



**EXCELSIA
COLLEGE**
Sydney - Australia

Document Name

STUDENT GRIEVANCE POLICY AND PROCEDURES

Document Number

PO-STU-06

Document Status

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1 Purpose and Scope

Excelsia College, in pursuance of its vision and values, has established, and seeks to maintain, a harmonious and supportive learning environment conducive to study and personal development. The College also has a responsibility under legislation to ensure students are not subjected to discrimination, harassment, vilification or victimisation. We recognise that students may sometimes feel they have experienced disadvantage or distress, and will ensure that grievances are responded to promptly, with minimum stress and maximum protection for all involved.

Students of Excelsia College or those seeking to enrol in a course of study with Excelsia College are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus at which the grievance has arisen, the student's place or residence or the mode in which they study.

This policy provides a mechanism for addressing both academic and non-academic grievances arising out of any situation or process affecting the student.

The Student Grievance Policy is available electronically on the College [website](#) and in hard copy outside the Registrar's office. Links to the Policy are included in the Student Handbook and Staff Handbook, as well as in many of the College's other policies and procedures. Staff training in the procedures takes place during staff orientation, and the student orientation includes a presentation on grievance procedures. The Registrar is responsible for the training of support staff in its application.

2 Definitions

A **grievance** is a statement of concern reported to a person or persons in authority at Excelsia College that requires action or response from the College. A grievance can be about any situation or process affecting the student, whether academic or non-academic, and can be against a person or people at the College. A grievance is not part of the regular student feedback the College encourages in its continuing commitment to quality improvement, but rather a formal complaint requesting action or response.

Academic grievances are those which relate to enrolment, curriculum, awards, student progress, and assessment in a course of study.

Non-academic grievances are grievances which do not relate to enrolment, curriculum, awards, student progress, or assessment in a course of study, and include complaints in relation to personal information that Excelsia College holds in relation to the student.

The **complainant** is the Excelsia College student or person seeking to enrol in a course of study who has initiated the grievance.

The **respondent** is the person against whom a grievance has been initiated under this policy.

3 Responsibilities

- **STAFF.** Under this policy staff are responsible for handling grievances with fairness, which demands that:
 - complainants' concerns be responded to promptly and handled in a consistent and transparent manner.
 - all parties be heard, treated without prejudice, informed of any allegation relating to them and given the opportunity to respond to such allegation, and kept informed about the status of a grievance.
 - every care is taken to ensure that complainants will not suffer any disadvantage as a result of raising a grievance.

- **COMPLAINANT.** The complainant is responsible for ensuring that the matter raised has substance and is genuine, and must participate in the process in an appropriate manner and honour any agreement reached to resolve the grievance.
- **COMPLAINANT AND RESPONDENT.** The complainant and respondent will not be victimised or discriminated against in any of the three stages set out in this policy. Both the complainant and the respondent have the right to be represented by a third person (such as a family member, friends, counsellor or other professional support person) if they so desire.
- **STUDENT GRIEVANCE COMMITTEE.** The Student Grievance Committee is a subcommittee of the Teaching and Learning Committee charged with the responsibility of deciding on the resolution of Stage 2 grievances.
- **REGISTRAR.** The Registrar will report regularly to the Teaching and Learning Committee and to the Management Committee on the implementation of the grievance policy. As required under the [Higher Education Support Act](#), such report will not name or otherwise identify any persons involved in grievances or their resolution.

The Registrar will keep records of grievances and their outcomes strictly confidential. They will be stored in a separate file (not on the student or staff file) in the Registrar's Office for a period of five years. Parties to the grievance will be allowed supervised access to these records within 48 hours of the Registrar receiving a formal request.

- **STAFF.** Generally the College will not act on anonymous complaints. However, staff must immediately refer all complaints about the following issues to the Chief Executive, even if such complaints are made anonymously:
 - abuse of children or young people
 - sexual assault
 - any threat to safety or security
- **BOARD OF DIRECTORS.** The governing body of Excelsia College, the Board of Directors, has the authority to ratify the Student Grievance Policy and Procedures.

The Board of Directors ratified the Student Grievance Policy and Procedures, Issue 13, on 6 February 2014.

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.

4 Procedures

Before a Concern becomes a Formal Grievance

We encourage students, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Students may approach the Chaplain for advice and support with this step.

Should the concerns remain unresolved, students or those seeking admission to a course at Excelsia College have access to a three-stage grievance process which is set out below. Stages 1 and 2 are free of cost to the student. Stage 3 (external review) carries a cost to the student of \$100.00. The student remains enrolled in his/her course while a grievance is being resolved.

Grievances about alleged abuse to children or young people, unlawful activities, corrupt behaviour, serious criminal behaviour, or any concerns involving safety or security do not go through a three-stage process.

