

<b>Procedure Name</b>	<b>STUDENT GRIEVANCES AND COMPLAINTS RESOLUTION NON-ACADEMIC PROCEDURE</b>
<b>Procedure Number</b>	<b>G005_PR (Governance)</b>
<b>Purpose</b>	This procedure details the steps the Whitehouse Institute of Design, Australia (Whitehouse) will take to resolve a grievance that a student may have that is not academic in nature.
<b>Scope</b>	This procedure has responsibilities and requires actions by the following: <ul style="list-style-type: none"> <li>• Students</li> <li>• Whitehouse Staff and Stakeholders.</li> </ul>
<b>Procedure</b>	<p><b>Stage 1 – Informal Resolution Process</b></p> <p>1.1. In the first instance, the student is encouraged to seek informal resolution of their grievance by discussing the matter directly with the person concerned to resolve the problem providing the student feels comfortable doing so.</p> <p>1.2. If the student has concerns about raising the matter with this person, then he or she should discuss it with the relevant course leader (of their discipline). The student may elect to be accompanied by a support person.</p> <p>1.3. Whitehouse expects that in most cases the discussion of the concern or complaint with the relevant staff member or other student will result in a prompt resolution of the matter which both parties will find acceptable.</p> <p>1.4. During the informal process, the nominated staff member may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the student, and may also include, but is not limited to:</p> <ul style="list-style-type: none"> <li>1.4.1. reviewing the student's records; and/or</li> <li>1.4.2. discussing the matter with other appropriate members of staff and/or</li> </ul> <p>1.5. The informal resolution process must be completed within ten (10) working days from the date on which the student contacted the relevant staff member. The course leader may grant an extension not exceeding five (5) working days if it seems likely that the matter will be resolved in that time.</p> <p>1.6. The student will be advised in writing within three (3) working days of the conclusion of the informal resolution process of:</p> <ul style="list-style-type: none"> <li>1.6.1. the outcome of the informal resolution process</li> <li>1.6.2. the availability of support services and</li> <li>1.6.3. the review and appeals mechanisms available to the student if required.</li> </ul> <p>1.7. If this informal approach to dealing with the student's concerns does not lead to an acceptable resolution, then the student should pursue the more formal process for resolution of the matter as set out below.</p>

**Stage 2 – Formal Resolution Process**

- 2.1. If the student is not satisfied with the outcome of the informal resolution process the student may submit in writing to the Executive Director, within five (5) working days from the date of notification of the outcome from the informal review process, a request for a formal assessment review.
- 2.2. The written request shall state the following:
  - 2.2.1. details of the outcome of the informal resolution process
  - 2.2.2. an outline of why the student thinks the original resolution outcome was inappropriate
  - 2.2.3. any specific issues which the student believes are relevant to the situation
  - 2.2.4. any new and relevant evidence
  - 2.2.5. the Executive Director will read the student's letter and request a written report from the original nominated staff member involved and
  - 2.2.6. the Executive Director will determine if a formal resolution process is warranted.
- 2.3. If a formal review is warranted, the Executive Director will:
  - 2.3.1. review all evidence provided by the student in their letter
  - 2.3.2. review the written report provided by the original nominated staff member involved
  - 2.3.3. discuss the matter directly with the student if further information is required
  - 2.3.4. discuss the matter directly with the original nominated staff member involved, if required.
- 2.4. The student will be informed of the outcome in writing within ten (10) working days of submission of the request for a formal review as identified by the date of receipt by the Executive Director of the request for formal review. The written report will set out the result of the review and the reasons for the decision.
- 2.5. If the Executive Director does not consider a formal review is warranted, a letter so advising the student must be sent within ten (10) working days of submission of the request for a formal review. The student must be advised as to why no formal review has been initiated.
- 2.6. A student may appeal the outcome of the formal resolution process.

