

STUDENT GRIEVANCE HANDLING PROCEDURES

Approving Authority	Board of Governance 1/8/2018
Responsible Officer	Dean of Students
Version	V3.0 Reformatting and updated SASH terms. Principal approved 4 th November 2020
Next Scheduled Review	Nov 2023
Related Legislation and Regulations	Education Services for Overseas Students (ESOS) Act 2000 The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018. Standard 6 Higher Education Standards Framework (Threshold Standards) 2015 Standards for Registered Training Organisations (RTOs) 2015. Standards 1,4 and 5
Associated Documents	Grievance, Complaints & Appeals Policy Student Grievance Handling Process SASH Policy and Procedure Mental Health Policy and Procedure Critical Incident Policy Critical Incident Procedure Critical Incident Form FEE-HELP Review Policy Overseas Student Orientation Policy Overseas Student Orientation Checklist

1 SCOPE

A grievance can be defined as a person's expression of dissatisfaction with any aspect of the College's services and activities, including both academic and non-academic matters, such as:

- the application, enrolment, induction/orientation process;
- the quality of education provided;
- academic matters, including student progress, assessment, curriculum, and awards in a VET course of study;
- handling of personal information and access to personal records, or
- the way someone has been treated.

This policy applies to all students across all sectors.

2 PURPOSE

This Student Grievance Handling Procedure is designed to ensure that the College responds effectively to individual cases of dissatisfaction.

3 DEFINITIONS

Grievance: Concerns or complaints about unfair treatment, discrimination, harassment, vilification and/or bullying which are not otherwise managed under a separate review, appeal, resolution or complaint procedure.

Harassment: Unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive, and that a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.

Sexual Assault: Sexual assault occurs when a person is forced, coerced or tricked into sexual acts against their will or without their consent, or if a child or young person under 18 is exposed to sexual activities. Some forms of sexual assault, such as rape, assault of a sexual nature, acts of gross indecency and sexual intercourse without consent, indecent exposure, stalking or unlawful observations and recordings in breach of privacy or obscene communications are also criminal offences and may be reported to the Police as guided by law.

Sexual Harassment: Sexual harassment means any unwanted, unwelcome or uninvited behaviour or conduct of a sexual nature, which makes a person feel offended, humiliated and/or intimidated. Sexual harassment includes behaviour that makes the personal environment uncomfortable or threatening in a sexually hostile way. If sexual harassment includes behaviour that causes humiliation, pain, fear or intimidation, it can also amount to sexual assault.

Mediation: A process that facilitates dispute resolution in which someone who has mediation skills (usually called a mediator) helps the aggrieved parties reach a joint agreement that suits everyone concerned. He/she is neutral, does not influence the outcome, and helps parties to consider all possible solutions.

Staff member: Means all College employees casual, full time and adjunct.

Student: Means a person enrolled in the College.

Code of Conduct: Is the documented expectations as outlined in the Code of Conduct policy.

College activity: Is that which involves staff or students in general operations or representation.

Counsellor: Is a trained counsellor who works with students facing personal challenges to empathise, encourage and guide them.

4 POLICY/PROCEDURE STATEMENT

The College recognises the duty of care to students, staff and associated persons to resolve grievances respectfully, fairly and promptly. The College accepts the legal responsibility to resolve any issues where unlawful behaviours are alleged.

Access to Grievance Handling Procedures:

Students have a right to access the Grievance Handling Procedures for academic and non-academic matters without disadvantage, regardless of the nature of the grievance.

Records of Grievances - keeping and access:

Students who wish to access any records relating to personal grievances are required to notify the Dean of Students and arrange an appointment to view them.

Student Input into Grievance Handling Procedures:

Students are encouraged to provide formal input and feedback into the College's Grievance Handling Procedures. Such input is particularly welcome and encouraged by students who have utilised and experienced the College's grievance handling process.

ACADEMIC MATTERS

Dispute notification: assessment tasks:

Where a grievance relates to a particular assessment task (whether the conduct of the task or mark awarded for the task) within a subject the matter should be raised verbally in the first instance with the lecturer or person coordinating that particular subject as identified on the subject information booklet. If the issue cannot be

resolved to the satisfaction of the student immediately, he/she is required to lodge a formal notice of grievance, in writing, addressed to the Dean of Students. The basis for the dispute should be clearly stated.

Dispute notification: curriculum and/or student progress:

Where a grievance relates to curriculum and/or student progress, the matter should be raised verbally in the first instance with the Dean of Students. If the issue cannot be resolved to the satisfaction of the student immediately, he/she is required to lodge a formal notice of grievance in writing, addressed to the Dean of Students. The basis for the grievance should be clearly stated.

Dispute on Fees and FEE-HELP

Any grievance or disputes relating to student fees or FEE-HELP will be resolved as per the FEE-HELP review policy.

NON-ACADEMIC MATTERS

A non-academic matter includes any matters, concerns or grievances which do not relate to student progress, assessment, curriculum and awards in a course of study and includes grievances in relation to personal information that the College holds in relation to the student or the way they have been treated by another.

Dispute notification:

A student or intending student who is aggrieved about a non-academic matter is required to raise the issue verbally in the first instance with the Dean of Students. If the issue cannot be resolved to the satisfaction of the student or intending student immediately, he/she is required to lodge a formal notice of grievance in writing, addressed to the Dean of Students, and specifying the reasons for making the request.

Internal review process:

If, after a formal investigation by the Dean of Students a student or intending student is still aggrieved, a formal internal review of the investigation and recommendation to resolve the grievance may be requested by the student or intending student, in writing, within twenty-eight (28) days of the receipt of the formal recommendation. The request for a review must be addressed to the Principal (the Review Officer) and must specify the reasons for making the request.

Upon receipt of a request for an internal investigation of a grievance, which remains unresolved, the Principal shall acknowledge in writing, receipt of the request for an internal investigation and inform the student of the following information:

- who will be responsible for conducting the investigation;
- that he/she has the right to a personal meeting to present his/her case (verbally and/or in writing) and the name, address and telephone number of the person to contact if a personal meeting is required;
- that he/she has the right to submit additional information in writing, should a personal meeting not be desired; and the name and address of the person to whom the additional information should be submitted;
- the timeframe during which the internal investigation will be conducted, generally within 45 days of receiving the request for an investigation.

The Principal may conduct the review personally or appoint a senior staff representative to conduct the review. The Principal will forward a formal letter to the student advising:

- the outcome of the investigations;
- a recommendation to resolve the grievance;
- the external review process available; and
- that the actions taken to investigate the matter, and the reason(s) and an explanation of the decision taken as part of the procedures will be provided in writing, if requested.

The Principal may confirm the decision previously made, vary the decision, or set aside the decision and substitute a new recommendation.

External review process:

If all internal review processes have been exhausted and the student is not satisfied with the outcome of the internal review, the student may request an external review. The external review will use the Alternative Dispute Resolution (ADR) services of Bridge Mediation, an independent organisation that specialises in Dispute Resolution. Students should note that there will be costs involved in engaging Bridge Mediation services. The address for Bridge Mediation is:

Bridge Mediation
Level 14
201 Miller Street
North Sydney NSW 2060
Phone: 1300963977
Email: info@bridgemediation.com.au
Website: www.bridgemediation.com.au

The outcome resulting from this external review will be forwarded by Bridge Mediation to the Dean of Students who will action the recommendation within 45 days.

5 ACKNOWLEDGEMENTS

This policy acknowledges the following resources:

<https://documents.uow.edu.au/about/policy/uow058683.html>