



Student Grievance Policy

Policy Area: Governance, Academic Governance

Approval: Chairperson, Board of Directors

Signature:

Date:

1. PURPOSE AND SCOPE

In pursuance of its vision and values, Sheridan Institute of Higher Education has established and seeks to maintain a harmonious and supportive learning environment conducive to study and personal development. Sheridan also has a responsibility under legislation to ensure students are not subjected to discrimination, harassment, vilification or victimisation. We recognise that students may sometimes feel they have experienced disadvantage or distress, and will ensure that grievances are responded to promptly, with minimum stress and maximum protection for all involved.

Sheridan students or those seeking to enrol in a course of study with Sheridan are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus at which the grievance has arisen, the student's place or residence or the mode in which they study.

This policy provides a mechanism for addressing both academic and non-academic grievances arising out of any situation or process affecting the student. Grievances relating to sexual harassment and/or sexual assault are addressed by the *Sheridan Sexual Assault and Sexual Harassment Policy*.

The Student Grievance Policy is available electronically on the Sheridan website and in hard copy format upon request from the Registrar. Staff training in the procedures takes place during staff orientation, and the student orientation includes a presentation on grievance procedures. The Executive Principal is responsible for the training of support staff in its application.

Sheridan will respond promptly to any complaint, grievance or appeal made by a student regarding their dealings with Sheridan, its education agents or any third party provider delivering services to students, commencing assessment of all complaints within 10 working days.

2. RESPONSIBILITY AND ACCOUNTABILITY

Initial approval of policy and later amendments:	Board of Directors
Amendment of procedures consistent with the policy:	Executive Principal
Distribution of policy:	Executive Principal
Implementation of policy:	Faculty, Executive Principal, Academic Principal, Registrar, Board of Directors
Monitoring and compliance of policy:	Academic Council, Executive Principal, Registrar
Evaluation and recommendations for amendments:	Academic Council, Executive Principal, Registrar

3. DEFINITIONS

A **grievance** is a statement of concern reported to a person or persons in authority at Sheridan that requires action or response from Sheridan. A grievance can be about any situation or process affecting the student, whether academic or non-academic, and can be against a person or people at Sheridan. A grievance is not part of the regular student feedback Sheridan encourages in its continuing commitment to quality improvement, but rather a formal complaint requesting action or response.

Academic grievances are those which relate to enrolment, curriculum, awards, student progress, and assessment in a course of study.

Non-academic grievances are grievances which relate to, but are not limited to, financial issues, welfare matters, bullying, harassment and/or discrimination.

The **complainant** is the Sheridan student or person seeking to enrol in a course of study who has initiated the grievance.

The **respondent** is the person against whom a grievance has been initiated under this policy.

The principles of **natural justice** include the following elements:

- the right of the student (complainant) to a fair hearing;
- the right of the student (complainant) or any respondent to attend hearings with a friend or support person (eg translator), if desired, provided the person is not a practising solicitor or barrister;
- the opportunity for all parties involved to be heard;
- any respondent being permitted full knowledge of the nature and substance of the grievance;
- the complainant not determining the outcome, but having the right to be a party to it;
- the right to an independent, unbiased decision-maker;
- a final decision that is based solely on the relevant evidence with all submissions considered.

4. DETAILED BREAKDOWN OF RESPONSIBILITIES

STAFF. Under this policy staff are responsible for handling grievances with fairness, timeliness and in accordance with the principles of natural justice.

COMPLAINANT. The complainant is responsible for ensuring that the matter raised has substance and is genuine, and must participate in the process in an appropriate manner and honour any agreement reached to resolve the grievance.

COMPLAINANT AND RESPONDENT. The complainant and respondent will not be victimised or discriminated against in any of the three stages set out in this policy. Both the complainant and the respondent have the right to be represented by a third person (such as a family member, friends, counsellor or other professional support person) if they so desire.

SHERIDAN MANAGEMENT TEAM. The Sheridan Management Team is tasked with deciding on the resolution of Stage 1 grievances. At least three (3) members of the Sheridan Management will be involved in hearing each grievance, depending on the nature of the grievance. The Academic Principal will be involved in all academic grievances, the Director of Student Services will be involved in all welfare grievances and the Executive Principal will be involved in all grievances relating to financial matters.

BOARD STUDENT GRIEVANCE COMMITTEE. The Board Student Grievance Committee is a subcommittee of the Board of Directors, consisting of a minimum of three (3) Directors. The

committee is charged with the responsibility of deciding on the resolution of Stage 2 grievances and is formed, as the need arises, when Stage 2 grievances are initiated.

