

STUDENT GRIEVANCE, COMPLAINTS AND APPEALS

Policy

CGSI-ACA-POL-022 | Version 4.7

CG Spectrum Institute Pty Ltd

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1.0 Purpose

This policy sets out how CG Spectrum Institute (CGSI) responds to Student grievances, complaints and appeals, and how it responds to Disclosures and Formal Reports of Gender-based Violence.

It gives effect to CGSI's obligations under the Higher Education Support Act 2003 (Cth), the Higher Education Provider Guidelines 2021, the Higher Education Standards Framework (Threshold Standards) 2021, the Higher Education Standards Framework Amendment (Threshold Standards) Instrument 2026, Part IIF of the Ombudsman Act 1976 (Cth) establishing the National Student Ombudsman, TEQSA's Statement of Regulatory Expectations: Student Grievance and Complaint Mechanisms (2025), the Racial Discrimination Act 1975 (Cth), and Standard 5 of the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025.

Where any provision of this policy is inconsistent with the National Code, the National Code prevails. Where any provision of CGSI-ACA-PRO-011 is inconsistent with this policy, this policy prevails.

1.1 Commencement and effect

This policy takes effect on 26 August 2026, on approval by the Governing Body, and replaces version 4.5.

The requirements set out in this policy, including Part C, apply from that date. They are not deferred to 1 January 2027.

Two instruments impose requirements addressed by this policy from 1 January 2027. The first is Standard 5 of the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025. CGSI is not a Table A or Table B provider under the Higher Education Support Act 2003 (Cth), so the earlier commencement date of 1 January 2026 does not apply to it. The second is the Higher Education Standards Framework Amendment (Threshold Standards) Instrument 2026, which requires policies and complaints handling processes that embed safe, respectful and inclusive behaviours across all operations, and which applies to all registered higher education providers from that date. CGSI adopts the requirements of both instruments ahead of the dates on which it is obliged to.

CGSI's obligations in relation to student grievance and complaint mechanisms under the Higher Education Support Act 2003 (Cth), the Higher Education Standards Framework (Threshold Standards) 2021 and Part IIF of the Ombudsman Act 1976 (Cth), and its obligations under the Racial Discrimination Act 1975 (Cth), are current obligations and are not affected by either commencement date.

2.0 Scope and Application

2.1 Who this policy covers

This policy applies to all prospective, current and former domestic and international higher education Students of CGSI who have a grievance, wish to make a complaint, request a review, appeal a decision, or make a Disclosure or Formal Report, in relation to a matter within the control of CGSI, its Staff, its education agents or its service providers, regardless of the Student's location or mode of study.

It applies across all modes and settings, including online delivery, one-to-one mentor sessions, work integrated learning placements, and on-site and hybrid delivery at the GameChanger Academy.

2.2 Third parties

A person who is not a Student may make a Disclosure or a Formal Report under Part C where the Respondent is a Student or a Staff member of CGSI. Part C applies to that Disclosure or Formal Report. Parts A and B do not otherwise confer rights on a person who is not a Student.

2.3 Application to Staff

A Staff member may make a Disclosure or Formal Report of Gender-based Violence to the Chief of Staff, or through any of the channels at clause 7.2, and Part C applies to it in the same way as it applies to a Student. Any disciplinary consequence for a Staff Respondent is dealt with under the applicable employment arrangements rather than under Part B.

2.4 Relationship to other instruments

This policy is read with the Wellbeing and Safety in the Learning and Working Environment Policy and Procedure, CGSI-WHS-POL-002, which defines unsafe behaviour including Gender-based Violence and sets out CGSI's support, risk assessment and screening obligations. It is also read with CGSI-ACA-PRO-011, which sets out the procedural steps, and with the Student Discipline Policy and Procedure, CGSI-ACA-POL-021, which governs sanctions.

Nothing in this policy limits a person's right to contact the police, a support service, or an external body at any time, whether or not they have raised the matter with CGSI.

2.5 CGSI's context

CGSI is a small, non-university higher education provider delivering online, with hybrid delivery from the GameChanger Academy in Melbourne. It does not operate a campus and its teaching workforce is a distributed network of industry mentors.

The National Code contains no exemption or reduced standard for a provider of CGSI's size, and the timeframes and requirements in Part C apply in full. Where the Higher Education Standards Framework applies, this policy is implemented in a manner proportionate to CGSI's size, delivery model and resources. Proportionality affects how CGSI meets a requirement. It does not reduce the requirement.

