

# CHSQF058 Student Non-Academic Grievance and Appeals Policy & Procedures

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## 1. Purpose

This policy describes the process that CHS shall apply for resolution of non-academic student grievances and appeals, including the process for independent external review of decisions made under this policy.

## 2. Scope

This policy applies to the College, its staff and students, and to persons who may not yet be students but who have demonstrated an intention to enrol as a student in the College.

The policy and procedures set out in this document do not remove the student's right to take further action under Australia's Consumer Protection Laws, nor circumscribe the student's right to pursue other legal remedies.

## 3. Definitions

Term	Definition
<b>Appeal</b>	An application to reconsider a decision made by the College.
<b>Exclusion</b>	Permanent cancellation of a student's enrolment in their course and the termination of their rights and privileges as a student of CHS, including their right to re-apply for admission.
<b>Grievance</b>	A complaint or concern raised against some aspect of the College including, but not limited to, actions, processes or facilities which are considered unfair, disadvantageous, wrong or inadequate.
<b>Overseas student</b>	An overseas student who is studying in Australia on a student visa.
<b>Bullying</b>	Bullying occurs where an individual or group of individuals repeatedly behaves unreasonably towards a person or group of persons (in this instance, a student or group of students), and that behaviour creates a risk to health and safety.
<b>Complaint</b>	An expression of dissatisfaction made in relation to an action, decision or omission within the responsibility and control of the College, a College staff member, a student, or an education agent or associate acting on behalf of the College, where a response or resolution process is expected wherever possible.
<b>Unsatisfactory Academic Progress</b>	Refers to the academic status of a student who is identified as making unsatisfactory course progress as defined in the CHS Course Progress Policy.

## **4. Policy Statements**

The following principles underpin student grievance, complaint and appeal resolution processes against College decisions.

### **4.1 Timeliness**

The College will ensure that any grievance or appeal will be dealt with as quickly as possible and normally within the timeframes indicated within this policy.

### **4.2 Confidentiality**

Student grievances and appeals will be treated confidentially. Access to information about a grievance or appeal will only be granted to staff dealing with the matter. All records will be kept strictly confidential.

### **4.3 Without prejudice or disadvantage**

Any grievance or appeal will be considered without prejudice and solely on its merits and the evidence provided. The complainant will not be disadvantaged while the grievance or appeal is in progress, for example, the student should be allowed to continue enrolment or to attend class. The no disadvantage rule does not apply to the decision reached beforehand by the College under this policy as part of the resolution of a separate complaint.

The enrolment of overseas students studying in Australia on a student visa will be maintained throughout the student's participation in the internal grievance and appeals process and the College will not report the student to the relevant Australian Government departments unless extenuating circumstances relating to the welfare of the student apply.

If the internal appeals process is complete, and has supported the College's decision, the College will advise the student within ten (10) working days of the right to access an external complaint handling and appeals process and will give the student appropriate contact details.

### **4.4 Record-keeping and access to records**

Records of grievances and appeals and their outcomes will be kept strictly confidential and stored by the Registrar's Office.

The complainant and/or respondent will have a right to supervised access to all documents held by the College concerning his or her grievance or appeal.

The Registrar's Office shall maintain a Register of Grievances and Appeals that records the unique folio number of the case.

### **4.5 Cost**

There will be no charge to the student through the internal appeals processes. If the matter proceeds to an external mediator or complaints body, the costs of mediation will be shared jointly by the student and by the

College of Health Sciences. Overseas students incur no charges to access the Australian Government's Overseas Students Ombudsman service. If the external mediator finds in the student's favour the College shall bear all reasonable costs incurred by the student in accessing the external mediator.

#### **4.6 Student Support**

Students or prospective students may, at any time during the grievance or appeals process, seek independent professional advice and support and may be accompanied by a third party at any relevant meeting. This can also include support services arranged by the College.

