

Student Grievance and Appeals Policy

1.0. Introduction

All current and prospective students of UCL are entitled to access the grievance and appeals procedures set out in this policy, regardless of the location of the campus of UCL at which the grievance has arisen, the student's place of residence or the mode in which they study.

Complaints are initially handled with the individual(s) responsible for the service or process about which the complaint is being made. If complainants are dissatisfied with the outcome of these attempts at resolution, they may appeal through the process outlined in this document. The complainant and respondent will not be victimised or discriminated against in any of the stages set out in these procedures. UCL Australia will ensure that there is a consistent response to grievances. At all stages of these procedures, reasons and a full explanation, in writing, for decisions and actions taken as part of the procedures will be given if so requested by the complainant and/or respondent.

UCL Australia treats any complaint that it receives seriously, and ensures that the processes involved are clear, timely, confidential and fair to all parties. Records of grievances and their outcomes will remain strictly confidential to the degree necessary for resolution. Records will be maintained in a separate file (not kept in the student's official file) and securely stored within the office of the Chief Executive and UCL Academic Registrar for a period of five years. UCL Australia will retain client records of attainment of units of competency and testamurs for a period of thirty years. The complainant and respondent will be allowed supervised access to these records. All internal review processes are free of charge to the complainant. Independent review processes undertaken by an external individual or body *may* incur a cost to the complainant.

The procedures set out in this document do not replace or modify other UCL Australia policies or procedures, or any other responsibilities which may arise under other higher education provider policies or statute or any other law.

UCL Australia maintains the student's enrolment for the duration of proceedings relating to complaints and appeals.

A complaint/grievance can be defined as a person's expression of dissatisfaction with any aspect of UCL Australia's services and activities, including both non-academic grievance and academic grievance matters, such as:

- the enrolment, induction/orientation process;
- the quality of education provided;
- academic issues, including student progress, assessment, curriculum and awards in a course of study;
- handling of personal information and access to personal records;
- the way someone has been treated.

2.0 Non-academic grievance and review process

Students or people seeking to enrol in any accredited higher education course of UCL Australia have three stages at which a complaint may be addressed. Each stage is free of charge.

2.1. Stage One

In the first instance, complaints should be discussed with the person/s involved, at the local area responsible for the process or service. Complaints addressed to UCL or directly to the Director will be referred back to the local area. However, if resolution at the local level is impracticable, complainants should lodge a written complaint with the Student and Registry Services Office. Lodgement of a complaint must be made via the Student Grievance Procedure Application Form within ten business days of the discovery of the event that the complainant wishes to have reviewed.

The Student and Registry Services Director will acknowledge receipt of the complaint, in writing, within five business days. The Chief Operating Officer will seek to meet with the complainant and any other part concerned as soon as possible. Ideally, this meeting will occur within ten business days following the date the written acknowledgement was sent to the complainant. The complainant and/or respondent have the right to be accompanied by a third person (such as a family member, friend, counsellor or other professional support person) if they so desire.

Within five working days of the meeting, the Student and Registry Services Director will provide the complainant with written notification of the decision/resolution.

2.2. Stage Two

If unsatisfied with the response to the complaint or the time taken to resolve the matter, the complainant may request a review. The request for review must be made in writing to the Head of Department of UCL Australia within five business days of receipt of the notification of the decision/resolution and should include all materials needed for the review.

The Head of Department of UCL Australia will review the complainant's submission, meet with the complainant and other relevant parties as needed, and provide the complainant with written notification of the review decision/resolution. The Head of Department will take these steps within a reasonable time, normally within twenty business days of receipt of the request for review.

2.3. Stage Three

If, at the conclusion of this internal review process, the complainant remains unsatisfied, he or she may request that the matter be dealt with through an external dispute resolution process by the following independent body:

Office of the Training Advocate
Ground Floor
55 Currie Street
Adelaide
SA 5000
FREECALL: 1800 006 488
Email: trainingadvocate@saugov.sa.gov.au
www.trainingadvocate.sa.gov.au

The Office of the Training Advocate will normally address complaints within thirty days.

