



**EXCELSIA  
COLLEGE**  
— Sydney —

### **Objects of Excelsia College**

Motivated by the Christian faith, as expressed by the Apostles' Creed and Nicene Creed, with fidelity to the Scriptures as the Word of God, the Objects of the College are the advancement of the Christian faith and higher education.

### **Document Number**

**PO-STU-06**

### **Document Name**

**STUDENT GRIEVANCE POLICY AND PROCEDURE**

### **Document Status**

Owner	Chief Strategy Officer and Academic Registrar	February 2014
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ABN: 50 360 319 774 CRICOS Provider Code: 002664K

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## 1 Policy statement

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 of 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.

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## 2 Scope

This policy applies to all staff and students of Excelsia College and those seeking to enrol in a course of study with Excelsia College, 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.

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## 3 Responsibility

- **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

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- sexual assault
  - unlawful activities, corrupt behaviour or serious criminal behaviour
  - any threat to safety or security.
- **Complainant:** The complainant is responsible for ensuring that the matter raised has substance and is genuine, and the complainant 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 (LTC) 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 Deputy Registrar (chair), Chief Academic Officer, and the Director of Quality. A nominated Head of School should also be included where it is a school-related matter, unless a conflict of interest exists. Other members of LTC can be invited where relevant.
  - **Registrar:** The Registrar's Office will report regularly to the Learning and Teaching Committee on the implementation of this grievance policy. As required under the [Higher Education Support Act 2003](#), such reports will not name or otherwise identify any persons involved in grievances or their resolution. The Registrar's Office 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; this authority is delegated to the Chief Executive.
  - **Student Support Manager:** Responsible for receiving the initial Grievance Report, compiling all relevant evidence, and forwarding the matter on to the relevant Case Manager as identified in Stage 1. The Student Support Manager will be responsible for all correspondence between the complainant and the College and act impartially at all times.
  - **Student Advocate:** Responsible for attending meetings 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. They are also there as a support for the student, especially in the event that the student does not bring their own support person with them.
  - **Case Manager:** The Case Manager (as determined by Table 1 below) is responsible for conducting the first review of the grievance, as outlined in Stage 1. The Case Manager conducts an investigation of the alleged incident by compiling necessary supporting evidence, including interviews or meetings with relevant stakeholders. They may also request an interview with the complainant if they feel further questions and elaboration are necessary to form a conclusive decision. If the grievance is moved to Stage 2, the Case Manager presents

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the grievance and evidence to the Grievance Committee outlining the reasons for their decision in Stage 1.

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## 4 Definitions

For the purpose of this policy, the following definitions apply:

**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.

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## 5 Procedures

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.

### 5.1 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 College 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 their 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.

## 5.2 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.

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, and where the Compliance Officer is also unable to assess the case due to a similar conflict or other reasons.

In both cases, the Student Support Manager 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 Support Manager. If at any time a complainant fails to respond to any communication during the grievance process, either from the Student Support Manager or the Case Manager, for a period of more than 10 working days, it will be assumed that the complainant no longer wishes to pursue the grievance and the matter will be closed.

### 5.2.1 Stage 1

In the first instance, and within 20 working days of the situation or decision causing concern, the complainant completes the Student Grievance Notification, attaching all relevant documentation. This notification is automatically sent to the Student Support Manager who acknowledges receipt of the grievance within 5 working days, and determines the appropriate Case Manager, as follows:

Type of Grievance	Case Manager
Abuse of children or young people, sexual assault, 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	Assistant Registrar
Academic grievances (where conflict of interest exists)	Compliance Officer

Table 1: Types of Grievances and Case Managers

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On receiving a grievance, the Case Manager, in collaboration with the Student Support 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's office will attend in their place)
- facilitate resolution in a timely manner, normally within 10 working days from receipt of the 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 2003* (HESA) and/or Excelsia College policy, facilitate the outcome dictated by the Act or policy
- give the complainant comprehensive advice about the outcome
- update the Grievance Register and the original report online 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.

### 5.2.2 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 Student Support 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 Support Manager 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 Support Manager updates the register and saves a copy and all records within the Registrar's Office repository 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.

### 5.2.3 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 Support Manager 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.

Stage 3 carries a cost of \$100 for the student. Any further costs incurred in the external review will be borne by the College.

For grievances involving international students, the matter will be referred to the Office of the Commonwealth Ombudsman. This office will then coordinate any further investigation and make a final decision. Both the student and the College are expected to cooperate fully with their requests and respect any resolution (or suggested resolution) arrived at.

For grievances involving domestic students, an external reviewer will be appointed by Independent Higher Education Australia (IHEA).

