

Offshore Student Grievances and Complaints Policy

1. Purpose

UNSW College (the College) offers some of its Award and Non-Award Programs to offshore Students, i.e., those located outside of Australia.

These offshore Programs may be delivered either directly by the College (College delivered Program) or through a Transnational Education (TNE) Provider (TNE Provider delivered Program), both of which operate under the College's academic and operational standards. The TNE Provider is a third-party provider and TNE refers to the delivery of Programs, course, or services to learners offshore.

This Policy details the principles for the management and Resolution of Student Grievances or Complaints about their experience during their Program.

A student Grievance or Complaint is an expression of dissatisfaction about College and/or TNE Providers' people, activities, services, actions or processes contrary to the College Student Code of Conduct. The dissatisfaction could relate to action by the College or others engaged by the College in its operations.

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 [Offshore Student Appeal Policy](#).

Distinction between Grievance and Complaint:

- (a) A Grievance is the first stage in the Complaints Resolution process, with the College or the TNE Provider 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.

2. Scope

This Policy applies to:

- (a) all College students enrolled in programs delivered by the College or a TNE Provider, where the Grievance or Complaint relates to academic matters or non-academic matters;
- (b) all 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 or the TNE Provider;
- (c) all Prospective Students seeking to enrol in a program delivered by the College, 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);
- (d) all College staff and affiliates; and
- (e) any third-party providing services on the College's behalf to current, former or prospective TNE students, including TNE Providers and / or Education Agents.

This Policy 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 relating to a Student's offshore program, which are managed under the [Offshore Student Appeal Policy](#); or
- (b) Complaints alleging misconduct by other students, which are managed under the [Offshore Student Misconduct Policy](#).

3. Policy Statement

The College and the TNE Provider are committed to providing a Grievance and Complaint process for students to express concerns and resolve issues in a supportive environment. The College and the TNE Provider 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.

Decision makers for resolution of Grievances and Complaints will be:

- (a) the College if:
 - i. a College delivered program; or
 - ii. a TNE Provider delivered program, relating to any academic integrity or non-academic integrity issues that impact on College systems or reputation; or
 - iii. a TNE Provider delivered program relating to the TNE Provider itself; and
- (b) the TNE Provider for all other grievances and complaints and a notification provided to UNSW College via the email address complaintsandconduct@unswcollege.edu.au.

Please see Appendix 1: TNE Provider delivered Program - TNE Student Contact Matrix, for further information on decision maker. It is the responsibility of the Student to ensure that they raise complaints with the correct decision maker.

4. Policy Principles

The following principles apply to Grievance and Complaint processes:

- (a) In responding to Grievances or Complaints, the College and TNE Provider will apply the principles of Procedural Fairness.
- (a) Assessment of Grievances and Complaints will be conducted in a professional, fair and transparent manner.
- (b) Complainants should ensure they provide clear and accurate information so Grievances and Complaints can be resolved as quickly as possible.
- (c) A student making a Complaint has the right to a fair and thorough investigation.



- (d) Students may be accompanied by a Support Person during the process. The College and TNE Provider will provide information about services which can provide independent professional advice and advocacy.
- (e) The College and TNE Provider 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.
- (f) The Grievances and Complaints process does not restrict a person's right to pursue other legal remedies or access independent professional advice.
- (b) Staff will use best endeavors to respond to Grievances and Complaints within the timeframes provided in this policy.
- (g) For Complaints managed by the College, 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.
- (h) Staff, students and others who are involved in the process must treat Grievances and Complaints confidentially and respect the privacy of all people concerned.
- (i) If, during any internal Appeal or external Appeal process, a decision is made to uphold the student Complaint, which supports the student, the College and/or the TNE Provider will immediately implement the decision and advise the student of the outcome. See [Offshore Student Appeal Policy](#).
- (c) The College and the TNE Provider will abide by, and immediately implement, the decisions, recommendations and/or take corrective action required as an outcome of internal Appeal or external Appeal.
- (d) The College and the TNE Provider will not, and will ensure that others do not, victimise or discriminate against any Complainant, Appellant or Respondent.

5. Grievances and Complaints Process:

The escalation processes for Grievances and Complaints are outlined below:

- (a) Stage 1 – Grievance (not mandatory)
- (b) Stage 2 – Formal Complaint
- (c) Stage 3 – Internal Appeal process
- (d) Stage 4 – External Appeal process^{1,2}

Stages 1 and 2 are explained below, and Stages 3 and 4 are explained in the [Offshore Student Appeal Policy](#).

¹ A person may request assistance from an external agency or lodge an application with an external agency at any time. Some external agencies may require the person to have lodged an internal Complaint first before they will become involved and they may have strict time limits.

