

Student Complaint and Grievance Policy and Procedure HEPP03

PURPOSE

This policy and procedure describes the process for managing complaints and grievances raised by students. A clear and transparent process for managing student complaints and grievances is essential to ensure that concerns are addressed fairly, promptly, and consistently. This fosters trust in the Institute's commitment to quality education and student welfare, supports procedural fairness, and helps maintain a positive learning environment.

SCOPE

This policy and procedure applies to all students of Southern Cross Education Institute (Higher Education) and staff involved in the management of complaints and grievances. Matters raised may include the quality of the following: services student support, and teaching delivery. Other matters raised may include the following: perceived administration errors or disagreements, instances of bullying, harassment, discrimination or any other areas of perceived inappropriate, unfair or discriminatory treatment, action or decision. Matters may also be raised that relate to agents and related parties of SCEI-HE.

This policy and procedure does not apply to academic issues such as outcomes of assessment, assignment of grades, instances of academic misconduct, occurrences of plagiarism or refusal (in full or in part) of an application for credit and recognition of prior learning. This policy and procedure applies equally to all student cohorts, including domestic, international, online, and on-campus students, ensuring consistent and fair treatment for all.

DEFINITIONS

Appellant	The person(s) lodging an appeal to the outcome of a complaint or grievance.
Complainant	The person(s) lodging the complaint or grievance.
Complaint	A written or verbal notification of dissatisfaction with any part of the services provided by Southern Cross Education Institute (Higher Education), its agents, or related parties.
Informal Complaint (Stage 1 Complaint)	A complaint usually concerning a minor matter, which can often be resolved quickly and locally through informal discussions or mediation without the need for formal investigation.
Formal Complaint (Stage 2 Complaint)	A complaint that requires a formal investigation due to the seriousness or complexity of the matter, often following unsuccessful attempts to resolve an informal complaint.
Mediator	An impartial and trained third party who facilitates communication and negotiation between complainant and respondent to assist in reaching a mutually acceptable resolution.
ESOS National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.
Grievance	A complaint of a behaviour or action that is to be investigated using formal processes, that has been escalated from an unresolved stage 2 complaint.
Respondent	The person(s) against whom the complaint or grievance has been made.
SCEI-HE	Southern Cross Education Institute (Higher Education)

POLICY

1. SCEI-HE is committed to providing effective, consistent, timely, fair, and confidential complaint and grievance handling processes for all students. For this reason, students are informed of the Complaint and Grievance Policy and Procedure throughout the enrolment process. The information is made available on the SCEI-HE website, at <https://scei-he.edu.au/admission/policies-procedures-forms/>.
2. Any complaint or grievance of an alleged criminal nature will be reported to the police or other relevant authority.
3. Informal complaints should be acknowledged and, where possible, resolved within 5 working days of being raised, to

ensure timely support and to minimise disruption to students' studies.

