



Student Grievances and Complaints Procedure

1. Purpose

The purpose of this Procedure is to ensure all students have clear and accurate information on the steps to submit a complaint. The Procedure also outlines the responsibilities of UNSW College (College) staff, as well as students, at each stage.

A student grievance or complaint is an expression of dissatisfaction about the College people, activities, services, actions or processes.

If the matter relates to a College decision that, in the student's opinion, related to a lack of procedural fairness or an inconsistent application of College Policy or Procedure, students should refer to the [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#).

Need help?

UNSW College will inform students about its grievance and complaints processes and support services as part of orientation, in the [Student Handbook](#), the [Student Grievances and Complaints Policy](#) and this Procedure. Students are encouraged to read about the process before making a complaint, and if they need guidance, they may make an appointment with Student Services or email student.support@unswcollege.edu.au.

Students may have a support person with them before or during the complaint process. A support person is not able to speak on behalf of the student and is not an advocate for the student.

2. Scope

This Procedure applies to:

- (a) all students;
- (b) former College students, where the events the subject of the grievance or complaint occurred in the last 12 months and have a connection with the College;
- (c) prospective students whose complaint relates to the application process; and
- (d) all College staff.

This Procedure does not apply to:

- (a) appeals and reviews of the College's decisions, which are managed under the [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#); or
- (b) complaints alleging misconduct by other students, which are managed under the [Student Misconduct Policy](#) and [Student Misconduct Procedure](#).

3. How grievances and complaints are handled

- (a) The escalation process for grievances and complaints are outlined below:
 - i. Stage 1 - Grievance



- ii. Stage 2 - Formal Complaint
- iii. Stage 3 – Internal Appeal
- iv. Stage 4 – External Appeal

Stages 1 and 2 are explained below, and Stages 3 and 4 are explained in the [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#). A flowchart at Appendix A provides a high-level overview of the process.

- (b) In appropriate cases, UNSW College may decide to adopt a different complaint handling model at its discretion. In such cases, the Procedure to be followed will be outlined to the complainant and other parties in advance.

4. Stage 1: Grievance

- (a) Students are encouraged to attempt to resolve concerns or issues informally, by contacting the person or service area concerned directly, either verbally or in writing. This should be done as soon as possible after the concern or issue arises.
- (b) Students may request that a Student Adviser in Student Services raise the matter with the individual concerned on their behalf. The Student Adviser can help set up a meeting with those involved if required.
- (c) Staff must be open to hearing the student's concerns and actively work towards resolution, including gathering information from the student and, when required, from other staff members.
- (d) If the issue cannot be resolved in this way, staff should advise the student that the student may escalate the matter as a Stage 2 - Formal Complaint.
- (e) **Indicative Timeframe.** The College will resolve urgent matters as soon as possible. The College will aim to resolve non-urgent matters within ten (10) working days of the grievance being communicated to the College. If this timing is not possible, the College will advise the student of an alternative timeframe that is appropriate in the circumstances.

5. Stage 2: Formal complaint

5.1 Making a complaint

If a grievance is not resolved, or a complaint is serious or complex, the student may lodge a formal complaint to complaints@unswcollege.edu.au. The complaint must be in writing, using the [Student Complaint Form](#), and contain sufficient information for the complaint to be investigated.

5.2 Acknowledgement of complaint

The Complaint Coordinator will acknowledge receipt of the complaint within five (5) working days and advise whether:

- (a) the matter will be dealt with as a formal complaint;



- (b) the student should follow the informal grievance process above (e.g. where the complaint is not serious or the student has not tried to resolve it informally); or
- (c) the student should use a different policy or procedure (such as the [Student Misconduct Policy](#), if the complaint is about another student's behaviour).

5.3 Case allocation

Where the College determines the matter will be dealt with as a formal complaint, the Complaint Coordinator will forward the complaint to a Complaint Case Manager within five (5) working days of the complaint being received. The appointed Complaint Case Manager must disclose any conflicts of interest (including if they have been involved earlier in the process e.g. Stage 1 – Grievance), in which case the Complaint Coordinator will appoint another Complaint Case Manager.

