



CHRISTIAN HERITAGE COLLEGE

POLICY: Grievances for Overseas Students

Policy Group(s):	Group C: Administration – 3: Students (Ref: C3/0105.1-0818)
Related Policy:	Cancellation of Enrolment for Overseas Students Refunds for Overseas Students Student Code of Conduct
Commencement Date:	January 2005
Review Date:	August 2018
Scheduled Review Date:	August 2023

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.

Scope:

Restricted to: Overseas students undertaking a course of study at CHC.

Excluded: Domestic Students.

Objectives:

1. To provide clear guidelines concerning the process available to overseas students for the hearing of complaints and appeals submitted by overseas students.
2. To ensure compliance with the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the National Code), in particular Standard 10.

Policy Provisions:

1. General

- 1.1 Two separate grievance procedures exist for overseas students: for academic-related grievances, and for non-academic-related grievances.
- 1.2 The procedures for academic-related grievances provide for grievances that relate to curriculum, transfer of credit and recognition of prior learning, assessment, academic grades, student progress (including Review of Academic Progress and Review of Enrolment Process) and awards in a course of study.
- 1.3 The procedures for non-academic-related grievances provide for grievances that relate to administrative decisions and matters of institutional procedure and practice such as application for admission, institutional practices, financial issues, resources, marketing, facilities and student services, including access for students with disabilities.

- 1.4 CHC will respond to any complaint or appeal made by overseas students regarding their dealings with CHC, CHC's education agents or any related party CHC has an arrangement with to deliver courses or related services.
- 1.5 The resolution of academic-related grievances and non-academic-related grievances involves a five-stage process:
 - 1.5.1 Preliminary Stage: Self-reflection and analysis of feedback;
 - 1.5.2 Stage 1: Informal Process;
 - 1.5.3 Stage 2: Formal Internal Process;
 - 1.5.4 Stage 3: Formal Internal Review Process; and
 - 1.5.5 Stage 4: External Process.
- 1.6 Each stage of the process is free of charge.
- 1.7 While CHC encourages students to engage in Step 1 of the process, an overseas student has the right to proceed directly to the formal internal process (Stage 2).
- 1.8 An overseas student has 20 working days from the receipt of an academic decision to access this policy. To access the policy means either to engage in Stage 1, or to proceed directly to Stage 2 without having engaged in Stage 1 (see Policy Provision 1.6).
- 1.9 CHC will provide reasons and full explanation in writing for decisions and actions taken as part of the process, if requested by the complainant and/or the respondent.
- 1.10 The timelines stated in this policy may be extended by mutual agreement between the student and the person or body that is involved in the particular stage of the process.
- 1.11 If the expiration date of a student's visa is approaching, CHC will seek to expedite the process in order to facilitate a resolution within the timeframe of the visa.
- 1.12 CHC will conduct the assessment of grievances in a professional, fair and transparent manner and will not victimise or discriminate against any complainant or respondent.
- 1.13 CHC will generally not respond to anonymous grievances; however, all complaints, either formal or informal, about the abuse of children or young people must be reported to the President, even when these complaints are made anonymously.
- 1.14 The complainant and/or the respondent are permitted to be accompanied and assisted by a support person at any stage throughout the process provided that person is not a lawyer.
- 1.15 CHC will retain confidential records relating to grievances for five years and allow parties to the complaint supervised access to these records.
- 1.16 Whilst an overseas student's enrolment will be maintained throughout the internal review process, CHC may exclude an overseas student from scheduled classes.
- 1.17 At each stage in this grievance procedure, CHC will provide reasons and full explanation in writing for decisions and actions taken as part of the procedure if requested by the complainant and/or the respondent.
- 1.18 All written communication is to take place between staff and student CHC email addresses.
- 1.19 CHC will immediately implement any decision or recommendation that is made in favour of the student through the internal or external stages of this process.
- 1.20 If an external review process is accessed and the outcome has serious consequences for a student's visa, CHC will maintain the student's enrolment until the conclusion of the external review process.
- 1.21 Prospective students are provided with access to this policy prior to paying CHC any monies or entering into any contract with CHC. It is explained in the CHC *Guide for Overseas Applicants* and in the *Written Agreement*. The full policy statement is publicly available on the CHC website and is provided to students during the orientation program.

