



CHRISTIAN HERITAGE COLLEGE

POLICY: Grievance Policy and Procedures for Domestic Students – Re-Crediting 'HELP' Debt and Review of Decisions

Policy Group(s):	Group C: Administration – 3: Students (Ref: C3/0105.3-0313)		
Related Policy:	Grievance Policy and Procedures for Domestic Students – Non-Academic Grievances Grievance Policy and Procedures for Domestic Students –Academic Grievances		
Commencement Date:	January 2005	Review Date:	March 2018

POLICY STATEMENT

Intent:

In accordance with its foundation on Christian principles, Christian Heritage College (CHC) is concerned to maintain the highest levels of student confidence in the quality and integrity of CHC's courses and administrative practices.

Because people are important, people's grievances are especially important. Students are entitled to justice in all their interactions with CHC. In addition, unresolved grievances prevent students from gaining the full benefit from the course in their learning and growth.

In seeking to resolve people's grievances CHC commits to do so in a timely manner. A grievance is not a part of the regular feedback that is provided to CHC by its stakeholders as part of CHC's commitment to continuous improvement, but is rather a formal complaint requesting action or some form of formal response from CHC.

Scope:

Restrictions: All domestic students enrolled in a course of study at CHC and who are eligible for a 'HELP' loan.

Exclusions: Overseas Students (please refer to the *Grievance Policy and Procedures for Overseas Students*)

Objectives:

1. To provide clear guidelines concerning the pathway for processing applications for re-crediting of HELP debts for domestic students.
2. To maintain compliance with any relevant legislation, regulations, guidelines or codes.

Policy Provisions:

1. General

- 1.1. If a student has not completed the requirements of a unit due to special circumstances, the student may apply within 12 months of either the end of the study period in which the unit(s) was undertaken or the withdrawal date, to have their HELP or HELP balance re-credited and their debt remitted.

- 1.2. All applications must be made in writing to the Academic Registrar.
- 1.3. All students of CHC are entitled to access the grievance procedures set out in this policy in relation to the remittance of HELP debts regardless of the location of the campus at which the grievance has arisen, their place of residence or the mode in which they study.
- 1.4. CHC will not victimise or discriminate against any complainant or respondent.
- 1.5. The complainant and/or the respondent are permitted to be accompanied and assisted by a third party at any stage throughout the process provided that third party is not a lawyer. If they wish to do so the complainant or respondent may contact the Academic Registrar's office for support in preparing their case.
- 1.6. CHC will retain confidential records relating to grievances for at least five years, and allow parties to the complaint appropriate access to these records. A register of grievances and any documentation pertaining to each grievance will be maintained and held in the Academic Registrar's office.
- 1.7. This procedure is free of charge.
- 1.8. 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.
- 1.9. This policy and procedures is publicly available on the CHC website: www.chc.edu.au and is set out in the Student Handbooks.

2. Special Circumstances

- 2.1 Before re-crediting these entitlements, CHC must be satisfied that the special circumstances involved were:
 - 2.1.1 beyond the student's control; and
 - 2.1.2 did not make their full impact on the student until on or after the census date for the unit (the last date for withdrawal without financial penalty); and
 - 2.1.3 made it impracticable for the student to complete the requirements of the unit within the study period.

2.2 Circumstances Beyond the Student's Control

Circumstances are deemed to be beyond the student's control if CHC is satisfied if a situation occurs which a reasonable person would consider is not due to the student's action or inaction, either direct or indirect and for which the student is not responsible. These circumstances must also be unusual, uncommon or abnormal.

2.3 Circumstances That Did Not Make Their Full Impact Until After the Census Date

CHC will be satisfied that a student's circumstances did not make their impact on the student until on or after the census date for a unit if the circumstance occurs:

- 2.3.1 before the census date but worsens after that day;
- 2.3.2 before the census date but the full impact or magnitude did not become apparent until on or after the census date; or
- 2.3.3 on or after the census date.

2.4 Circumstances Which Made It Impracticable for the Student to Complete the Requirements of the Unit.

Circumstances which make it impracticable for a student to complete a unit include medical circumstances, family or personal circumstances, employment related circumstances or course related circumstances such as a unit ceasing to be offered and no credit given toward other units or courses.

2.5 Any application must include independent supporting documentation such as a letter from the student's doctor or counsellor. CHC will consider the claims of the student together with the independent supporting documentation which substantiates the student's claims.

2.6 Upon receipt of an application the Academic Registrar will convene a panel to consider the application. The panel will meet within 20 working days of the receipt of the application and its decision will be communicated to the student in writing within a further 10 working days of the panel meeting.

2.7 If the student is not satisfied with the decision he/she may lodge a request for a review of that decision as a "reviewable decision" under the *Higher Education Support Act 2003*.

