



SOUTHERN CROSS
INSTITUTE

Student Grievance Management Policy and Procedure

Academic Board Approved Policy

Policy Compliance with Relevant Legislation

Regulatory Requirements	Relevant Standards	Section/s
Higher Education Standards Framework (Threshold Standards) 2021		
Standard 2.4	<p>Student Grievances and Complaints –</p> <p>Current and prospective students have access to mechanisms that are capable of resolving grievances about any aspect of their experience with the higher education provider, its agents or related parties.</p> <p>There are policies and processes that deliver timely resolution of formal complaints and appeals against academic and administrative decisions without charge or at reasonable cost to students, and these are applied consistently, fairly and without reprisal.</p> <p>Decisions about formal complaints and appeals are recorded and the student concerned is informed in writing of the outcome and the reasons, and of further avenues of appeal where they exist and where the student could benefit.</p>	Entire Policy

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Version Control

Version	v1.3
Review	The Academic Board will review this Policy in accordance with the Institute's <i>Policy Document Review Schedule</i> .
Approving Body	Academic Board
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Policy Custodian	Dean
Policy Contact	Dean
Related Documents	Academic Integrity Policy Admissions Policy and Procedure Assessment Policy and Procedure Student Code of Conduct Glossary of Terms
Related Legislation	Higher Education Standards Framework (Threshold Standard) 2021 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018 Education Services for Overseas Students Act 2000 (ESOS Act)
Higher Education Standards Framework (Threshold Standards) 2021 (Cth)	BI.1 "Higher Education Provider" Category Standard 6.1 Standard 6.2 Standard 6.3 Standard 7.3, ss 3
Policy Benchmarking	Australia Institute of Higher Education International School of Management Sydney Macquarie University University of Newcastle University of Southern Queensland Western Sydney University

I. Preamble

1.1 Purpose

Southern Cross Institute ('the Institute' or 'SCI') has an obligation to provide prospective and current students with access to a mechanism that allows for all grievances, complaints and appeals to be made, addressed and resolved consistently, fairly and without reprisal.

1.2 Background

1.2.1 SCI has established processes that allow prospective and current students to lodge formal grievances against any aspect of their experience with the Institute, education agents or related parties. SCI will respond to any complaint or appeal that the students may lodge regarding the Institute, education agents or any related third party. This includes complaints and appeals against academic and administrative decisions.

1.2.2 This Policy recognises that effective grievance management contributes to an improved work environment for all members of the Institute community. It also provides an opportunity to improve our staff experience by identifying areas of risk and areas for improvement.

1.2.3 The management of student grievances at the Institute follows the following values:

- i. fairness in procedure;
- ii. transparency, consistency and respect for all parties;
- iii. resolution at the informal level, where possible;
- iv. timely and effective grievance management;
- v. ethical and equitable practices.;
- vi. natural justice.

1.3 Definitions

For definitions, refer to the '*Glossary of Terms*'.

2. Scope

This Policy applies to prospective and current SCI students, staff, education agents and related third parties, Board and Committee members.

3. Policy Principles

The key principles of this Policy are:

- 3.1* develop a culture that sees grievances as a chance for organisational improvement;
- 3.2* establish a grievance-focused scheme that helps the Institute prevent recurrence of grievances;
- 3.3* ensure that all grievances are addressed quickly, objectively, sensibly and in full trust;
- 3.4* ensure that the views of each student and/or respondent are respected and that any party to a grievance is not discriminated against nor victimised; and
- 3.5* the Institute guarantees a coherent response to grievances by implementing the key values of care and fairness of the Institute and by implementing this, Policy.

4. Grievance Management Procedure

Policies and procedures for the submission of a grievance or appeal is found on the Institute's website, student handbook, student portal, and are made available during New Student Orientation process. Prospective and current students have access to Student Support Officer to obtain further information and guidance in the submission of a grievance or appeal.