If the Office of the Training Advocate makes recommendations in relation to a grievance that they have reviewed, that results in a decision that supports the complainant, they will forward those recommendations to the Head of Department of UCL Australia within ten business days. The Head of Department of UCL Australia will, immediately implement any decision and/or corrective and preventative action required within twenty (20) business days.

UCL Australia will provide the complainant with the most current contact details of the Office of the Training Advocate. At any stage, the complainant may withdraw the request for review. Such advice must be made in writing to the Head of Department of UCL Australia.

If the complainant is an international student who requires a student visa, an excerpt from the National Code 2007, Standard 8 – complaints and appeals section (Appendix A) will be provided to the student and explained in plain English by a UCL Australia grievance representative. UCL Australia will also refer to the UCL Australia Provider & Student Default & Placement Internal Procedure, where applicable.

Note: Although the OTA has powers to investigate complaints e.g. powers of entry and to interview staff, the OTA do not have the powers to investigate compliance or to regulate or prosecute providers. The OTA can refer a complainant and/or their investigation findings to Tertiary Education Quality Standards Agency (TEQSA). For information about TEQSA, Australia's regulatory and quality agency for higher education, visit www.teqsa.gov.au.

Further action

This complaints and appeals process, does not remove the right of the student to take action under Australia's consumer protection laws (national code standard 3.2d).

3.0. Academic grievance and review process

Academic Grievance Procedures are for grievances which relate to student progress, assessment, curriculum and awards in a course of study.

3.1. Grounds for making a Representation

Representations from registered students which may be considered under this procedure are restricted to one or more of the following areas:

3.1.1. alleged deficiency in supervision received or alleged unsatisfactory delivery/administration of a programme.

Please note that representations concerning alleged deficiency in supervision, even if accepted, will not constitute grounds for amendment of the student's result(s). The only grounds on which representations alleging unsatisfactory delivery/administration of a programme may be made are as follows:

- 3.1.1.1. (i) that inadequate teaching/supervision was provided for some or all parts of the programme;
- 3.1.1.2. (ii) that published information about the programme was substantively misleading;
- 3.1.1.3. (iii) that the programme was not organised or delivered in accordance with the information and documentation provided to students on the programme.

- 3.1.2. the results of examinations (including alleged bias in the assessment). Representations against unofficial results will not be considered. Formal representations against the results of examinations can only be made when results have been passed by the Board of Examiners to the UCL Registry and only if there appear to be genuine grounds for review of the result of the examination concerned. Representations on the grounds that the Examiners' assessment of the performance of the candidate in the examination was incorrect or against academic decisions properly arrived at in accordance with approved procedures will not be considered;
- 3.1.3. Representations concerning the results of examinations may be submitted on one or more of the following grounds:
- 3.1.3.1 (i) that there has been an arithmetical or transcription error in the compilation of the marks and/or the result;
- 3.1.3.2. (ii) that the Examiners could not reasonably have been made aware, formally, of special circumstances (e.g. illness) notified by the candidate which significantly affected his/her performance in the examination;
- Information regarding such special circumstances (e.g. illness) must have been notified in writing with supporting documentation (e.g. a medical certificate), where appropriate, to the Departmental or Degree Programme Tutor as soon as possible but in any case not later than the day after the student's last examination in the session concerned. Information submitted after the meeting of the Board of Examiners will only be accepted by the Board exceptionally and at the discretion of the Chair of the-Board, or,
- 3.1.3.3.(iii) that either the examination and/or classification process was not conducted in accordance with the relevant regulations/procedures;
- 3.1.3.4.(iv) that there is substantive evidence that one or more of the Examiners can be shown to have been biased or prejudiced against the candidate in one or more specific examinations.

Students or people seeking to enrol in any accredited higher education course of UCL Australia have three stages at which a complaint may be addressed. Each stage is free of charge.

Stage One

In the first instance, students should seek to resolve the issue with the person/s involved, at the local area responsible for the process or service. Complaints addressed to UCL or directly to the Head of Department will be referred back to the local area. However, if resolution at the local level is impracticable, complainants should lodge a written complaint with the Academic Director. Lodgement of a complaint must be made via the Student Grievance Procedure Application Form within ten business days of the discovery of the event that the student wishes to have reviewed.

