



CHRISTIAN HERITAGE COLLEGE

POLICY: Grievance Policy for Overseas Students

Policy Group(s): Group C: Administration – 3: Students (Ref: C3/0105.1-0415)

Related Policy:

Commencement Date: January 2005

Review Date: August 2020

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:

Restrictions: All overseas students undertaking a course of study at CHC. Restrictions apply as per the *National Code 2007*.

Exclusions: Domestic Students.

Objectives:

1. To provide clear guidelines concerning the pathway for processing types of grievances for overseas students.
2. To provide clear guidelines for processing grievances.
3. To ensure compliance with *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* (the National Code) specifically Standard 8.

Policy Provisions:

1. General

- 1.1 Two separate grievance procedures exist for overseas students: one for academic matters; and a second for non-academic matters of institutional procedures and practice.
- 1.2 The procedure for academic-related grievances provides for complaints on issues such as recognition of prior learning, student assessment and academic grades and other course-related matters.
- 1.3 The procedure for non-academic grievances provides a mechanism for addressing overseas student grievances on administrative matters such as application to enrol, institutional practices, financial issues, resources, marketing, physical access for students with disabilities to facilities and services, and other issues covered by CHC's Code of Practice.

- 1.4 An overseas student has 20 working days from the receipt of a decision to access the CHC Grievance Policy for Overseas Students.
- 1.5 An overseas student is deemed to have accessed the policy whenever contact is made with a staff member concerning a decision with which they are aggrieved.
- 1.6 Whenever an overseas student accesses the policy, the staff member is to inform the Academic Registrar.
- 1.7 The process will commence within 10 working days of the student accessing the policy.
- 1.8 CHC will not victimise or discriminate against any complainant or respondent.
- 1.9 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.
- 1.10 CHC will retain confidential records relating to grievances for at least five years, and allow parties to the complaint appropriate access to these records.
- 1.11 Whilst student's enrolment will be maintained throughout the internal review process, CHC may exclude a student from scheduled classes.
- 1.12 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.
- 1.13 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. Please refer to the CHC's Conduct Code and the *Cancellation of Enrolment for Overseas Students Policy*.
- 1.14 Prospective students have access to this policy prior to paying CHC any monies or entering into any contract with CHC. It is available in the *Christian Heritage College Overseas Student Handbook*, on the CHC website and in the *Written Agreement*. During the orientation program or the Overseas Student Liaison Officer will ensure the overseas student understands the policy.

2. Academic-Related Grievances

- 2.1 The resolution of academic-related grievances at CHC involves a three-stage process;
 - 2.1.1 Informal Process;
 - 2.1.2 Formal Internal Process;
 - 2.1.3 External Process.
- 2.2 Stage 1: Informal Process
 - 2.2.1 If an overseas student considers that an error has been made or an injustice exists in relation to academic decision, they have 20 working days from the receipt of a decision to discuss their concerns with the academic staff member responsible for the decision.
 - 2.2.2 The academic staff member has 10 working days to convene a meeting with the overseas student to allow both parties to discuss their point of view and attempt resolution.
 - 2.2.3 Should the overseas student not be satisfied with the outcome of any such discussion, they may apply for a formal review of the decision concerned.
- 2.3 Stage 2: Formal Internal Process

- 2.3.1 To initiate a formal internal process an overseas student should submit an application in writing to the relevant school Board of Studies through the Course Coordinator within 14 days of the receipt of the decision. The application should include all necessary information and documentation, and should state clearly the specific grounds upon which the request for a review of the decision is based.
- 2.3.2 Upon receipt of an application for a review, the relevant Board of Studies will convene a review panel to which both the overseas student and the academic staff member concerned may make such written and/or oral submissions as they consider appropriate. The review panel will meet within 6 weeks and its decision will be communicated to the student in writing within a further 2 weeks.
- 2.3.3 Should the overseas student not be satisfied with the outcome of the review panel's decision, they may appeal to the Academic Board within 14 days for further investigation of the grievance.
- 2.3.4 The Academic Board will nominate an independent and impartial senior officer(s) to investigate the grievance and the overseas student will be invited to make further written and/or oral representation to the review officer(s).
- 2.3.5 The result of the investigation will be communicated to the overseas student in writing within 6 weeks of the receipt of the appeal unless a further extension of time is mutually agreed.
- 2.3.6 If the expiration date of the overseas student's visa falls within the 6 weeks, CHC undertakes to expedite the process to facilitate a resolution within the timeframe of the visa.
- 2.3.7 Where a student continues to be aggrieved with the outcome of the formal internal process they may apply for a formal external review.

2.4 Stage 3: External Process

- 2.4.1 To initiate a formal external process an overseas student should submit an application in writing to the President.
- 2.4.2 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. Contact details are: Tel: +61 7 3006 2518; Fax: +61 7 3239 6284. At present there is no fee for the use of this service, but this may change.
- 2.4.3 Where the grievance cannot be resolved by these means, the student will be advised of the appropriate legal body from which they can seek further assistance or advice.