5.4 Assessment and investigation

The Complaint Case Manager:

- (a) will make an initial assessment to determine whether there is sufficient and clear information to support the complaint application;
- (b) can appoint an Investigating Officer to carry out some or all of the Complaint Case Manager's functions (for example, to conduct interviews with the complainant or people mentioned in the complaint, or obtain the benefits of the Investigating Officer's subject matter expertise);
- (c) will provide both the complainant and the person, or people, the subject of the complaint (the respondent(s)) with the opportunity to present their version of events (including through interviews or written submissions);
- (d) will examine relevant information and Policy and Procedures;
- (e) may request for further information from the complainant and respondent;
- (f) may request that the complainant and respondent attend meetings with him/herself or the investigating team (students may also bring a support person but they must advise the College prior to the meeting); and
- (g) may seek clarification or advice internally or externally.

5.5 Determination

At the conclusion of the investigation, the Complaint Case Manager will make a decision in writing, containing reasons for the decision and recommended actions (if any). The Complaints Case Manager will endeavour to do so within twenty (20) working days of receiving the complaint. Outcomes could include, for example, the College:

- (a) correcting an error in relation to the student or the student's record;
- (b) making a decision that may or may not be in the student's favour;
- (c) rejecting the complaint on the basis that it is without substance, is not sufficiently serious or was not genuinely made, or was made with the intent to harass;
- (d) issuing an apology to the student.



The above list is not exhaustive and the College may make other findings and recommend other actions as appropriate in the circumstances.

6. Stage 3: Internal appeal

A student may appeal the decision resulting from the complaint investigation by submitting a [Request to Appeal Form](#) within twenty (20) working days of receipt of the outcome of the complaint – see [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#). Appeals may only be made if there has been an error in process - not simply because the student disagrees with the outcome - and the principles of [Procedural Fairness](#) apply (see [Guideline](#) and definition of [Procedural Fairness](#) in Section 13 below).

7. Indicative timeframe

The College aims to meet the following timeframes in determining formal complaints:

- (a) acknowledge receipt of a complaint and commence investigation, reject ineligible complaints or refer the matter to another policy or process - within five (5) working days of the complaint being received;
- (b) complete investigation and issue a decision - within twenty (20) working days of the complaint being received;
- (c) the Complaint Coordinator will update the complainant on the progress of the complaint and inform the complainant of any significant delays and variations to the timeframes.

8. Withdrawal of complaint

At any stage a student may withdraw a complaint. Where the Stage 2 formal complaint process is underway, any withdrawal must be in writing (e.g., email). In most instances the College will then deem the complaint resolved. However, in certain circumstances the College may deem the complaint serious enough for an internal investigation to continue, or for referral to an external agency.

9. Record keeping

- (a) Notes and documentation must be kept at all stages of a complaint including records of meetings, discussions and any actions proposed or taken.
- (b) All records and notes produced and documents considered in handling a complaint must be stored in a confidential College file.
- (c) The Complaint Coordinator, Complaint Case Manager and relevant Appeals Committee Secretary are responsible for recording and tracking all centrally investigated complaints on the College database.



10. Confidentiality

- (a) All records should be treated with an appropriate level of confidentiality and security in line with applicable College policies and procedures, including the [Privacy Policy](#) and [Data Classification Standard](#).
- (b) All parties involved in a complaint, including the complainant, respondent(s) and College staff must maintain confidentiality about the complaint.
- (c) Information and records about a complaint will generally only be divulged to College staff who are directly involved in the process and to whom disclosure is necessary, for example, to allow a proper investigation of the matter or so an appeal committee has all relevant information before it. However, the College may disclose records about a complaint to professional service providers such as lawyers and insurers and, in limited cases, to others including people outside the College, where this disclosure is permitted by relevant privacy laws. An overview of these circumstances is set out in the College [Privacy Policy](#). College staff should contact the Privacy Officer in the Legal and Compliance team for advice if required.