### **5. Procedures**

#### **5.1 Informal Internal Grievance or Appeal**

Annexure A summarises the steps and time limits for resolution of all non-academic grievances and appeals. It is preferable that any grievance or appeal be resolved informally. The College encourages the student to take their grievance or appeal directly to the staff member who is responsible for the matter or issue with a view to arriving at a mutually agreeable resolution. Students may contact the staff member in person via email to the staff member's College email address or by phone and request telephone transfer to the staff member. Students may seek independent professional advice and support, including support services arranged by the College, and may be accompanied by a third party at any meeting with the staff member.

This should be done within 20 working days of the matter or issue to which has given rise to the grievance or appeal.

That staff member should aim to resolve the grievance or appeal and communicate the outcome to the student in writing no later than 10 working days after the receipt of the grievance or appeal.

As part of the informal process to resolve complaints the student is responsible for ensuring that they make clear the nature and grounds of the grievance or complaint and, where applicable, provide evidence to support any claims.

#### **5.2 Formal Internal Grievance or Appeal to the Registrar**

If the student is not satisfied with the result of the informal process the student can escalate the matter to a formal process by writing to the Registrar within 20 working days.

The written submission should clearly state:

1. The background to the grievance or appeal
2. The exact grievance or nature of the appeal
3. What steps have been taken to address the grievance or appeal including dates
4. A brief description of how the matter can be resolved from the point of view of the student

The Registrar will investigate the case presented and may:

- designate any staff member, who has not had prior involvement in the case, to assist with the investigation;
- form a working party to investigate and report on the matter
- consult with relevant academic and administrative staff as well as students of the College on matters pertaining to the case; and/or
- request the student to meet with them in person or via teleconference to discuss the case. At such a meeting students may seek independent professional advice and support, including support services arranged by the College, and may be accompanied by a third party.

The Registrar will respond directly in writing to the student concerned, including detailed reasons for any decision, no later than 20 working days after the receipt of the grievance. In the case of successful appeals, the Registrar will ensure that appropriate action is taken immediately.

### **5.3 Formal Internal Appeal to the CHS Appeals Committee**

If the student is not satisfied that their grievance has been resolved after the first formal stage they may appeal in writing to the Registrar to refer the matter to the CHS Non-Academic Appeals Committee within 20 days of the outcome of the first formal stage.

The appeal to the CHS Non-Academic Appeals Committee must contain evidence that the matter has not been dealt with properly or state the reason or reasons the matter should be reviewed by the CHS Non-Academic Appeals Committee such as new information or evidence that was not considered previously.

The Registrar shall convene the Non-Academic Appeals Committee chaired by the CEO's nominee plus a senior member of CHS executive and an external member to investigate the complaint within 10 working days after a written request is received from the complainant for the matter to be heard by an Appeals Committee. Both CEO's nominee and the senior member of CHS executive must not have previously been associated with the case. The Committee may request the complainant to appear in person including having a representative to accompany him/her where requested by student. The Committee may also request for further information from any staff or executives or other members of the College.

The Non-Academic Appeals Committee shall make a decision on the matter which shall be communicated to the student by the Registrar in writing, including detailed reasons for the decision, within 5 working days of the decision by the Non-Academic Appeals Committee. In the case of successful appeals, the Registrar will ensure that appropriate action is taken immediately.

## 5.4 External Grievances and Appeals Processes

If the student's grievance or appeal remains unresolved following consideration by the CHS Non-Academic Appeals Committee, the student may request a review through an external independent mediator or body.

Domestic students can request mediation through the Resolution Institute. The costs of mediation will be shared jointly by the student and by the College of Health Sciences. However, should the mediation's decision be in student's favour the College shall refund student's share of mediation costs.