4.1 Informal Grievance Management Procedure

- 4.1.1 Before an issue becomes a formal complaint the students, (or individuals seeking enrolment with the Institute) are encouraged to resolve grievances informally wherever possible. The academic staff and Student Support Officer are accessible to help students solve their problems at this stage.
- 4.1.2 Any student seeking to address their grievance should first address the matter with the individual involved when making a complaint. The student may nominate someone else to speak for him or her. He or she may discuss the matter with another appropriate staff at the Institute if the student is not able to raise the matter with the individual involved.
- 4.1.3 The student may proceed as described in the Formal Grievance Management Procedure with the official method for resolving the issue where this informal strategy does not result in an acceptable resolution.

4.2 Formal Grievance Management Procedure

- 4.2.1 A grievance of an academic or non-academic nature may be submitted by students (and individuals wishing to enrol in a course of study with the Institute). Academic grievances may include:
 - i. matters of academic advancement;
 - ii. assessments including examinations and other evaluations;
 - iii. course curriculum, and/or;
 - iv. awards in a course of study.
- 4.2.2 Non-academic grievances cover all other matters, including complaints about private information held by the Institute with respect to the student.
- 4.2.3 The Institute takes all required measures at all phases of grievance management process to guarantee that:
 - i. there is no victimization or discrimination against the student and the respondent of a complaint;
 - ii. the student (and, where applicable, the respondent) has the opportunity to present his or her case formally and each party to the grievance may be accompanied and assisted at any relevant meeting by a support person;
 - iii. where the internal or external complaint handling or appeal method leads to a decision supporting the student, SCI immediately enforces any necessary decision and/or corrective and preventive action and inform the student of the result;
 - iv. There are no internal or external grievance and appeal costs to the student;
 - v. The Institute retains a register of official complaints and grievances and activities made in compliance with the *Records Management Policy and Procedure*.

5. Formal Grievance Management - Stage One

Formal complaints must be submitted by completing the *Student Grievance Application Form* and submitting to the Student Support Officer through reception or via email.

- 5.1 The Student Support Officer processes the *Student Grievance Application Form* by checking that all evidence is included and submit it to Academic Director(s).
- 5.2 The Academic Director(s) processes the formal complaint, notify the student that the complaint has been received, collate the evidence, and refer the matter to the Dean (or the nominee) for investigation within five (5) working days.
- 5.3 The Dean (or the nominee) takes all reasonable measures to resolve the complaint as soon as practicable.
- 5.4 The Dean (or the nominee) will, if necessary, seek to clarify the outcome that the student hopes to achieve. Such clarification may be sought by written request or by a face-to-face interview with the student. When such clarification occurs in a face-to-face interview, the student has an opportunity to formally present his/her case. The student or the respondent may bring a support person to accompany them to any such meeting.
- 5.5 The Dean (or the nominee) then provides written notification by providing *Grievance Outcome Advice* to the student within ten (10) working days with the outcome of the formal complaint and any steps taken to address the complaint. If for some reason the investigation or determination takes longer, the student is advised in writing.
- 5.6 The student is advised of their right to access Stage Two of this Procedure if they are not satisfied with the outcome of Stage One.
- 5.7 If this stage of the complaint handling process results in a decision that supports the student for their intended outcome, the Dean (or the nominee) immediately implements any decision and/or corrective and preventative action required and advise the student of the outcome.

6. Formal Grievance Management - Stage Two

- 6.1 If a student is dissatisfied with the outcome of their formal complaint at Stage One, they may lodge an appeal by completing the *Appeal Form* within ten (10) working days of the determination being made.
- 6.2 At Stage Two, the Grievance and Appeals Management Committee considers all applications. The Grievance and Appeals Management Committee consists of the following:
 - i. Chair of the Academic Board or nominee;
 - ii. student Counsellor;
 - iii. Academic Staff Representative
- 6.3 A student may lodge an appeal with the Dean (or the nominee) if he or she is dissatisfied with the outcome of the complaint. Within five (5) working days of receiving the request, the Dean arranges for the Grievance and Appeals Management Committee to meet with the student and other appropriate parties.
- 6.4 The appeal must set out the grounds for the appeal and supporting evidence should be provided in addition to any new information not previously provided in support of the complaint.
- 6.5 The Grievance and Appeals Management Committee, upon acceptance of the application of appeal notifies the student on the date and place of hearing as well as the rights and responsibilities of the students within ten (10) working days.

6.6 Following the hearing, the Grievance and Appeals Management Committee provides written notification to the student within ten (10) working days, advising the student of the outcome of the appeal and outlining any further steps taken to address the complaint.

