



## 28. Student Grievance Mediation Policy

Purpose	Sets out the Institute's approach to mediating student grievances.
Location	The policy is maintained on owncloud (original: Pydio)- <a href="http://cloud.ee.edu.au/owncloud">http://cloud.ee.edu.au/owncloud</a>
Responsible executive	CEO
Responsible office	CEO's Office
Effective date	30 November 2016
Review date	30 November 2018, 30 November 2022, 30 November 2025
Modification history	Jun 2013 (V1), Nov 2016 (V2), Feb 2019 (V3), Mar 2023 (V4)
Related documents	No related policies or plans
Authority	Approved by Council

### 1 Purpose

- 1.1 Students or persons seeking to enrol in a course of study with Elite Education Institute (EEI) are entitled to access the grievance procedure as set out by Elite Education Institute, regardless of the location of the campus at which the grievance has arisen, the student's place of residence, or the mode in which they study.
- 1.2 Elite Education Institute recognizes the rights of students or those seeking to enrol in a course of study at EEI to have unhindered access to mediation. This means they have the right to report problems, concerns or grievances regarding any aspect of their education or other activities, which are within the control of Elite Education Institute and its management staff.
- 1.3 Elite Education Institute recognises mediation as an official avenue for resolving grievances in accordance with published and accountable procedures as set out in this Grievance Mediation Policy and Procedures.

### 2 Scope

Elite Education Institute has individual academic, administrative and supervisory avenues for mediation. Should other avenues come into conflict with the Student Grievance Mediation Policy, this policy overrides all other avenues for meditation.

### 3 Definitions

A grievance is a complaint or conflict which arises out of an act, decision or omission which the grievant considers being unjust, wrongful or discriminatory and which is within the control of the Institute.

Mediation is a process by which the participants in a dispute, together with the assistance of a neutral person, systematically isolate disputed issues in order to develop options, consider alternatives, and reaches a consensual settlement that will accommodate their needs.



Academic grievance may include issues relating to:

- Selection and admission
- Content and delivery of units in your course
- Recognition of prior learning (RPL)
- Advanced standing
- Assessments (for example assignments, tests, examinations)
- Special consideration
- Plagiarism.

Non-academic grievance may include issues relating to:

- Fee payment
- Suspension or cancellation of candidature
- Withdrawal without penalty
- Misconduct (other than plagiarism)
- Critical incidents
- Harassment and discrimination
- Health and well being
- Facilities.

#### **4 Bullying or Harassment**

Elite Education Institute will not tolerate inappropriate behaviour of any kind. Any student who lodges a complaint or grievance will not be subject to discrimination or victimisation. Any respondent to a complaint or grievance will not be subject to discrimination or victimisation.

#### **5 Procedures**

**5.1 Grievance Mediation.** Elite Education will ensure the following when dealing with complaints, grievances and appeals:

- (i) Each complaint, grievance, appeal and its outcome is recorded in writing;
- (ii) Both parties to the complaint or grievance are entitled to appropriate access to any records related to the complaint or grievance;
- (iii) Each appeal is heard by an independent person or panel; and
- (iv) Each appellant;
  - (a) has an opportunity to formally present his or her case; and
  - (b) is given a written statement of the appeal outcomes, including a full explanation of the decision.

**5.2** The Institute publishes Grievance Policy and Procedures in prominent public spaces on campus, as well as on the website. The policy will be presented at orientation to both staff and students. The Academic Dean is responsible for the training of academic staff in the application of the policy. The Student Service Office is responsible for advising the students of the policy during the orientation process. The Institute is dedicated to fair hearing and resolution of all grievances and will discuss with students and staff their familiarity with procedures in dealing with complaints, grievances and appeals.



- 5.3 The Institute make clear statement to the students that no matter of the outcome of the grievance application, the students who lodge the grievance application will not receive any reprisal, prejudice, bias, or be penalized in any way from the teachers, students, or the Institute in the future.

## **6 Grievance Procedures**

If a problem, complaint or grievance is being experienced with a staff member or a student, the following procedure should be used:

### **6.1 Informal stage:**

- (i) Identification and discussion of the complaint or grievance with the other party.
- (ii) Discussion of the best outcome of the complaint or grievance.
- (iii) Agreement to act in resolving the complaint or grievance.

