



EYNESBURY
COLLEGE

STUDENT GRIEVANCES AND APPEALS PROCEDURE

SECTION D - PROCEDURE

Related Policy

Student Grievances and Appeals Policy

D.1 Procedure

Responsible	Procedure Steps		W/I
	1	Outline of the grievances and appeals process	
Student	1.1	While this process outlines the 4 stages of the Grievances and Appeals Process Stage 1 is not appropriate in serious matters, for example where you have been informed of an intention to preclude you from further assessments or you have received a letter of Intention to Report. In these situations, you should commence this process at Stage 2 – Formal Grievance.	
	2	Access to mediation services	
Student	2.1	Community Legal Services can assist with resolving disputes in many ways, by: <ul style="list-style-type: none"> • providing information about positive and constructive alternatives to the Legal system • encouraging people to explore options together to reach a mutually acceptable agreement and • conducting negotiations with the other party. 	
	2.2	Community Legal Services operate offices throughout the State of South Australia, https://www.clcsa.org.au/	
	3	Stage 1 - informal grievance	
Student	3.1	In the first instance grievances should be discussed with the person/s involved if this is not possible you are free to communicate to any other staff member that may be able to assist.	
Staff member	3.2	Try to resolve the grievance and notify the student in writing of the outcome within 5 working days of receipt of the grievance.	
Student	3.3	If you are not satisfied with the outcome, start Stage 2 of the process.	
	3.4	Continue to attend classes during Stage 2.	
	4	Stage 2 - formal grievance	

Responsible	Procedure Steps		W/I
Student	4.1	Submit your formal written letter and Stage 2 appeal form to the Student & Academic Services Unit within 10 working days of the Stage 1 decision (20 days for transfer requests or intention to report appeals).	
SASO	4.2	Complete the cover sheet with the student and attach the Stage 2 letter and any evidence submitted by the student.	
SASO	4.3	Create the student appeal pack.	
	4.4	Send the student pack to the Academic Director, Director of Studies, FSP Program Coordinator or International Student Coordinator for consideration. If the appeal is about a refund it must be sent to the College Director and Principal (CDP).	
AD/DoS	4.5	Check to ensure all processes have been correctly followed.	
	4.6	Respond to the Stage 2 appeal within 5 working days of receipt of the grievance and return the student pack to Student & Academic Services	
DoS	4.6.1	If the appeal is regarding unsatisfactory attendance for an ELICOS student and the attendance on the Intention to Report (ITR) letter is below 70% , advise Student & Academic Services of the date and time for the Stage 2 interview.	
SASO	4.6.2	Write Stage 2 Invitation letter inviting the student to an interview to present their case.	
	4.6.3	Email the letter to the student.	
DoS	4.6.4	If the student attends the interview advise them that the appeal can only be considered on the grounds of due process being incorrectly followed.	
Student	4.7	Continue to attend classes throughout stage 2.	
AD/DoS	4.8	Consider all other Stage 2 appeals (not ELICOS attendance below 70%) on the basis of the students' written submission.	
SASO	4.9	Write the Stage 2 outcome letter advising the student of the outcome of the appeal.	
	4.10	Email the letter to the student.	
Student	4.11	If you are not satisfied with the outcome of Stage 2 and your appeal is regarding an ELICOS Notice of Intention to Report for unsatisfactory attendance, and your attendance on your ITR letter is below 70% proceed directly to Stage 4 within 10 working days of the date on the Stage 2 outcome letter. You must continue to attend classes during Stage 4.	
SASO	4.12	If no Stage 4 appeal has been lodged within 10 working days of the date on the Stage 2 letter (for ELICOS attendance below 70%) the outcome of Stage 2 will stand.	

Responsible	Procedure Steps		W/I
Student	4.13	For all other appeals (not including ELICOS attendance below 70%), start Stage 3 within 10 working days of the date on the Stage 2 outcome letter. You must continue to attend classes during Stage 3.	
SASO	4.14	If no stage 3 appeal has been lodged within 10 working days of the date on the Stage 2 outcome letter the outcome of Stage 2 will stand.	
	5	Stage 3 – Review of appeal decision	
Student	5.1	Submit your formal written letter and Stage 3 appeal form to the Student & Academic Services with 10 working days of the date on the Stage 2 outcome letter.	
SASO	5.2	Complete the cover sheet with the student and attach the Stage 3 letter and any evidence submitted by the student.	
SASO	5.3	Create the student appeal pack.	
	5.4	Send the appeal pack to the EO Grievances and Appeals Committee with the student’s current email addresses.	✓
EO Grievances and Appeals Committee	5.5	Write the Stage 3 letter of invitation to attend the appeal meeting. Email it to the student and cc Student & Academic Services.	✓
SASO	5.6	SMS the student to remind them of the appeal meeting.	
Student	5.7	Respond to the letter to advise if you will be attending the appeal meeting.	
EO Appeals Committee	5.8	Send the appeal pack/s to the Grievances and Appeals Committee members and advise when each student appeal will be heard.	
Grievances and Appeals Committee	5.9	Review each student appeal pack and prepare for the meeting.	✓
Student	5.10	If you attend the appeal hearing bring along any additional evidence and/or non-legal representative in relation to your appeal. If you are under 18 you must be accompanied by an advocate who is at least 18 years of age.	
Grievances and Appeals Committee	5.11	Hear the appeal, review and make a decision.	
		5.11.1 Any Appeals Committee members who were involved in the Stage 2 outcome decision will be excluded from the Stage 3 appeal decision.	
EO Appeals Committee	5.12	Draft the minutes of the appeal hearing and send to the College Director or Chair to approve.	
College Director	5.13	Review and amend the draft minutes as required and return to the EO Appeals Committee.	✓