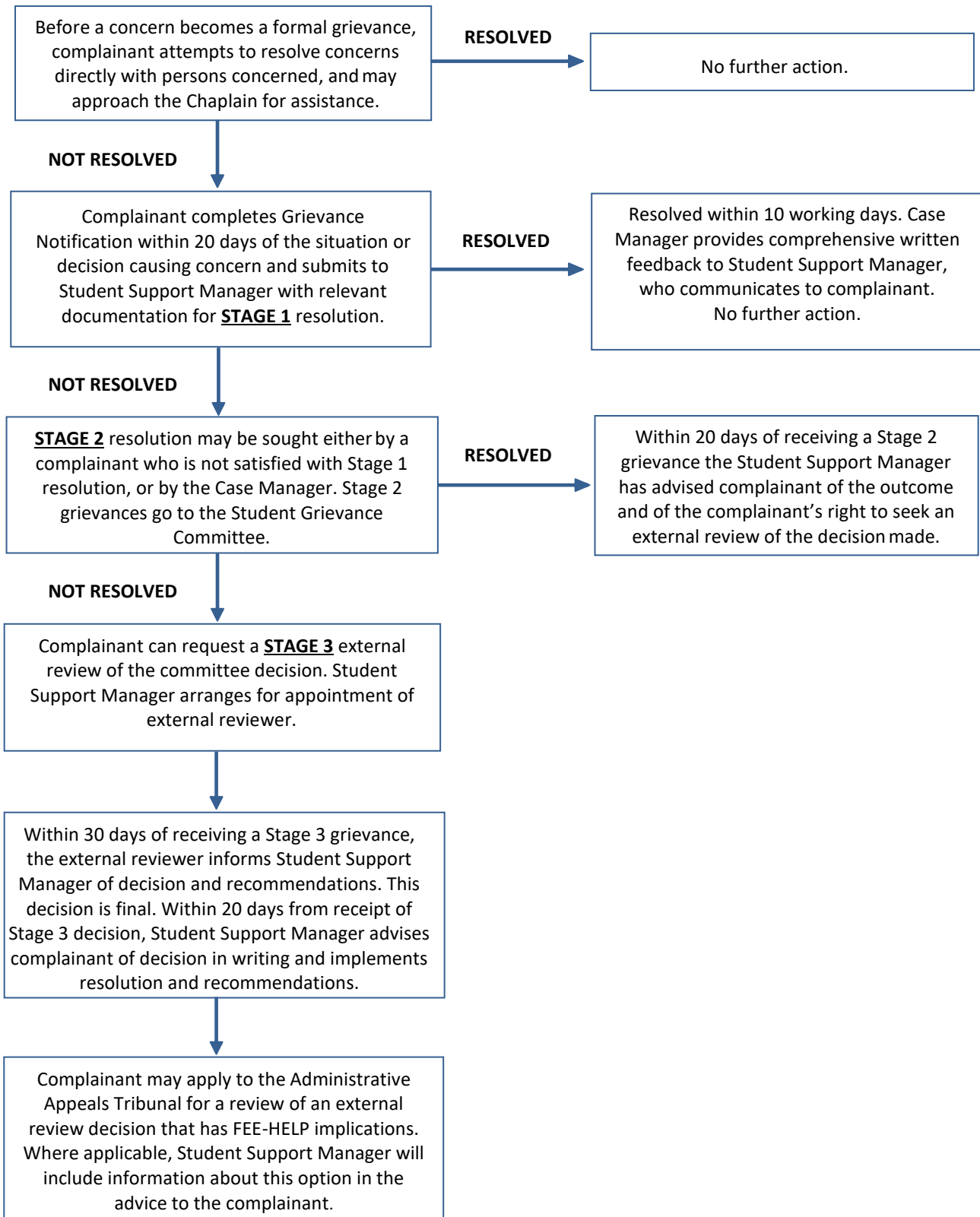
On receipt of a written request from a domestic student complainant for external review of the decision made in Stage 2, the Student Support Manager will contact the Executive Officer of IHEA to arrange this appointment and will assist the complainant in making contact with the external reviewer.

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 Support Manager the written outcome of the review, together with any recommendations.

For grievances involving either international or domestic students, within 20 working days of receiving the external review decision and recommendations, the Student Support Manager 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 decision that has been confirmed, varied or set aside under section 209-5 or 209-10 of the *Higher Education Support Act 2003*. The Student Support Manager 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.

## 6 Grievance process flowchart





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## 7 Related documents and references

Student Grievance Notification

Student Grievance Committee Terms of Reference

Higher Education Standards Framework (2021)

[Higher Education Support Act 2003](#) (HESA)

[Higher Education Provider Guidelines](#)

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## 8 Mapped to HESF

The content of this policy is mapped to the HESF 2.4.

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## 9 Document history

This policy has been amended as follows:

Version	Amendments / Date / Notes
19	Student Advocate added to responsibilities, Table 1 updated, Stage 3 regarding international students and domestic students updated, job titles updated, document transferred to new policy template, mapped to the HESF.