3.0 Definitions

Terms marked [NC] are defined in the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 and are reproduced without amendment. Where any definition in this or any other CGSI document is inconsistent with a definition marked [NC], the National Code definition prevails.

Definitions of unsafe behaviour, including bullying, discrimination, harassment, hazing, sexual assault, sexual harassment, sexual misconduct, victimisation and vilification, are at section 3.0 of CGSI-WHS-POL-002. Racism and its forms, including antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples, and cultural safety, are defined at section 3.0 of the Diversity, Equity and Inclusion Policy, CGSI-ACA-POL-013. Those documents are the single source for those terms and they are not reproduced here.

Term	Definition
Academic Grievance	A concern about an academic matter or process which a Student raises with CGSI Staff in an informal way. Examples include academic progress decisions, applications for credit transfer or recognition of prior learning, curriculum, awards and assessment, academic integrity, the content, structure or quality of a program, and authorship or intellectual property.
Appeal	A request by a Student for review of a decision made by CGSI in response to a complaint. It also covers decisions on admission, credit transfer and recognition of prior learning, unsatisfactory academic progress, unsatisfactory attendance, misconduct, and suspension of enrolment or exclusion.
Business day	A day that is not a Saturday, Sunday or public holiday in Victoria, Australia. Because CGSI's Students and Staff are distributed across time zones, all timeframes in this policy are calculated in Victorian business days and CGSI will explain this to any party on request.
Complainant	A person who makes a complaint about a matter they wish CGSI to consider and for which an outcome or resolution is expected. In a matter to which Part C applies, the term Discloser is used instead.
Complaint	A grievance that has not been resolved informally and has been escalated, requiring an official response.
Discloser [NC]	A person who has shared information about their experience of Gender-based Violence.
Disclosure [NC]	The provision of information about a person's experience of Gender-based Violence to CGSI by the Discloser or another person.
Formal Report [NC]	The provision, through formal reporting channels, of information about their experience of Gender-based Violence by a Discloser to

Term	Definition
	CGSI, which requires CGSI to consider taking steps beyond the offer and provision of support services, including without limitation the commencement of an investigation or a disciplinary process in appropriate circumstances.
Gender-based Violence [NC]	Any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Further explanation is at section 3.0 of the Wellbeing and Safety in the Learning and Working Environment Policy and Procedure.
Grievance	A concern about a situation, a process, a person or group of people, a facility or a service provided by CGSI, which a Student raises with CGSI Staff in an informal way.
Non-Academic Grievance	A concern about a non-scholastic matter, situation or process, or about the conduct of a person or group of people. Examples include student support services, attendance, the Code of Conduct, facilities and amenities, application procedures, suspension or cancellation of enrolment for non-academic reasons, use of personal information, fees and financial matters, perceived discrimination or unfairness, and unsafe behaviour including Gender-based Violence.
Person-centred [NC]	Ensuring that the Discloser's needs and preferences are at the centre of decisions made in response to the Disclosure. The response systems, policies and procedures affirm the Discloser's dignity and support their healing by genuinely considering their wishes and the impact that decisions may have on them, while at all times ensuring the safety and wellbeing of the Discloser and other Students and Staff.
Procedural Fairness [NC]	In a decision-making context, means the decision is made in accordance with the rule against bias and the hearing rule, so that a respondent is given an opportunity to present their case with knowledge of any prejudicial material that may be taken into account by the decision-maker. Also known as natural justice.
Respondent [NC]	In a matter to which Part C applies, a person whom it is alleged has engaged in conduct that amounts to Gender-based Violence. In any other matter, a person against whom a complaint is made.
Staff [NC]	Has the same meaning as worker under the Model Work Health and Safety Act, and therefore includes employees, mentors, teaching assistants, contractors and subcontractors and their employees, labour hire workers, apprentices and trainees, work experience students, and volunteers, whether paid or unpaid.

Term	Definition
Student	A prospective, current or former Student of CGSI.
Support person	A person who assists, accompanies and supports a Complainant, Discloser, Respondent or interviewee in a matter under this policy. A Support person may be a friend, family member, Staff member or other nominated person.
Trauma-informed [NC]	An approach that applies the core principles of safety, being physical, psychological and emotional safety, trust, choice, collaboration and empowerment. It should minimise the risk of re-traumatisation and promote recovery and healing to the greatest extent possible.
Unsafe behaviour	Bullying, disregard for cultural safety, discrimination, Gender-based Violence, harassment, hazing, racism, racial discrimination and racial vilification, sexual assault, sexual harassment, sexual misconduct, vilification and victimisation. These terms are defined at section 3.0 of the Wellbeing and Safety in the Learning and Working Environment Policy and Procedure, except that racism and its forms are defined at section 3.0 of the Diversity, Equity and Inclusion Policy, CGSI-ACA-POL-013.