REGISTRAR. The Registrar will keep records of grievances and their outcomes strictly confidential. They will be stored in a separate file (not on the student or staff file) in the Registrar's Office for a period of five years. Parties to the grievance will be allowed supervised access to these records within 48 hours of the Registrar receiving a formal request.

EXECUTIVE PRINCIPAL. The Executive Principal shall ensure the Student Grievance Policy is distributed, reviewed, maintained, understood, and implemented at Sheridan and ensure that digital records of all grievance procedures are kept securely and confidentially. The Executive Principal will report annually to the Academic Council on the implementation of the grievance policy. As required under the *Higher Education Support Act*, such report will not name or otherwise identify any persons involved in grievances or their resolution. Where a grievance involves the Registrar, the Executive Principal will receive and process all grievance documentation.

Generally Sheridan will not act on anonymous complaints. However, staff and students must immediately refer all complaints about the following issues to the Executive Principal, even if such complaints are made anonymously:

- a. abuse of children or young people;
- b. criminal activity; or
- c. any threat to safety or security.

Complaints relating to sexual assault or sexual harassment will be handled in accordance with the Sexual Assault and Sexual Harassment Policy.

BOARD OF DIRECTORS. The governing body of Sheridan, the Board of Directors, has the authority to ratify the Student Grievance Policy and Procedures.

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.

5. PROCEDURES

5.1. Before a Concern becomes a Formal Grievance

Sheridan encourages students, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Students may approach the Director of Students for advice and support with this step.

5.2. The Formal Grievance Process

Should the concerns remain unresolved, students or those seeking admission to a course at Sheridan have access to a three-stage grievance process at no cost to the student, which is set out below. The student remains enrolled in his/her course while a grievance is being resolved.

Grievances about alleged abuse to children or young people, unlawful activities, corrupt behaviour, serious criminal behaviour, or any concerns involving safety or security do not go through a three-stage process. Instead they are reported to the Executive Principal who will access external professional expertise. Such matters will be managed under the law, with external consultation as appropriate.

At all stages of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures must be given if so requested by the complainant and/or respondent.

The complainant may withdraw a grievance at any stage in the process. If the grievance is withdrawn, the matter will be deemed to be closed.

If the appeal results in a decision that supports the student, Sheridan will immediately implement that decision and/or corrective and preventative action required and will advise the student of the outcome.

STAGE 1: SHERIDAN MANAGEMENT

In the first instance, and within 20 working days of the situation or decision causing concern, the complainant notifies either the Registrar or the Executive Principal (if the grievance involves the Registrar) of their grievance with all relevant documentation attached. The Registrar or Executive Principal must acknowledge receipt of the grievance within 5 working days and determine the appropriate grievance handler, as follows:

Grievance is about:	Grievance handler:
Abuse of children or young people, unlawful activities, corrupt behaviour or serious criminal behaviour, any perceived threat to safety or security	Executive Principal
Issues relating to welfare, bullying or discrimination	Director of Student Services
Any other non-academic concern, including financial matters	Executive Principal
An academic issue, e.g. assessment, enrolment	Academic Principal

On receiving a grievance, the grievance handler will:

- a. advise the complainant of their right to be accompanied and assisted by a third party if so desired;
- b. convene a meeting with a minimum of three Sheridan Management Team members to facilitate resolution in a timely manner, initiated within 10 working days and normally resolved within 20 working days from receipt of grievance;
- c. ensure that the three members of the Sheridan Management Team involved in handling the grievance are not involved in the grievance themselves;
- d. where other parties are involved, monitor the process to ensure a mutually acceptable resolution is reached without undue delay;
- e. where the matter is explicitly covered under the Higher Education Support Act (HESA) and/or the Sheridan Regulations, facilitate the outcome dictated by the Act or Regulations;
- f. give the complainant comprehensive advice about the outcome;
- g. complete the Grievance Response Form with the complainant;
- h. forward all records to the Registrar for confidential storage.

STAGE 2: BOARD OF DIRECTORS

The second stage of the process at which a grievance is addressed requires the involvement of the Board Student Grievance Committee. Either the Registrar or the complainant can move a grievance into Stage 2.

If unsatisfied with the response to the Stage 1 grievance or the time taken to resolve the matter, the complainant may approach the Registrar and/or Executive Principal and explicitly seek the involvement of the Board Student Grievance Committee. Alternatively, the Registrar and/or Executive Principal may call the Board Student Grievance Committee to consider a grievance that remains unresolved by the process outlined above. The Board Student Grievance Committee will deal with the grievance within a reasonable time, normally within 30 days of receipt of the grievance.

