UNSW College

Student Grievances and Complaints Policy

1. Purpose

(a) This Policy sets out principles for the management and Resolution of student concerns or dissatisfaction about their experience at UNSW College (College). It operates along-side the Student Code of Conduct, Student Misconduct Policy and Preventing and Responding to Gender-based Violence Policy, and establishes clear pathways for grievances, complaints, disclosures, support, investigation, review and appeal.

(b) A student Grievance or Complaint is an expression of dissatisfaction about College people, activities, services, actions or processes that is contrary to the relevant Code of Conduct. The dissatisfaction could relate to action by the College or others engaged by the College in its operations.

(c) A student Grievance or Complaint is distinct from a student request for reconsideration or Appeal of a College decision. Student requests for reconsideration or Appeal of a College decision are managed in accordance with the Student Appeal Policy.

(d) The Student Grievances and Complaints Procedure supports this Policy and provides specific guidance on how to submit a Grievance or Complaint.

1.1 Distinction between Grievance and Complaint

(a) A Grievance is the first stage in the Complaints Resolution process, with the College working with students (if they wish) to initially resolve Grievances informally, with the person or service area directly concerned.

(b) If the Grievance remains unresolved or the student does not wish to resolve the Grievance informally, the student may raise a formal Complaint.

(c) The various steps to be undertaken are outlined in the Student Grievances and Complaints Procedure.

2. Scope

This Policy applies to:

(a) College students who are currently enrolled, where the Grievance or Complaint relates to academic matters or non-academic matters;

(b) former College students, where the events ~~the subject~~ of the Grievance or Complaint occurred in the last twelve (12) months and have a connection with the College;

(c) prospective students, whose Grievance or Complaint relates to non-academic matters (including but not limited to the application process, the handling of their personal information, harassment, vilification, discrimination, financial matters, fines and payments or exclusions from events or facilities); and

(d) all College staff and affiliates; and

(e) any third-party providing services on the College's behalf to College students, former students or prospective students (including Education Agents).

This Policy applies regardless of the location of the campus at which the matter has arisen, the person's place of residence or the mode in which they study/intend to study.

This Policy and the associated Student Grievances and Complaints Procedure does not replace or modify procedures or any other responsibilities which may arise under other College policies or procedures, or under statute or any other law.

This Policy does not apply to:

(a) requests for reconsideration or Appeals of the College's decisions, which are managed under the Student Appeal Policy and Student Appeal Procedure; or

(b) complaints alleging misconduct by other students, which are managed under the Student Misconduct Policy and Student Misconduct Procedure;[1] or

(c) complaints alleging gender-based violence, which are managed under the Preventing and Responding to Gender-based Violence Policy.

Where a matter involves both student misconduct and gender-based violence, the relevant policies and procedures will operate together. The Student Misconduct Policy and Procedure will govern the misconduct assessment, investigation, decision-making and sanctions. The Preventing and Responding to Gender-based Violence Policy will govern support, safety planning, risk assessment, privacy, confidentiality, information sharing and trauma-informed responses. The College will coordinate the processes to avoid unnecessary duplication or repeated disclosure and to ensure procedural fairness for all parties.

A person may access support, safety measures and reporting options regardless of whether a formal complaint, misconduct investigation or disciplinary process is commenced.

3. Policy Statement

The College is committed to providing a Grievance and Complaint process for students to express concerns and resolve issues in a supportive environment. The College will monitor the incidence of Grievances and Complaints and seek to continuously improve processes, staff training and student support to better manage the scenarios where Grievances and Complaints typically arise.

4. Policy Principles

The following principles apply to Grievance and Complaint processes at the College:

(a) In responding to Grievances or Complaints, the College will apply the principles of Procedural Fairness.

(b) Assessment of Grievances and Complaints will be conducted in a professional, fair, and transparent, timely and proportionate manner, with consideration of safety, wellbeing, accessibility, cultural safety, privacy, conflicts of interest and any

risk of victimisation or retaliation.~~.~~

(c) Complainants should ensure they provide clear and accurate information so Grievances and Complaints can be resolved as quickly as possible.

(d) A student making a Complaint has the right to a fair and thorough investigation.

(e) Students may be accompanied by a Support Person during the process. The College will provide information about services which can provide independent professional advice and advocacy.

(f) The College will ensure the Complainant has an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a Support Person at any relevant meetings.

(g) The Grievances and Complaints process does not restrict a person's right to pursue other legal remedies or access independent professional advice.

(h) Staff will use their best endeavours to respond to Grievances and Complaints within the timeframes set out within the Student Grievances and Complaints Procedure, and otherwise in a timely way. Immediate safety or wellbeing concerns will be assessed and escalated promptly.

(i) For Complaints, students will receive a written statement of the outcome, including the reasons for the decision, recommended actions (if any) and information regarding avenues for appeal of the decision.

