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 optimize 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
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:

<table>
<thead>
<tr>
<th>Subject of concern or grievance</th>
<th>Relevant policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decision regarding a grade in a unit</td>
<td>Academic Regulations, Regulation 7</td>
</tr>
<tr>
<td>Decision regarding termination of enrolment</td>
<td>Academic Regulations, Regulation 7</td>
</tr>
<tr>
<td>Sexual harassment</td>
<td>Sexual Harassment Policy</td>
</tr>
<tr>
<td>Decision relating to conditions of candidature of a research or professional doctorate degree student</td>
<td>Research and Professional Doctorate Degree Regulations</td>
</tr>
<tr>
<td>Conduct which is a breach of the Academic Honesty Policy</td>
<td>Academic Honesty Policy</td>
</tr>
<tr>
<td>Conduct which is a breach of the Student Code of Conduct</td>
<td>Student Code of Conduct</td>
</tr>
<tr>
<td>Intellectual property</td>
<td>Intellectual Property Policy</td>
</tr>
<tr>
<td>Unacceptable use of the internet</td>
<td>Computer and Internet Acceptable Use Policy</td>
</tr>
</tbody>
</table>

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

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 Student Code of Conduct.

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;

1 See Statement on External Avenues of Appeal or Complaint
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.
<table>
<thead>
<tr>
<th>SUBJECT MATTER</th>
<th>RELEVANT POLICY/REGULATION</th>
<th>SEQUENCE OF CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry to a course</td>
<td>Admissions Policy Policy for Appeal and Review on Administrative Matters</td>
<td>Relevant Manager (ie Admissions Manager) Manager's supervisor (ie Head, Student Business Services) Academic Registrar</td>
</tr>
<tr>
<td>A School decision that directly affects a student</td>
<td>Student Grievance Management Policy</td>
<td>Course Coordinator Head of School Faculty Dean; student may exercise formal grievance process</td>
</tr>
<tr>
<td>A Faculty decision that directly affects a student</td>
<td>Student Grievance Management Policy</td>
<td>Head of School Faculty Dean Pro-Vice-Chancellor (Academic Affairs); student may access formal grievance process</td>
</tr>
<tr>
<td>A decision affecting PhD candidature (other than those covered by the Research and Professional Doctorate Degree Regulations)</td>
<td>Student Grievance Management Policy</td>
<td>Head of School Faculty Dean Pro-Vice-Chancellor (Research and International); student may access formal grievance process</td>
</tr>
<tr>
<td>Assessment requirements</td>
<td>Student Grievance Management Policy</td>
<td>Academic staff member concerned Head of School Faculty Dean; student may access formal grievance process</td>
</tr>
<tr>
<td>Academic standards (eg. teaching, supervision, units, workloads)</td>
<td>Student Grievance Management Policy</td>
<td>Academic staff member concerned Head of School Faculty Dean; student may access formal grievance process</td>
</tr>
<tr>
<td>SUBJECT MATTER</td>
<td>RELEVANT POLICY/REGULATION</td>
<td>SEQUENCE OF CONTACT</td>
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<td>---------------------------------------------------</td>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Result in a unit</td>
<td>Academic Regulations</td>
<td>Lecturer-in-charge of unit Head of School Faculty Board Academic Board</td>
</tr>
<tr>
<td>Termination of enrolment on academic grounds</td>
<td>Academic Regulations</td>
<td>Course Coordinator Head of School Faculty Board Academic Board</td>
</tr>
<tr>
<td>Intellectual property</td>
<td>Intellectual Property Policy or Academic Honesty Policy</td>
<td>Lecturer-in-charge of unit Academic staff member supervising the student’s work Head of School Faculty Dean Pro-Vice-Chancellor (Academic Affairs) Arbitration by the Australian Commercial Disputes Centre (with reference to research work)</td>
</tr>
<tr>
<td>- for a coursework unit</td>
<td></td>
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<tr>
<td>- for a research unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research ethics</td>
<td>National Statement on the Ethical Conduct in Research Involving Humans (1999)</td>
<td>Principal research supervisor Chair, Human Research Ethics Committee University Research and Research Training Management Committee</td>
</tr>
<tr>
<td>Administration of University policies, procedures</td>
<td>Student Grievance Management Policy OR Policy for Appeal and Review on Administrative matters</td>
<td>Staff member concerned Manager/Head of relevant section Head of relevant Division Academic Registrar Head of Directorate (eg Academic Registrar, Director of Finance, Dean) Executive Director, University Services/ Pro-Vice-Chancellor (Academic Affairs) ; student may access formal grievance process</td>
</tr>
<tr>
<td>(Choice depends on issue and which policy is applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For international students</td>
<td>ESOS National Code</td>
<td>Director, International Office External conciliator appointed for the purpose</td>
</tr>
</tbody>
</table>

