



**EXCELSIA
COLLEGE**
Sydney - Australia

Document Name

STUDENT GRIEVANCE POLICY AND PROCEDURES

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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 online on the College website. 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.

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, 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 unit enrolment, curriculum, awards, or course progress.

Please note: Grievances that relate specifically to appeals of grades are handled separately in the Student Appeal of Academic Decisions Policy.

Non-academic grievances are grievances which do not relate to academic grievances 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.

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.
- 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
- **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 Learning and Teaching Committee charged with the responsibility of deciding on the resolution of Stage 2 grievances. This committee will consist of a minimum of three members, ordinarily the Registrar, Chief Academic Officer, and a nominated Head of School (where it is a school-related matter, it should be the relevant Head of School unless a conflict of interest exists). Other members of LTC can be invited where relevant. The Student Advocate should also be present but not in the capacity of a committee member, rather as a support for the student and to take official minutes of the meeting.
- **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 reports 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 Grievance Register 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.

- **BOARD OF DIRECTORS.** The governing body of Excelsia College, the Board of Directors, has the authority to ratify the Student Grievance Policy and Procedures.
- **STUDENT ADVOCATE.** Responsible for receiving the initial Grievance Report and forwarding the matter on to the relevant Case Manager as identified in Stage 1. The Student Advocate will be responsible for all correspondence between the complainant and the College, and also attend any meeting with the complainant to take minutes, ensuring that the policy and procedure are correctly followed and that the complainant is aware of their rights throughout the process.

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.

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 will be provided to the complainant and/or respondent:

- including provisions for corrective actions
- specifying timeframes to ensure remedial actions are prompt
- cross-reference quality frameworks (where applicable) to ensure continuous improvement, e.g. Quality Assurance and Improvement Plan

In exceptional circumstances, and particularly where a conflict of interest may exist for the complainant or the Case Manager of the grievance, it is possible for a grievance to be escalated directly to Stage 2 or Stage 3. This can occur in two ways:

- At the request of the **complainant** and where appropriate evidence can be provided supporting their reasons for the request;
- At the request of the **Case Manager** where they perceive a conflict of interest may exist with themselves in assessing the case.

In both cases, the Student Advocate must be informed and the grievance escalated to the appropriate stage.

A complainant may decide to withdraw their grievance at any time. To do so, they simply need to indicate their desire to withdraw the grievance in writing to the Student Advocate. If at any time a complainant fails to respond to any communication during the grievance process, either from the Student Advocate or the Grievance Handler, for a period of more than 20 working days, it will be assumed that the complainant no longer wishes to pursue the grievance and the matter will be closed.

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 attaching all relevant documentation. This

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.

notification is automatically sent to the Student Advocate who acknowledges receipt of the grievance within 5 working days, and determines the appropriate Case Manager, as follows:

Grievance is about:	Case Manager:
Abuse of children or young people, unlawful activities, corrupt behaviour or serious criminal behaviour, any perceived threat to safety or security	Chief Executive
Non-academic grievances (other than those above)	Chaplain
Academic grievances	Registrar

On receiving a grievance, the Case Manager will:

- advise the complainant of their right to an interview if needed, and in which case to be accompanied and assisted by a third party if so desired (in most cases this third party will be the Student Advocate, unless unavailable in which case another member of the Registrar office will attend in their place);
- facilitate resolution in a timely manner, normally within 10 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;
- update the Grievance Register and the original report online (kept in the Wufoo portal) and save a copy of all records in the relevant SharePoint folder for secure storage.

After an outcome to the grievance has been provided to the complainant, they have 10 working days in which to indicate their desire to move the grievance to Stage 2. If they do not respond within that time, it is assumed that the outcome has been accepted and the grievance will be considered closed.

STAGE 2

The second stage of the process at which a grievance is addressed requires the involvement of the Student Grievance Committee. Either the Case Manager 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 Case Manager and explicitly seek the involvement of the Student Grievance Committee. Alternatively, the Case Manager 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 20 working days of receipt of the grievance.

The Student Advocate 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 Student Advocate 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 Student Advocate updates the register and forwards a copy and all records to the Registrar for confidential storage.

After an outcome to the grievance has been provided to the complainant, they have 10 working days in which to indicate their desire to move the grievance to Stage 3. If they do not respond within that time, it is assumed that the outcome has been accepted and the grievance will be considered closed.