Email: [infoaus@resolution.institute](mailto:infoaus@resolution.institute)  
Phone: +61 2 9251 3366; 1800 651 650  
<https://www.resolution.institute>

Overseas students on a student visa can request a free and independent external review of their complaint through the Overseas Students Ombudsman. In most cases the external body will consider whether the College has followed its policies and procedures rather than make a decision on the matter itself. Students may contact the Overseas Students Ombudsman by email or by phone for further information and guidance:

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Call: 1300 362 072 within Australia Outside Australia call +61 2 6276 0111  
[http://www.ombudsman.gov.au/contact - us](http://www.ombudsman.gov.au/contact-us)

The College will act immediately upon any recommendation(s) arising from external review following receipt of the recommendations. The Registrar will be responsible for ensuring that any recommendation(s) received are fully implemented.

If a student remains dissatisfied with the outcome of an external review or mediation, they may refer the matter to an external agency such as the Anti-Discrimination Board of NSW, NSW Fair Trading, the Victorian Equal Opportunity & Human Rights Commission, or other agencies where relevant.

## 6. Responsibilities

The Registrar assumes the following responsibilities:

- Investigate formal complaints and grievances associated with non-academic matters
- Monitor progress in all formal non-academic grievances and complaints
- Notify student of the outcomes following investigations and decisions by the CHS Non-Academic Appeals Committee
- Ensure that where appeals are upheld, appropriate action is taken within the timeframes specified in this policy
- Ensure that records are kept of all actions taken under this policy
- Identify discrimination, sexual harassment and bullying behaviours and initiate the appropriate internal or external process
- Ensure that any recommendation(s) received from external mediators are immediately implemented.

- Provide an annual analysis of non-academic complaints received and resolution of the same to Academic Board and the Board of Directors, including recommendation for changes to both policy and practice where appropriate

## 7. Records

Records associated with this policy will be maintained according to the Records Management Policy and Record Retention and Disposal Schedule.

## 8. Related Documents

- CHS Governing Board Charter
- CHS Academic Board Charter
- CHS Privacy Policy
- CHS Academic Integrity Policy and Procedures
- CHS Student Code of Conduct
- CHS Assessment Policy
- CHS Course Progress Policy
- CHS Critical Incident Policy
- CHS Equity and Diversity Policy

## 9. Related legislation

- Higher Education Support Act 2003
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students (ESOS) Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework (AQF).

## 10. Version Control

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2.0	Sec 4.6 added. Checked for consistency. Steps added for clarity.	Academic Board: 26 May 2020 Board of Directors: 26 May 2020	20 September 2023

2.1	Minor updates arising from CRICOS application review	CEO: 18 May 2021	20 September 2023
2.2	Minor updates arising from CRICOS application review	CEO: 07 Jul 2021	20 September 2023
2.3	Minor changes to the job title and extension of review date	CEO: 12 October 2023	12 October 2024

## 11. Annexure A: Steps to Resolving Non-Academic Grievances and Appeals

Step	Description
1	Student appeals informally directly to relevant staff member.
2	Staff member investigates appeal and makes a decision within 10 working days of receipt of appeal.
3	Staff member communicates decision to student.
4	If student satisfied with result, the appeal process is complete.
5	Students not satisfied with result may appeal to the Registrar.
6	Registrar investigates appeal, makes a decision and communicates result to student within 20 working days of receipt of appeal.
7	If student satisfied with result, the appeal process is complete.
8	Students not satisfied with result appeal to Registrar within 20 working days for matter to be referred to CHS Non-Academic Appeals Committee.
9	Registrar convenes CHS Non-Academic Appeals Committee within 10 working days of receipt of appeal.
10	CHS Non-Academic Appeals Committee investigates the appeal and makes a decision.
11	The Registrar informs student of result of appeal within 5 working days.
12	If student satisfied with result, the appeal process is complete.
13	Students not satisfied with result appeal to external remediation body.
14	External remediation body investigates the appeal, makes a decision and communicates it to College and student.
15	If appeal upheld, Registrar acts on recommendations immediately and implement. The Registrar will be responsible for ensuring that any recommendation(s) received are fully implemented.