The Academic Director of UCL Australia will acknowledge receipt of the complaint, in writing, within five business days. The Academic Director of UCL Australia will seek to meet with the student and any other part concerned as soon as possible. Ideally, this meeting will occur within ten business days following the date the written acknowledgement was sent to the student. The student and/or respondent have the right to be accompanied by a third person (such as a family member, friend, counsellor or other professional support person) if they so desire.

Within five working days of the meeting, the Academic Director of UCL Australia will provide the complainant with written notification of the decision/resolution.

Stage Two

If unsatisfied with the response or the time taken to resolve the matter, the student may request a review. The request for review must be made in writing to the Student and Registry Services Director within five business days of receipt of the notification of the decision/resolution and should include all materials needed for the review.

The Student and Registry Services Director at UCL will review the student's submission, interview the student and other relevant parties as needed (via teleconference, videoconference, or in person), and provide the student with written notification of the review decision/resolution. The Student and Registry Services Director at UCL will take these steps within a reasonable time, normally within twenty business days of receipt of the request for review.

Stage Three

If, at the conclusion of this internal review process, the student remains unsatisfied, he or she may request that the matter be dealt with through an external dispute resolution process by the following independent body:

Office of the Training Advocate
Ground Floor
55 Currie Street
Adelaide
SA 5000
FREECALL: 1800 006 488
Email: trainingadvocate@saugov.sa.gov.au
www.trainingadvocate.sa.gov.au

The Office of the Training Advocate will normally address complaints within thirty days.

If the Office of the Training Advocate makes recommendations in relation to a grievance that they have reviewed, that results in a decision that supports the complainant, they will forward those recommendations to the Head of Department of UCL Australia within ten business days. The Head of Department of UCL Australia will, immediately implement any decision and/or corrective and preventative action required within twenty (20) business days.

UCL Australia will provide the complainant with the most current contact details of the Office of the Training Advocate. At any stage, the complainant may withdraw the request for review. Such advice must be made in writing to the Head of Department of UCL Australia.

If the complainant is an international onshore student, the National Code 2007, Standard 8 – complaints and appeals section (Appendix A) will be provided to the student and explained in plain English by a UCL Australia grievance representative. UCL Australia will also refer to the UCL Australia Provider & Student Default & Placement Internal Procedure, where applicable.

Note: Although the OTA has powers to investigate complaints e.g. powers of entry and to interview staff, the OTA do not have the powers to investigate compliance or to regulate or prosecute providers.

The OTA can refer a complainant and/or their investigation findings to either:

- The Office of the Independent Adjudicator (OIA). The OIA is an independent body set up to review student complaints. Free to students, the OIA deals with individual complaints against Higher Education Institutions in England and Wales. For information about OIA, Australia’s regulatory and quality agency for higher education, visit www.oiahe.org.uk/
- Tertiary Education Quality Standards Agency (TEQSA). For information about TEQSA, Australia’s regulatory and quality agency for higher education, visit www.teqsa.gov.au.

Further action

This complaints and appeals process, does not remove the right of the student to take action under Australia’s consumer protection laws (national code standard 3.2d).

Action at Law

If an aggrieved student is not satisfied with the outcome of the processes involving the external appeals body (Training Advocate) as outlined above, the student has the right to seek advice from a legal practitioner with regard to action at law. The advice of a legal practitioner usually entails significant fees and charges.

Current Status/ Version Control:

Version number	Date of Approval	Approved by (Name of Board or Person & Position Title)	Amendment
V1	October 2009	UCL Academic Committee	New policy
V2	March 2013	UCL Academic Committee	Amended policy
V3	May 2013	UCL Aust AB	Amended policy
V4	23 Jan 2014	UCL Aust AB	ESOS Review Improvement

Excerpt from the National Code 2007 - Standard 8 – Complaints and appeals

UCL is committed to international students who require a student visa by adhering fully with the National Code 2007, outcome of Standard 8 – complaints and appeals.

Registered providers' complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

- 8.1 The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:
- a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
 - b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself
 - c. each party may be accompanied and assisted by a support person at any relevant meetings
 - d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
 - e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.
- 8.2 The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.
- 8.3 If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.
- 8.4 If the student chooses to access the registered provider's complaints and appeals processes as per this standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is on-going.
- 8.5 If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.