2. Academic-Related Grievances

- 2.1 The grounds for an academic-related grievance are:
 - 2.1.1 one or more errors in an academic decision sufficient to cause disadvantage to the student;
 - 2.1.2 injustice in relation to an academic decision sufficient to cause disadvantage to the student; and
 - 2.1.3 failure by CHC to adhere to policy in respect of an academic decision sufficient to cause disadvantage to the student.
- 2.2 Preliminary Stage: Self-reflection and analysis of feedback
 - 2.2.1 If a student is concerned about an academic decision, they should first engage in self-reflection on the academic decision, and consider:
 - 2.2.1.1 information provided to them in advance of the academic decision;
 - 2.2.1.2 feedback or reasons provided for the academic decision in question; and
 - 2.2.1.3 whether, in consideration of the facts, they can identify genuine grounds for disagreeing with the decision.
 - 2.2.2 At this stage of the process, the student is encouraged to seek further information from the staff member responsible for the decision and/or other academic staff members such as the relevant Course Coordinator or Dean.
 - 2.2.3 If, after engaging in self-reflection and analysis of feedback, a student considers that grounds exist for an academic-related grievance, they have 20 working days from the receipt of the decision to proceed to either Stage 1 or Stage 2 of the process.
- 2.3 Stage 1: Informal Process
 - 2.3.1 To initiate Stage 1 of the process, the student is to inform the academic staff member who is responsible for the decision that they wish to discuss their concerns.
 - 2.3.2 To inform an academic staff member that they wish to discuss their concerns regarding an academic decision, the student is to send an email from their CHC email address to the academic staff member's CHC email address.
 - 2.3.3 Other forms of communication, such as verbal conversation, either in person or by telephone, or which involve non-CHC email addresses, will not be accepted.
 - 2.3.4 Upon being informed by a student that they wish to discuss their concerns regarding an academic decision, the academic staff member has 10 working days in which to make arrangements with the student for a mutually convenient meeting date.
 - 2.3.5 The meeting between the student and the academic staff member may be either physical or electronic (eg telephone, video conference).
 - 2.3.6 The academic staff member is to inform the Academic Registrar of the receipt of the grievance and the name of the student concerned.
 - 2.3.7 At the meeting between the student and the academic staff member, both parties are to be allowed to discuss their points of view, with the aim of resolving the matter.
 - 2.3.8 The academic staff member is to provide the student with a written statement of the outcome of the meeting.
 - 2.3.9 If the student is satisfied with the outcome of this meeting, the grievance is considered to be settled.
 - 2.3.10 If the student not be satisfied with the outcome of this meeting, they may apply for a formal review of the decision (Stage 2).
 - 2.3.11 The academic staff member is to inform the Academic Registrar of the outcome of Stage 1 of the process.

2.4 Stage 2: Formal Internal Process

- 2.4.1 To initiate Stage 2 of the process, a student is to submit an application in writing to the Learning and Teaching Committee via the Secretary.
- 2.4.2 The application is to be submitted within 10 working days of the outcome of Stage 1.
- 2.4.3 The application is to state clearly the specific grounds upon which the request for a review of the decision is based (see Policy Provision 2.1) and include all supporting information and documentation.
- 2.4.4 Upon receipt of an application, the Secretary of the Learning and Teaching Committee will convene the Academic Grievance Panel.
- 2.4.5 The Academic Grievance Panel will meet within 20 working days of receipt of the application.
- 2.4.6 Both the student and the academic staff member concerned are invited to make such written and/or oral submissions to the Academic Grievance Panel as they consider appropriate.
- 2.4.7 The Academic Grievance Panel will provide the student and academic staff member with a written statement of its decision within 10 working days of its meeting.
- 2.4.8 If the student is satisfied with the Academic Grievance Panel's decision, the grievance is considered to be settled.
- 2.4.9 If the student is not satisfied with the Academic Grievance Panel's decision, they may apply for a review of this decision (Stage 3).
- 2.4.10 The Secretary of the Learning and Teaching Committee is to inform the Academic Registrar of the outcome of Stage 2 of the process.