11. Internal reporting

- (a) The Quality and Compliance Officer will provide recommendations for process improvement or policy changes as required and forward to the Responsible Officer for consideration.
- (b) An annual report on trends and emerging issues will be provided to the UNSW Academic Board and other committees as required.

12. Roles and responsibilities

Role	Responsibility
Student Services Staff	Assist students by providing information, responding to issues and setting up meetings to discuss with staff.
Complaint Coordinator	Monitors and acknowledges (or refers elsewhere) all grievances and complaints, and ensures all relevant information is provided by the complainant. Provides Formal Complaints to the Complaints Case Manager. This role normally is assigned to personnel in Student Services (which manages the Complaints inbox).
Complaints Case Manager	Manages the process of formal complaints to ensure timelines are met, including updating the complaints and appeals register. The role is usually allocated by the Complaint Coordinator upon receipt of a complaint to the relevant area in the College but may also be nominated by other senior staff at the College as appropriate.
Manager Student Support	Bullying or harassment by staff or a student



All UNSW College staff	Provide information, support and guidance to students who would like to make a complaint and direct students to Student Services or Student Support for assistance.
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13. Definitions

Definitions and Acronyms	
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.
Procedural Fairness	<p>Also known as 'natural justice', procedural fairness is a principle of law that is concerned with the procedures used by a decision-maker, rather than the actual outcome reached.</p> <p>Key requirements of procedural fairness include:</p> <ul style="list-style-type: none"> (a) ensuring respondents are provided with all necessary details 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. <p>That a decision is based only on relevant evidence.</p>
Serious Matters	<p>Complaints are considered serious where there is reason to believe that, for example:</p> <ul style="list-style-type: none"> (a) there is a significant risk to the College and its staff and/or students; (b) a serious criminal offence may have been committed; or (c) there are a number of complaints of a similar nature against a respondent.

Related Policy Documents and Supporting Documents	
Legislation	<ul style="list-style-type: none"> • <u>The Education Services for Overseas Student Act (ESOS) 2000 (Cth)</u> • <u>National Code of Practice for providers of Education and Training to Overseas Students 2018</u> • <u>The Higher Education Standard Framework (Threshold Standards) 2021</u> • <u>Privacy Act 1988 (Cth)</u>
Policy	<ul style="list-style-type: none"> • <u>Student Grievances and Complaints Policy</u> • <u>Student Review and Appeal Policy</u> • <u>Admissions Policy</u> • <u>Attendance Policy</u>



	<ul style="list-style-type: none"> • Equity Diversity and Inclusion Policy • Privacy Policy • Progress and Attendance Policy • Student Fees and Refund Policy • Student Code of Conduct • Student Misconduct Policy
Procedures	<ul style="list-style-type: none"> • Student Review and Appeal Procedure • Student Misconduct Procedure • Students with a Disability Procedure
Local Protocols	<ul style="list-style-type: none"> • Complaints and Appeals Register • Student Complaint Form • Student Appeal Form • Student Handbook • Privacy Form

14. Procedure Governance

Student Grievances and Complaints Procedure	
Category/Business Group	Legal and Compliance
Published Externally (Yes/No)	Yes
Approver	Chief Executive Officer
Responsible Officer	Head of Legal and Compliance
Contact Officer	Compliance Manager
Effective Date	17/08/2023
Next Review Date	17/08/2026
Version	1.0

