

STUDENT GRIEVANCE MANAGEMENT POLICY

PART A – Introduction

1. Objectives

In line with its Mission, the University aims to promote and maintain a supportive learning environment within which students can optimise their personal, academic and professional development. The aim of the Student Grievance Management Policy is to provide fair and equitable processes which enable student concerns to be addressed as quickly as possible and at a level as close to the source of the concern as possible.

2. Principles

The Student Grievance Management Policy is based on the following principles:

- (a) All actions under this policy are to be based on values and virtues that are Christian and to be underpinned by principles of procedural fairness. These principles of procedural fairness apply to all students, staff and others who may be involved.
- (b) All matters are to be addressed as quickly as possible and as close as possible to their source.
- (c) All parties to a concern or grievance have the right to be -
 - (i) heard
 - (ii) treated without bias or pre-judgement
 - (iii) informed of any allegation made which relates to them
 - (iv) provided with an opportunity to respond to any allegation pertaining to them
 - (v) informed about the status of any concern or grievance which has been formally raised and to which they are a party.
- (d) Students will not suffer any disadvantage as a result of raising a grievance.
- (e) Any staff member the subject of or associated with any student concern or grievance will participate in actions taken under this policy with a view to addressing the matter.
- (f) All aspects of the process are to be transparent. This policy and associated procedures are readily accessible via the web and/or on University notice boards.
- (g) Appropriate confidentiality is to be maintained at all times.

3. Definitions

Grievant means a person who has initiated the grievance.

Respondent means a person against whom a grievance has been initiated under this policy.

Principles of procedural fairness in the context of this policy is defined as the right to be given a fair hearing and the opportunity to present one's case, the right to have a decision made by an unbiased or disinterested decision-maker and the right to have that decision based on logically testable evidence.

Appropriate confidentiality refers to situations when a senior officer of the University may disclose to another as much information as is necessary for the explicit purposes of clarification or assistance to enable the grievance process to be facilitated.

4. Scope of the policy

4.1 This policy will apply to management of grievances arising between parties including:

- (a) student:student
- (b) student:staff member
- (c) student:external agency - such as those co-operating with the University's practical placements (eg clinical, school, business placements).

4.2 This policy applies in cases other than those addressed in other specific policies or regulations (see 4.3 below) or in legislation applicable within the relevant jurisdiction.

4.3 The following are **specifically excluded** from the scope of this policy as they are covered by the nominated policies and processes:

Subject of concern or grievance	Relevant policy
Decision regarding a grade in a unit	Academic Regulations, Regulation 8
Decision regarding termination of enrolment	Academic Regulations, Regulation 8
Sexual harassment	Sexual Harassment Policy
Decision relating to conditions of candidature of a research or professional doctorate	Research and Professional Doctorate Degree Regulations

degree student	
Conduct which is a breach of the Academic Honesty Policy	Academic Honesty Policy
Conduct which is a breach of Student Conduct and Discipline	Statute 10 Student Conduct and Discipline
Intellectual property	Intellectual Property Policy
Unacceptable use of the internet	Computer, Internet and Telephone Acceptable Use

PART B – Early Management of Concerns

5. Avenues for management of concerns

Grievants are strongly encouraged to attempt to resolve their concern informally and as close to the source of the concern as possible.

6. Support mechanisms

6.1 To assist grievants the names and contact details of staff advisers will be published for each campus. These staff will often include counsellors and course coordinators. Grievants may consult other persons within the University to seek advice, guidance and/or support about the available and appropriate options for the management of their grievance.

6.2 When grievants and/or respondents participate in any informal discussions in an attempt to resolve a grievance, they may be accompanied by another person, other than a legal representative, who will act in the role of a neutral observer; such other person will not act in the role of advocate on behalf of the grievant or respondent.

Appendix 2 summarises the informal process to manage grievances

7. Avenues for resolution of student concerns

A summary of the avenues and steps which should normally be accessed in addressing a sample of student concerns is included in Appendix 1.

PART C – Formal Grievance Management Procedure

8. Grievance mediation

8.1 Every attempt will be made, through use of mediation, to resolve any student grievance which has not been resolved through the above early informal management processes.

8.2 The University will nominate appropriate persons to act as mediators to facilitate resolution of formal student grievances. Nominated mediators will be drawn from the academic and general staff of the University or elsewhere in exceptional circumstances and will have a thorough knowledge of University policies and procedures and appropriate training and skills in mediation. In some circumstances an external mediator may be used.

9. Invocation of grievance management process

9.1 A grievant who has been unable to resolve a grievance at the informal stage may invoke the formal grievance management process. In doing so, the grievant is responsible for ensuring that the matter raised has substance and is genuine and must participate in the process in an appropriate manner and honour any agreement reached to resolve the grievance.