### **6.2 Stage One**

If following a discussion with the complainant, the complaint or grievance remains unresolved, the student will need to lodge a formal complaint in writing. Academic grievances are mediated by the Academic Dean and non-academic grievances are mediated by the Student Service Manager. If the grievance involves the Academic Dean or Student Service Manager, the mediation will be conducted by the CEO.

The process will commence within 10 working days of the lodgement of complaint. Students will have the opportunity to formally present their case. Both parties to the complaint or grievance may bring a support person who is a third party to all of these meetings.

The Institute will provide both parties to the complaint or grievance with a written statement advising of the complaint outcome, including the reasons for the decision within ten working days of the commencement of the process.

### **6.3 Stage Two**

If the student is dissatisfied with the decision and:

- It is an academic matter; s/he may appeal to the Academic Board within 20 working days of receipt of the decision. The Academic Board has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.
- If it is a non-academic matter, s/he may appeal to the Principal within 20 working days of receipt of the decision. The Principal has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.

### **6.4 Stage Three**

If the student is dissatisfied with the outcome of the mediation, s/he may appeal against the decision by requesting an external independent arbiter. the student must access the external independent arbiter within 30 days of receipt of the decision. The Institute will cover the cost of the external independent arbiter.

Any student who accesses the complaints and appeals process will maintain their enrolment until the case is resolved.

## Elite Education Institute Pty Ltd trading as Elite Education Institute

ABN 65 162 298 580 CRICOS Provider Code: 03390A  
Head Office & Sydney CBD Campus: Level 6, 8 Quay Street, Haymarket NSW 2000  
Tel: +61 2 9211 4958  
Website: [www.ee.edu.au](http://www.ee.edu.au) Email: [info@ee.edu.au](mailto:info@ee.edu.au)



Please contact any of the below organisations as independent external arbiters:

NSW Office of Fair Trading  
27 Argyle Street,  
Parramatta NSW 2150 Australia  
(0830 – 1700, Monday to Friday)  
Tel: 61 2 9895 0111, 13 32 20  
Fax: 61 2 9895 0222  
Website: [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Overseas Student Ombudsman (OSO)  
Suite 2, Level 16, 580 George Street, Sydney  
Ph: 1300 362 072 or 02 6276 0111 Fax; 02 62760123  
(1000 – 1600 Monday to Friday)  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

Tertiary Education Quality and Standards Agency (TEQSA)  
Website: [www.teqsa.gov.au/complaints](http://www.teqsa.gov.au/complaints)

Australian Competition and Consumer Commission (ACCC)  
Website: [www.accc.gov.au](http://www.accc.gov.au)

### 6.5 Stage Four

Any recommendations received as a result of the external review will be considered by

- the Academic Board (for academic grievances) or the
- CEO (for non-academic grievances)

within 30 days of the receipt of the recommendation and any changes will be implemented as soon as practicable.

## 7 Complaints Substantiation

The Institute has a clear policy on handling student, staff and other stakeholder complaints. Once a formal complaint is made, all steps to resolve the matter must be documented as follows:

- (i). Receipt of the complaint in writing with details of the complaint, date and signature of the complainant. The written complaint is forwarded to the Academic Dean for academic grievances or the Student Service Manager for non-academic grievances.
- (ii). The Academic Dean or Student Service Manager will handle the complaint without prejudice and document all actions taken to investigate and resolve the complaint.
- (iii). The Academic Dean or Student Service Manager will inform the Institute Council of the complaint in writing

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If not resolved, a thorough investigation should be carried out and documented.

If the Institute needs to rectify its own policy and procedures, the Institute must act immediately and document any changes to policies and procedures. This will be dealt with by the appropriate committee on a case by case basis and any changes will be implemented as soon as practicable.

Serious attempts should be made to resolve a complaint in a manner acceptable to all parties in order to reach a mutually satisfactory resolution. Details of the process and resolution must be documented and copies given to all parties involved. A complete file of the complaint will be kept confidentially and the steps taken to resolve the matter must be retained by Elite Education Institute for a minimum of five years after it was acted on and then destroyed.