(j) Staff, students and others who are involved in the process must treat Grievances and Complaints confidentially and respect the privacy of all people concerned. Information will be shared only with consent or where necessary for support, safety, procedural fairness, investigation, legal or regulatory compliance.

(k) If, during any Internal Appeal or External Appeal process, a decision is made to uphold the student Complaint, which supports the student, the College will immediately implement the decision and advise the student of the outcome. See Student Appeal Policy.

(l) The College will abide by, and immediately implement, the decisions, recommendations and/or take corrective action required as an outcome of Internal Appeal or External Appeal.

(m) The College will not, and will ensure that others do not, victimise or retaliate against or discriminate against any Complainant, Appellant, ~~,~~ ~~or~~ Respondent, affected person, witness, and ~~or~~ person who participates or supports another person ~~or~~ participating~~s~~ in the process.~~.~~

5. Grievance and Complaint Process

The College strives to resolve Grievances and Complaints in a timely, safe and fair way with the people most directly involved. The College encourages Complainants to attempt to resolve issues themselves as soon as possible where it is safe and appropriate to do so by raising their concerns with the person or service area they believe is responsible, however this is not mandatory. If this is not appropriate given the nature of the concern, or is not

successful, the College provides a Complaint and Appeal process which supports the timely Resolution of an issue at the local level or through a formal process.

If a Grievance or Complaint cannot be resolved at a particular stage, there is an escalation process as follows:

Stage	Type	Description
Stage 1[1]	Grievance	Raise directly with the staff member or area or service related to the Complaint (local Resolution). This stage is not mandatory. Complainants can elect to commence the Complaints process at stage 2 and submit a Formal Complaint in the first instance, if they prefer.
Stage 2	Formal Complaint	Student to either email their Complaint to complaintsandconduct@unswcollege.edu.au or submit an online Student Complaint Form. If students have commenced the process at Stage 1, they should submit the formal Complaint within ten (10) working days of receiving the Stage 1 outcome, or of being notified of the original decision (if there is no Stage 1 process). Students should ensure they provide clear and accurate information so Grievances and Complaints can be resolved as quickly as possible. Complaints will be managed by a Case Manager with the oversight of a senior staff member, manager or similar. An outcome of the Complaint investigation will be sent to the student as soon as possible within twenty (20) working days of receipt of the complete Formal Complaint submission.
Stage 3	Internal Appeal	If the Complaint remains unresolved following Stage 2, the Complainant may Appeal the decision resulting from the Formal Complaint by submitting an online Stage 3 Student Appeal Form within twenty (20) working days following receipt of the decision/outcome of the Formal Complaint. An Appeal Committee will review the decision made during Stage 2 - see Student Appeal Policy~~)~~. The application must cite grounds for the Appeal and provide supporting evidence. The outcome of the internal Appeal will be sent to the student as soon as possible within twenty (20) working days of receipt of the complete internal Appeal submission. The outcome will include details relating to an external Appeal process.

[1] Stage 1 is not mandatory. Complainants may submit a formal Complaint (at stage 2) in the first instance, if they wish to do so.

Stage 4	External Appeal	Where the student remains dissatisfied with the final decision of an internal Appeal, the student may lodge an external Appeal of the College process or decision within ten (10) working days following receipt of the decision/outcome of the Stage 3 process. Students may also take a complaint to external agencies at any time during the complaint and appeal process, however external agencies would typically require the student to have completed the internal process before considering the student's application for external complaint. ~~External Appeals can be submitted with one of the Ombudsmen below.~~ • ~~For International Students - the Overseas Student Ombudsman. Information on how to submit an External Appeal can be found on the Ombudsman's website: https://www.ombudsman.gov.au/complaints/international-student-complaints.~~ • For Domestic and International Students - the National Student Ombudsman. Information on how to submit an external Appeal can be found on the Ombudsman's website: https://www.nso.gov.au/.

6. Management of Complaints relating to ~~Sexual Assault, Sexual Harassment~~, Gender-based Violence and Student Misconduct

Where the College considers that a Complaint raised relates to:

(a) Gender-based violence~~,~~ including sexual assault, sexual harassment, sexual misconduct, family violence, stalking, technology-facilitated abuse, coercive control or related conduct, the College will manage or refer the matter in accordance with the Preventing and Responding to Gender-Based Violence Policy and relevant procedures.