9.2 To invoke this process the grievant will provide to the appropriate senior University officer (for example, Dean, Director, Rector, Pro-Vice-Chancellor) a written statement –

- (a) outlining the nature of and grounds for his/her grievance, including the names of any other party/ies, the time, date, place and any witnesses to the alleged matter of grievance;
- (b) indicating the steps taken to date, including advice sought and provided, and any action taken by the grievant subsequent to obtaining such advice;
- (c) providing any relevant supporting documentation;
- (d) indicating what the grievant considers to be a satisfactory solution of his/her grievance; and
- (e) including the name and signature of the grievant.

The material submitted must be sufficient to enable the other party/ies to respond.

10. Action by the senior University officer

- 10.1 The senior University officer will review the material submitted by the grievant to ensure that it falls within the ambit of this policy and that sufficient information has been provided to enable the grievance management process to progress.
- 10.2 If the senior University officer considers that
 - (a) the matter falls outside the ambit of this policy; or
 - (b) the matter requires urgent intervention (eg cases of potential harm to another person)then the officer may take such action as deemed appropriate in the circumstances. In cases covered by paragraph (b) above, the officer will report action taken to the Vice-Chancellor.
- 10.3 In any other case, the senior University officer will normally, within ten working days of receipt of the notice of grievance, notify the respondent of the grievance and provide the respondent with the right of reply; such reply will normally be required within ten working days of the notice of the grievance.
- 10.4 Following consideration of the response by the respondent the senior University officer will determine whether the matter should proceed to mediation, and if so will -
 - (a) appoint a mediator;
 - (b) advise the grievant of the name of the person appointed as mediator;
 - (c) provide the mediator with a copy of the documentation lodged by the grievant in outlining his/her grievance and the response provided by the respondent.
- 10.5 When appointing a mediator, the senior University officer will give consideration to the subject matter of the grievance, the particular expertise of the trained mediators and their availability to facilitate the process expeditiously. The appointed mediator will have had no prior involvement in the subject of the grievance and will be in a position to handle the matter in an independent and unbiased way.
- 10.6 In the case of a grievance involving an external agency (eg related to a student's practical placement), the senior University officer may request the relevant Head of School to investigate the matter and/or negotiate with the external agency before or instead of proceeding to appoint a mediator.

11. Mediation process

- 11.1 The role of the mediator is to –
 - (a) familiarise him/herself fully with the grievance documentation (the material provided by the grievant and the response received from the respondent);
 - (b) where possible and with the agreement of the parties, bring the parties together with a view to obtaining a common understanding of the issues and the needs and perspectives of all parties;
 - (c) through listening, common understanding of the issues and discussion of possible solutions, endeavour to obtain outcomes satisfactory to all parties;
 - (d) prepare a report on the mediation process and provide a copy to all parties for their signature as an accurate representation of the process and its outcomes;
 - (e) interact with University management in order to facilitate resolution of the grievance and achievement of any outcomes agreed through the mediation process.
- 11.2 The mediator may choose to appoint an observer to attend any meeting of the grievant and respondent and/or other relevant parties.
- 11.3 The mediation process is confidential to the parties involved and no information should be divulged by any party other than as agreed during the course of mediation.
- 11.4 The mediation process should normally be concluded within ten working days of the nomination of the mediator by the senior University officer.

12. Support and/or representation during the mediation process

- 12.1 During the mediation process the grievant and respondent may, if they so wish, each be accompanied by one other person, other than a legal representative. Such other persons will act in the role of neutral observer and shall not advocate on behalf of the grievant or the respondent.
- 12.2 In cases of special need, a translator/communicator may be present. The person may not advocate on behalf of the grievant or the respondent.

13. Reporting on mediation of grievances

- 13.1 On conclusion of the mediation process, the mediator will provide a copy of the signed report (see section 11.1(d) above) to the relevant senior University officer (normally within ten days of appointment of the mediator).
- 13.2 Documentation relating to the mediation of formal grievances will be returned to the senior University officer and held in a confidential grievance file (not on the individual student or staff file) located in a secure place.
- 13.3 Each senior University officer will maintain a register of mediation processes which they have managed and provide an annual report to the Vice-Chancellor in December each year.

Appendix 2 summarises the formal process to manage grievances

PART D - Avenues of Review

14. Request for review to the Vice-Chancellor

- 14.1 A student who is not satisfied with the outcome of the mediation process and who still has a grievance may lodge a request for a review to the Vice-Chancellor, provided that such a request must be lodged with the Vice-Chancellor within ten working days of finalisation of the mediation process and report (see Section 11.1(d) above).
- 14.2 The Vice-Chancellor will appoint an independent senior University officer to handle the review. The senior University officer will undertake such inquiries and make such recommendations as are considered appropriate.
- 14.3 Following consideration of the report of the review conducted by the senior University officer, the Vice-Chancellor will determine on the matter and advise the grievant of the result of the review. The grievant will be notified of the outcome within ten working days of lodgement of the request for review with the Vice-Chancellor.
- 14.4 No further avenue of review is then available within the University.

