



GRIEVANCE POLICY: INTERNATIONAL COUNSELLING STUDENTS

Responsible officer	Chief Academic Officer	
Contact	Policy Coordinator policy@morling.edu.au	
Approved by	Academic Board	
Responsible body	Academic Board	
Approval date	11 September 2019	
Effective date	11 September 2019	
Review date	September 2022	
Superseded documents	Grievance (Academic Matters) Policy: International Counselling, Chaplaincy and Spiritual Care Students 2019 Grievance (Non-Academic Matters) Policy: International Counselling Chaplaincy and Spiritual Care Students	
Related documents	Grievance (Academic Matters) Procedures: International Counselling Students Grievance (Non-Academic Matters) Procedures: International Counselling Students	
Policy classification <i>Select a General OR an Academic option</i>	General	Academic Academic Governance

1. PURPOSE

To articulate the rules governing grievances relating to academic and non-academic matters for international students enrolled in courses in Counselling.

2. DEFINITIONS

Key Term or Acronym	Definition
MC	Morling College
Academic matters	Include, but are not limited to, matters relating to admissions, courses, units, review of a grade, credit transfer or advanced standing, quality assurance, student progression and eligibility for graduation.
Non- Academic matters	Administrative or other matters (for example, matters related to fees, withdrawals, expulsion, allegations of bullying or harassment, etc) and other action, inaction or decisions that students may consider are interfering with the progress of their studies or with the granting of an award.
MC	Morling College

Respondent	A person about whom a complaint is made.
Support Person	A person that a complainant or respondent elects to provide support during formal discussion meetings. They may include a co-worker, a family member or friend.

3. SCOPE

This policy applies to current and prospective international students with a academic or non-academic grievance in relation to studies in Counselling.

4. POLICY STATEMENT

Morling College is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered at no cost to the student.

All current and prospective international Counselling students of MC are entitled to:

- a) raise a concern or grievance in relation to an academic or non-academic matter; and/or
- b) have an academic or non-academic decision reviewed.

This policy emphasises positive outcomes and focuses on resolutions that work towards a rapid re-establishment of good working/learning relationships.

Any grievance will be attended to promptly, confidentially (within the constraints of an investigation), will be investigated impartially, involving a minimum number of people. Appropriate action will be taken to ensure that any harassment or discrimination will be treated seriously and at all times the rights of the complainant and the respondent will be respected.

5. PRINCIPLES

Timelines

- 5.1 A grievance must be lodged within 20 working days of notice of the academic decision that is being disputed or occurrence of the event triggering the non-academic grievance.
- 5.2 MC will seek to resolve all concerns and grievances promptly. Any investigation will commence within 10 days of receipt of the complaint. All parties will be kept informed about the progress of the issue at regular intervals and will be further advised where resolution is likely to extend beyond the specified times.

Confidentiality

- 5.3 Confidentiality must be maintained throughout the process of making and resolving grievances. This requirement seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive

work/learning environment.

Procedural fairness

5.4 Grievance procedures must take account of the principles of procedural fairness that applies to the complainant, the respondent, and the investigating officer. Principles of procedural fairness encompass the following:

- grievance procedures should be explicit and known to all involved parties
- grievance handlers will employ honesty, integrity and fair dealing in all aspects of their communications, investigations, reporting and record keeping
- all parties involved will receive appropriate information and assistance in resolving the issue at all times.

Natural justice

5.5 It is a firmly established principle of Australian law that no one person should be condemned unheard. It is this opportunity to be heard that is the subject of the rules of natural justice/procedural fairness which means that every respondent to a grievance has the right to be heard; to present provable evidence and submissions in one's own cause; and the opportunity to be heard by an impartial decision-maker.

5.6 Support – current and prospective students who lodge a grievance may elect to have a support person present in any face-to-face meetings regarding their grievance. Additional pathways for support can be accessed via contacting the Chief Community Life Officer.

External review

5.7 If a student is not satisfied with the outcome of the MC grievance process they may request the decision be reviewed by [Independent Higher Education Australia](#) (IHEA). International students may also take complaints to the [Commonwealth Ombudsman Overseas Students](#) or other appropriate bodies such as [NSW Fair Trading Office](#); [Human Rights Commission](#); or the [Anti-Discrimination Board of NSW](#).

5.8 If IHEA, the Ombudsman, or other external body make recommendations or directive in relation to a grievance they have reviewed, the Principal will ensure that the advised actions are implemented within 15 working days of being notified.

Unsubstantiated grievances

5.9 Procedural fairness requires, in the interest of all parties, that a person raising a concern or grievance be aware that where a concern or grievance is investigated to its full extent and cannot be substantiated, no further action can be taken. This does not restrict the right of any parties to pursue legal remedies outside the MC grievance handling procedures.

Anonymous grievances

- 5.10 MC cannot act on an anonymous concern or grievance. Procedural fairness requires that any person raising a concern or grievance must be identified. An anonymous concern or grievance can include (but is not restricted to) unsigned letters, unidentifiable emails or anonymous telephone calls.

Victimisation

- 5.11 Victimisation of any kind is completely unacceptable and will not be tolerated.

At all times during and following the resolution process, all reasonable steps must be taken to ensure that victimisation does not occur to:

- the complainant;
- the person/persons about whom the grievance was made, i.e. the respondent; and/or
- any other student or client with knowledge of the grievance.

Records and Reporting

- 5.12 All records pertaining to grievance or concern will be maintained in a confidential Grievance and Appeal file kept by the Registrar Department. Appropriate access to files about a particular grievance can be gained by all parties to that grievance by making a request in writing to the Registrar. Grievance files will generally be maintained for a period of five years and then destroyed. Where a proven grievance has longer term consequences the file may be kept for up to 15 years after the final decision before being destroyed.
- 5.13 A report on grievances under this policy will be made to the Academic Board annually.

6. RELATED DOCUMENTS AND LEGISLATION

Education Services for Overseas Students Act 2000 (Australian)

National Code of Practice for Providers of Education and Training to Overseas Students 2018

7. REFERENCES

National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 10 Complaints and Appeals

Better practice complaint-handling for education providers, Commonwealth Ombudsman Overseas Students

TEQSA Guidance Note: *Grievance and Complaint Handling*, 22 February 2019

ACT Grievance Resolution for Overseas Students

Avondale Appeal and Grievance Policy (Academic Matters) – Students [S.03 | VS.12]

8. VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
2.1	Academic Board	11 September 2019	11 September 2019	Removed references to Chaplaincy and Spiritual Care.
2	Academic Board	26 June 2019	26 June 2019	Policy extracted and amalgamated from Grievance (Academic Matters) Policy: International Counselling Students and Grievance (Non-Academic Matters) Policy: International Counselling Students Formatted to template. Amended to reflect changes in roles and titles. In line with legislative requirements: (i) Added requirement to commence investigation within 10 days. (ii) Added external review options to 5.7 (iii) Added 5.13. Added to 6 and 7.
1	Academic Board	February 2015	February 2015	

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