



Wollongong College Australia

A College of the University of Wollongong

Australia

Wollongong

Wollongong College Australia
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Student Grievance Policy and Procedure

Non Academic Complaints and Appeals

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Approved by WCA Academic Board

Reference
and
Legislation

- Student Handbook
- Student Grievance Policy – Academic
- National Code of Practice for Providers of Education and Training to Overseas Students 2007

Contents

1.	Aim	3
2.	Scope	3
3.	Definitions.....	3
4.	General Principles of Grievance Resolution	5
5.	Process.....	7
6.	Stages of the Process.....	7
7.	Appeals against Decisions that affect the Student's Visa	10
8.	Record Keeping.....	11
9.	Withdrawing a Complaint or Appeal	11
10.	Contact Details	12
11.	External Authorities.....	12
12.	Version Control and Change History	13

Student Grievance Policy– Non-academic Complaints and Appeals

1. Aim

Wollongong College Australia (the College) provides a fair, equitable and productive learning environment for all its students. This policy provides a transparent and consistent process for resolving grievances of students.

The policy affirms the following College guiding principles:

- a commitment to the principles of equal opportunity and social justice
- accountability to students and the College community
- high ethical standards, including cooperation, tolerance and acceptance of obligations as well as rights
- active support for the educational and cultural needs of students.

2. Scope

This policy sets out:

- the general approach of the College in resolving non academic grievances
- informal and formal procedures which students should follow in pursuing grievances
- student grievance processes apply to both academic and non-academic grievances and to students across all campuses.

3. Definitions

“grievance” (complaint) refers to any type of problem or concern raised by a student about the enrolment process, treatment by staff or other students, the application of academic and non academic policies, the study environment or any academic related matters.

“non-academic” refers to issues that do not relate to academic matters. Examples may include the following:

- harassment by staff or other students
- inappropriate treatment or discrimination by staff or other students
- health and safety issues.

“academic grievance” refers to study or educational matters. Examples may include the following:

- unfairness in a formal assessment
- disagreements over academic matters
- inappropriate treatment or discrimination by staff or other students
- disagreements over attendance matters
- allegations of plagiarism.

Refer to the College's *Student Grievance Policy –Academic Complaints and Appeals* for more information.

Grievances can be dealt with formally and informally.

Examples of grievances that might be dealt with **formally** include:

- unfairness in a formal assessment situation (academic)
- decisions relating to letters of release (non academic).

Examples of grievances that might be dealt with **informally** include:

- minor classroom irritations
- resource difficulties (internet connections, faulty equipment).

“complainant” refers to the person making a complaint

“appeal” refers to the reassessment of a complaint when the student is not satisfied with the decision or outcome

“threatening behaviour” refers to behaviour, which makes a person feel threatened and frightened

“respondent” refers to someone who responds or makes a reply to a complaint

“student” refers to a person enrolled at any of the College campuses.

4. General Principles of Grievance Resolution

The following general principles underpin the College approach to the resolution of grievances:

- 4.1 the College is committed to the early and informal resolution of grievances - students should attempt to resolve any grievances in an informal way with the person involved before initiating formal grievance resolution processes
- 4.2 parties involved in a grievance must participate in the grievance resolution process in good faith
- 4.3 grievance resolution processes should be applied fairly, flexibly and quickly
- 4.4 all parties involved in a grievance should be treated with respect and impartiality
- 4.5 the principles of natural justice should be observed - parties involved in a grievance have a right to a fair hearing and to have a decision made by an unbiased decision-maker
- 4.6 the confidentiality of parties involved in a grievance should be respected at all times, subject to the need to fully investigate the matter and any legal requirements for disclosure
- 4.7 both the complainant and/or respondent have the right to be represented by a third person and may nominate someone, at minimal or no cost to him or herself, to represent them - in this case they will need to give the College written authorisation to disclose their personal information to their representative
- 4.8 where applicable, either the College or the student may ask for an interpreter to be present