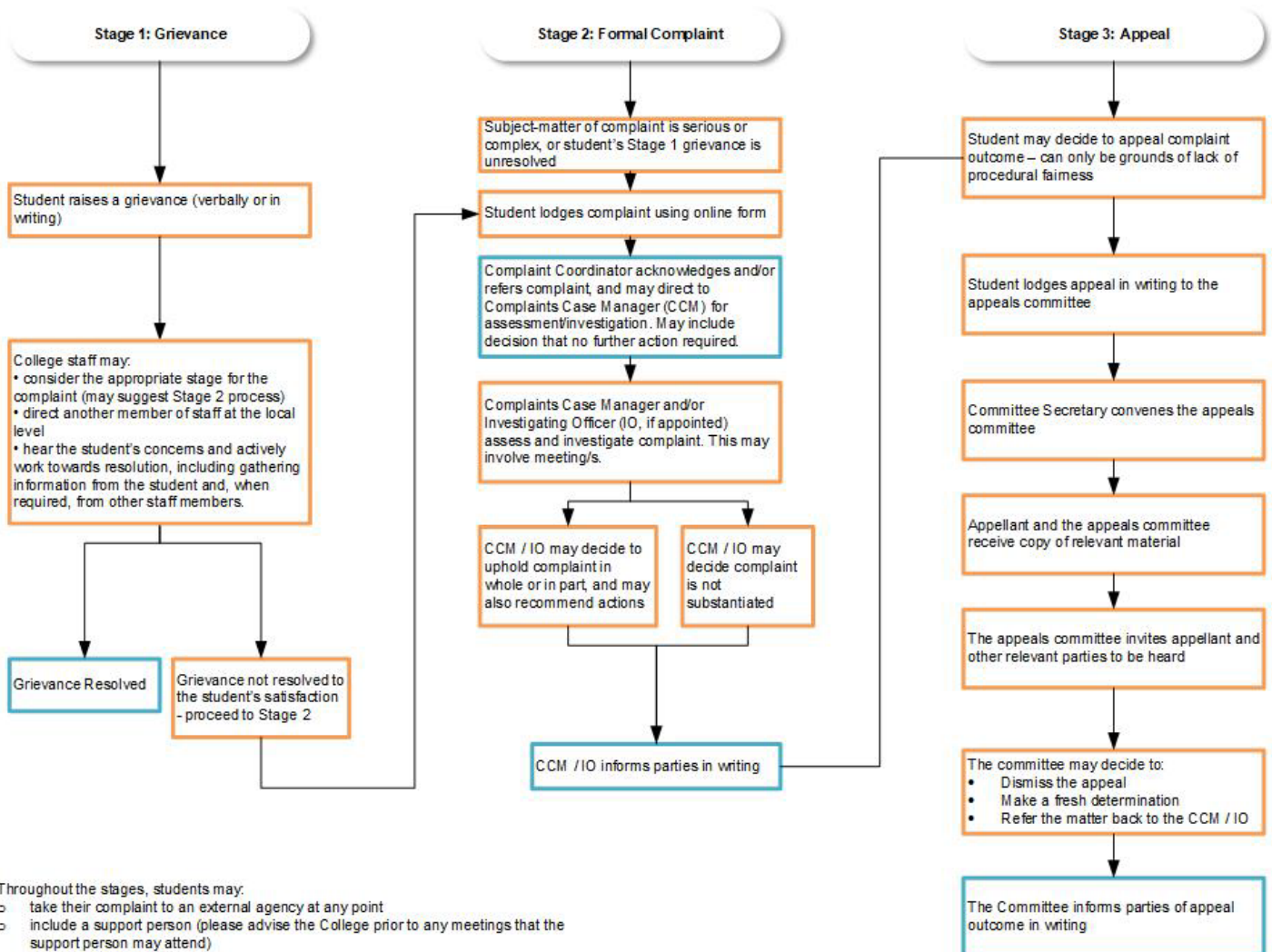
Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1	Executive Director, Students – Jacqueline Clements	15 August 2023	17 August 2023	N/A

Please visit our website to ensure that you have the latest version of this Procedure. Policies and procedures are available at: unswcollege.edu.au/about/policies



Appendix A – Student Grievances and Complaints Procedure summary diagram



Note: appeals are explained in the [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#).