4.0 Responsibilities

Higher Education Principal Executive Officer (Chief Executive Officer)

Responsible for implementation of this policy. Accountable for CGSI's compliance with the National Code. Must satisfy themselves that any extension of time for the finalisation of a Formal Report is permitted only where required in the particular context, and must record the reason. Must not act as decision-maker on whether a Part C appeal proceeds, because of the conflict between that function and accountability for compliance.

Chief of Staff

The first point of contact for Staff, including for a Disclosure or Formal Report under Part C as provided at clause 2.3. Receives the report, provides immediate support, explains the pathways available, and refers it for management under this policy. Responsible for ensuring that complaints and grievances from Staff are handled appropriately.

Where a report concerns the Chief of Staff, or the Chief of Staff has a conflict of interest, the report is made to the Higher Education Principal Executive Officer. Where a report concerns the Higher Education Principal Executive Officer, it is made to the Chair of the Governing Body.

Academic Board

Holds oversight of Student wellbeing and of learning environment standards. Endorses this policy. Makes the final decision on any Student appeal other than a Part C appeal, where clause 7.13 applies. Receives de-identified reporting under clause 5.10.

Academic Director

Ensures academic Staff are familiar with this policy. Ensures Staff and Students know who the Grievance Advisor is and how to contact them, through orientation, the CGSI website and subject outlines. Manages case reviews and convenes panels. Acknowledges receipt of formal complaints. Keeps parties informed.

Grievance Advisor

The Head of Student Engagement, being an appropriately qualified and trained member of Staff other than the Academic Director. Provides advice to Students about the processes for resolving a grievance or complaint, receives grievances, complaints, Disclosures and Formal Reports, initiates further action, and assists Students with contact details for external avenues.

A person acting as Grievance Advisor in a matter must not also be a decision-maker in that matter, must not sit on the Student Appeals Committee for that matter, and must not be assigned to support both the Discloser and the Respondent.

Student Success Coordinator

The first point of contact for Students, including for a Disclosure or Formal Report under Part C. Receives the report, provides immediate support, explains the pathways available, records the matter on the Critical Incidents Register, and refers it to the Grievance Advisor.

Where a Disclosure under Part C is received, the Student Success Coordinator is the Staff member assigned to develop the support plan with the Discloser under clause 7.6, so that the Discloser is not required to repeat their account to a second person. The Student Success Coordinator does not investigate, does not determine a pathway, and is not a decision-maker.

Student Appeals Committee

Provides an appeal avenue in relation to complaints and disciplinary matters. Comprises not fewer than four members, including at least one independent member of the Academic Board who is not its Chair, one Student nominated by the Chair of the Academic Board, and the Academic Director. A quorum is three members and must include the independent member.

The Committee upholds Procedural Fairness in every matter referred to it, determines appeals, makes recommendations to the Academic Board, and identifies improvements to policy and practice. Any member with a conflict of interest in a matter, including any member who advised or supported a party, must be replaced for that matter.

Director of Institutional Effectiveness and Governance

Maintains the Critical Incidents Register and the data set required by Standard 6 of the National Code. Prepares the de-identified analysis and reporting required by clause 5.10.

All Staff

Must advise a Student who has a grievance, or who is dissatisfied with a CGSI decision, of their right to lodge a complaint or an appeal. Must respond safely to a Disclosure within the limits of their role and refer promptly rather than investigate. Must be familiar with this policy and with CGSI-ACA-PRO-011 as part of induction and ongoing training.

5.0 Part A: Principles Applying to All Matters

5.1 Access, and no detriment for raising a concern

1. Students are entitled to raise concerns about a situation, process, decision, facility, service, or the conduct of any person, and to have access to effective systems for handling them.
2. Complaint handling and appeal processes for formal matters will be impartial and will draw on independent and informed advice.
3. Complaints and appeals will be handled seriously, sensitively and impartially, and as quickly as the circumstances allow.
4. No Complainant, Discloser, appellant, Respondent or witness will be disadvantaged in their study, assessment, progression or standing because of their participation in a process under this policy.
5. Where an internal or external process results in a decision or recommendation in favour of the Student, CGSI will implement it immediately, take the preventive or corrective action required, and advise the Student in writing.
6. Where an appeal is against a decision to terminate a Student's enrolment, the enrolment is maintained until the appeal is resolved.

