

## STUDENT GRIEVANCE POLICY

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| <b>Policy Code</b>                                   | STU07   |
| <b>Policy Lead</b>                                   | Director Student Experience   |
| <b>Approving Authority</b>                           | Board of Directors  |
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| <b>Commencement date</b>                             | 29 January 2024   |
| <b>Next Review Date</b>                              | January 2027  |
| <b>Version</b>                                       | 2024.1  |
| <b>Relevant legislation or external requirements</b> | <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) (NC: 10)</p> <p>Higher Education Standards Framework (Threshold Standards) 2021 (HESFs: 2.3 (1-5), 2.4 (1-5), 7.2.2(f))</p> <p>Education Services for Overseas Students Act 2000 (Cth) (ESOS Act)</p> <p>Education Services for Overseas Students Regulations 2019 (Cth) (ESOS Regulations)</p> <p>Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)</p> <p>Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023 (Cth)</p> <p>Corporations Act 2001 (Cth) (Corporations Act)</p> <p>Competition and Consumer Act 2010</p>  |
| <b>Related ASA Documents</b>                         | <p>Student Grievance Procedure</p> <p>Quality Assurance Framework</p> <p>Student Support Framework</p> <p>Student Code of Conduct</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Discrimination, Bullying, and Harassment Policy and Procedure</p> <p>Student Support, Wellbeing, and Health Policy and Procedure</p> <p>Student Admissions Policy</p> <p>Student Admissions Procedure</p> <p>Recognition of Prior Learning Policy</p> <p>Recognition of Prior Learning Procedure</p> <p>Student Assessment Policy</p> <p>Student Assessment Procedure</p> <p>Student Assessment Review Policy</p> <p>Student Assessment Review Procedure</p> <p>Special Consideration Policy and Procedure</p> <p>Student Enrolment and Attendance Policy and Procedure</p> <p>Academic Integrity Policy</p> <p>Academic Misconduct Procedure</p> <p>Student Progression and At Risk Policy</p> <p>Student Progression and At Risk Procedure</p> <p>Student Fees, Charges, and Refund Policy</p> <p>Student Fees, Charges, and Refund Procedure</p> <p>Deferral, Suspension, and Cancellation Policy and Procedure</p> <p>Student Transfer Policy and Procedure</p> |

### 1. Purpose

The purpose of this policy is to establish a transparent and fair framework for addressing and resolving student grievances effectively. This policy aims to assist students to voice grievances formally and informally and all parties to investigate and resolve complaints, issues and

concerns that arise. This policy reflects ASA's expectations as well as the responsibilities of ASA, staff, and students or prospective students in resolving student grievances.

By promoting a culture that values student feedback, this policy aims to elevate overall satisfaction, foster trust, and contribute to the overall well-being of the ASA student community.

## 2. Scope

This policy applies to all ASA applicants, students, and staff who support these processes.

ASA is dedicated to establishing and sustaining an accessible grievance handling system that is effective, timely, fair, and equitable for all complainants. This policy applies to all applicants and students of ASA, covering grievances related to unfair treatment, discrimination, harassment, vilification, and bullying. It encompasses concerns not addressed under separate review, appeal, resolution, or complaint processes. For international students, this includes grievances and complaints against Education Agents (as defined by the National Code).

The policy set out in this document does not remove the applicant or student's, right to take further action under Australia's Consumer Protection Laws, nor circumscribe the applicants or student's right to pursue other legal remedies available under Australian Law.

This policy does not replace or modify those or any other responsibilities which may arise under other ASA policies, statutes or any other law. There are separate policies for the internal management of informal and formal assessment complaints and appeals (*Student Assessment Review Policy, Student Assessment Review Procedure*), appeals against misconduct decisions (*Student Academic Conduct Policy, Student Academic Misconduct Procedure and Flowchart, Student Enrolment and Attendance Policy and Procedure*), *Student Support, Wellbeing and Health Policy and Procedure* and complaints about sexual assault or sexual harassment (*Sexual Assault and Sexual Harassment Policy and Procedure (SASH)*). Where the policy documents conflict, the specific policy process will take precedence over the general processes described in this document and associated procedure.

Grievances under the Student Grievance Policy and associated procedure will only be considered within three months from the date of the decision or event relating to the grievance.

