

## STUDENT GRIEVANCES AND APPEALS POLICY

<b>Approving authority</b>	Academic Board
<b>Purpose</b>	This policy outlines the grounds on which students can have their complaints and appeals heard and outlines the processes and procedures to be followed for resolution.
<b>Responsible Officer</b>	Head of Marketing and Student Experience and Academic Dean
<b>Next scheduled review</b>	September 2026
<b>Document Location</b>	<a href="http://www.ozford.edu.au/higher-education/policies-and-procedures/">http://www.ozford.edu.au/higher-education/policies-and-procedures/</a>
<b>Associated documents</b>	<p>Academic Appeals Policy and Procedure</p> <p>Academic Integrity Policy and Procedure</p> <p>Academic Progress Policy and Procedure</p> <p>Assessment Policy and Procedure</p> <p>Credit Transfer and Articulation Policy and Procedure</p> <p>Deferring, Suspending or Cancelling a Student’s Enrolment Policy and Procedure</p> <p>Human Resources Policy and Procedure (Manual)</p> <p>Privacy Policy and Procedure</p> <p>Records management Policy and Procedure</p> <p>Student Consultation Policy and Procedure</p> <p>Student Feedback Policy</p> <p>Student Grievances and Appeals Procedure</p> <p>Student Support and Services Policy and Procedure</p>

### 1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as “the Institute”) is committed to considering and resolving student grievances and complaints and providing a formal mechanism for students to appeal in a manner that both protects and respects the rights of both the Institute and the student.

The Institute’s policy has the intent of achieving resolution of grievances as effectively as possible, to minimise the occurrence of unresolved grievances, and to achieve these goals with minimal adverse consequences for the Institute or student(s) involved.

The ***Student Grievances and Appeals Policy and Procedure*** for considering student complaints or appeals is governed by the following principles:

- Students who lodge an academic or administrative complaint or appeal have the right to due process and a fair hearing. Any staff member involved in the complaint or appeal equally has the right to due process and a fair hearing;
- Student complaints or appeals will be treated in a sensitive, confidential and timely manner and discussed only with those persons relevant to the case or with persons who can provide specialist advice;
- Staff involved in resolving student complaints or appeals will act fairly at all times and base their decisions on a thorough and unbiased consideration of facts and views expressed by all parties;
- A student must be able to invoke the complaints or appeals procedures without fear of reprisal, discrimination or victimisation;
- Each complainant and appellant will have the opportunity to formally present his or her own case, and each party may be accompanied and assisted by a support person at any relevant meeting;

- There is provision for review by an independent third party is available if the internal process fails to resolve a grievance or if students are dissatisfied with an internal appeal outcome;
- The Institute will implement the ***Student Grievances and Appeals Policy and Procedure*** at no cost to the complainant or appellant. There may be costs involves in external appeal processes, the Institute will not charge a cost for its involvement in the process.

While some types of grievances are best resolved locally and informally, more serious grievances, including allegations of assault or sexual harassment, are unlikely to be suitable for informal resolution. Some complaints may need to be referred to Victoria Police or other relevant authorities (ie. child abuse).

## 2. SCOPE

This policy applies to all staff and covers all forms of student complaints and appeals in relation to the operations of the Institute that may include, but are not limited to, the quality of the teaching, administration, student support and services, bullying, harassment, discrimination and any other areas of perceived inappropriate, unfair or discriminatory treatment, action or decision.

This policy does not apply to the appeal by students against academic issues such as:

- the outcome of a review of result of assessment or grade of subject;
- a penalty for academic misconduct and plagiarism;
- a refusal of an application for course credit;
- a failure to maintain satisfactory academic progress.

Students wishing to appeal against any academic issue will be referred to the ***Academic Appeals Policy and Procedure***.

Staff grievances will be addressed as set out in the ***Human Resources Policy and Procedure (Manual)***.

## 3. DEFINITIONS

### ***ESOS National Code***

The ESOS National Code refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.

### ***Compassionate or Compelling circumstances***

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement for the death of close family members such as parents or grandparents (documented evidence must be provided);
- serious illness, accident or family incident which requires immediate travel which has impacted the student to studies;
- the inability to begin study on the course commencement date stated on the CoE due to delay in receiving a student visa if relevant;
- major political upheaval or natural disaster in the home country requiring immediate travel and this has impacted on the student's studies;

- a traumatic experience supported by police or psychologist's reports which could include but is not limited to:
  - involvement in or witnessing of an accident; or
  - a crime committed against the student; or
  - the student being a witness to a crime and this has impacted on the student.
- where the Institute was unable to offer a pre-requisite unit.

#### Notes:

- misreading the examination timetable, examination anxiety or returning home will not be accepted as Compassionate and Compelling circumstances;
- religious or faith-based issues are not in themselves grounds for special consideration. However, they may be used in support of an application that meets the Compassionate and Compelling circumstances set out above.

#### **Feedback**

Feedback is a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.