5.2 Procedural Fairness

CGSI provides Procedural Fairness to all parties. This requires that a Respondent is informed in writing of the nature of the matter and its particulars, has a reasonable opportunity to respond and to know any prejudicial material that may be taken into account, that the decision-maker is free from bias and conflict of interest, and that the decision is made on the evidence with recorded reasons.

Procedural Fairness for a Respondent and a Person-centred, Trauma-informed response for a Discloser are both required. Neither is traded against the other.

5.3 Confidentiality and information sharing

CGSI treats information about a grievance, complaint, Disclosure or Formal Report as sensitive, and shares it only with those who need it to provide support, to assess and manage risk, to make a decision, or to meet a legal obligation.

CGSI does not require any party to keep a matter confidential, and does not promise absolute confidentiality. CGSI may share information without the consent of a Discloser where it is necessary to ensure the safety and wellbeing of Students or Staff, where it is required or authorised by law, or where it is necessary to meet CGSI's reporting obligations under the National Code. Where that occurs, CGSI will so far as practicable tell the Discloser first, and explain what will be shared and with whom, and why.

Nothing in this policy, and no direction given under it, prevents a person from sharing their own experience, including for the purpose of seeking support, advice or medical care, or from contacting the police or an external body. A person is not in breach of any CGSI policy by doing so.

CGSI asks all participants to respect the privacy of others involved. That is a request, not a direction, and it does not extend to a person's own account of what happened to them.

Personal information is handled under the Privacy Act 1988 (Cth) and the Australian Privacy Principles. Information about a person's experience of Gender-based Violence, and gender, gender identity, sexual orientation, race or ethnicity, religion, Indigenous status, disability status and health information, are sensitive information.

5.4 Protection from reprisal

Victimisation and reprisal are prohibited. Reprisal against a person because they made or proposed to make a grievance, complaint, Disclosure or Formal Report, provided information, supported another person, or participated in a process, is itself unsafe behaviour under CGSI-WHS-POL-002 and may result in disciplinary action. It may be raised as a separate matter.

5.5 Support person

Every party may be accompanied and supported by a Support person at any meeting, interview or hearing, and whenever they are asked about the matters that are the subject of a grievance, complaint, Disclosure or Formal Report. CGSI will tell each party of this right at first contact.

5.6 Conflicts of interest and separation of roles

A person who has advised or supported a party in a matter must not be a decision-maker in that matter, and must not sit on any panel or committee determining it.

In a matter to which Part C applies, the same Staff member must not be assigned to support both the Discloser and the Respondent. The Head of Student Engagement is the primary support contact for a Discloser, and a second Staff member nominated by the Chief of Staff provides support to a Respondent. CGSI will maintain a separate decision-maker. Where it does not hold sufficient separate Staff, it will engage a suitably qualified external person. Resource constraint is not a ground for departure from this clause.

Where a conflict of interest arises between a party and a Staff member involved in a process, the matter is referred to a higher authority within CGSI for allocation to an alternative person.

5.7 Vexatious complaints

CGSI may decline to consider, or may discontinue consideration of, a complaint that is vexatious. A complaint is vexatious if it is dishonest or contains intentionally misleading information, is malicious, is pursued with undue persistence, is made with the intent to harass

or to cause delay or detriment, or is pursued in a manner that threatens, menaces or harasses a member of the Governing Body, the Academic Board, Staff or Students.

A matter is not vexatious merely because it is not substantiated, because the Student is dissatisfied with the outcome, or because the Student has raised more than one matter.

A determination that a complaint is vexatious is made by the Academic Director, or by a delegate of the Academic Board where the Academic Director has been involved in the matter. Before the determination is made the Student is told that it is being considered and is given a reasonable opportunity to respond. The Student is given written reasons and is informed of their right of appeal and of the external avenues at section 8.0.

A Disclosure or Formal Report under Part C is not determined to be vexatious unless the requirements of this clause are met and the Grievance Advisor has been consulted. A decision by a Discloser to withdraw, or not to proceed, is not evidence that a Disclosure was vexatious.

5.8 Cost

CGSI does not charge a Student for making or pursuing a grievance, complaint, Disclosure, Formal Report or internal appeal. A Student who engages independent professional advice does so at their own cost. Where external mediation is used under Part B, CGSI's contribution is capped at 50 per cent of the mediator's fees and this is communicated to the Student before mediation is arranged. No cost of any kind is charged to a Discloser in a matter to which Part C applies.