## 3. Principles

The principles guiding this policy include transparency, fairness, accessibility, and efficiency. ASA is committed to addressing grievances in a timely manner, upholding the values of equity, and fostering an environment that values student feedback. The principles aim to enhance overall satisfaction, trust, and the wellbeing of the student body.

In the handling of student grievances ASA is committed to the following principles.

### 3.1 Accessibility and Transparency

- Ensure that information about the grievance process is readily available to all students.
- Clearly outline the steps involved in filing a grievance and the expected timeline for a resolution.
- Provide contact information for the designated grievance officer or office.

### 3.2 Fairness and Impartiality

- Ensure that the grievance process is fair, impartial, and free from bias.
- Avoid conflicts of interest in the selection of individuals involved in the resolution process.

### **3.3 Confidentiality**

- Safeguard the confidentiality of the parties involved to the extent possible.
- Share information only on a need-to-know basis, respecting the privacy of those involved.

### **3.4 Promptness**

- Establish a reasonable timeframe for the resolution of grievances.
- Communicate regularly with all parties involved to provide updates on the progress of the resolution.

### **3.5 Informal Resolution Options**

- Encourage informal methods of resolution before formal procedures are initiated.
- Provide avenues for students to discuss their concerns with relevant faculty or staff members.

### **3.6 Formal Grievance Procedures**

- Clearly define the formal process for filing a grievance.
- Specify the documentation required and the individuals or committees responsible for handling grievances.

### **3.7 Appeals Process**

- Outline an appeals process for students who are dissatisfied with the initial resolution.
- Clearly define the grounds for filing an appeal and the procedures for doing so.

### **3.8 Record Keeping**

- Maintain accurate records of all grievances, including the nature of the complaint, actions taken, and resolutions reached.
- Use this information to identify trends and areas for improvement in the institution's policies and practices.

### **3.9 Training and Awareness**

- Train faculty, staff, and administrators involved in the grievance process to ensure they are knowledgeable about the policy and procedures.
- Raise awareness among students about the availability of the grievance process.

### **3.10 Continuous Improvement**

- Periodically review and update the grievance handling policy to incorporate feedback and address emerging issues.
- Seek input from students and stakeholders to improve the effectiveness of the grievance resolution process.

### **3.11 Natural Justice and Procedural Fairness**

Natural justice is a principle that provides for procedural fairness to all parties by ensuring:

- all parties must be given an opportunity to present their case;
- the respondent must be provided with notice and information about allegations made against them and information about their rights including to have a support person;

- the respondent must be given a reasonable timeframe within which to respond;
- the decision maker must declare any conflict of interest;
- the decision maker must:
  - act fairly and without bias,
  - consider all relevant evidence,
  - base any decision on evidence that supports it; and
- all relevant parties will be informed in writing of the outcome of a formal investigation.

#### 4. Definitions

| Term                    | Definition   |
|-------------------------|--|
| applicant               | A person who has applied to study at ASA.  |
| appeal                  | A formal request that a decision be changed.   |
| complaint               | A formal notification to ASA that something was wrong or unsatisfactory, and usually indicates what actions would resolve the issue.   |
| duty of care            | ASA owes a duty of care to its students through the need to take reasonable care for their health and safety and take such measure are reasonable to protect students from risks of harm that reasonably ought to be foreseen.   |
| Education Agent (Agent) | A person or organisation (in or outside of Australia) who recruits overseas students and refers them to education providers.   |
| grievance               | Concerns or complaints related to unfair treatment, discrimination, harassment, vilification, and/or bullying that are not addressed through a separate review, appeal, resolution, or complaint process.  |
| harassment              | Undesirable conduct that induces feelings of belittlement, intimidation, offense, or apprehension, and which a reasonable person, considering all circumstances, would anticipate causing offense, intimidation, or apprehension.  |
| mediation               | A process that involves dispute resolution, where an individual with mediation skills, commonly referred to as a mediator, assists the parties in conflict to arrive at a mutually agreeable solution. The mediator remains neutral, refrains from influencing the outcome, and guides the involved parties in exploring all potential solutions.  |
| respondent              | Someone who responds or makes reply to a student grievance.  |
| sexual assault          | Sexual assault occurs when a person is forced, coerced, or tricked into sexual acts attempted or sexual contact is performed against their will or without their active, verbal consent and positive physical cooperation of another individual. Sexual assault is a crime under the Australian Law. Sexual assault can be committed against people regardless of their gender, age, sexual orientation, ability, and background. Sexual assault is sometimes referred to as rape, sexual abuse, or sexual violence.                 |
| sexual harassment       | Sexual harassment is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated, and/ or intimidated. It may include, but is not limited to, unwelcome sexual advances, persistent questions relating to a person's sexual orientation or sex life, or unwelcome requests for sex or sexual favours. Sexual harassment is a form of sex discrimination, can be obvious or indirect, can be physical or verbal, can be repeated or one-off and can be perpetrated by any gender and towards any gender. |