² Information on the Offshore/Overseas Ombudsman can be found on the Ombudsman's website <https://www.ombudsman.gov.au/complaints/international-student-complaints>

6. Stage 1: Grievance (not mandatory)

- (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. However, this stage is not mandatory and persons may decide to commence the Complaints process at stage 2, if they wish to do so.
- (b) Students may request that a Student Adviser or Support Officer in Student Services raise the matter with the individual or service area concerned on their behalf, where the College is the decision maker for a Grievance or Complaint.
- (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 (or if the student wishes to do so), staff should advise the student that the student may escalate the matter as a Stage 2 - Formal Complaint.
- (e) **Indicative Timeframe:** The College or the TNE Provider will resolve urgent matters as soon as possible and non-urgent matters within ten (10) working days of the Grievance being communicated to the College or TNE Provider, as applicable. If this timing is not possible, the student will be advised of an alternative timeframe that is appropriate in the circumstances.

7. Stage 2: Formal Complaint

7.1 Making a Complaint

The Complainant may lodge a formal Complaint by emailing:

- (a) the College at complaintsandconduct@unswcollege.edu.au with a completed Student Complaint Form, if relating to an academic or non-academic integrity matter that impacts on College systems or reputation, or relates to a TNE Provider; or
- (b) their TNE Provider if a non-academic integrity matter that does not affect College systems or reputation, except when the complaint is about the TNE Provider itself. A Students TNE Provider may request the complaint information through the TNE Providers own form.

The Complaint must be in writing, and contain sufficient information for the Complaint to be investigated.

7.2 Acknowledgement of complaint

The Complaint Coordinator or TNE Provider 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 in accordance with this Policy;
or
- (b) the student should use a different Policy.



7.3 Case allocation

Where the College or the TNE Provider determines the matter will be dealt with as a formal Complaint, the relevant Complaint Coordinator will forward the Complaint to a Complaint Case Manager or relevant TNE Provider personnel within five (5) working days of the Complaint being received. The Complaint Coordinator or TNE Provider personnel will also record the Complaint in the Complaints and Appeals Register.

The appointed Complaint Case Manager or relevant TNE Provider personnel 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.

7.4 Assessment and investigation

The Complaint Case Manager or relevant TNE Provider personnel:

- (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 further information from the Complainant and/or Respondent;
- (f) may request that the Complainant and/or Respondent attend meetings with him/herself or the investigating team (students may also bring a Support Person); and
- (g) may seek clarification or advice internally or externally.

The Complainant and Respondent may be accompanied and assisted by a Support Person throughout the Complaint management process.

7.5 Determination

At the conclusion of the investigation, the Complaint Case Manager or TNE Provider personnel will make a decision and communicate that decision in writing to the Complainant, containing reasons for the decision, recommended actions (if any) and avenues for Appeal. The Complaints Case Manager or TNE Provider personnel will endeavour to do so within twenty (20) working days of the Complaint Coordinator or TNE Provider receiving the Complaint. Outcomes could include, for example:

- (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, was not genuinely made, or was made with the intent to harass;
- (d) issuing an apology to the Complainant.

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

The Complaint Coordinator or relevant TNE Provider personnel will record the Complaint determination in the Complaints and Appeals Register.

8. Stage 3: Internal Appeal

- (a) If the Complainant is not satisfied with the outcome following Stage 2, they may Appeal the decision by submitting a Request to Appeal Form within twenty-eight (28) days following receipt of the Stage 2 outcome.
- (b) Detail of this process is embedded within the [Offshore Student Appeal Policy](#).

9. 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 or the TNE Provider will then deem the Complaint resolved. However, in certain circumstances the College or the TNE Provider may deem the Complaint serious enough for an internal investigation to continue, or for referral to an external agency.

10. Management of Complaints relating to Sexual Assault, Sexual Harassment and Student Misconduct

Where the College considers that a Complaint raised relates to:

- (a) Sexual Assault or Sexual Harassment, the College will refer the matter to be managed in accordance with the College's [Sexual Misconduct Policy](#);
- (b) Student Misconduct, the College will refer the matter to be managed in accordance with the [Offshore Student Misconduct Policy](#).

11. Declining to hear Grievances or Complaints

All people involved in the process are expected to act in good faith. The College and/or the TNE Provider 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:

- (a) unreasonable, not made in good faith or made with the intent to cause harm;
- (b) made without the intent of resolving a genuine issue; or
- (c) 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 or the TNE Provider 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 or the TNE Provider 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 or the TNE Provider, as applicable, will inform the Complainant of any referral.

12. Anonymous Complaints

The College and the TNE Provider respects the wishes of Complainants to remain anonymous. However, ability to investigate an anonymous Complaint may be limited.

13. Records

- (a) The College and the TNE Provider, where relevant, 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 14 below).
- (c) Parties to the Complaint will be allowed appropriate access to the relevant records, upon request.
- (d) The content of the complaints management system will comply with all relevant laws regarding records management, including the State Records Act 1998 (NSW).