For international students: ESOS National Code
<table>
<thead>
<tr>
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<th>RELEVANT POLICY/PROCEDURE</th>
<th>SEQUENCE OF CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Availability of or access to central computing facilities</td>
<td>Student Grievance Management Policy</td>
<td>Staff member concerned</td>
</tr>
<tr>
<td>Availability of or access to Library facilities</td>
<td>Student Grievance Management Policy</td>
<td>Staff member concerned</td>
</tr>
<tr>
<td>Sexual harassment</td>
<td>Sexual Harassment Policy</td>
<td>Sexual Harassment Adviser</td>
</tr>
</tbody>
</table>
This process is used after informal mediation has not succeeded in managing the grievance

Matter is taken to appropriate senior University officer

Senior University officer decides

- Matter is addressed outside this policy
- Matter is addressed urgently
- Matter is sent to respondent for response

Matter is resolved

- Student decides not to proceed
- Mediation is implemented

Matter is not resolved

- Formal request is made to Vice-Chancellor for review

Review process is implemented

Matter is closed internally
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.
STATEMENT ON EXTERNAL AVENUES OF APPEAL OR COMPLAINT

A student who wishes to pursue a complaint outside the University can contact. In some cases it may be more appropriate for a complaint to be referred to a Privacy Commissioner who investigates complaints about breaches of privacy or the Human Rights and Equal Opportunity Commission which investigates complaints about discrimination because of race, sex or disability. Their addresses are:

Federal Privacy Commissioner, or Human Rights and Equal Opportunity Commission
133 Castlereagh Street, Sydney NSW 2000
GPO Box 5218, Sydney NSW 2001
Websites:
http://www.privacy.gov.au
http://www.hreoc.gov.au

Complaints regarding administrative actions or decisions under the Higher Education Support Act 2003 may be raised with:
Administrative Appeals Tribunal, website: http://www.aat.gov.au

Australian Capital Territory
40 Marcus Clarke Street, Canberra City ACT 2600
GPO Box 9955, Canberra ACT 2601

New South Wales
55 Market Street, Sydney NSW 2000
GPO Box 9955, Sydney NSW 2001

Northern Territory (serviced by Brisbane)
Corner Tank Street and North Quay, Brisbane Qld 4000
GPO Box 9955, Brisbane Qld 4001

Queensland
Corner Tank Street and North Quay, Brisbane Qld 4000
GPO Box 9955, Brisbane Qld 4001

South Australia
11th Floor, Chesser House, 91 Grenfell Street, Adelaide SA 5000
GPO Box 9955, Adelaide SA 5000

Tasmania
Ground Floor, Commonwealth Law Courts, 39-41 Davey Street, Hobart Tas 7000
GPO Box 9955, Hobart Tas 7001

Victoria
40 City Road, Southbank Vic 3006
PO Box 9955, Melbourne Vic 3001

Western Australia
Level 8, Quadrant Building, 1 William Street, Perth WA 6000
GPO Box 9955, Perth WA 6848

POLICY AND PROCEDURES ASSOCIATED WITH THE REVIEW OF UNRESOLVED GRIEVANCES/COMPLAINTS BY THE UNIVERSITY VISITOR
1. The University’s grievance procedures currently describe how staff and students address grievances/complaints in respect of a range of matters. Among other things, these procedures provide for rights of review within the University if a person is dissatisfied with a particular outcome.
2. In addition to their ability to raise grievances/complaints internally, and seek a review in respect of any decision of the University, staff and students may be able to make a complaint to an external body. Examples of such complaints, and the external body to which they could be referred, include, among others, those relating to:

(a) unlawful discrimination - referred to the appropriate state or federal equal opportunity commission;
(b) privacy - referred to the Federal Privacy Commissioner;
(c) administrative decisions under the *Higher Education Support Act 2003* - referred to the Administrative Appeals Tribunal; and,
(d) disputes concerning the University's certified agreements - in appropriate circumstances to the Australian Industrial Relations Commission.

