

Non-Academic Grievance Policy and Procedure		
Code: E2.07	Area: Non-Academic E	
Policy Owner: Executive Management Group	Version #: 1.1	Date: 14 Jan 2020
Policy Developer/Reviewer: QAM	Review date: 14 Jan 2023	

VERSION HISTORY

Version	Updated by	Approval Date	Details
1.0	EMG	02 Oct 2018	New policy approved.
1.1	EMG	14 Jan 2020	Added Section 2.4: Advocacy and Section 2.6: Publication.

PURPOSE AND SCOPE

The aim of this policy is:

- Provide guidance on resolving grievances relating to NON-ACADEMIC matters.
- Outline the steps involved for students to make a complaint and appeal against: SITCM, SITCM staff and other students at SITCM.
- Outline the steps to resolve issues relating to non-academic matters.

This policy applies to all students at the Sydney Institute of Traditional Chinese Medicine (SITCM).

1 OVERVIEW

The Sydney Institute of Traditional Chinese Medicine (SITCM) is committed to resolving student grievances and complaints of a non-academic nature in an effective, timely, fair, and confidential manner at all times. Students at SITCM are able to access a four-stage grievance process for resolving complaints: Informal, Formal, Appeal and External Appeal (Mediation).

This policy has been informed by the *Higher Education Standards Framework (Threshold Standards) 2015*, including Standard 2.4 Student Grievances and Complaints.

2 POLICY

2.1 NON-ACADEMIC GRIEVANCE HANDLING

- 1) All grievances will be treated seriously, sensitively and promptly.
- 2) Complainants will be treated fairly at all times and will not be victimised or discriminated against during the grievance process.
- 3) Complainants have the right to be represented by a support person at each stage of the grievance process.
- 4) Complainants and respondents will have the opportunity to present their case at each stage of the grievance process.
- 5) Staff and students are expected to participate in the grievance handling process in good faith.

- 6) Students' privacy will be respected at all times during the grievance process.
- 7) SITCM is required under the *Privacy Act 1988* to comply with the *Australian Privacy Principles* during the collection, use and disclosure of personal information (refer to the *Privacy Policy* for further information).
- 8) To ensure privacy and confidentiality, as few staff members as possible should handle grievances.
- 9) This policy is available to all current and prospective students through the SITCM website.

2.2 NON-ACADEMIC GRIEVANCES

- 1) Any grievance that is not related to academic matters. Academic grievances must follow the *Academic Grievance Policy and Procedure*.
- 2) A non-academic grievance can be:
 - a. Student grievance against SITCM.
 - b. Student grievance against a staff member at SITCM.
 - c. Student grievance against another student.
 - d. Matters relating to enrolment in a course.
 - e. Matters relating to personal information held by SITCM.

2.3 GRIEVANCE AND COMPLAINTS REGISTER

- 1) At all stages of the grievance process, discussions, actions and decisions will be recorded in writing.
- 2) Records of grievances, formal complaints, appeals and decisions will be kept for at least five years in the *Grievance and Complaints Register*, the details of which are kept strictly confidential to comply with SITCM's *Privacy Policy*.
- 3) Any updates in the *Grievance and Complaints Register* that relate to non-academic grievances are reviewed by the Executive Management Group.
- 4) The content of the *Grievance and Complaints Register* will be used to draft an annual *Incident Report*. This report will be presented to the Board of Directors, who will consider the implementation of each recommendation contained within the report.

2.4 ADVOCACY

- 1) A student is entitled to bring any one support person of their choosing into a meeting regarding a grievance case at SITCM.
- 2) Where a student wishes for advocacy in a grievance case, be it formal or informal, the student may request support from one of the following members of the Student Staff Consultative Committee (SSCC):
 - a. A student representative for that student's year level;
 - b. The Associate Chair of the SSCC; or
 - c. The Chair of the SSCC.
- 3) The names of all student representatives, including the Associate Chair and the Chair, are provided to students by email upon their appointment at the beginning of each year.
- 4) The student may also seek support from the Student Support Officer, who may either provide support to the student themselves or direct the student to an appropriate source of support.
- 5) Each party to a grievance or an appeal can be accompanied or assisted by another person, at that party's cost.