~~Sexual Assault or Sexual Harassment, the College will refer the matter to be managed in accordance with the Sexual Misconduct Policy.~~

~~(a) Gender-based Violence, the College will refer the matter to be managed in accordance with the Gender-based Violence Prevention and Response Policy.~~

~~(b)~~ Student Misconduct, the College will refer the matter to be managed in accordance with Student Misconduct Policy and Student Misconduct Procedure. ~~Where the matter also involves gender-based violence or sexual misconduct, the relevant policies and procedures will be applied together, with clear coordination between complaint, support, risk and misconduct processes.~~

(b)

(c) Declining to hear Grievances or Complaints

All people involved in the process are expected to act in good faith. The College will consider all Grievances and Complaints seriously, though it has discretion to refuse to conduct a Complaints process, or discontinue one, where the College has determined the Complaint or Grievance to be:

- unreasonable, not made in good faith or made with the intent to cause harm;
- made without the intent of resolving a genuine issue; or
- not capable of proper investigation (for example, because of a lack of detail or because the events occurred too long ago – see Scope for time limits).

The College may also refuse to conduct, or to discontinue, a Complaints process where the Complainant fails to treat those involved in the process with courtesy or respect, or engages in conduct that poses a risk of harm to others.

The College may refer Complaints to other organisations or agencies where they fall outside its responsibilities or control, or where it is lawfully required to do so. The College will inform the Complainant of any referral.

7. Anonymous Complaints

The College respects the wishes of Complainants and disclosures to remain anonymous. However, the College's ability to investigate an anonymous Complaint or manage a safety risk may be limited. The College will explain the available options, the limits of confidentiality and any circumstances in which information may need to be shared.

8. Records

(a) The College will maintain a record of all Complaints on its Complaints management system for a period of at least five (5) years. Records may also be kept of local level Grievances.

(b) Notes and documentation must be kept at all stages of a Complaint including records of meetings, discussions and any actions proposed or taken. All records will be treated as confidential (see Section 10 below).

(c) Maintaining records is critical to tracking progress, analysing of trends and ensuring continuous improvement.

(d) Parties to the Complaint will be allowed appropriate access to the relevant records, upon request.

(e) The College may report de-identified Complaint management data to its governing committees and are obliged to provide data to certain external bodies on occasion.

(f) The content of the Complaints management system will comply with all relevant laws regarding records management, including the State Records Act 1998 (NSW).

9. Review and consultation

The policy will be reviewed periodically (at least every 3 years), in consultation with students and staff, including those with lived experience of, or being directly affected by, discrimination, harassment, victimisation or violence, to ensure that these processes are accessible, easy to navigate, promote cultural safety, and administrative barriers are minimised.

~~9.~~10. Privacy and confidentiality

~~9.1~~10.1 Confidentiality

Information and records collected during the Grievances and Complaints process will be kept confidential and handled in accordance with the College's Privacy Policy. Access to information will be restricted to staff of the College or relevant third parties who are directly involved in the process or for whom access, and use, is necessary to enable proper investigation and Resolution of the matter. In addition, as noted in Section 9, parties to the Complaint will be allowed appropriate access to the relevant records upon request.

~~9.2~~10.2 Disclosure to third parties

The College will not disclose a Complainant's, Respondent's or Appellant's personal information to third parties during or after the Grievances, Complaints and/or Appeals processes, except in circumstances where the Complainant has given their consent, or the College is required or authorised to do so by law. In certain circumstances, the College will be under a legal obligation to report information provided by a person, or in connection with a Complaint or Appeal, to the police, a government department or other public body.

~~10.~~11. Roles, responsibilities and delegations

Role	Responsibility
Head of Legal, Risk & Compliance	Implementation, dissemination, and review.
Governance and Policy Lead	(a) administration and publication (b) day-to-day implementation (first point of contact for all inquiries) (c) internal reporting on trends and emerging issues to the College Academic Board and other committees as required

College Executives and managers	Assisting implementation of and adherence to policy as part of overall responsibility for identifying, preventing, responding to and redressing problems experienced by students.

~~11.~~12. Definitions

Definitions and Acronyms	
Appeal	A request for reconsideration of a decision by an officer or body of the College.
Appellant	A person who makes an Appeal.
Complainant	A person who makes a Complaint.
Complaint	A formal expression of dissatisfaction about the College or its people, activities, services, actions or processes. The dissatisfaction could relate to action by the College or others engaged by the College in its operations.
Conflict of Interest	Interest, involvement or information that may influence or be reasonably perceived to influence a person's ability to make objective recommendations or decisions in investigating or determining a Complaint, or serving on an Appeal Committee.
Domestic Student	A student enrolled at an Australian location who is an Australian or New Zealand citizen or who holds an Australian permanent resident visa or Australian permanent humanitarian visa.
Education Agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. Education Agents may provide education counselling to overseas students as well as marketing and promotional services for education providers. An Education Agent is not an institution with whom an Australian provider has an agreement for the provision of education or teaching services.
Grievance	The first stage in the Complaints Resolution process, with the College working with students (if they wish) to initially resolve grievances informally, with the person or service area directly concerned.
International Student	A student who does not have Australian or New Zealand citizenship or full permanent resident status in Australia. It includes those who have student visas, provisional residency, temporary residency, bridging visas etc.
Procedural Fairness	A principle of law that is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. Key requirements of procedural fairness include: (a) ensuring Respondents are provided with all necessary details