## 5. Policy Statement

ASA is committed to maintaining an effective, timely, fair, and equitable grievance handling system. This system ensures accessibility for all complainants and seeks continuous improvement in the learning environment. Grievances will be handled with transparency, and resolution efforts will align with the principles of fairness and justice within the academic community. ASA encourages open communication and pledges to address and resolve student grievances in a constructive and supportive manner.

Applicants and students may, at any time during the grievance process, seek independent professional advice and support and may be accompanied by a third party at any relevant meeting.

## 6. Cost

There will be no charge (cost) to the student through the internal grievance process. If a student chooses to have the matter resolved by an external reviewer for resolution, the student or prospective student may be charged for half of any external cost (if applicable) to a maximum of \$100.

International students who choose to take their grievance to the Australian Government's Commonwealth Ombudsman service incur no charge.

## 7. Relevant HESFs

This Policy and the associated Procedure comply with the Higher Education Standards Framework (Threshold Standards) 2021. The following are relevant excerpts and specify that:

### Standard 2.3 Wellbeing and Safety

1. All students are advised of the actions they can take, the staff they may contact and the support services that are accessible if their personal circumstances are having an adverse effect on their education.
2. Timely, accurate advice on access to personal support services is available, including for access to emergency services, health services, counselling, legal advice, advocacy, and accommodation and welfare services.
3. The nature and extent of support services that are available for students are informed by the needs of student cohorts, including mental health, disability and wellbeing needs.
4. A safe environment is promoted and fostered, including by advising students and staff on actions they can take to enhance safety and security on campus and online.
5. There is a critical-incident policy together with readily accessible procedures that cover the immediate actions to be taken in the event of a critical incident and any follow-up required.

### Standard 2.4 Student Grievances and Complaints

1. Current and prospective students have access to mechanisms that are capable of resolving grievances about any aspect of their experience with the higher education provider, its agents or related parties.
2. There are policies and processes that deliver timely resolution of formal complaints and appeals against academic and administrative decisions without charge or at reasonable cost to students, and these are applied consistently, fairly and without reprisal.
3. Institutional complaints-handling and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant, and provision for review by an appropriate independent third party if internal processes fail to resolve a grievance.

4. Decisions about formal complaints and appeals are recorded and the student concerned is informed in writing of the outcome and the reasons, and of further avenues of appeal where they exist and where the student could benefit.
5. If a formal complaint or appeal is upheld, any action required is initiated promptly.

**Standard 7.2 Information for Prospective and Current Students [...]**

- 2 Information for students is available prior to acceptance of an offer, written in plain English where practicable, accompanied by an explanation of any technical or specialised terms, and includes: [...]
  - f. information to assist in resolution of grievances, including an explanation of processes for resolution of grievances and complaints and internal and external appeals processes, guidance on how to participate in the processes and sources of assistance including advocacy.

## 8. Version Control

This Policy has been reviewed and approved by the Australian School of Accounting Board of Directors as at January 2024 and is reviewed every three years.

This Policy, and the associated procedure, are published and available on the Australian School of Accounting website <https://www.asahe.edu.au/policies-and-forms/>.

| <b>Change and Version Control</b>  |   |   |                       |                        |
|--|---|---|-----------------------|------------------------|
| <b>Version</b>   | <b>Authored by</b>                          | <b>Brief Description of the changes</b>   | <b>Date Approved:</b> | <b>Effective Date:</b> |
| 2024.1   | Director Student Experience & Academic Dean | Updated policy to include HESF references, changes in regulatory compliances. Benchmarked against 6 other Higher Education Providers. | 29/01/2024            | 29/01/2024             |
| Previous version archived. New Policy code and numbering system implemented. |   |   |                       |                        |
| 3.0  |   | Annual review – BoD approval  | 06/07/2021            |                        |
| 2.0  |   | New course accreditation  |                       |                        |
| 1.0  |   | Council approval  |                       |                        |