5.9 Records, retention and the register

1. CGSI maintains a register of complaints identifying the issue and how it was resolved. All Disclosures, Formal Reports and complaints of Gender-based Violence, racism, sexual misconduct and other unsafe behaviour are recorded on the Critical Incidents Register.
2. The Student record is updated to document the outcome of each stage and any subsequent action. A copy of all related documentation, including a statement of findings and reasons for the decision at each stage, is retained securely on the Student record.
3. A copy of the statement of findings and reasons is provided to the Student and to any Respondent.
4. Records are retained for not less than five years from the conclusion of the matter, or for such a longer period as CGSI's records retention requirements provide.
5. Records of Gender-based Violence matters capture the data set required by Standard 6 of the National Code.

5.10 Monitoring and continuous improvement

Formal complaints, decisions and outcomes are monitored by the Higher Education Principal Executive Officer or delegate. De-identified data is analysed at least every six months to identify themes, barriers, gaps and opportunities for improvement, including patterns of Gender-based Violence and racism, and to inform a systemic review of CGSI's responses. Findings are reported to the Academic Board and to the Finance and Risk Committee, and inform the Whole-of-Organisation Gender-based Violence Prevention and Response Plan.

Students who have lodged a formal complaint, and Disclosers and Respondents in Part C matters, are invited to provide feedback on their experience of the process. An increase in recorded Disclosures in early reporting periods is to be read as evidence of improving reporting infrastructure rather than of deteriorating safety.

6.0 Part B: General Grievances, Complaints and Appeals

Part B applies to grievances, complaints and appeals other than those to which Part C applies. Where a matter includes an allegation of Gender-based Violence, Part C applies to that element and prevails.

There are five stages. Each represents an increase in formality. A Student is not required to exhaust an earlier stage where the nature of the concern makes that inappropriate.

6.1 Stage 1: Informal resolution

Where the Student feels comfortable doing so, they may raise the concern directly with the person involved. This stage is not compulsory and a Student may not be required to undertake it.

6.2 Stage 2: Internal escalation

1. The Student contacts the Grievance Advisor, providing the nature of the grievance, a statement with sufficient information, any supporting documentation, any attempts already made to resolve it, and what they consider is needed to address it.
2. CGSI acknowledges receipt within 2 business days and responds on the internal review within 5 business days. Where urgent action is required, the process is expedited.
3. The Grievance Advisor meets with the Student to explain the process and to enable the Student to present their case. The Student may be accompanied by a Support person.
4. The Respondent is informed in writing of the nature of the matter and its particulars, and has 5 business days to respond.
5. The matter is reviewed by the Academic Director or a senior member of the academic team.
6. The Student and the Respondent are notified in writing within 14 business days of the decision, the grounds for it, and any action required. Where the grievance is not upheld, written reasons are given.
7. The Grievance Advisor retains a written record of the matter and its outcome.

6.3 Stage 3: Internal appeal

1. A Student dissatisfied with the Stage 2 outcome may appeal within 10 business days of the written notification, using the Formal Complaint and Appeals Lodgment Form, CGSI-ACA-FRM-003.
2. The request is considered by a delegate of the Academic Board, who may convene the Student Appeals Committee or determine that there are insufficient grounds to proceed, concluding the internal process.

3. The Student is advised in writing within 10 business days of the decision and the reasons for it. Where the Committee is convened, the Student is informed of its membership and procedure at least 5 business days before it meets.
4. The review is conducted in private and all relevant facts are considered. The Student may attend with a Support person. Where the Respondent is a Student or a Staff member, they are also invited to present their case and may attend with a Support person.
5. The Student and the Respondent are notified of the decision in writing within 2 business days, with reasons and any further action.
6. CGSI applies the 20 business day finalisation standard at clause 7.13 to Part B appeals as a matter of good practice.

6.4 Stage 4: External mediation

A Student dissatisfied with the Stage 3 outcome may request external professional mediation within 10 business days of the written notification. The Academic Director arranges an accredited mediator. CGSI's contribution is capped at 50 per cent of the mediator's fees, communicated in advance. This stage is not compulsory and a Student may proceed directly to Stage 5. This stage does not apply to a matter to which Part C applies.

6.5 Stage 5: External resolution

A Student may pursue an external avenue at any time. Section 8.0 sets out the avenues available.

7.0 Part C: Gender-based Violence Disclosures and Formal Reports

7.1 How this Part applies

1. Part C applies to every Disclosure and Formal Report of Gender-based Violence, whether made by a Student, a Staff member under clause 2.3, or a third party under clause 7.4.
2. Part C prevails over Part B to the extent of any inconsistency, and over CGSI-ACA-PRO-011.
3. A Discloser is never required to progress through the Part B stages before a Formal Report will be considered, and is never required to raise the matter with the Respondent.
4. CGSI will respond to Gender-based Violence experienced by or engaged in by its Students or Staff regardless of where, or the context in which, it occurred.
5. CGSI's response will be safe, Person-centred and consistent with a Trauma-informed approach.