15. Preservation of other avenues of complaint ⁷

While students are encouraged to resolve any concerns or grievances they may have arising from their status as a student of the University, nothing in this policy derogates from the right of a student to access any other complaint or appeal mechanism available to them as legislated in the relevant State or Territory. If any external process is initiated, the internal grievance resolution process will be terminated.

PART E – Other Matters

16. Withdrawal of grievance or review

At any time during the process a grievant may withdraw any grievance or review, by notice in writing to the relevant senior University officer or Vice-Chancellor, respectively. Upon such withdrawal, investigation of the subject matter of the grievance or review will normally be discontinued.

17. Bar on raising the matter for further consideration

If a grievance has been fully investigated, or is formally withdrawn in writing by the grievant during the course of the grievance resolution or review process, the grievant cannot raise the matter again unless it involves new major information or a separate incident.

18. Malicious or vexatious complaints or grievances

Student complaints or grievances that are found to be frivolous, vexatious or malicious may result in action being taken under the Statute 10 Student Conduct and Discipline.

⁷ See Statement on External Avenues of Appeal or Complaint.

APPENDIX 1

RESOLVING ACADEMIC CONCERNS

It is important that:

- the student has read and understood the relevant materials (eg. the relevant policy, Unit Outlines) before proceeding;
- all matters are discussed as quickly as possible and close as possible to the source of the problem;
- there are grounds for the complaint/appeal, as defined in the relevant policy/regulations.

The accompanying chart illustrates some of the concerns that might arise for students of the University, the relevant policies, and appropriate channels of escalation. It should be noted that complaints/appeals should be made in writing to the relevant University officer.

It must be understood that not every concern can be answered to each complainant's satisfaction; there will be occasions when the University, in following its procedures, legitimately will not give an affirmative response to a request. The Grievance Management process would only be invoked if there were clear grounds to proceed.

Subject Matter	Relevant Policy/ Regulation	Sequence of Contact		
Entry to a course	Admissions Policy Policy for Appeal and Review on Administrative Matters	Relevant Manager (ie Admissions Manager)	Manager's supervisor (ie Head, Student Business Services)	Academic Registrar
A School decision that directly affects a student	Student Grievance Management Policy	Course Co-ordinator	Head of School	Faculty Dean; student may exercise formal grievance process
A Faculty decision that directly affects a student	Student Grievance Management Policy	Head of School	Faculty Dean	Pro-Vice-Chancellor (Academic Affairs); student may access formal grievance process
A decision affecting PhD candidature (other than those covered by the Research and Professional Doctorate Degree Regulations)	Student Grievance Management Policy	Head of School	Faculty Dean	Pro-Vice-Chancellor (Research and International); student may access formal grievance process
Assessment requirements	Student Grievance Management Policy	Academic staff member concerned	Head of School	Faculty Dean; student may access formal grievance process
Academic standards (eg. teaching, supervision, units, workloads)	Student Grievance Management Policy	Academic staff member concerned	Head of School	Faculty Dean; student may access formal grievance process