2.5 FRIVOLOUS COMPLAINTS

- 1) Students must not make grievances/complaints that are frivolous, vexatious, malicious or lacking in substance.
- 2) SITCM may choose not to proceed with grievances/complaints that are frivolous, vexatious, malicious or lacking in substance.
 - a. The student will be notified that the grievance/complaint is not proceeding.
- 3) Students whose grievances/complaints are rejected because they are frivolous, vexatious, malicious or lacking in substance may:
 - a. Re-submit a grievance/complaint that is not frivolous, vexatious, malicious or lacking in substance; OR
 - b. Make an appeal to an external authority.

2.6 PUBLICATION

- 1) This policy is published on the SITCM website and learning management system Moodle.
- 2) Posters outlining key information from this policy are located around the SITCM Campus.

3 PROCEDURES

3.1 GRIEVANCE PROCEDURES

Students at SITCM have access to a four-stage grievance procedure.

3.1.1 STAGE 1: INFORMAL GRIEVANCE/COMPLAINT

- 1) In the first instance students should contact relevant SITCM staff member(s) in an attempt to resolve the dispute as early as possible.
 - a. When meeting with SITCM staff members students have the right to be accompanied by a support person if they chose to do so.
 - b. An informal complaint can be made in person or via email.
 - i. A complaint via email is still informal even though it is written.
- 2) Students should discuss the issue with the SITCM staff member(s) and mutually come up with a resolution.
- 3) It is not mandatory to attempt to resolve a grievance informally and not doing so is not prejudicial to the formal grievance process.
- 4) If the issue is not able to be resolved informally then the student may make a formal complaint.

3.1.2 STAGE 2: FORMAL GRIEVANCE/COMPLAINT

- 1) The Registrar will manage formal grievances and complaints.
- 2) A formal grievance/complaint must be submitted on the *Complaints and Grievances Declaration Form* and emailed to the administration office.
- 3) The receipt of the grievance/complaint will be acknowledged in writing via email.
- 4) The Registrar, or other nominated person, will, if necessary, request further information from the student.
- 5) The Registrar will review the grievance/complaint and provide a decision within 10 working days.
- 6) If the student is not happy with the outcome of the grievance/complaint they make an appeal.

3.1.3 STAGE 3: APPEAL (INTERNAL PANEL)

- 1) The Registrar will manage appeals.
- 2) An appeal must be submitted on the *Complaints and Grievances Declaration Form* and emailed to the administration office.
 - a. The appeal must be made within 10 working days of receiving the outcome of the formal grievance/complaint.
 - b. Students will not be charged for an internal appeal except where the cost arises from being accompanied or assisted by another person.
- 3) The receipt of the appeal will be acknowledged in writing via email.
- 4) An appeal panel will be convened within 15 working days to assess the appeal.
- 5) The appeal panel is chaired by the CEO and includes two other senior SITCM staff members.
 - a. The panel may include, but is not limited to: Dean, Clinic Manager, Quality Assurance Officer, Course Coordinator, Associate Dean (if they are not involved in the original grievance/complaint).
- 6) The decision of the appeal panel is the final outcome from the internal SITCM grievance/complaints process.
- 7) If the student is not happy with the outcome of their appeal they will be advised of their right to proceed to Stage 4 of the grievance procedures.