2.5 Stage 3: Formal Internal Review Process

- 2.5.1 To initiate Stage 3 of the process, a student is to submit an application in writing to Academic Board via the Secretary.
- 2.5.2 The application is to be submitted within 10 working days of the outcome of Stage 2.
- 2.5.3 The application is to state clearly the grounds upon which the request for a review of the Academic Grievance Panel's decision is based and include all supporting information and documentation.
- 2.5.4 Upon receipt of an application, the Secretary of Academic Board will convene the Academic Grievance Panel.
- 2.5.5 The Academic Grievance Review Panel will meet within 20 working days of receipt of the application.
- 2.5.6 Both the student and the academic staff member concerned are invited to make such written and/or oral submissions to the Academic Grievance Panel as they consider appropriate.
- 2.5.7 The Academic Grievance Review Panel does not investigate the original grievance but reviews the decision of the Academic Grievance Panel. This will include the consideration of the application of this policy and the processes followed, but it will not hear evidence that was not provided to the Academic Grievance Panel in the original grievance.
- 2.5.8 The Academic Grievance Review Panel will provide the student and academic staff member with a written statement of its decision within 10 working days of its meeting. If this decision is not in favour of the student, this communication will contain information regarding the ability of the student to access an external process, including contact details for the relevant body.

- 2.4.9 If the student is satisfied with the Academic Grievance Review Panel's decision, the grievance is considered to be settled.
- 2.4.10 If the student is not satisfied with the Academic Grievance Review Panel's decision, they may access an external process (Stage 4).
- 2.5 Stage 4: External Process
 - 2.5.1 Depending upon the nature of the grievance, the appropriate external complaints body may be the Overseas Student Ombudsman (OSO) or the Australian Competition and Consumer Commission (ACCC).
 - 2.5.2 Where the student's complaint is about issues that are not covered by the ACCC or the OSO, the student is to submit an application in writing to the President. This application is to be submitted within 10 working days of the Academic Grievance Review Panel communicating its decision to the student (Stage 3).
 - 2.5.3 The President will make arrangements for independent mediation to resolve the dispute. Independent mediation is available through the Dispute Resolution Branch, Department of Justice and Attorney-General. At present there is no fee for the use of this service, but this may change.
 - 2.5.4 Where the grievance cannot be resolved by these means, a student can access multiple external appeals. The sourcing and accessing of such further external processes are the responsibility of the student, and the student is subject to any conditions that are required by such further external processes.

3. Non-Academic Related Grievances

- 3.1 The grounds for a non-academic-related grievance are:
 - 3.1.1 one or more errors in a non-academic decision sufficient to cause disadvantage to the student;
 - 3.1.2 injustice in relation to a non-academic decision sufficient to cause disadvantage to the student; and
 - 3.1.3 failure by CHC to adhere to policy in respect of a non-academic decision sufficient to cause disadvantage to the student.
- 3.2 Preliminary Stage: Self-reflection and analysis of feedback
 - 3.2.1 If a student is concerned about an academic decision, they should first engage in self-reflection on the academic decision, and consider:
 - 3.2.1.1 information provided to them in advance of the non-academic decision;
 - 3.2.1.2 feedback or reasons provided for the non-academic decision in question; and
 - 3.2.1.3 whether, in consideration of the facts, they can identify genuine grounds for disagreeing with the decision.
 - 3.2.2 At this stage of the process, the student is encouraged to seek further information from the staff member responsible for the decision and/or other academic staff members as relevant.
 - 3.2.3 If, after engaging in self-reflection and analysis of feedback, a student considers that grounds exist for an academic-related grievance, they have 20 working days from the receipt of the decision to proceed to either Stage 1 or Stage 2 of the process.
- 3.3 Stage 1: Informal Process
 - 3.3.1 To initiate Stage 1 of the process, the student is to inform the non-academic staff member who is responsible for the decision that they wish to discuss their concerns.