Instead they are reported to the Chief Executive who will access external professional expertise. Such matters will be managed under the law, with external consultation as appropriate.

The Grievance Process

Students or people seeking to enrol in any accredited higher education course of Excelsia College have three stages at which a grievance may be addressed. The first two stages are free of charge or cost to the student. The third stage is an external review, and carries an external review fee of \$100.00.

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.

STAGE 1

In the first instance, and within 20 working days of the situation or decision causing concern¹, the complainant completes the [Student Grievance Notification](#),² attaches all relevant documentation, and gives it to the Registrar who acknowledges receipt of the grievance within 5 working days, and determines the appropriate grievance handler, as follows:

Grievance is about:	Grievance handler:
Abuse of children or young people, unlawful activities, corrupt behaviour or serious criminal behaviour, any perceived threat to safety or security	Chief Executive ³
Any other non-academic concern	Chaplain
An academic issue, e.g. assessment, enrolment	Registrar
Refund of tuition fees	Registrar

On receiving a grievance, the grievance handler will:

- advise the complainant of their right to be accompanied and assisted by a third party if so desired;
- facilitate resolution in a timely manner, normally within 20 working days from receipt of grievance;
- where other parties are involved, monitor the process to ensure a mutually acceptable resolution is reached without undue delay;
- where the matter is explicitly covered under the Higher Education Support Act (HESA) and/or the Excelsia College Regulations, facilitate the outcome dictated by the Act or Regulations;
- give the complainant comprehensive advice about the outcome;
- forward all records to the Registrar for confidential storage.

STAGE 2

The second stage of the process at which a grievance is addressed requires the involvement of the Student Grievance Committee. Either the Registrar or the complainant can move a grievance into Stage 2.

If dissatisfied with the response to the grievance or the time taken to resolve the matter, the complainant may approach the Registrar and explicitly seek the involvement of the Student Grievance Committee.

¹ Appeals involving the re-crediting of a FEE-HELP debt may be raised up to 12 months after the situation or decision causing concern.

² The written notification of grievance must be in English. Documents in support of a Stage 3 grievance may be submitted in a language other than English as long as they are accompanied by complete English translations.

Alternatively, the Registrar may call the Student Grievance Committee to consider a grievance that remains unresolved by the process outlined above. The Student Grievance Committee will deal with the grievance within a reasonable time, normally within 30 days of receipt of the grievance.

The Registrar advises the complainant in writing of the decision in a timely fashion, normally within 30 days of the commencement of the Stage 2 grievance resolution process. The Registrar also advises that the complainant has the right to request that the matter be dealt with through an external review of the committee's decision, informing the complainant of the \$100 external review fee.

The Registrar files all documents relating to the grievance in confidential storage separate from staff and student files.

STAGE 3

If not satisfied with a decision of the Student Grievance Committee, the complainant may, within 20 working days of receiving the decision, submit a request in writing to the Registrar that the matter be further reviewed by an external reviewer. The request must be in English. The complainant needs to ensure that this request presents a substantial reason for an external review of the decision, and must include all documents relevant to the case so the external reviewer can get a full understanding of the grievance. Such an application for external review must be accompanied by an external review fee of \$100.00.

Excelsia College has arranged for such external reviewer to be appointed by the Council for Private Higher Education (COPHE). Any costs incurred in the external review will be borne by Excelsia College.

On receipt of a written request from a complainant for external review of the decision made in Stage 2, the Registrar will contact the Executive Officer of COPHE to arrange this appointment, and will assist the complainant in making contact with the external reviewer. The contact details of the Executive Officer of COPHE are as follows:

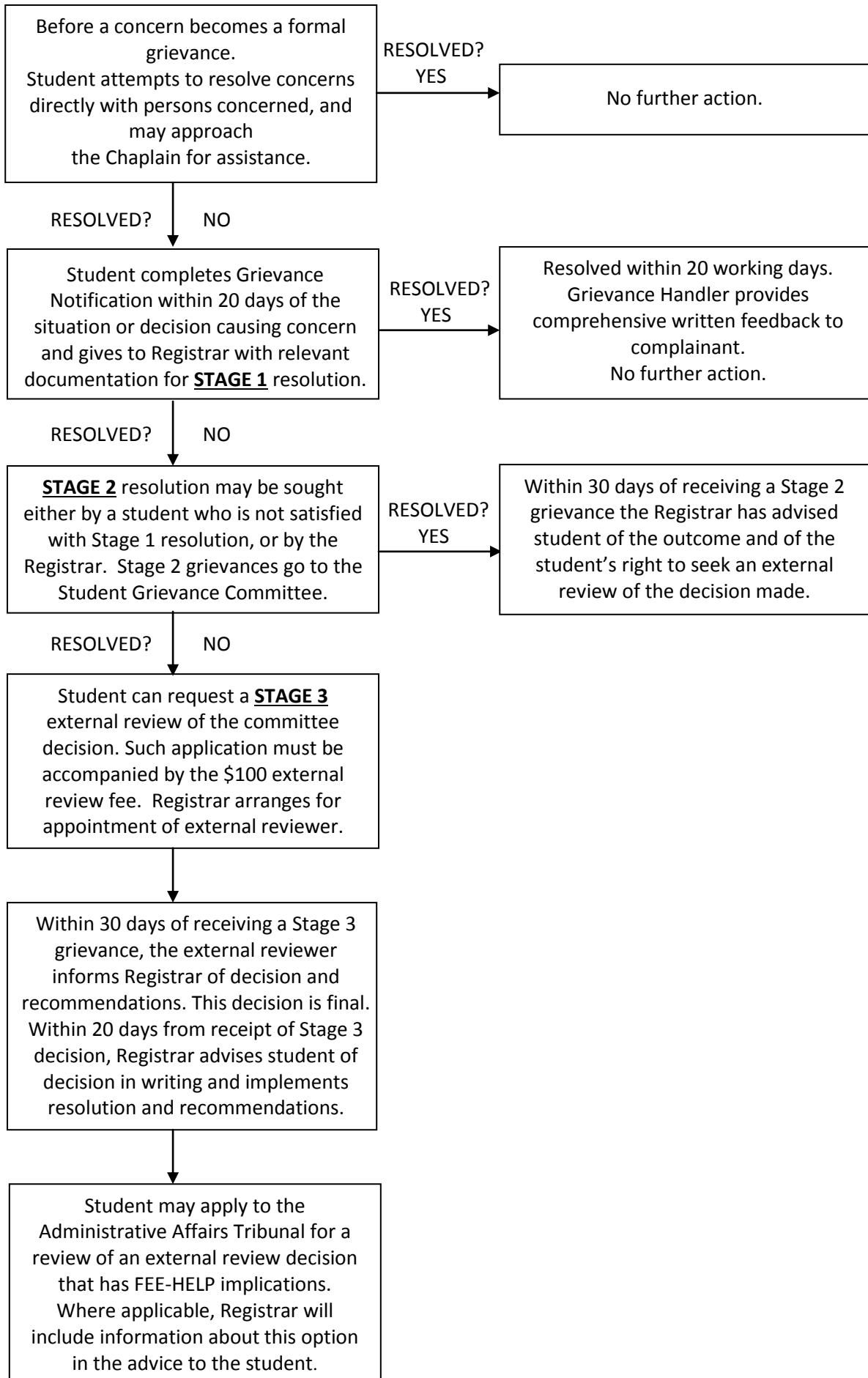
Adrian McComb
Executive Officer
Council of Private Higher Education Inc.
Suite 59, Level 5 Chatswood Village
47 Neridah Street
Chatswood NSW 2067
Phone: 02 8021 0841
Email: amccomb@cophe.edu.au

COPHE will be provided with copies of the request and other documentation relating to the grievance and will retain them on file for a period of five years. The reviewer appointed by COPHE will be an appropriately qualified person (such as a retired academic, higher education administrator and/or practitioner) available to carry out this role. All information provided to COPHE and the external reviewer will be treated as confidential. Within 30 working days of receipt of the grievance, the external reviewer will provide to the Registrar the written outcome of the review, together with any recommendations.

Within 20 working days of receiving the external review decision and recommendations, the Registrar will ensure that recommendations arising out of the external review are implemented, give the complainant comprehensive written advice about the outcome, and file all records in confidential storage.

If the complainant is not satisfied with a decision of the external reviewer that has implications for a FEE-HELP debt, the complainant has the right to apply to the Administrative Appeals Tribunal for a review of this reviewable decision that has been confirmed, varied or set aside under section 209-5 or 209-10 of the *Higher Education Support Act*. The Registrar will provide to the complainant the contact details of the closest Administrative Appeals Registry and the approximate costs of lodging an appeal with the Administrative Appeals Tribunal.

The Grievance Process Flowchart



5 Related Documents

[Student Grievance Notification](#) (STU-AD-F16)

Student Grievance Committee Terms of Reference (TOR-07)

[Higher Education Support Act](#) (HESA)

[Higher Education Provider Guidelines](#)

6 Ratification of the Student Grievance Policy and Procedures

Name	Student Grievance Policy and Procedures	Version	Issue 13
Author	Dean of Quality	Approving Authority	Board of Directors
Date of Approval	6 February 2014	Publication Date	7 February 2014