4. SCEI-HE acknowledges that clear communication is vitally important particularly if issues arise between parties.
5. A student may escalate a complaint to a formal process at any stage.
6. General principles that apply to all stages of this policy and procedure and will be adhered to by the Institute are:
 - 6.1 All formal complaints must be reported in writing within 4 weeks of the adverse event occurring;
 - 6.2 The complainant and respondent will have the opportunity to present their case at each stage of the process;
 - 6.3 The complainant or respondent at any stage of the complaints and/or grievance process may seek the support of an independent third party;
 - 6.4 All complaints and grievances will be managed in a confidential manner without any retribution to either the complainant or the respondent;
 - 6.5 The complainant and respondent will not be discriminated against or victimised;
 - 6.6 Complaints and grievance processes will be without charge or at minimal reasonable cost to the student;
 - 6.7 At all stages, discussions relating to complaints and grievances will be recorded in writing. Full explanations for decisions and any action taken will be provided to the complainant or respondent if requested;
 - 6.8 All records relating to the complaint or grievance will be kept for a minimum of 5 years. Any records or documentation is to be kept strictly confidential and stored securely in the student's administration file and student management system; and
 - 6.9 Where complaints or grievances cannot be resolved internally, the Student will be referred to an appropriate external and independent body to review the case;
 - 6.10 Staff involved in complaint and grievance resolution will receive training in procedural fairness and cultural competency, and must act without bias;
 - 6.11 Students will be informed about their rights and support services during complaint processes, including access to interpreters, advocacy or wellbeing staff if required.
 - 6.12 Reasonable adjustments and support will be provided to students with disabilities or diverse cultural and linguistic backgrounds to ensure equitable access to the complaints and grievance processes.
 - 6.13 The Academic Board will receive anonymised annual reports on complaints and grievances, including trends and resolutions, to inform quality improvement measures.
 - 6.14 Multiple methods of lodging complaints are supported, including online forms, email, telephone, or in-person, to enhance accessibility for all students.
 - 6.15 Where resolution of complaints or grievances cannot be completed within the specified timeframes, students will be regularly informed of the progress and expected timeframe for resolution.
 - 6.16 All complaint and grievance processes will be conducted in accordance with the principles of procedural fairness and natural justice, ensuring impartiality, transparency, and the right to be heard.
 - 6.17 Complainants and respondents have the right to be supported by an advocate or support person during any meetings or interviews related to their complaint or grievance.
 - 6.18 All records and data collected during complaints and grievances handling will be managed in accordance with applicable privacy legislation and institutional policies.
 - 6.19 Data from complaints and grievances will be analysed regularly to identify systemic issues and inform continuous improvement of Institute policies, procedures, and student support services.
 - 6.20 Students will be informed of their right to seek external review or appeal upon completion of the internal complaint and grievance process.
 - 6.21 Information about the Complaint and Grievance Policy and Procedure will be regularly communicated to students via orientation sessions, student handbooks, online portals, and other appropriate channels.

PROCEDURE

1. Informal Complaint

- 1.1 Where appropriate, students should attempt to make reasonable endeavours to resolve a complaint or grievance informally before raising it as a formal complaint.
- 1.2 The complainant should approach the person involved, if appropriate. The complainant may seek support from a third party, such as a Student Welfare Officer, academic staff member, or a designated support person.
- 1.3 At any stage in the complaint or grievance process, parties may be offered the option to engage in mediation facilitated by a trained mediator to assist in resolving the issue informally.

- 1.4 The most appropriate step for the complainant is to talk to the person who is the cause of the complaint or grievance about how their actions are impacting upon them (this depends on the nature of the complaint or grievance).
- 1.5 If the complaint is about behaviour, the complainant may choose to advise the other party that the conduct is inappropriate (for example it may be offensive, intimidating, humiliating or hurtful) and ask for it not to continue.
- 1.6 If it is about Institute processes or a course matter, the complainant should describe to the other person the nature of the complaint and a possible resolution.
- 1.7 Should these steps fail to reach a resolution, the complainant may raise the complaint with their Course Coordinator (for academic issues) or Student Welfare Officer, who should provide advice and information on how to manage the situation.
- 1.8 If a resolution is reached, then the matter is finalised.
- 1.9 If the matter is not successfully resolved, the complainant may continue to the formal complaint process (Stage 1).

2. Formal Complaint

- 2.1 A formal complaints should be submitted in writing to Student Support, who will refer it to the Manager appropriate to the complaint. The delegated officer appointed to manage the complaint will be independent of the matter and will commence investigation within 5 working days of receiving the complaint. The notification of the complaint must provide a description of the complaint or grievance in detail including relevant information such as names, dates, venues, course details, and any supporting documentation, as per the Complaint and Grievance Form.
- 2.2 The complainant must also indicate what actions they have already taken to resolve the complaint or grievance and indicate the outcome they are seeking.
- 2.3 If a formal complaint lacks sufficient information, it may not be possible for the Institute to investigate.
- 2.4 Upon receipt of the formal complaint or grievance a delegated officer will be appointed.
- 2.5 The delegated officer will investigate the complaint or grievance by:
 - 2.5.1 Validating the complaint;
 - 2.5.2 Verify the facts of the complaint;
 - 2.5.3 Obtain all the evidence related to the nature of the complaint, including policies and procedures;
 - 2.5.4 Conduct discussions and interviews with the relevant parties e.g., complainant and respondent.
- 2.6 Following the investigation phase, the delegated officer will:
 - 2.6.1 Analyse all the evidence gathered;
 - 2.6.2 Formulate the findings;
 - 2.6.3 Determine the outcome and any recommendations, which may include:
 1. Counselling;
 2. Mediation;
 3. Formal apology;
 4. Disciplinary action e.g., warning.
- 2.7 Review of the Institute's policies and procedures.
- 2.8 The delegated officer will prepare a response of the investigation and outcome of the complaint for the Institute's records and provide it to the Manager and Academic Board.
- 2.9 The complainant will be advised in writing of the outcome of the complaint or grievance investigation including detailed reasons for the outcome, within 10 working days of the formal complaint or grievance being received.
- 2.10 The complainant will be advised of their right to access the appeals process if they are not satisfied with the outcome within 10 working days of the investigation concluding.
- 2.11 Complaints alleging serious misconduct, including but not limited to sexual harassment, discrimination, or threats to health and safety, will be prioritised and managed with urgency, and may be subject to alternative or expedited processes as appropriate.