Responsible	Procedure Steps		W/I
EO Appeals Committee	5.14	Write the Stage 3 outcome of appeal/grievance letter, email it to the student and cc Student & Academic Services Officer within 5 working days of the meeting. For refund appeals that are upheld advise, Commercial Finance Manager and Marketing prior to notifying the student.	
EO Appeals Committee	5.15	Email the approved appeal hearing minutes to Student & Academic Services officer and upload to TEAMS	
SASO and Academic Director	5.17	Action any conditions that have been applied to the appeal outcome.	
	5.18	Ensure conditions are monitored and penalties are applied if they are not adhered to by the student.	
Student	5.19	If you are not satisfied with the outcome of Stage 3 start Stage 4 within 10 working days of the date that the Stage 3 outcome letter is issued to you, or the outcome of Stage 3 will stand. You must continue to attend classes throughout Stage 4.	
SASO	5.20	If no stage 4 appeal has been lodged within 10 working days of the date on the Stage 3 outcome letter was issued to the student, the outcome of Stage 3 will stand.	
	6	Stage 4 – external agency for grievances	
Student	6.1	Submit your complaint to the external agency within 10 working days of the date on the Stage 3 outcome letter. International students: Office of the Commonwealth Ombudsman (Overseas Students Ombudsman) https://www.ombudsman.gov.au/about/how-we-can-help-you Domestic students: A range of options depending on the appeal; • Equal Opportunity Commission of South Australia http://www.eoc.sa.gov.au • Office of Consumer and Business Services https://www.cbs.sa.gov.au/ • Australian Human Rights Commission http://www.hreoc.gov.au	
SASO	6.2	Respond to External Appeal bodies' requests for information.	
SASO	6.3	Ensure the student remains enrolled throughout the appeal process.	
College Director	6.4	Notify the relevant staff of the External Appeal bodies' decision.	
College Director	6.5	Notify relevant staff of the External Appeal bodies' decision.	
	6.6	Where the External Appeal body has made recommendations for policy or procedural changes implement changes if required.	
SASO	6.7	Complete any required action in accordance with the result of the External Appeal bodies' decision and notify the student.	
	7	Confidentiality and Record Keeping	

Responsible	Procedure Steps		W/I
SASO	7.1	Ensure all written documentation is placed in the Student Grievances e-folder.	

D.2 Supporting Documentation

Form templates	Location
EYNESBURY Appeals Decision Sheet	Student and Academic Services
EYNESBURY APPEAL Invitation Stage 3 letter	Navigate
EYNESBURY APPEAL outcome letters	Navigate

Related material

Name	Location
Grievances and Appeals Process	Eynesbury Policies and Procedures webpage
Student Grievances and Appeals Committee Terms of Reference	Eynesbury Policies and Procedures webpage

D.3 Version Control

Current Version Number	3.2
Date of Effect	06/2023
Privilege Level	Public

Stage 1: Informal Complaint

- Discussion with staff member involved in initial grievance
- If sent an Intention to Report letter or have been reported for Academic Integrity go straight to Stage 2.
- Make an appointment to speak with an Academic Staff member within 10 working days of the grievance
- Notification of outcome within 5 working days from receipt of the complaint.



Stage 2: Formal Complaint

- Submit written appeal to Student Services within 10 working days of Stage 1 decision (20 days for transfer requests or intention to report appeals).
- Decision reviewed by Academic Directorate/Coordinator.
- Written response within 7 working days from receipt of the Stage 2 appeal.



Stage 3: Review of Appeal Decision

- Submit written appeal to Student & Academic Services within 10 working days of the Stage 2 decision.
- ELICOS Notice of Intent to Report for unsatisfactory attendance where attendance on ITR is below 70% go directly to Stage 4.
- Decision reviewed by the Appeal Committee.
- Written response within 5 working days from the date of the appeal hearing.



Stage 4: External Appeal

- Lodge external appeal directly to the Office of the Commonwealth Ombudsman) within 10 working days of Stage 3 decision.
- Decision reviewed by the Office of the Commonwealth Ombudsman.
- Written response in accordance with the Office of the Commonwealth Ombudsman decision.

*** To make an appointment with an Academic staff member please contact Student and Academic Services directly***

- Stage 1 is not appropriate in serious matters, for example where the student has received a Letter of Intention to Report. Students in this situation should commence the appeal process from Stage 2.
- Students over 18 **may** be accompanied by a support person (excluding legal rep) to a Stage 3 appeal hearing. Students under the age of 18 **must** be accompanied by a must be accompanied by an advocate who is at least 18 years of age