Definitions and Acronyms	
	of the allegations that have been made against them; (b) ensuring Respondents are given a proper opportunity to respond to the allegations in an appropriate way before a decision is made (including as to any mitigating circumstances); (c) that persons involved in deciding an outcome do not have any bias or Conflict of Interest; (d) that a decision is based only on relevant evidence.
Resolution	A formal decision or agreement on the Complaint or Appeal. Resolutions do not necessarily require the complete satisfaction of all parties, but rather an agreement that the issue has been reasonably investigated and/or resolved, or has provided a reasonable outcome given the available evidence.
Respondent	A person(s) subject to a Complaint or Appeal.
Sexual Assault	Engaging in certain sexual acts (such as intercourse and oral sex) with another person without their consent, knowing that they do not consent.
Sexual Harassment	An unwelcome sexual advance, or other unwelcome sexual behaviour towards another person, in circumstances where it can be reasonably expected that the person will feel intimidated, humiliated or offended by the behaviour.
Student Misconduct	A failure by a student to meet one or more of the responsibilities articulated in the College's Student Code of Conduct.
Support Person	A person nominated by a Complainant, Appellant or Respondent to provide assistance and support to them during the Complaints and Appeals process.
Gender-based violence	Any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy.
Affected Person	A person who has experienced, or is alleged to have experienced, gender-based violence.
Disclosure	Sharing information about gender-based violence for the purpose of seeking support, information or guidance. A disclosure does not necessarily mean the person wants UNSW College to investigate or take formal action.
Victimisation	Threatening, intimidating, isolating, penalising, disadvantaging or treating a person unfairly because they made a disclosure or report, supported another person, participated in an investigation or process, or raised a concern about gender-based violence or the implementation of the related Policy.

13. Related Policy Documents and Supporting Documents

Related Policy Documents and Supporting Documents	
Legislation	• Education Services for Overseas Student Act 2000 (Cth) • National Code of Practice for Providers of Education and Training to Overseas Students 2018 • Higher Education Provider Guidelines 2023 • Higher Education Support Act 2003 (Cth) • Higher Education Standards Framework (Threshold Standards) 2021 • Privacy Act 1988 (Cth)
Policy	• Admissions Policy • Attendance Monitoring Policy • Enrolment Policy • Equity Diversity and Inclusion Policy • Preventing and Responding to Gender-Based Violence Policy • Privacy Policy • Academic Progression and Exclusion Policy • Student Fees Policy • Student Refund Policy • Student Code of Conduct • Student Misconduct Policy • Student Appeal Policy • ~~Sexual Misconduct Policy~~
Procedures	• Academic Progression and Exclusion Procedure • Admissions Procedure • Enrolment Procedure • Student Fees Procedure • Student Grievances and Complaints Procedure • Student Misconduct Procedure • Student Refund Procedure • Student Appeal Procedure
Forms and Registers	• Stage 2 Appeal Form • Stage 3 Appeal Form • Complaints ~~and Appeals~~ Register • Student Complaint Form

~~12.~~14. Policy Governance

Student Grievances and Complaints Policy

Category/Business Group	Students ~~Experience~~
Published Externally (Yes/No)	Yes
Approver	Academic Board
Responsible Officer	Head of Student ~~Experience~~Success
Contact Officer	~~Conduct & Integrity Case~~ Manager, Conduct & Integrity
Effective Date	[Effective Date Display]
Next Review Date	[Next Review Date Display]
Version	~~2.0~~4.0

~~13.~~15. Revision History

Version	Approved by	Approval date	Effective date	Sections modified
4.0		[Approved Date Display]	[Effective Date Display]	Policy updated to align with amendments to the Higher Education Standards Framework (Threshold Standards) 2021 and the National Higher Education Code to Prevent and Respond to Gender-based Violence, including changes to grievance and complaint processes, procedural fairness, support and safety measures, governance requirements and related terminology.
3.0	Chief Executive Officer – Sarah Lightfoot	18/12/2025	18/12/2025	Administrative amendment – included additional information on contact details of external appeal bodies, options to submit complaints online and by email, a clearer timeline, more clarity on data sharing and record keeping.
2.0	Academic Board	23 May 2024	23 May 2024	Policy reworked to accommodate feedback received from DESE seeking greater clarity around: fee remission, appeal grounds, staff decision makers, first stage informal appeal, record keeping requirements. Sections 2, 4, 5.1 and 8 amended.

1	Academic Board	08 August 2023	17 August 2023	N/A

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