- 3.3.2 To inform a non-academic staff member that they wish to discuss their concerns regarding a decision, the student is to send an email from their CHC email address to the staff member's CHC email address.
 - 3.3.3 Other forms of communication, such as verbal conversation, either in person or by telephone, or which involve non-CHC email addresses, will not be accepted.
 - 3.3.4 Upon being informed by a student that they wish to discuss their concerns regarding a non-academic decision, the staff member has 10 working days in which to make arrangements with the student for a mutually convenient meeting date.
 - 3.3.5 The meeting between the student and the non-academic staff member may be either physical or electronic (eg telephone, video conference).
 - 3.3.6 The staff member is to inform the Academic Registrar of the receipt of the grievance and the name of the student concerned.
 - 3.3.7 At the meeting between the student and the staff member, both parties are to be allowed to discuss their points of view, with the aim of resolving the matter.
 - 3.3.8 The staff member is to provide the student with a written statement of the outcome of the meeting.
 - 3.3.9 If the student is satisfied with the outcome of this meeting, the grievance is considered to be settled.
 - 3.3.10 If the student not be satisfied with the outcome of this meeting, they may apply for a formal review of the decision (Stage 2).
 - 3.3.11 The staff member is to inform the Academic Registrar of the outcome of Stage 1 of the process.
- 3.4 Stage 2: Formal Internal Process
- 3.4.1 To initiate Stage 2 of the process, a student is to submit an application in writing to the Director of Student Services via Student Administration (sadmin@chc.edu.au).
 - 3.4.2 The application is to be submitted within 10 days of the outcome of Stage 1.
 - 3.4.3 The application is to state clearly the specific grounds upon which the request for a review of the decision is based (see Policy Provision 3.1) and include all supporting information and documentation.
 - 3.4.4 Upon receipt of an application for a review, the Director of Student Services will convene a review panel to assess the application.
 - 3.4.5 In addition to the Director of Student Services, the review panel is to comprise 3-4 staff members drawn from across CHC departments.
 - 3.4.6 The review panel will meet within 20 working days of receipt of the application.
 - 3.4.7 Both the student and the non-academic staff member concerned are invited to make such written and/or oral submissions to the review panel as they consider appropriate.
 - 3.4.8 The review panel will communicate its decision to the student and academic staff member in writing within 10 working days of its meeting.
 - 3.4.9 If the student is satisfied with the review panel's decision, the grievance is considered to be settled.
 - 3.4.10 If the student is not satisfied with the review panel's decision, they may apply for a review of this decision (Stage 3).
 - 3.4.11 The Director of Student Services is to inform the Academic Registrar of the outcome of Stage 2 of the process.

3.5 Stage 3: Formal Internal Review Process

- 3.5.1 To initiate Stage 3 of the process, a student is to submit an application in writing to the President.
- 3.5.2 The application is to be submitted within 10 working days of the outcome of Stage 2.
- 3.5.3 The application is to state clearly the grounds upon which the request for a review of the review panel's decision is based and include all supporting information and documentation.
- 3.5.4 Within 10 working days of receiving an application, the President will nominate an independent senior officer to investigate the grievance.
- 3.5.5 The senior officer will communicate with the student within 10 working days of being appointed to invite the student to make further written and/or oral representation regarding the application.
- 3.5.6 The student must respond to the senior officer in writing within 10 working days to indicate whether they do, or do not, wish to make further written and/or oral representation regarding the application.
- 3.5.7 Where a student chooses to access Policy Provision 3.5.5, the student is to submit this further written and/or oral representation within 10 working days of responding to the communication from the senior officer.
- 3.5.8 The senior officer will provide the student and non-academic staff member with a written statement of their decision within 20 working days of receiving advice from the student under Policy Provision 3.5.6.
- 3.5.9 If the student is satisfied with the senior officer's decision, the grievance is considered to be settled.
- 3.5.10 If the student is not satisfied with the senior officer's decision, they may access an external process (Stage 4).