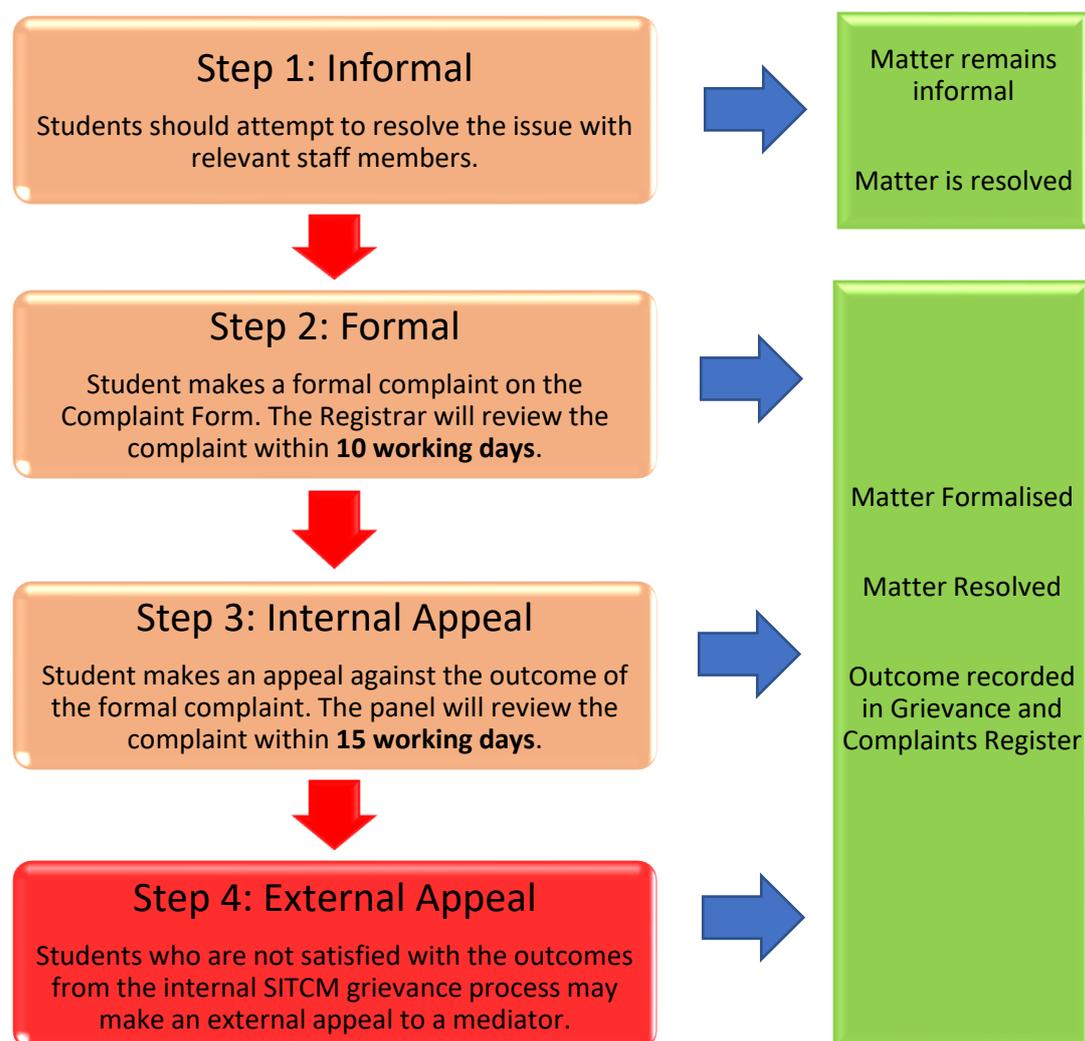
3.1.4 STAGE 4: APPEAL (EXTERNAL MEDIATOR)

- 1) External appeals may be made after all internal processes for grievance/complaint resolution have been undertaken and concluded.
- 2) The purpose of the external moderation is to consider whether SITCM has correctly followed its grievance policy and procedures in making the decision and attempt to reach a resolution.
- 3) SITCM and the complainant will agree on an external qualified mediator.
 - a. Qualified mediators can be found at:
<https://www.resolution.institute/dispute-resolution/mediation>
- 4) SITCM will provide due consideration of recommendations arising from an external appeal.
- 5) SITCM will cover the reasonable costs of mediation. Students will not be charged for an external appeal except where the cost arises from being accompanied or assisted by another person.

3.2 NOTIFICATION

- 1) At all stages of the grievance process SITCM will notify students in writing (email) of the outcome of their formal grievance/complaint or appeal, including reasons for the decision and advice about how to have the decision reviewed.

3.3 GRIEVANCE FLOWCHART



3.4 FURTHER ACTION

Students who have completed the SITCM grievance process and are still unhappy with the outcome may make a complaint to outside bodies.

3.4.1 DOMESTIC STUDENTS

- 1) Australian Competition and Consumer Commission (ACCC):
<https://www.accc.gov.au/consumers/complaints-problems/make-a-consumer-complaint#step-2---contact-the-accc-or-another-third-party>
- 2) Ombudsman NSW: <https://www.ombo.nsw.gov.au/complaints>
- 3) TEQSA: <https://www.teqsa.gov.au/complaints-domestic-students>

3.4.2 INTERNATIONAL STUDENTS

- 1) Overseas Students Ombudsman (OSO):
<http://www.ombudsman.gov.au/about/overseas-students>
- 2) TEQSA: <https://www.teqsa.gov.au/complaints-international-students>

4 RELATED POLICY AND OTHER DOCUMENTATION

- 1) Higher Education Standards Framework (Threshold Standards) 2015.
- 2) Privacy Act 1998.
- 3) E2.16 Privacy Policy.
- 4) A1.14 Academic Grievance Policy and Procedure.
- 5) Grievance and Complaints Register.
- 6) E2.16 Privacy Policy.
- 7) Incident Report.