3. Review of Decisions

3.1 If CHC decides to refuse to re-credit some or all of a student's Student Learning Entitlement and student contribution amount or their FEE-HELP balance, this decision is a "reviewable decision" under the *Higher Education Support Act 2003*.

3.2 A student who disagrees with a decision made by CHC in relation to these matters may lodge a request for a review of that decision.

3.3 A student must lodge a request for a review within 20 working days of receiving notice of the original decision. The application must be made in writing and specify the reasons for making the request and should be lodged by mail or by hand delivery to the office of the President.

3.4 Upon receipt of an application for the review of a reviewable decision, the President will acknowledge in writing the receipt of the application. This acknowledgement will inform the student that a reviewer has been appointed and that if the reviewer has not advised the applicant of a decision within 45 days, the reviewer is taken to have confirmed the original decision.

3.5 The President will appoint a review officer to review the reviewable decision, who will be a Dean of a School other than that in which the student was enrolled at the time of the circumstances leading to their request for re-crediting. The review officer will be a person not involved in the original decision, and senior to the original decision-maker.

3.6 The review officer will reconsider the reviewable decision and:

3.6.1 confirm the decision;

3.6.2 vary the decision; or

3.6.3 set the decision aside and substitute a new decision.

3.7 The review officer's decision will take effect on the day on which the decision was made unless another day is specified.

3.8 The review officer must communicate the outcome of a reviewable decision to the student in writing within a reasonable period of time and will inform the student of the reasons for the decision.

- 3.9 The notice will also inform the student of their further right of appeal to the Administrative Appeals Tribunal, the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs in making an appeal.

Supporting Procedures and Guidelines:

1. Staff Training

- 1.1 Training in the application of the *Re-crediting of 'HELP' Debts and Review of Decisions* policy is provided to the appropriate CHC staff by the Academic Registrar who is responsible for training both academic and administrative staff.
- 1.2 Whenever the policy is updated or revised and approval has been given by Academic Board for this revision, staff are alerted to this both via the staff meeting.
- 1.3 New staff receive training through staff induction processes. The policy is readily available on the CHC website www.chc.edu.au

2. Recording the Grievance

- 2.1 When a student applies for the re-crediting of their HELP Debt, the Academic Registrar will record this on the Grievance Register. This is a confidential file and is kept by the Academic Registrar's office.
- 2.2 The Academic Registrar is notified of the outcome of each stage of the process. This will be recorded on the Grievance Register.

3. Storing of Files

- 3.1 The Academic Registrar will store records of all grievances which will remain accessible to all interested parties for a period of five years.
- 3.2 Records of grievances and their outcomes will be strictly confidential and kept in a separate file (not kept on the student or staff file) and stored in the office of the Academic Registrar for a period of five years.

4. Access to the Files

- 4.1 Access to the files pertaining to grievances is made available to parties to a grievance upon written application to the Academic Registrar.
- 4.2 Parties to a grievance will be provided with supervised access to the files within 48 hours of providing the Academic Registrar with written notification of such a request.

POLICY FURTHER INFORMATION

Relevant Commonwealth/State Legislation	HESA Section 19-45 (1) HEP Guidelines
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ACCOUNTABILITIES

Implementation:	Academic Registrar
Compliance:	Academic Registrar
Monitoring and Evaluation:	Academic Registrar

Development/Review: Academic Registrar, CHC Executive

Approval Authority: CHC Council

Interpretation and Advice: Academic Registrar's Office

WHO SHOULD KNOW THIS POLICY?

All CHC students and staff.

EFFECTIVENESS OF THIS POLICY

Performance Indicators:

- Number of grievances which are lodged
- The most number of grievances resolved at Stage 1 or 2.

Other: Nil

Definitions and Acronyms:

CHC – Christian Heritage College
Grievance – a grievance is any formal statement of concern reported to a staff member at CHC that requires a response from CHC. It is not a part of the regular feedback that is provided to CHC by its stakeholders as part of CHC's commitment to continuous improvement, but is rather a formal complaint requesting action or some form of formal response.
HELP – Higher Education Loans Program
HESA – Higher Education Support Act 2003
HEP Guidelines – Higher Education Provider Guidelines

APPROVAL – section maintained by the Director of Quality and Standards

Reference No.	Approved	Date	Committee/Board	Resolution No. / Minute Ref.
C3/0105.3	Yes	05/05/2004	Council	11

REVISION HISTORY – section maintained by the Director of Quality and Standards

Revision Reference No.	Approved / Rescinded	Date	Committee/Board	Resolution No. / Minute Ref.
0702	Approved	16/04/2007	Council	16
0703	Approved	24/09/2007	Council	16
1107	Approved	15/11/2007	Council	Flying Minute
0313	Approved	26/03/2013	Council	Flying Minute