**Stage 3 – Request for a Hearing**

- 3.1. If the student is not satisfied with the outcome of the formal resolution process the student may submit in writing to the Secretariat of the Board of Governors, within ten (10) working days from the date of notification of the outcome from the formal review process, a request for a hearing by a Grievance Resolution Panel.
  - 3.1.1 A student may seek review of a grievance decision on one or more of the following grounds, that:
    - it can be demonstrated that the matter of grievance has not been decided on its merits

- It can be demonstrated that the process for reviewing the grievance has not been appropriately conducted
  - a procedural irregularity has occurred
  - perceived bias has occurred
  - the student is able to provide new evidence that was not previously available at the time the matter was investigated by the appropriate staff of Whitehouse.
- 3.2. A student who wishes to seek a review of a grievance outcome or decision shall:
- 3.2.1. lodge the review request in writing by the date specified in the written notification of the outcome of a formal review by the investigator, this normally being within ten (10) working days from the date of the letter
  - 3.2.2. lodge the review request with the Secretariat of the Board of Governors and
  - 3.2.3. lodge the review request in the format shown below.
- 3.3. The written request must:
- 3.3.1. state the ground(s) for the review in accordance with 3.1.1 above
  - 3.3.2. detail, and where appropriate, provide relevant information and evidence relating to the ground(s) for the review as itemised in 3.3.1 to enable the Board of Governors to prepare for the appeal hearing. Where available, attach relevant documentation. (Note: failure to present the evidence claimed in the written review request letter at the review hearing may affect the outcome of the hearing by the Board of Governors).
- 3.4. To assist the student to present his/her request for review, a preferred format for the student's letter (Non-Academic Grievance Form) of request is provided at G:\STAFF\~~ Student Forms.
- 3.5. Upon lodgment of the written request, the Executive Director shall:
- 3.5.1. confirm that the case has been considered through the review stages within the relevant department in accordance with the Grievance Procedure; where this has not occurred, the Executive Director shall return the case to the appropriate department for investigation at the appropriate level and advise the student accordingly in writing
  - 3.5.2. check that the written request substantially complies with the format required in 3.1.1 and, where reference is made to supporting documentation, a copy of the documentation is attached
  - 3.5.3. check that the student has included a description of the relevant evidence in relation to the grounds for review to the Grievance Resolution Panel
  - 3.5.4. if applicable, consider the reasons provided for the late lodgment of the request and determine
  - 3.5.5. whether or not these are such as to warrant the review proceeding to the Grievance Resolution Panel

- 3.5.6. in the event that the case has not been considered at the formal grievance stage within the relevant department, whether the case should be returned to the course leader for consideration.
- 3.6. In preparation for the review hearing the Executive Director shall have the following responsibilities:
  - 3.6.1. if necessary for further clarification, seek a written response to the letter of request from the staff member who conducted the formal investigation; this response should be provided within 5 working days of the lodgment of the request for review
  - 3.6.2. collate all documents relevant to the review hearing and disseminate to all parties including the members of the Panel, the student and the relevant staff or student who is the object of the grievance; this must include as a minimum the letter to the aggrieved student advising the decision /outcome of the formal grievance stage against which the student has lodged his/her request and the letter of request by the student and all attachments; it may also include any further written evidence provided relevant to the review
  - 3.6.3. establish a date, time and place for the review hearing and advise all parties
  - 3.6.4. inform the student of the support services that are available to assist him/her to prepare for the review; this is to be included in the letter of notice of the hearing arrangements as per 3.6.3
  - 3.6.5. maintain a record of the proceedings of the review hearing and the decision(s) taken by the Panel and document the decision and reasons for the decision, including any penalty applied and reason(s)
  - 3.6.6. orally advise the student and relevant staff member(s) of the outcome of proceedings where practicable
  - 3.6.7. draft the letter advising the student of the outcome of the review for the Chair's approval and signature
  - 3.6.8. send the signed communication to the student within three (3) working days of the Panel's decision being made
  - 3.6.9. ensure that a copy of all documentation is maintained on the official Panel file and student file and if necessary, that the student database is updated with the relevant information.

#### **Stage 4 – The Hearing**

- 4.1. The Grievance Resolution Panel shall meet as scheduled in 3.6.3 above.
- 4.2. The student, relevant staff or other student and Panel members shall be given at least two (2) working days notice of the date, time and place of the hearing. This notice must be in writing. The notice to the student will be sent by mail (in the case of a student enrolled in a subject delivered in flexible mode, by the fastest available form of post and email) to the student's most recent semester address as recorded on Whitehouse's student records system. In the case of international students a copy of the notice shall also be sent to the student's designated home address. Where a student has advised Whitehouse of his/her email address, the letter shall also be transmitted by email. Failure to present the evidence claimed in the written review request letter by the student at the review hearing may affect the outcome of the hearing by the Appeals Panel.