3. From time to time, staff and students may not have the right to raise a grievance/complaint with an external body (such as those referred to in 2 above) because there is no external body that has been established to review the particular grievance/complaint.

4. To take account of such circumstances, the University has established the position of University Visitor. Accordingly, where there is no other external review available, a staff member or student may refer any unresolved grievance/complaint to the University Visitor for review.

5. The role of the University Visitor will be undertaken by someone who is not an employee of the University. The Visitor will initially be appointed for a one year term. The Visitor's appointment will be reviewed, thereafter (currently anticipated to be on a biennial basis), together with the Visitor arrangements generally.

6. It is intended that the Visitor will review only those grievances/complaints which are serious and are not capable of external review. Serious grievances/complaints will be those which raise an important issue for the University.

7. The Visitor's review of grievances/complaints lodged with her or him will usually involve a review by the Visitor of the existing documentation relating to that grievance/complaint. In particular cases, however, the Visitor may request that the parties make further written submissions, including on any matters the Visitor considers relevant, so as to assist her or him in reviewing the particular grievance/complaint.

8. The Visitor will make a written report to the Vice-Chancellor about the grievance/complaint. Grievances/complaints will generally be addressed by the Visitor within 30 days of formal receipt of the grievance/complaint.

9. The Visitor is the final avenue of review in respect of all such grievances/complaints.

10. If, at any time during the Visitor's review of the grievance/complaint, the person making the grievance/complaint becomes aware of an avenue for its external resolution, and that external process is initiated by them, the Visitor's review of the grievance/complaint in such circumstances will ordinarily be terminated.

11. No charge or fee applies in respect of any complaints addressed to the Visitor.

12. The University will review the Visitor arrangements to see if they are efficient and effective. In light of that review, the University will then determine whether changes to the Visitor arrangements are appropriate.
13. OUTLINE OF VISITOR CHARTER

1. The purpose of this document is to set out the general principles that will apply to the review of grievances / complaints formally lodged with the Visitor.

2. Unresolved grievances / complaints will only be reviewed by the Visitor if:

   (a) there is no external body to which that grievance / complaint can be referred for review. Accordingly, the Visitor must initially review any grievance / complaint referred to her or him to assess whether any such external body could consider the grievance / complaint; and

   (b) the Visitor has assessed the grievance / complaint as being sufficiently serious to warrant a review by the Visitor.

3. Where practicable, the Visitor should conclude this assessment within 10 days of receiving a formal lodgement of the particular grievance / complaint.

4. If the Visitor:

   (a) considers that there is an external body that could review the grievance / complaint referred to her/him, the Visitor will notify the person making the grievance / complaint that she/he is unable to review the matter and will provide her/his reasons for forming such a view; or

   (a) considers that:

      (i) there is no external body that could review the grievance / complaint referred to her or him; and

      (ii) the grievance / complaint is sufficiently serious so as to warrant review,

      the Visitor will notify the person making the grievance / complaint that the Visitor will review the matter.

5. Assuming the Visitor has determined she or he can review the grievance / complaint, that review will generally be conducted by way of a reconsideration by the Visitor of the existing documentation relating to a particular grievance / complaint. However, in appropriate cases, the Visitor may also:

   (a) request that the parties make further written submissions to assist her or him; and

   (b) refer to University policies, agreements, codes of conduct, employment contracts or other similar documentation (subject to receipt by the Visitor of any necessary consents).

6. Once the Visitor has concluded his or her review of the grievance / complaint the Visitor will prepare and submit a report to the Vice-Chancellor. The report will include the documentation provided to the Visitor for the purposes of the review (including any submissions received by the Visitor) together with such other information as the Visitor considers appropriate.

7. Where practicable, the Visitor will conclude his or her review within 20 days of the notification referred to in paragraph 4(b) above.

8. The process outlined above may be varied in any case where the Visitor considers it necessary to do so to enable her or him to properly prepare a report to the Vice-Chancellor.
9. Whilst the report prepared by the Visitor will be treated with appropriate confidentiality, it may be necessary for copies of the report (or extracts from it) to be provided to other appropriate parties. A copy of the report will also be provided to the person making the grievance / complaint.