#### **Grievance**

A grievance is any expression of dissatisfaction with some aspect of a student's experience (including with agents or other related parties who represent or act on behalf of the provider). Grievances typically fall into two classes:

- minor issues that are suitable to be addressed informally and usually resolved easily (e.g. by a discussion with local staff, clarification of a misunderstanding etc.)
- those that involve a formal process for resolution (such grievances are typically known as a 'complaint' or a 'formal complaint', to distinguish them from matters that are resolved informally).

#### **Provider Registration and International Student Management System (PRISMS)**

Means the Provider Registration and International Students Management System (the electronic system that holds CRICOS and the electronic confirmation of enrolment).

#### **TEQSA**

Tertiary Education Quality and Standards Agency

## **4. POLICY**

- 4.1 Students will be informed of the availability of the Institute's **Student Grievances and Appeals Policy and Procedure** during the enrolment process. The information will be in the public domain (e.g. on the provider's website) and accessible to students:
- within the Student Acceptance Agreement and Student Handbook;
  - on the Institute website;
  - within the information provided by student services;
  - by publication, from time to time, of bulletins and notices.
- 4.2 The Institute will receive student complaints or appeals concerning any decision, action or situation relating to or arising from the operations of the Institute and will carefully and respectfully consider all complaints and appeals in a fair and judicious manner.

- 4.3 All complaints and appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution that is fair and equitable to all parties. The Institute will encourage the parties to approach a complaint or appeal with an open view and to attempt to resolve problems informally through discussion and conciliation.
- 4.4 If the informal approach through discussion and conciliation is unsuccessful, the student may make a formal complaint.
- 4.5 Resolution of a formal complaint or appeal will commence within 5 working days of receipt of the complaint.
- 4.6 At any stage in the internal complaints or appeals process students are entitled to be assisted or accompanied by a support person. Any staff member who is the subject of a complaint or appeal also has the right to have an accompanying support person.
- 4.7 Where a complaint or appeal cannot be resolved by the Institute or the Institute's determination of a matter is not accepted by all parties, all students can access an appropriate external and independent body to review the process and decision of the Institute.
- 4.8 A student's enrolment will be maintained whilst consideration of a complaint or whilst the appeal is in progress and the outcome has not been determined.
- 4.9 The outcome of any appeal or complaint will be communicated in writing to the student within 5 working days of the determination.
- 4.10 If there is any matter arising from a student complaint or appeal that is a systemic issue which requires improvement action this will be reported to the Institute management as part of the continuous improvement process.
- 4.11 Students will be provided within 10 working days of completion of the internal complaints and appeals process with details of external authorities they may approach, such as the Commonwealth Ombudsman if they are not satisfied with the outcome of the appeals process. Students will be advised that the purpose of the external appeal process is to consider whether the Institute has followed its policies and procedures, rather than make a decision in place of the Institute.
- 4.12 The Institute will maintain records of all complaints and appeals as set out in the ***Records Management Policy and Procedure*** and will make them available for external review authorities upon request.
- 4.13 The Institute will provide all requested documentation to the external independent third party and comply with all steps and directions of the external independent third party in the process of the review.
- 4.14 The Institute will consider all outcomes from formal complaints and appeals. If the result of the appeal or complaint is favourable to the student, the Institute will immediately implement the decision, and take necessary corrective or preventative action, if applicable.
- 4.15 The Institute will respond to any complaint or appeal that an overseas student makes regarding his or her dealings with the Institute, or the Institute's education agents or any related party the Institute has an arrangement with to deliver the overseas student's courses or other related services.

4.16 The Governing Board will assure itself that the occurrence and nature of formal complaints are monitored, and action is taken to address underlying causes.

## 5 QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meets the requirements of the HES Threshold Standards the policy will be:

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by the Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

## 6 FEEDBACK

Feedback or comments on this policy are welcomed by the listed Responsible officers of the Institute.

## 7 ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- Deakin University, Student Complaints Resolution Policy, 2021 ([Student Complaints Resolution policy / Document / Deakin Policy Library](#))
- Monash University, Student Complaints Policy, 2021 ([Student Complaints Policy \(monash.edu\)](#))
- Victoria University, Student Complaints Policy, 2022 ([Student Complaints Policy / Document / Victoria University Policy Library \(vu.edu.au\)](#))
- Avondale College of Higher Education, Student Grievances and Appeals Policy, July 2013
- Ozford College, Complaints and Appeals Policy and Procedure (see Ozford website)
- TEQSA, Guidance note: Grievance and complaint handling, Version 1.1, 2019 ([Guidance note: Grievance and complaint handling | Tertiary Education Quality and Standards Agency \(teqsa.gov.au\)](#))

## 8 VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	April 2014	Initial issue	AB
2.0	May 2017	Internal review	AB
3.0	June 2018	To align with National Code 2018 and HES Threshold Standard 2.4 Minor formatting and edits	AB
4.0	July 2019	Internal Review	AB
4.1	October 2019	Internal Review	AB
5.0	June 2023	Internal Review	AB

Version	Date approved	Description	Approved by
5.1	September 2023	Internal review – minor formatting changes, alignment of definitions and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards 10		

Notes:

AB = Academic Board

Executive Management team