7.2 Channels

A Disclosure or Formal Report may be made through any of the following channels. A person does not need to have decided what they want to happen, and does not need to use particular words.

- in person, including at the GameChanger Academy or in a scheduled online session;
- by email, to the Grievance Advisor or the Student Success Coordinator at the addresses published on the Learning Management System and the CGSI website;
- by telephone, using the numbers published on the Learning Management System and the CGSI website; and
- online, using the online disclosure and complaint form on the Learning Management System and the CGSI website.

CGSI publishes clearly, on its website and on the Learning Management System, where and how a Student, a Staff member and a third party can make a Disclosure or a Formal Report.

7.3 Anonymous Disclosures and Formal Reports

A Disclosure or a Formal Report may be made anonymously. The online form permits anonymous submission and does not require a Student identifier.

CGSI will take reasonable and proportionate action in respect of an anonymous Disclosure or Formal Report, including recording it, identifying trends and risks, and taking preventive action. CGSI will explain that its ability to investigate, to provide direct support, or to notify an outcome may be limited where it cannot contact the person.

7.4 Disclosures by third parties

A third party may make a Disclosure or a Formal Report where the Respondent is a Student or a Staff member of CGSI. This includes another Student, a Staff member, a family member, a member of the public, or a supervisor at a work integrated learning host.

Where a third party makes a Disclosure about another person's experience, CGSI will seek to contact the person who experienced the conduct, will seek and seriously consider their views before taking further steps, and will not proceed as though a Formal Report has been made by them.

7.5 No time limit

There is no time limit on making a Disclosure or a Formal Report of Gender-based Violence. The limitation on complaints from former Students at Part B does not apply to Part C. CGSI recognises that delayed reporting is common and is not a reason to decline to respond.

7.6 Immediate response, risk assessment and support

1. CGSI acknowledges a Disclosure or Formal Report within 2 business days.
2. CGSI acts immediately on anything requiring an urgent safety response, including arranging urgent support and making alternative teaching, mentoring or working arrangements.
3. CGSI undertakes a risk assessment as soon as practicable and in any event within 5 business days, takes into account and seriously considers the views of the Discloser, and manages and monitors identified risks on an ongoing basis. Risk assessments are conducted by a person with the expertise required by clause 5.9 of CGSI-WHS-POL-002, or by a suitably qualified external person.
4. CGSI offers a tailored support plan within 5 business days, developed collaboratively with the Discloser, addressing safety, urgent access to support services and to an Accredited Specialist, translation and interpreter services, and reasonable academic or work adjustments.
5. A different Staff member is assigned to develop a support plan in consultation with the Respondent.
6. CGSI arranges its processes so that, so far as possible, the Discloser is not required to repeat the content of a Disclosure or Formal Report multiple times to multiple people.

7.7 Pathways for managing a Disclosure

CGSI has multiple pathways for managing a Disclosure, so that its response is proportionate and safe. The pathways are:

- a resolution implemented with the agreement of the Discloser and the Respondent;
- the implementation of safety measures without progressing to an investigation;
- a decision not to proceed to an investigation of the Disclosure in the specific circumstances; and

- a decision to progress the Disclosure to an investigation.

CGSI will have regard to the wishes of the Discloser when determining which pathway to use, will explain the pathways and their consequences, and will record the pathway chosen and the reasons for it. A decision not to investigate is a legitimate outcome and is recorded as such rather than as a matter closed without action.

7.8 Progressing to an investigation

1. Before progressing a Disclosure, as distinct from a Formal Report, to an investigation, CGSI will seek and consider the views of the Discloser.
2. CGSI will inform the Discloser that it may investigate a Disclosure where this is necessary for the safety and wellbeing of Students or Staff, and will explain why if it does so.
3. CGSI will investigate all Formal Reports where the Respondent is a Student or a Staff member, regardless of the context in which the Gender-based Violence occurred.
4. Where a Formal Report has no connection to CGSI other than the status of the Respondent as a Student or Staff member, CGSI will consider the safety and wellbeing of Students and Staff in determining the scope of the investigation.