3. Non-Academic Related Grievances

- 3.1 The resolution of non-academic related grievances at CHC involves a three-stage process;
 - 3.1.1 Informal Process;
 - 3.1.2 Formal Internal Process;
 - 3.1.3 External Process.

3.2 Stage 1: Informal Process

- 3.2.1 If an overseas student considers that an error has been made or an injustice exists in

relation to a non-academic related decision, they have 20 working days from the receipt of a decision to discuss his/her concerns with the staff member responsible for the decision.

3.2.2 The staff member has 10 working days to convene a meeting with the overseas student to allow both parties to discuss their point of view and attempt resolution.

3.2.3 Should the overseas student not be satisfied with the outcome of any such discussion, they may apply for a formal review of the decision concerned.

3.3 Stage 2: Formal Internal Process

3.3.1 To initiate a formal internal process an overseas student should submit an application in writing to Student Administration sadmin@chc.edu.au within 14 days of the receipt of the decision. The application should include all necessary information and documentation, and should state clearly the specific grounds upon which the request for a review of the decision is based.

3.3.2 Upon receipt of an application for a review, the Academic Registrar will convene a review panel to which both the overseas student and the staff member concerned may make such written and/or oral submissions as they consider appropriate. The review panel will meet within 20 working days and its decision will be communicated to the student in writing within a further 10 working days.

3.3.3 Should the overseas student not be satisfied with the outcome of the review panel's decision, they may appeal to the CHC Executive within 10 working days for further investigation of the grievance.

3.3.4 The CHC Executive will nominate an independent and impartial senior officer(s) to investigate the grievance and the overseas student will be invited to make further written and/or oral representation to the review officer(s).

3.3.5 The result of the investigation will be communicated to the overseas student in writing within 6 weeks of the receipt of the appeal unless a further extension of time is mutually agreed.

3.3.6 If the expiration date of the overseas student's visa falls within the 6 weeks, CHC undertakes to expedite the process to facilitate a resolution within the timeframe of the visa.

3.3.7 Where a student continues to be aggrieved with the outcome of the formal internal process they may apply for a formal external review.

3.4 Stage 3: External Process

3.4.1 To initiate a formal external process an overseas student should submit an application in writing to the President.

3.4.2 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. Contact details are: Tel: +61 7 3405 0985 or within Australia 13 74 68. At present there is no fee for the use of this service, but this may change.

3.4.3 Where the grievance cannot be resolved by these means, the student will be advised of the appropriate legal body from which they can seek further assistance or advice.

4. Further Avenues of Appeal

- 4.1 This policy does not negate the right of any overseas student to take action under Australia's consumer protection laws in the case of financial dispute, or to pursue other legal remedies.
- 4.2 If an overseas student is concerned about the actions of CHC he/she may contact the Overseas Students ombudsman by email ombudsman@ombudsman.gov.au, in writing to GPO Box 442, Canberra ACT 2601 or by phone on 1300 362 072.

Supporting Procedures and Guidelines:

1. Staff Training

- 1.1 Training concerning the Grievance Policy and Procedures for Overseas Students is provided to CHC staff through fortnightly staff meetings. The Director of Quality and Standards responsible for training both academic and administrative staff in the application of this policy.
- 1.2 Whenever the policy is updated or revised, staff are alerted via the CHC intranet and the staff meeting.
- 1.3 New staff receive training through staff induction processes. The policy is readily available on the CHC website and the Handbooks.

2. Notification of a Grievance

- 2.1 When a student makes contact with a staff member concerning a decision with which they are aggrieved, that staff member will notify the Academic Registrar.
- 2.2 The Academic Registrar will record the grievance on the Grievance Register. This is a confidential file and is kept by the Academic Registrar's Office.
- 2.3 The staff member will notify the Academic Registrar 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 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.

WHO SHOULD KNOW THIS POLICY?

Students
Academic Staff
Academic Administration Staff
Business Office Staff

POLICY FURTHER INFORMATION

Relevant Commonwealth/State Legislation	ESOS Act 2000 ESOS Regulations 2001 National Code 2007 Education (Overseas Students) Act 1996 Education (Overseas Students) Regulation 1998 TEQSA Act 2011
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ACCOUNTABILITIES

Implementation:	Academic Registrar
Compliance:	Director of Quality and Standards
Monitoring and Evaluation:	Director of Quality and Standards
Development/Review:	Director of Quality and Standards
Approval Authority:	CHC CEO
Interpretation & advice:	Academic Registrar's Office

WHO SHOULD KNOW THIS POLICY?

Students
Academic Staff
Academic Administration Staff
Corporate Services Staff

EFFECTIVENESS OF THIS POLICY

Performance Indicators:	<ul style="list-style-type: none">• 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 05	Committee of Management	4.1
0807	Approved	02/08/2007	Committee of Management	4.1
0415	Approved	28/04/2015	CHC CEO	