STAGE 3

If not satisfied with a decision of the Student Grievance Committee, the complainant may, within 10 working days of receiving the decision, submit a request in writing to the Student Advocate 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 Independent Higher Education Australia (IHEA). Any costs incurred in the external review (additional to the \$100 paid by the student) 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 Student Advocate will contact the Executive Officer of IHEA to arrange this appointment, and will assist the complainant in making contact with the external reviewer. The contact details of the Executive Officer of IHEA are as follows:

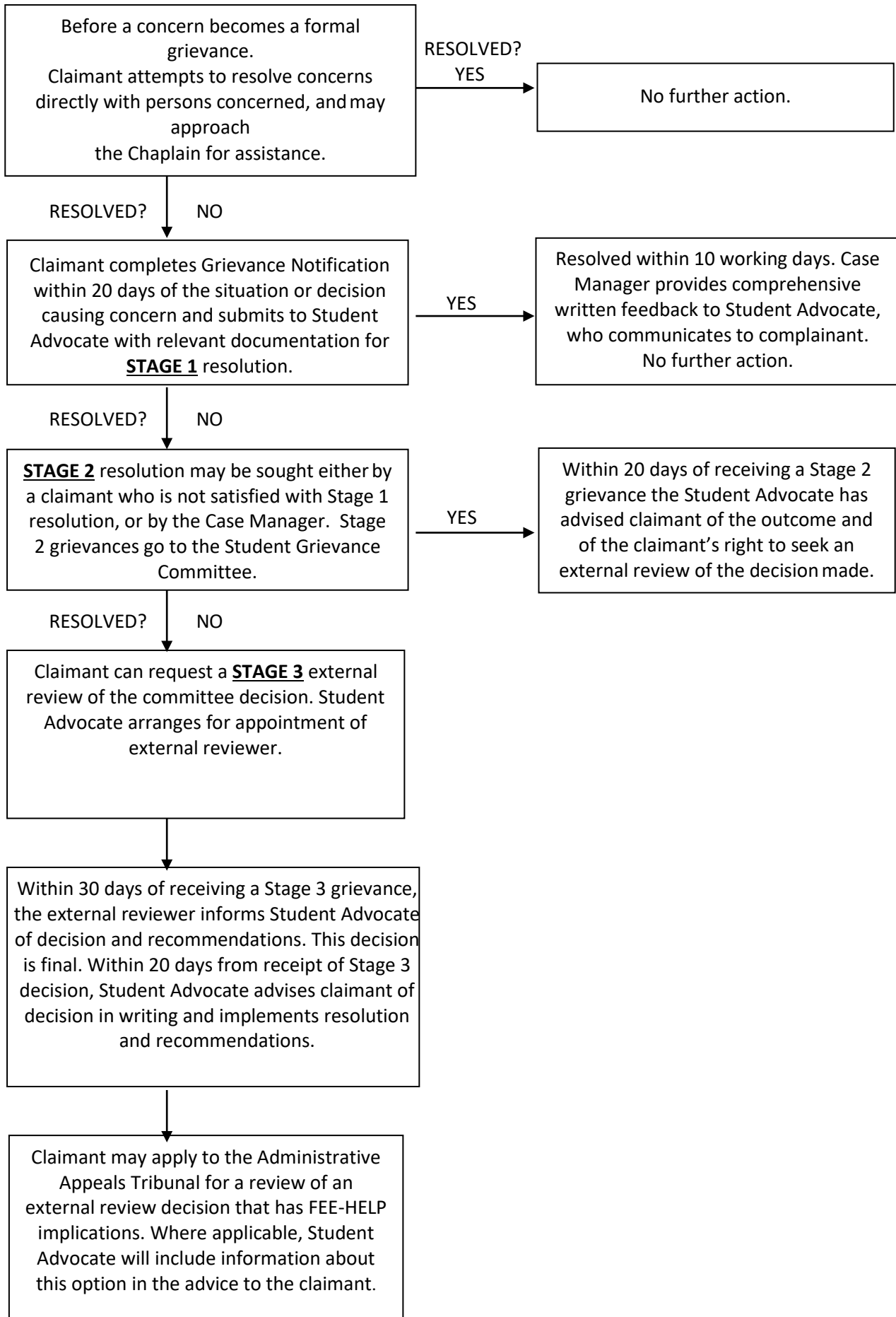
Mr Simon Finn
Chief Executive Officer
Independent Higher Education Australia
Suite 612, 198 Harbour Esplanade
Docklands, VIC, 3008
Ph (03) 9642 5212
Email: simon.finn@ihea.edu.au cc scott.clayton@ihea.edu.au

IHEA 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 IHEA 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 IHEA 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 Student Advocate the written outcome of the review, together with any recommendations.

Within 20 working days of receiving the external review decision and recommendations, the Student Advocate and the Case Manager 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 Student Advocate 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



Related Documents

Student Grievance Notification

Student Grievance Committee Terms of Reference

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

[Higher Education Provider Guidelines](#)