7.9 Conduct of investigations

1. Staff involved in responding to a Formal Report, conducting an investigation or determining a disciplinary proceeding must hold the knowledge, experience and expertise required by Standard 3 of the National Code. Where CGSI does not hold Staff with that expertise, it will engage a person who does.
2. CGSI will notify the Discloser and the Respondent in writing if an investigation is to commence. Notification is made to both on the same day, and the Discloser is notified first.
3. All parties, including the Discloser and the Respondent, may be accompanied by a Support person whenever they are asked about the matters that are the subject of the Disclosure or Formal Report.
4. CGSI will not require a Discloser or a Respondent to provide physical evidence relating to an alleged incident.
5. Investigations are conducted in private. The Respondent is given Procedural Fairness in accordance with clause 5.2.

7.10 Pathways for managing outcomes of an investigation

Following an investigation, CGSI has multiple pathways for managing the matter, so that its response is proportionate and safe. The pathways are:

- a resolution implemented with the agreement of the Discloser and the Respondent;
- the implementation of safety measures without progressing to a disciplinary process;
- a decision not to proceed to a disciplinary process; and
- a decision to progress to a disciplinary process.

7.11 Disciplinary process, timeframes and sanctions

1. CGSI's procedures are designed to allow a Formal Report to be finalised within 45 business days from the date the Formal Report is made, including the finalisation of any disciplinary process. CGSI will comply with that timeframe subject only to clause 7.14.
2. The disciplinary process is conducted under the Student Discipline Policy and Procedure, CGSI-ACA-POL-021, or for a Staff Respondent under the applicable employment arrangements.
3. Sanctions imposed are proportionate to the conduct substantiated, and may include exclusion and expulsion.
4. A Respondent is provided Procedural Fairness throughout.

7.12 Notification of outcomes

1. Unless the Discloser requests otherwise, CGSI notifies the Discloser in writing once an investigation concludes, of the outcome and of whether a disciplinary process will commence, on the same day as the Respondent is notified.
2. Unless the Discloser requests otherwise, CGSI gives the Discloser written notice of the outcome of any disciplinary process, including the decision and any sanctions, the reasons for the outcome, and their rights to make an internal or external complaint, including to the National Student Ombudsman.
3. Unless requested otherwise, the Discloser is notified of the outcome of the disciplinary process on the same day as the Respondent.

7.13 Appeals

1. A party may appeal a disciplinary decision within 10 business days of the written notification.
2. Where CGSI has given the Discloser notice of the outcome of a disciplinary process, it will also give the Discloser written notice within 2 business days of an appeal being lodged, stating that the Respondent has appealed and setting out the potential outcomes of the appeal.
3. CGSI's procedures are designed to allow an appeal to be finalised within 20 business days of lodgement. CGSI will comply with that timeframe subject only to clause 7.14.
4. Unless the Discloser requests otherwise, CGSI gives the Discloser written notice of the outcome of the appeal, including the decision and any sanctions, the reasons, and their rights to make an internal or external complaint including to the National Student Ombudsman, on the same day as the Respondent is notified.
5. An appeal in a Part C matter is determined by the Student Appeals Committee constituted so that no member advised or supported a party. The decision on whether an appeal proceeds is made by a delegate of the Academic Board and not by the Higher Education Principal Executive Officer.

7.14 Extensions of time

CGSI will permit an extension of time for the finalisation of a Formal Report or an appeal only where it is required in the particular context. The Higher Education Principal Executive Officer must satisfy themselves that this is so, and the reason is recorded on the Critical Incidents Register. Both parties are told of the extension and the reason for it.

7.15 Keeping the parties informed

CGSI updates the Discloser and the Respondent throughout the process of resolving a Formal Report, having regard to their views about how often and by what means they wish to be contacted. At a minimum, each party is updated at every change of stage. CGSI will not impose a contact schedule on a Discloser who has asked for less frequent contact.

7.16 No mediation requirement

CGSI will not require, propose or treat as a default any process that brings a Discloser into direct contact with a Respondent. Mediation is never a precondition to a Formal Report or to any other pathway, and the Part B external mediation stage does not apply to Part C matters. An agreed resolution under clause 7.7 or 7.10 is available only where the Discloser requests it or freely agrees to it, having been told what the alternatives are, and at no cost to the Discloser.

7.17 Non-disclosure agreements

CGSI prohibits the use of a Non-disclosure Agreement in relation to Gender-based Violence unless requested by the Discloser. Where a Discloser requests one, it must not prevent the Discloser from sharing their experience for the purpose of seeking support and advice, and must not prevent CGSI from complying with its reporting obligations under the National Code. Settlement terms must not contain a non-disparagement clause that could have the effect of requiring a Discloser to keep their experience confidential.