- 4.9 students are able to raise issues of concern in an environment free from fear of retribution, victimisation or breach of confidentiality
- 4.10 reasons and full explanations for decisions and actions taken will be kept in writing by the most senior person handling the case and will be provided to both the complainant and/or representative at every stage of the grievance process - records of grievances remain confidential
- 4.11 the College will maintain a student's enrolment throughout all stages of the appeals process for all types of complaints and appeals, except if the appeal is against the College's decision to defer or suspend a student's enrolment due to misbehaviour or to cancel the student's enrolment - if these cases the student's enrolment will only be maintained throughout the internal appeals process
- 4.12 the College supports an active approach to informing student of policies and procedures - this grievance policy is outlined to students in student orientation sessions at the beginning of each session, and given to staff at induction
- 4.13 students or persons seeking to enrol in a course of study are entitled to access this grievance procedure regardless of the location of the campus at which the grievance has arisen, the student's place of residence or the mode in which they study
- 4.14 where applicable, either the College or the student may ask for an interpreter to be present
- 4.15 this policy/procedure does not replace or modify policy/procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.

5. Process

There are five stages in the College academic grievance resolution process:

- Stage 1: Informal approach to person directly involved in the decision or incident
- Stage 2: Formal grievance referred to Program Manager or Student Advisor
- Stage 3: Referral to Campus Director
- Stage 4: Appeal to Student Appeals Committee
- Stage 5: Appeal to external authorities

Note: If a grievance is with the person responsible for handling it at a particular stage, the grievance will be referred to the next level.

6. Stages of the Process

Stage 1 – Informal Resolutions

Students who have a question or concern about a decision, act or omission that affects their experience at the College should first, if possible, approach the person(s) directly involved to discuss the matter. They may also seek advice or support informally from other appropriate persons at the College (eg Student Advisers or teachers).

Stage 2 – Formal Grievance Referred to Program Manager or Student Advisor

Where a matter is not resolved informally under Stage 1, students may lodge a written application for the grievance to be formally resolved in accordance with the College's grievance procedures. Students need to complete a *Student Grievance Report Form*. This form is available from the College campus reception and the College website. Students are strongly advised that it is in their best interests to start the process as early as possible.

Applications should be addressed to the relevant Program Manager or the Student Advisor, who will attempt to resolve the matter directly and will ensure that students receive all information about the grievance process.

After examining the relevant documentation and speaking to the student and other relevant parties where appropriate, the Program Manager or Student Advisor will take action that may include one of the following:

Response

- resolve the matter
- review the matter based on additional information
- conciliate the matter
- decide not to take the matter further if there are insufficient grounds for the grievance.

Conciliation

- refer the student to another person, who can provide relevant advice or assistance with the aim of resolving the grievance
- facilitate negotiation of the grievance between the parties.

Notification to Student

The Program Manager or Student Advisor will notify the student, in writing, of the outcome including reasons for the decision, within 10 working days of receiving written notice from the student. The Program Manager or Student Advisor will also notify the student of their right to appeal to the Campus Director within 10 working days of being notified of the decision.

Stage 3 – Referral to Campus Director

Where a student is not satisfied with the decision or outcome at Stage 2, the complainant may appeal the decision in writing to the Campus Director within 10 working days of receiving a response from Stage 2 of the process. Students are strongly advised that it is in their best interests to start the appeal process as early as possible.

After examining the relevant documentation and speaking to the student and other relevant parties where appropriate, the Campus Director will take action that may include one of the following:

Response

- resolve the matter
- review the matter based on additional information
- conciliate the matter
- decide not to take the matter further if there are insufficient grounds for the grievance.

Conciliation

The Campus Director may clarify the issues with the student and suggest possible directions for resolution of the grievance. The Campus Director may, with the student's consent:

- refer the student to another person, who can provide relevant advice or assistance with the aim of resolving the grievance
- facilitate negotiation of the grievance between the parties.

Notification to Student

The Campus Director will notify the student, in writing, of the outcome including reasons for the decision, within 10 working days of receiving written notice from the student. The Campus Director will also notify the student of their right to appeal to the Head, College Network within 10 working days of being notified of the decision.