14. Privacy and Confidentiality

- a) **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 and the applicable relevant local legislation. Access to information will be restricted to staff of the College, the TNE Provider 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 13, parties to the Complaint will be given appropriate access to the relevant records upon request.
- b) **Disclosure to third parties** - Neither the College or the TNE Provider will 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 where jurisdiction deems applicable, the College or the TNE Provider 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.



15. Internal reporting and Continuous Improvement

- (a) For the College, the Legal Counsel - Regulatory & Compliance will provide recommendations for process improvement or policy changes as required and forward to the Responsible Officer for consideration.
- (f) An annual report on trends and emerging issues will be provided to the College Academic Board and other committees i.e. TNE Quality Assurance Committee as required.

16. Roles, responsibilities and delegations

This Policy operates within the context of, and subject to, relevant Australian State and Commonwealth legislation

Role	Responsibility
All UNSW College or TNE Provider 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.
Complaints Case Manager or relevant TNE Provider personnel	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 or TNE Provider, but may also be nominated by other senior staff at the College or TNE Provider as appropriate.
Complaint Coordinator or relevant TNE Provider personnel	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.
College Legal Counsel - Regulatory & Compliance	Provide recommendations for process improvement or policy changes as required and forward to the Responsible Officer for consideration.
College Student Services Staff	Assists College students by providing information, responding to issues and setting up meetings to discuss with staff.

17. 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.

Definitions and Acronyms	
Complaint	A formal expression of dissatisfaction about the College and/or a TNE Providers people, activities, services, actions or processes. The dissatisfaction could relate to action by the College or others engaged by the College in its operations, which is either academic or non-academic in nature.
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.
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	A Grievance is the first stage in the Complaints Resolution process, with the College and/or TNE Provider working with students (if they wish) to initially resolve Grievances informally, with the person or service area directly concerned.
Procedural Fairness	<p>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. (d) that a decision is based only on relevant evidence
Prospective Student	A person who intends to become or has taken any steps towards enrolling in a College Program
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	The person(s) subject to a Complaint or Appeal
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 or support to them during the Grievances, Complaints and/or Appeals processes.



Definitions and Acronyms	
Transnational Education or TNE Education	The delivery of programs, courses/subjects or services by the College or a TNE Provider, to learners located offshore. It includes both online and face to face delivery models.
TNE Provider	A College approved education provider delivering a College program in a location outside Australia that leads to an Australian higher education qualification or College certificate.

Related Policy Documents and Supporting Documents	
Policy	<ul style="list-style-type: none"> • Offshore Student Appeal Policy • Offshore Student Misconduct Policy • College Privacy Policy • College Sexual Misconduct Policy
Forms / Guidelines	<ul style="list-style-type: none"> • Request to Appeal Form • Student Complaint Form

18. Policy Governance

Offshore Student Grievances and Complaints Policy	
Category/Business Group	Student Experience
Published Externally (Yes/No)	Yes
Approver	Academic Board
Responsible Officer	Executive Director, Students
Contact Officer	Conduct & Integrity Case Manager
Effective Date	20/11/2025
Next Review Date	20/11/2028
Version	2.0

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
2.0	Executive Director, Academic	20 November 2025	20 November 2025	Updating policy to be an 'Offshore' policy, incorporating award and non-award programs.
1	Academic Board	23 May 2024	23 May 2024	N/A

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

Appendix 1: TNE Provider delivered Program - TNE Student Contact Matrix

The table below includes (but is not limited to) example scenarios and who to contact in this case. As a general rule for Students:

- If it relates to academic experience, course outcomes, or learning environment, contact the College.
- If it relates to daily conduct, student welfare, campus experience, or local facilities, contact your TNE Provider.

Topic / Issue	Who to Contact	Notes
Facilities (e.g. campus cleanliness, classroom equipment, internet, air conditioning)	TNE Provider	Facility management is the responsibility of the TNE Provider.
General In-Class Behaviour (e.g. mobile phone use, talking, minor disruptions)	TNE Provider	Local classroom management is the responsibility of the TNE Provider.
Student Support / Welfare (on-campus counselling, support services)	TNE Provider	Providers manage local support; serious cases may be escalated to the College where applicable.
Serious Misconduct Affecting Others' Learning (e.g. harassment, bullying, repeated disruptions, breaches of College policy)	UNSW College	Falls under the Offshore Student Misconduct Policy and must be escalated to the College for formal investigation.
Course Content Quality / Delivery Concerns	UNSW College	Students may lodge a formal Complaint by completing the <u>Student Complaint Form</u> and emailing it to complaintsandconduct@unswcollege.edu.au
Assessment Complaints or Appeals (e.g. marks, grading fairness, academic misconduct)	UNSW College	Students should follow College Offshore Student Appeals Policy for further information.
Academic Progression (e.g. failing subjects, exclusions, requests for review)	UNSW College	Students should reference College Offshore Academic Progression Policy, Offshore Student Appeals Policy for further information