3.6 Stage 4: External Process

- 3.6.1 Depending upon the nature of the grievance, the appropriate external complaints body may be the Overseas Student Ombudsman (OSO) or the Australian Competition and Consumer Commission (ACCC).
- 3.6.2 Where the student's complaint is about issues that are not covered by the ACCC or the OSO, the student is to submit an application in writing to the President. This application is to be submitted within 10 working days of the senior officer communicating their decision to the student (Stage 3).
- 3.6.3 The President will make arrangements for independent mediation to resolve the dispute. Independent mediation is available through the Dispute Resolution Branch, Department of Justice and Attorney-General. At present there is no fee for the use of this service, but this may change.
- 3.6.4 Where the grievance cannot be resolved by these means, a student can access multiple external appeals. The sourcing and accessing of such further external processes are the responsibility of the student, and the student is subject to any conditions that are required by such further external processes.

Supporting Procedures and Guidelines:

1. Staff Training

- 1.1 The Director of Quality and Standards is responsible for training both academic and administrative staff in the application of this policy. The policy is available on the CHC website.
- 1.2 Training concerning this policy is provided to new CHC staff through induction processes.
- 1.3 Changes to this policy are communicated to staff via staff meetings.

2. Record of Grievances

- 2.1 The Academic Registrar will record the notification of a grievance, and the outcome of each stage of a grievance, in the Grievance Register. This is a confidential file that is kept by the Academic Registrar.

3. Storing of Files

- 3.1 Records of grievances and their outcomes will be stored in a separate file (not kept on the student or staff file) in the office of the Academic Registrar.
- 3.2 Records of grievances and their outcomes are strictly confidential.
- 3.3 Records of grievances and their outcomes will be kept for a period of five years.

4. Access to the Files

- 4.1 Access to files pertaining to grievances is made available to relevant 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 at a mutually convenient time to be arranged by the Academic Registrar.

POLICY FURTHER INFORMATION

Relevant Commonwealth/ State Legislation	ESOS Act 2000 National Code 2018 TEQSA Act 2011
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ACCOUNTABILITIES

Implementation:	Director of Quality and Standards
Compliance:	Director of Quality and Standards
Monitoring and Evaluation:	Director of Quality and Standards
Development and Review:	Director of Quality and Standards
Approval Authority:	CHC CEO
Interpretation and Advice:	Director of Quality and Standards

WHO SHOULD KNOW THIS POLICY?

Students
Academic Staff
Academic Administration Staff
Business Office Staff

EFFECTIVENESS OF THIS POLICY

- Performance Indicators:**
- Number of grievances compared to the number of students in the cohort
 - Number of grievances resolved internally

Other: Nil

Definitions and Acronyms: *CHC*

Christian Heritage College

Grievance

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.

ESOS Act 2000

Education Services for Overseas Students Act 2000

HESA

Higher Education Support Act 2003

HEP Guidelines

Higher Education Provider Guidelines

PRISMS

Provider Registration and International Student Management System

APPROVAL – section maintained by the Director of Quality and Standards

Reference No.	Approved	Date	Committee/Board	Resolution No. / Minute Ref.
C3/0105.1	Yes	1994	Academic Board	

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

Revision Reference No.	Approved/Rescinded	Date	Committee/Board	Resolution No. / Minute Ref.
0501	Approved	May 2005	Committee of Management	4.1
0807	Approved	2 August 2007	Committee of Management	4.1
0415	Approved	28 April 2015	CHC CEO	N/A
0818	Approved	16 August 2018	CHC CEO	N/A