3. Appeals

- 3.1 All students have the right of appeal for a reversal, change or reconsideration of the decision where they are not satisfied with the decision.
- 3.2 Appeals must be submitted within 10 working days of the outcome received.
- 3.3 Upon receipt of an appeal, the Manager will arrange the appropriate SCEI-HE staff to:

- 3.3.1 Register the appeal in the appeals register;
- 3.3.2 Acknowledge receipt of the appeal in writing to the appellant within 2 working days of the appeal being received;
- 3.3.3 Appeals will be reviewed by a staff member or panel not previously involved in the complaint and who is independent of the original decision-making process.
- 3.4 The reviewer will conduct all necessary consultations with the appellant and other relevant parties.
- 3.5 The appellant will be advised in writing of the outcome, including detailed reasons within 10 working days.
- 3.6 If the appeals process results in a decision or recommendation in favour of the appellant, SCEI-HE will, within 24 hours, implement the decision or recommendation and/or take preventive or corrective action required by the decision or recommendation and advise the appellant of that action.
- 3.7 Once the internal appeals process has been exhausted, the student has a right to seek an external appeal from bodies such as:
 - 3.7.1 National Students Ombudsman [National Student Ombudsman \(NSO\)](http://www.nso.edu.au) ;
 - 3.7.2 The Administrative Appeals Tribunal (FEE-HELP) <https://www.aat.gov.au/>
 - 3.7.3 The Resolution Institute's Expert Determination service <https://resolution.institute/Web/Web/About-Us/About-Us-Landing-Page.aspx?hkey=5428825c-8ac6-460c-90eb-6020dc8fef9d>.
- 3.8 There is no cost to students for internal appeals. SCEI-HE will pay 50% of any financial expenses incurred to students from external appeals processes.

RELATED DOCUMENTS

Student Charter HEMIS14
Academic Misconduct Policy and Procedure HEPP02
Academic Appeals Policy and Procedure HEPP05
Student Code of Conduct HEPP07
Student Progress and Exclusion Policy and Procedure HEPP29

LEGISLATIVE CONTEXT

Age Discrimination Act 2004
Charter of Human Rights and Responsibilities Act 2006 (Vic)
Disability Discrimination Act 1992
Education Services for Overseas Students Act 2000
Equal Opportunity Act 2010 (Vic)
Higher Education Support Act 2003
National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 10
Occupational Health and Safety Act 2004 (Vic)
Privacy and Data Protection Act 2014 (Vic)
Protected Disclosure Act 2012 (Vic)
Racial Discrimination Act 1975
Sex Discrimination Act 1984

RESPONSIBILITIES

Management

- Promoting a culture that encourages the efficient, timely and effective management of all complaints and/or grievances.
- Publicising how and where complaints and grievances can be made.
- Ensuring confidentiality to all parties involved in the complaint and/or grievance.

Delegated Officer

- Conducting a thorough investigation into all formal complaints and grievances received.
- Communicating to relevant parties.
- Ensuring confidentiality.

Students

- Promptly attempt to resolve any complaints or grievances using an informal process.
- Cooperating with the formal reporting and investigation process of any complaints and/or grievances.



- Abide by the Student code of Conduct.

DOCUMENT AND RECORD CONTROL

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