Australia is committed to fostering a community marked by fairness and integrity in its courses and administration. SILA has procedures to encourage students who feel aggrieved to come forward and to ensure that complaints and appeals are dealt with in a constructive and timely manner. These procedures have a four-stage structure for resolving the complaint:

1. informally between the student and the staff person involved
2. through the mediation of the Principal Executive Officer (PEO) or their designee
3. through the Complaints Committee
4. through the Appeals Committee.

Each party involved in the complaint or appeal may be accompanied and assisted by a support person at any relevant meeting.

Interpretation

Complaint: A complaint may result from concern at a decision, act or omission of a staff member which a student considers unjust, discriminatory or wrongful or at variance with official SILA policy and which they consider disadvantages them in their study at SILA or their living within the SILA community. An anonymous, frivolous or vexatious criticism will not be treated as a serious complaint.

The following are examples of possible grounds for complaint:

- improper, irregular or negligent conduct towards a student
- failure by a staff member to act fairly
- failure to adhere to appropriate or relevant published policy or procedure
- a decision made without sufficient consideration of the facts, evidence or circumstances of specific relevance to the student
- failure by SILA to make a decision in a timely manner
- a penalty, where applied, is considered too harsh.

SILA community: The SILA community includes all staff and students of the organisation.

Staff representative: The person elected by SILA staff to be the staff representative for that year.

Student representative: One of the representatives elected by students from their number each semester and summer intensive.

Informal resolution process: This refers to the first stage of the procedures for resolving complaints involving a student (and/or a representative) and the staff member involved in the complaint.

Mediation process: This refers to the second stage of the procedures for resolving grievances and involves the mediation of the PEO or their designee.

Complaints Committee: A committee consisting of two staff members who have not previously been involved in the complaint, one student representative and a nominee of the student if the student so chooses. The members from the SILA staff will be appointed by the Staff representative.

Appeals Committee: A committee consisting of three people: one student representative and two members of staff of academic institutions such as La Trobe University, Eastern College Australia or Melbourne School of Theology. The Appeals Committee will be appointed by the SILA Board Chair.

Procedures for resolving complaints

1. Informal resolution

In the first instance, a student should discuss the complaint informally with the relevant staff member, who should try to resolve it. This discussion should occur within a reasonable time of the occurrence giving rise to the complaint. Where a student is unable to make contact with or is reluctant to approach the relevant staff member, the student may raise the matter through another student or staff member. The informal resolution process must be completed within ten working days from the date on which the student contacted the staff member. Within this time the staff member will communicate the outcome of the informal resolution process to the student.

During the informal resolution process the staff member may take such action as deemed appropriate to resolve the complaint. This may include discussion with the student and may also include, but is not limited to:

- reviewing the student's records
- discussing the matter with other members of staff where relevant
- allowing the student to re-submit work where the staff member has reason to believe that the student had misunderstood the requirements.

Although this part of the procedure remains informal, the staff member will record the complaint and action taken and report it to a meeting of the Subject Coordinators. The primary purpose for this is to provide an opportunity for improvement. The nature of the complaint will be recorded in the meeting notes and any follow up action also noted.

2. Mediation through the PEO or their designee

If the student is not satisfied with the outcome of the informal resolution process they may submit a complaint in writing to the PEO or their designee. This written complaint must be submitted within ten working days of the date of notification of the outcome of the informal resolution process. The written complaint will state the situation and the reason(s) for the complaint.

Within five working days the PEO or their designee shall attempt to resolve the complaint and shall within that time communicate in writing the outcome of this process to the student and staff member. The PEO or their designee shall also ensure that the student and staff member are aware of the appeal procedures.

During the mediation process the PEO or their designee may take such action as deemed appropriate for the parties to resolve the complaint. This will include discussion with the student and staff member and may also include, but is not limited to:

- reviewing any documentation provided by the student or staff member
- discussing the matter confidentially with other students or members of staff where relevant.

3. Complaints Committee

If the student or staff member is not satisfied with the outcome of the mediation process, they may request the Staff representative in writing to call a Complaints Committee to review the decision and appeal.

This request should be submitted within 20 working days of receiving the outcome of the mediation process.

The Staff representative shall convene and chair the Complaints Committee which shall consist of two staff members who have not previously been involved in the situation giving rise to the complaint, a student representative and a nominee of the student if the student so chooses. If possible the staff members shall not be from the department involved in the complaint. Where the complaint involves the Staff representative, that person shall not appoint nor be appointed to the Complaints Committee. The chair of the Complaints Committee shall advise the SILA Board Chair that a Complaints Committee has been convened. The Complaints Committee shall meet within five working days of the date it is convened.

In attempting to resolve the issue, the Complaints Committee:

- shall interview the student and the staff member
- may interview any member of the SILA community
- may review any written material relating to the complaint.

The decision of the Complaints Committee shall be by majority vote.

The Complaints Committee chair shall advise the student, the staff member and the PEO of the outcome of the appeal and the reasons for the decision in writing within two days of the Complaints Committee meeting.

4. Appeals Committee

The student or staff member may appeal to the Appeals Committee in relation to the complaint if they believe:

- that the process followed in attempting to resolve the complaint was not in accordance with the Complaints and Appeals Policy and Procedures; or
- that new evidence is available; or
- that the decision of the Complaints Committee is not in accordance with natural justice.

This appeal must be made in writing to the SILA Board Chair within 20 working days of the decision of the Complaints Committee. The chair of the SILA Board shall decide if there are grounds for appeal and if so, shall convene the Appeals Committee which shall consist of one student representative and two members of staff of academic institutions such as Eastern College Australia. The Appeals Committee shall meet within ten working days of the date it is convened. The SILA Board chair may chair the Appeals Committee personally or choose a representative who is not a staff member of SILA.

In deciding the issue, the Appeals Committee:

- shall interview the student and the staff member
- may interview any member of the SILA community
- may review any written material relating to the complaint.

The decision of the Appeals Committee shall be by majority vote.

The Appeals Committee chair shall advise the student, the staff member and the PEO of the outcome of the appeal and the reasons for the decision in writing within two days of the Appeals Committee meeting.

There is no further appeal against the decision of the Appeals Committee to any other officer or body within SILA.

Status of student during the procedure

If the student chooses to access SILA's complaints and appeals procedures, SILA will maintain the student's enrolment while the complaints and appeals process is ongoing.

Resolution

If the internal or any external complaint handling or appeal process results in a decision that supports the student, the SILA PEO will immediately implement any decision and/or corrective and preventative action required, and advise the student of the outcome.

Harassment and discrimination

All forms of harassment and discrimination as defined by the law are not tolerated within the SILA community. Any form of harassment or discrimination should be reported to the PEO. The PEO will act immediately to protect the student from any perceived threat and will commence a process of resolution to the satisfaction of both parties within 24 hours. Where necessary, disciplinary action will be taken within 48 hours.

Maintenance and distribution

This policy and procedures will be made publicly available on SILA's website and in staff and student handbooks.