- 4.3. The hearing shall be held in camera. The Panel shall regulate its own proceedings.
- 4.4. The student and the relevant staff or other student will be given the opportunity to appear in person before the Panel:
  - 4.4.1. an advocate, who is not a member of the Panel and is retained as a legal counsel, may represent any student. Alternatively the student may choose to be accompanied by a friend, who is not retained as a legal counsel, as a support person.
  - 4.4.2. where a staff member is subject to a grievance review hearing, he/she may choose to be accompanied by a support person/representative.
  - 4.4.3. the students, staff member and Panel may call witnesses to appear before the Panel.
  - 4.4.4. the student and the staff member or other student must be given the opportunity to hear and examine the evidence given by such witnesses.
  - 4.4.5. the Panel must hear the matter on its merits, taking into account all of the circumstances of the student's case.
- 4.5. Decision of the Panel:
  - 4.5.1. after consideration of all of the evidence available in the case, the Panel shall reach its decision by consensus or, if consensus cannot be reached, by majority vote of the members, each of whom has equal voting rights
  - 4.5.2. the Executive Director is not a member of the Panel and does not have voting rights.
- 4.6. The Panel may decide to:
  - 4.6.1. confirm the outcome/decision of the formal grievance process against which the student lodged his/her request for review and dismiss the grievance
  - 4.6.2. modify the directions of the Executive Director
  - 4.6.3. direct that appropriate actions to address systemic or underlying causes (if any) with a view to preventing problems from occurring or recurring be undertaken; and/or take other action as appropriate.
- 4.7. The Executive Director will then:
  - 4.7.1. document the decision and reasons for the decision
  - 4.7.2. draft the written communication for the Chair's approval and signature
  - 4.7.3. send the signed communication to the student within three (3) working days of the panel's decision being made; this advice shall include the reasons for the decision and shall be sent to the student's address as shown on the letter of review request and also to the student's email address if this information is held
  - 4.7.4. provide copies of the decision to other appropriate parties including any affected staff member or other student and Student Administration.

4.8. The decision of the Grievance Resolution Panel is final and is not subject to further review within Whitehouse. This does not preclude a student from seeking review of the decision of the Grievance Resolution Panel by an appropriate external body.

#### Stage 5 – External Appeals

Students are encouraged to complete all internal complaints and appeals processes in an effort to try and resolve their complaint before taking any external action. If the student feels that the outcome of their appeal is unfair or incorrect, the student is able at any time to apply for an external appeal. Whitehouse will participate fully in any such external appeal and resolution process.

External agencies include:

- [Department of Fair Trading \(NSW\)](#)
- [Consumer Affairs Victoria \(VIC\)](#)
- [Administrative Appeals Tribunal](#)
- [The Resolution Institute](#)
- [Australian Human Rights Commission](#)

For information on the above external appeals processes, students are encouraged to contact the agency or visit their website directly.

Whitehouse acknowledges that if the external appeal is in favour of the student, the Institute will immediately implement the decision/recommendation and/or take corrective action and advise the student in writing of the outcome.

#### International Students

If the international student is unsuccessful within the institutes appeals and complaints process, Whitehouse will notify the student in writing within 10 working days of concluding the appeal and will advise the student of the external appeal options available, this will be at no cost to the international student.

If an international student is not satisfied with the outcome/decision of the institutes internal appeals process, the international student can lodge a complaint about the decision to the Overseas Student Ombudsman as an independent external appeals process. [www.oso.gov.au](http://www.oso.gov.au)

#### Relevant Legislation

- [Higher Education Standards Framework \(Threshold Standards\) 2015](#)
- [2016 Higher Education Support Act \(2003\)](#)
- [Education Services for Overseas Students Act 2000 \(ESOS\)](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)
- [Commonwealth Register of International Courses for Overseas Students \(CRICOS\)](#)
- Department of Fair Trading ([Victoria](#)) ([NSW](#))
- [Administrative Appeals Tribunal](#)
- [Standards for Registered Training Organisations \(RTOs\) 2015](#)

#### Key Related Documents

Student Handbook  
 Privacy Policy  
 Privacy Procedure  
 Academic Grievance and Appeals Policy Higher Education

Academic Grievance and Appeals Procedures Higher Education  
Whitehouse Code of Conduct

## Definitions

**Advocate:** a person nominated by a student to present their case in an appeal. This person must not be a legal practitioner. International Students may use the Senior Education Officer.

**Complaint or Grievance:** - a complaint or grievance can be defined as a student's expression of dissatisfaction with an aspect of the Whitehouse Institute's services and activities.