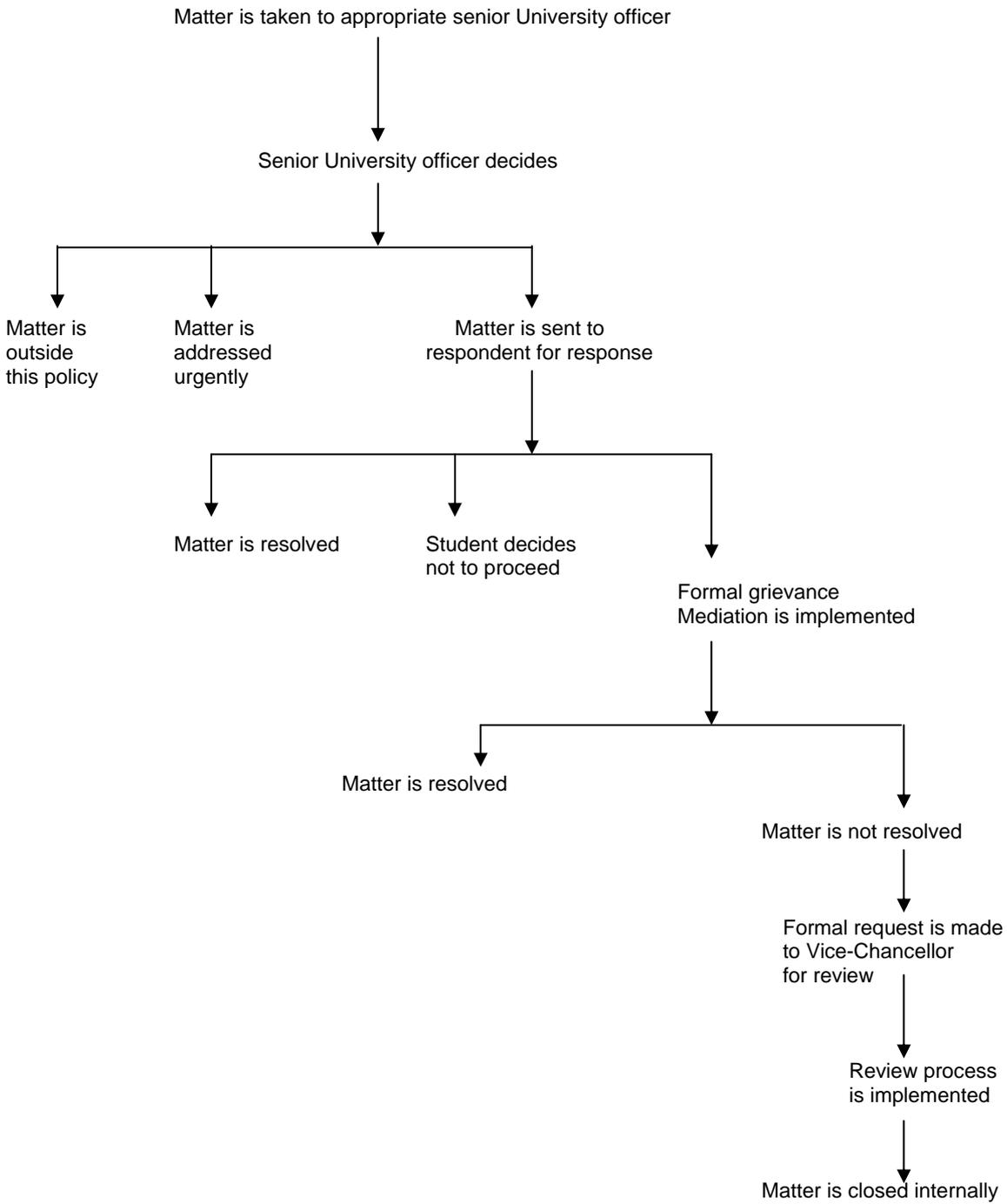
Subject Matter	Relevant Policy/ Regulation	Sequence of Contact			
Result in a unit	Academic Regulations	Lecturer-in-charge of unit	Head of School	Faculty Board	Academic Board
Termination of enrolment on academic grounds	Academic Regulations	Course Co-ordinator	Head of School	Faculty Board	Academic Board
Intellectual property <ul style="list-style-type: none"> • for a coursework unit • for a research unit 	Intellectual Property Policy or Academic Honesty Policy	Lecturer-in-charge of unit Academic staff member supervising the student's work	Head of School Head of School	Faculty Dean Pro-Vice-Chancellor (Research and International)	Pro-Vice-Chancellor (Academic Affairs) Arbitration by the Australian Commercial Disputes Centre (with reference to research work)
Research ethics	<i>National Statement on the Ethical Conduct in Research Involving Humans (1999)</i>	Principal research supervisor	Chair, Human Research Ethics Committee	University Research and Research Training Management Committee	
Administration of University policies, procedures (Choice depends on issue and which policy is applicable)	Student Grievance Management Policy or Policy for Appeal and Review on Administrative matters	Staff member concerned Decision-maker (Manager of relevant section)	Manager/Head of relevant section Head of relevant Division	Head of Directorate (eg Academic Registrar, Director of Finance, Dean) Academic Registrar	Executive Director, University Services/ Pro-Vice-Chancellor (Academic Affairs) ; student may access formal grievance process
For international students	ESOS National Code	Director, International Office	External conciliator appointed for the purpose		

Subject Matter	Relevant Policy/ Procedure	Sequence of Contact			
Availability of or access to central computing facilities	Student Grievance Management Policy	Staff member concerned	Manager/Head of relevant section	Director, Information Technology and Communication Services	Executive Director, University Services; student may access formal grievance process
Availability of or access to Library facilities	Student Grievance Management Policy	Staff member concerned	Manager of relevant Library	Director, Libraries	Pro-Vice-Chancellor (Academic Affairs); student may access formal grievance process
Sexual harassment	Sexual Harassment Policy	Sexual Harassment Adviser	Equal Opportunity Officer		

APPENDIX 2A

FORMAL PROCESS TO MANAGE GRIEVANCES

This process is used after informal mediation has not succeeded in managing the grievance



APPENDIX 2B

INFORMAL PROCESS TO MANAGE GRIEVANCES

This process is used to manage the grievance informally

- ❖ Student might seek advice and guidance from a member of the academic staff, a counsellor, campus minister or member of student association.

Any decision to proceed rests with the student who accepts responsibility for that decision.