The Registrar and/or Executive Principal advises the complainant in writing of the decision in a timely fashion, normally within 30 days of the commencement of the Stage 2 grievance resolution process

and a maximum of 10 days after the decision of the Board Student Grievance Committee. The Registrar and/or Executive Principal must also advise the complainant of their right to access an external complaints handling and appeals process at minimal or no cost and provide the complainant with the contact details of the appropriate complaints and external appeals body.

The Registrar files all documents relating to the grievance in confidential storage separate from staff and student files.

STAGE 3: EXTERNAL APPEAL

If not satisfied with a decision of the Board Student Grievance Committee, the complainant may, within 20 working days of receiving the decision, lodge an appeal with an external appeal body.

International students may access conciliation services provided by the Commonwealth Ombudsman (<http://www.ombudsman.gov.au>). The staff at Sheridan may also make representation to the Ombudsman regarding the matter.

Online

You can make a complaint online by using the [online complaint form](#):

<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form>

Phone

You can contact the Commonwealth Ombudsman by telephone, 9am to 5pm Monday to Friday.

In Australia, call: **1300 362 072** (calls from mobile phones at mobile phone rates). Outside Australia, call **+61 2 6276 0111**.

Using an interpreter

You can make a complaint in your language. Call the Translating and Interpreting Service (TIS) in Australia on **131 450**.

Outside Australia call **+61 3 9268 8332**. The Commonwealth Ombudsman will pay for the interpreter.

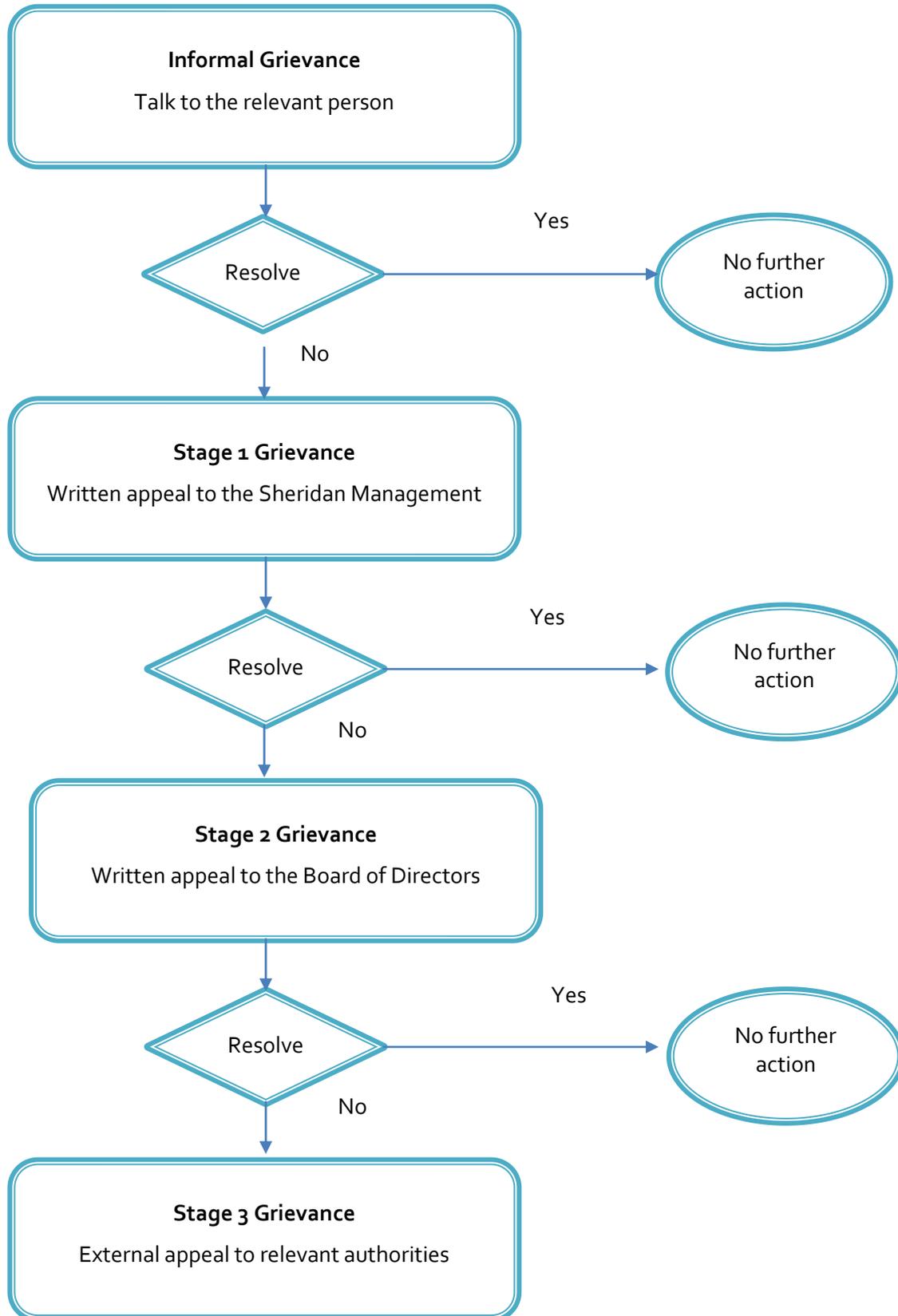
Domestic students can contact the Government of Western Australia Consumer Protection Office to lodge a complaint under the Australian Consumer Law. The contact details are:

Government of Western Australia
Consumer Protection Office
Gordon Stephenson House
Level 2, 140 William Street
Perth
Ph.: 1300 304 054
Email: consumer@dmirs.wa.gov.au

For matters involving domestic students not covered by Australian Consumer Law, Sheridan will appoint a qualified external dispute resolver.

Within 20 working days of receiving the external review decision and recommendations, the Registrar and/or Executive Principal will ensure that recommendations arising out of the external review are implemented, give the complainant comprehensive written advice about the outcome, and file all records in confidential storage.

6. GRIEVANCE PROCEDURE FLOWCHART



7. STUDENT VISA CONDITIONS AND THE STUDENT GRIEVANCE POLICY

Where Sheridan has assessed the student as not complying with their student visa conditions, either through unsatisfactory course progress, or for disciplinary reasons, Sheridan will notify the student in writing of its intention to report the student to the Department of Home Affairs. The written notice will inform the student that they are able to access the Sheridan Student Grievance Policy and that the student has twenty (20) working days in which to do so.

Where a student has chosen not to access the complaints and appeals process outlined in this policy within the twenty (20) working day period, withdraws from the process, or the process is completed and results in a decision supporting Sheridan, Sheridan will update the PRISMS database accordingly as soon as practicable.

8. APPENDIX: DOCUMENT HISTORY AND VERSION CONTROL RECORD

Document Title:	Student Grievance Policy
Source Documents:	<p><i>Adapted with permission from:</i></p> <p>Wesley Institute Student Grievance Policy and Procedures (PO-STU-o6)</p> <p>Jackson et al (2009) Student Grievances and Discipline Matters Project: Good Practice Guide for Handling Complaints and Appeals in Australian Universities, ALTC at http://www.olt.gov.au/resources?text=student+grievance</p> <p>Avondale College of Higher Education Appeal and Grievance Policy (So31._VS.VF.05)</p>
Associated Internal Documents:	<p>Academic Progress and Intervention Policy</p> <p>Assessment Policy</p> <p>Academic Integrity Policy</p> <p>Sexual Assault and Sexual Harassment Policy</p>
Associated External Documents	<p><i>National Code of Practice for Providers of Education and Training to Overseas Students 2018</i> (the National Code).</p> <p>Competition and Consumer Act 2010</p>
Authorised Officer:	Chair, Board of Directors
Approved by:	Mr Michael Smith
Date of Approval:	9 Jun 2021
Next Review Before:	Dec 2023

Version Number	Version Date	Authorised Officer	Amendment Details
0.01	30 May 2011	N/A	Draft prepared for Sheridan College and Vose College
0.02	26 Apr 2012	N/A	Revised by Vose College Academic Board
0.03	29 Jan 2013	N/A	Revised for Sheridan College Board of Directors
1.00	02 Mar 2013	Chairperson, Board of Directors	Submitted to TEQSA for Sheridan College HEP registration: Attachment 6.3r Student Grievance Policy
1.02	16 Dec 2014	Chairperson, Board of Directors	Change to version control box
1.03	13 June 2017	Executive Principal	Review to ensure Threshold Standards compliance
2.0	29 Mar 2019	Executive Principal	Regular review, refinement of procedure and addition of flowchart, ESOS Code compliance
2.1	15 April 2019	Chair, Academic Council	Review by Academic Council; ensure that management team members dealing with grievances are not involved in the grievance themselves.
2.2	24 June 2019	Chair, Academic Council	Review by Academic Council to ensure compliance with ESOS Act and National Code, based on feedback from TEQSA CRICOS team.

Student Grievance Policy

3.00	4 Aug 2020	Chair, Board of Directors	Updated for logo / name change.
3.01	9 Jun 2021	Chair, Board of Directors	Stage 2 – revised to ensure compliance with Clause 10.3 of the National Code. Stage 3 - updating of contact information for external appeals Addition of associated external documents
3.02	17 Jun 2021	Executive Principal	Minor procedural modification to Stage 1: Sheridan Management and page formatting