**Non Academic Complaint or Grievance May Include but is not Limited to Issues of:**

- improper, irregular or negligent conduct by an Institute staff member
- improper, irregular or negligent conduct by another student
- failure by an Institute staff member to act fairly
- failure of duty of care by a staff member of Whitehouse
- a decision that has been made without sufficient consideration to facts, evidence or circumstances of specific relevance to the student
- failure by Whitehouse to make a decision within a timely manner
- a penalty that, where applied, is or would be too harsh.

**Complainant:** the student making the complaint or grievance.

**Executive Management Committee:** Whitehouse's Senior Operations Group.

**Product:** in this context, a material good/s provided to a student, either free of charge or for a fee, to assist them to study at the Whitehouse Institute.

**Service:** in this context, an act done for a student as part of their experience at Whitehouse.

**Written Notice/Letter:** unless otherwise specified, written notice/letter can include notification by presentation with a written document, mailed or couriered letter, email and/or fax.

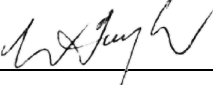
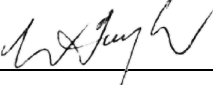
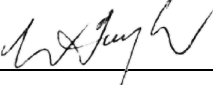
### Part A - Grievances About Academic Matters

These are usually complaints or appeals against academic decisions. They include but are not limited to:

- academic progress decisions
- assessment matters
- a decision of a member of academic staff that affects the academic program of an individual or group/s of students
- selection or admission decisions
- credit recognition
- structure of academic programs, nature of teaching, or assessment
- issues relating to authorship and intellectual property.

	<p><b>Part B - Grievances about Non-Academic Matters</b></p> <p>These relate to decisions and actions associated with administrative or academic services. They include but are not limited to:</p> <ul style="list-style-type: none"> <li>• administration of Whitehouse Institute policies and procedures by administrative groups and departments</li> <li>• a decision by an administrative staff member that affects an individual or group/s of students</li> <li>• access to resources and facilities</li> <li>• payment of fees</li> <li>• student charges</li> <li>• enrolment</li> <li>• scholarships</li> <li>• course transfer</li> <li>• graduation</li> <li>• time limits for completing rationalised/discontinued/modified courses</li> <li>• interaction with Institute staff.</li> </ul>
<b>Responsible Officer</b>	Executive Directors
<b>Approval Authority/ Authorities</b>	Board of Governors
<b>Date Approved</b>	02/05/2019
<b>Date of Commencement</b>	03/05/2019
<b>Date for Review</b>	02/05/2022
<b>Documents superseded by this Procedure</b>	<p>005 Student grievances and complaints resolution non-academic policy and procedure January 2013</p> <p>008-001 Student Grievances Policy</p> <p>008-001 Student Grievances Procedure</p> <p>003.008 Student Misconduct Policy</p> <p>003.008 Student Misconduct Procedure</p> <p>Assessment Appeals Procedure</p>
<b>Amendment History</b>	<p><b>02/2019</b> Update External appeals and The National Code 2018 reference.</p> <p><b>05/2018</b> Re-branding – Header &amp; Footer only</p>



	<p><b>12/2016</b> Policy and Procedures separated. Updated formatting and minor amendments Hyperlinks updated</p> <p><b>01/2013</b> Changed formatting - included procedure and policy in one document Changed title Major adjustments and inclusions to policy wording Material changes have been made. Delete ACPET Add external agencies</p> <p><b>25/1/ 2013</b> Approved</p> <p><b>19/09/2012</b> Prior Approval</p>						
<p><b>Signed and dated for Whitehouse Institute Pty Ltd</b></p>	<table border="1"> <tr> <td data-bbox="402 787 820 940" style="text-align: center;">  </td> <td data-bbox="820 787 1242 940" style="text-align: center;"> <p>Leslie Taylor</p> </td> <td data-bbox="1242 787 1520 940" style="text-align: center;"> <p>2/5/19</p> </td> </tr> <tr> <td data-bbox="402 940 820 1003" style="text-align: center;"> <p>Signature</p> </td> <td data-bbox="820 940 1242 1003" style="text-align: center;"> <p>Name</p> </td> <td data-bbox="1242 940 1520 1003" style="text-align: center;"> <p>Date</p> </td> </tr> </table>		<p>Leslie Taylor</p>	<p>2/5/19</p>	<p>Signature</p>	<p>Name</p>	<p>Date</p>
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INFORMAITON FOR PUBLISHING ON POLICY REGISTER	
<p><b>Category</b></p>	<p>Governance</p>
<p><b>Stakeholders</b></p>	<p>Academic Board Executive Management Academic Staff Administration Staff Students</p>