8.0 External Avenues and the National Student Ombudsman

A Student or other person may pursue an external avenue at any time, including before or during an internal process. CGSI will not treat the use of an external avenue as a reason to suspend support.

The National Student Ombudsman is a free and independent service available to prospective, current and former higher education students, both domestic and international. It can consider complaints about student safety and wellbeing including Gender-based Violence, discrimination, racism, antisemitism and Islamophobia, enrolment and exclusion, special consideration, changes to course structures, a provider's complaint and appeal procedures, and a provider's failure to explain its decisions clearly.

A person is generally expected to lodge with the Ombudsman within 20 business days of receiving notice of the outcome of an internal appeal, and the Ombudsman may accept a later application. An application should include any supporting documents and should explain why the internal decision did not comply with CGSI's policies and procedures. Disagreement with the outcome alone is not sufficient.

CGSI will implement any recommendation made to it by the National Student Ombudsman in relation to Gender-based Violence.

Other avenues, depending on circumstances, include the Australian Human Rights Commission, a State or Territory equal opportunity or anti-discrimination body, the Fair Work Commission, the Commonwealth Ombudsman, a State or Territory ombudsman, the police, and a court or tribunal. Information about lodging a higher education student complaint is available on the Australian Government Study Assist website and on the National Student Ombudsman website. The Grievance Advisor will assist a person to identify and contact the appropriate body.

Where an external process supports the person, CGSI will implement the decision or required action immediately and will provide written advice of the decision with reasons, regardless of the outcome.

9.0 Review, Consultation and Publication

This policy is reviewed at least every three years, and earlier where a regulatory change, a change in CGSI's delivery model, or a finding from the analysis at clause 5.10 indicates that review is required.

Review and development occur through engagement and collaboration with Students, employees, groups who are disproportionately affected by Gender-based Violence including women, First Nations people, culturally and linguistically diverse communities, people with disability and people of diverse sexual orientation and gender identity, people who have experienced Gender-based Violence, subject matter experts, and third parties whose facilities are used for work integrated learning, placements or practicums. A record of consultation is maintained.

This policy is published on the CGSI website. It is drafted in plain English and is able to be translated, taking into account the demographics of CGSI's Students and Staff. Its classification is Public.

10.0 Related Documents

- Student Grievance, Complaints and Appeals Procedure, CGSI-ACA-PRO-011
- Wellbeing and Safety in the Learning and Working Environment Policy and Procedure, CGSI-WHS-POL-002
- Student Discipline Policy and Procedure, CGSI-ACA-POL-021
- Student Welfare and Support Policy and Procedure, CGSI-ACA-POL-027
- Students at Risk Policy and Procedure, CGSI-ACA-POL-028
- Work Integrated Learning Policy and Procedure, CGSI-ACA-POL-030
- Diversity, Equity and Inclusion Policy, CGSI-ACA-POL-013
- First Nations Policy, CGSI-ACA-POL-017
- Critical Incident Policy and Procedure, and the Critical Incidents Register
- Privacy Policy, Data Governance Policy, and the Information Asset and Processing Register
- Student Records Management Policy
- Whole-of-Organisation Gender-based Violence Prevention and Response Plan
- Formal Complaint and Appeals Lodgment Form, CGSI-ACA-FRM-003

Appendix A: Timeframes at a Glance

All timeframes are expressed in business days, being days that are not a Saturday, Sunday or public holiday in Victoria, Australia.

Step	Timeframe	Applies to
Acknowledgement of a grievance, complaint, Disclosure or Formal Report	2 business days	Parts B and C
Immediate action on any urgent safety risk	Immediately	Part C
Risk assessment on a Disclosure or Formal Report	As soon as practicable, and within 5 business days	Part C
Offer of a tailored support plan	Within 5 business days	Part C
Response to an escalated grievance	5 business days	Part B
Respondent given opportunity to respond	5 business days	Parts B and C
Written outcome of an escalated grievance	14 business days	Part B
Lodgement of an internal appeal	10 business days from written notification	Parts B and C
Finalisation of a Formal Report, including any disciplinary process	45 business days from the Formal Report	Part C
Finalisation of an appeal	20 business days from lodgement of the appeal	Part C. Applied to Part B as best practice
Notice to a Discloser that a Respondent has lodged an appeal	2 business days from lodgement	Part C
Notification of any outcome to the Discloser and Respondent	Same day, Discloser notified first	Part C
Lodgement of a request for external mediation	10 business days from written notification	Part B only
Lodgement of a complaint with the National Student Ombudsman	20 business days from the internal outcome, and the Ombudsman may accept later applications	Parts B and C

Version Control

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