6.7 The student is advised of their right to progress to Stage Three of the Complaint Procedure, if they considered their matter unresolved.

7. Formal Grievance Management - Stage Three – External Review

7.1 Domestic Students

7.1.1 If a student is not satisfied with the outcome of their appeal (Stage Two), then an independent mediator is requested through the Resolution Institute. The Resolution Institute is an independent national association of dispute resolution. Students can contact the Resolution Institute directly by using the contact details given below:

Resolution Institute

Level 1, 13-15 Bridge Street Sydney NSW 2000

Phone: +61 2 9251 3366

Fax: +61 2 9251 3733

Free call: 1800 651 650

Email: infoaus@resolution.institute

Website: www.resolution.institute

SCI covers any fees charged by the Resolution Institute.

7.1.2 The complainant/student should forward Resolution Institute invoice (or payment link) to admin@sci.edu.au for payment of arbitration application fees. If the complainant/student has already paid any charges to the Resolution Institute, they may get those charges reimbursed from the Institute by completing and submitting a *Refund Application Form*.

7.1.3 Other alternatives for appeal

The other alternatives available to students include:

- a. Department of Fair Trading (<http://www.fairtrading.nsw.gov.au>)
- b. Administrative Appeals Tribunal (<http://www.aat.gov.au>)
- c. getting a mediator or seeking legal advice at their own expense.

NSW Fair Trading protects the consumer's rights and advises business and traders on fair and ethical practice. The Administrative Appeals Tribunal (AAT) offers an independent review of a broad spectrum of administrative decisions made by the Australian government and some NGOs. The AAT aims to provide fair, impartial, high quality and timely assessment with as little formality and technicality as possible. The AAT services are used by both individuals and government entities.

7.1.4 The Institute gives due consideration to any recommendations arising from the external review. If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the student, the Dean (or the nominee) will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the international student of that action.

7.2 International Students

- 7.2.1 If an international student is dissatisfied with the outcome of their internal appeal, then they can access an external appeal process through the Overseas Students Ombudsman (OSO) at no cost.
- 7.2.2 The OSO provides free and independent guidance to international students who may have complaints or want to lodge an external appeal about a decision made by their education provider.
- 7.2.3 International students should know the following things about complaining to the OSO:
- i. You have the right to complain in Australia;
 - ii. The services provided by the OSO are free;
 - iii. Your complaint may not be investigated by the OSO in some cases. This may occur where you can be helped by another organisation or if you have not spoken about your complaint to your provider;
 - iv. If the OSO decides not to investigate, they will inform you why and they can refer you to another organisation that can assist;
 - v. The OSO is fully independent and unbiased. If the OSO decides to investigate your complaint, the education provider is contacted and asked what happened;
 - vi. The OSO treats your data with privacy and regard, and only retrieves, stores, uses and discloses your private data in accordance with Australian privacy laws.
- 7.2.4 How to make a complaint:
- i. *Online*
Overseas students can make a complaint online via the following link:
<https://forms.australia.gov.au/forms/ombudsman/overseas-students-ombudsman-complaint-form>
 - ii. *Mail*
Overseas students may write a letter and post it to:

Overseas Students Ombudsman
GPO Box 442
Canberra ACT 2601
AUSTRALIA
- 7.2.5 The Institute gives due consideration to any recommendations arising from the external review. If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the international student, the Dean (or the nominee) will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the international student of that action.
- 7.2.6 For complaints relevant to the Institute's compliance with the Higher Education Threshold Standards or the TEQSA Act, students may wish to lodge a complaint with the Tertiary Education Quality and Standards Agency (TEQSA). For further information, please go to the TEQSA website: <https://www.teqsa.gov.au/complaints>.

8. Enrolment Status

While the grievance handling process is ongoing the Institute maintains the student's enrolment.

9. Record Keeping and Confidentiality

On written request to the Dean, a written record of all grievances handled under this procedure and their outcomes shall be retained for a period of at least five (5) years to enable all parties to have access to these records.

All complaint records shall be treated as confidential and shall be covered by the Institute's *Records Management Policy and Procedure*.

Appendix: I Flow chart