Stage 4 – Appeal to Student Appeals Committee

A student who has exhausted all of the grievance resolution processes in Stages 2 and 3 may appeal to the Student Appeals Committee on the grounds that:

- due process was not adhered to
- the decision of the Campus Director was unfair.

An appeal to the Chair, Student Appeals Committee must be lodged in writing to the Student Appeals Committee within 10 working days of receiving written notification of the decision of the Campus Director. Students are strongly advised that it is in their best interests to lodge their appeal as early as possible. The appeal must state fully the reasons for the appeal and include any relevant documentary evidence to support the appeal.

The Chair, Student Appeals Committee will notify the student, in writing, of the outcome within 10 days of receiving written notice from the student and will keep the student informed about action being taken throughout the process.

The Chair, Student Appeals Committee will also notify the student of their right to appeal to an independent/external body.

Composition of the Student Appeals Committee

The Student Appeals Committee will consist of **no less than 3 and no more than 5** members (including the Chair), who are not associated with the area concerned in the appeal, nor were involved in previous attempts to resolve the complaint. This committee will also have at least one male and one female member and will include the following: Head, College Network as chair, Quality and Curriculum Coordinator, Manager Governance and Compliance and other management representatives.

Stage 5 – Appeal to External Authorities

Students who are not satisfied with the decision of the Student Appeals Committee may, within 10 working days of notification of the decision made in Stage 4 of the process, request the matter be dealt with through an external dispute resolution process.

In all cases where a student asks for a decision to be reviewed the General Principles on Grievance Resolution as outlined in section 4 of this policy and procedure will be applied.

Contact details for external authorities are provided in Section 11 of this policy/procedure. Students are advised it is in their best interest to notify the college if they appeal to an external authority.

7. Appeals against Decisions that affect the Student's Visa

In cases where the College has made a decision that will affect their Student Visa and the student chooses to appeal the decision, the appeal process will commence at Stage 3.

In these cases, the appeal to the Campus Director must be lodged in writing within 20 days of receiving written notification of the decision; however students are strongly advised that it is in their best interests to lodge their

appeal as early as possible. The appeal must state fully the reasons for the appeal and include any relevant documentary evidence to support the appeal.

The Campus Director will notify the student, in writing, of the outcome within 10 working days of receiving written notice from the student.

The Campus Director will also notify the student of their right to appeal to the College Academic Board within 10 working days of notification of this outcome.

In cases where the decision will result in the student being reported to the Immigration Department for unsatisfactory progress or attendance, the College will await the outcome of only one external appeals process before reporting the student. If a student wishes to access further appeals processes after being reported, the student will need to discuss this with the Immigration Department.

8. Record Keeping

Reasons and full explanations for decisions and actions taken will be kept in writing by the most senior person handling the case and will be provided to both the complainant and/or representative at every stage of the grievance process, if requested. Written records of grievances remain confidential and are kept for at least seven years.

9. Withdrawing a Complaint or Appeal

Students may withdraw a complaint or appeal at any stage in the process by writing to or emailing the person handling the complaint or appeal, who will notify relevant parties in writing that the complaint or appeal is concluded.

10. Contact Details

For Wollongong students:

At Stage 2: Program Manager
At Stage 3: Campus Director
At Stage 4: Chair, Student Appeals Committee

Address: Wollongong College Australia
Locked Bag 8812
South Coast Mail Centre
NSW 2521

11. External Authorities

NSW Office of the Ombudsman

Phone: 1800 451 524
Website: www.ombo.nsw.gov.au
Email: nswombo@ombo.nsw.gov.au

Recommendations arising from an external review

If the Office of the Ombudsman makes recommendations arising in relation to a grievance they have reviewed, the Office of the Ombudsman will forward, the timeframe will vary according to the complexity of the case, those recommendations to the Head, College Network, who will ensure that the recommendations are implemented within five (5) working days.

12. Version Control and Change History

Version Control	Date Approved	Date Effective	Approved By	Amendment
1	08/11/07	16/11/07	WCA Academic Board	
2	03/02/09	09/02/09	Julie Renwick – (minor amendment)	External authority list amended. NZ references removed, Reference to 10 days to submit grievance deleted