

Student Grievance Procedure

Approved by:	Deputy Vice-Chancellor
Date approved:	28 November 2001
Approval authority:	CC01/41, 7 August 2001
Related Policies:	Student Grievance Policy Student Conduct and Discipline Policy Sexual and Gender-based Harassment Policy Racial Discrimination and Harassment Policy

Council has approved the following definitions for the purposes of the Student Grievance Policy and the Procedure set out below.

Definitions

‘Advocate’: the person who supports the student complainant and acts on their behalf according to their wishes. The advocate may be a friend, family member or Student Guild representative but shall not include a legal practitioner. Staff of the University will not act as advocates for students.

‘Appeal’: a formal request for reconsideration of a decision under this policy and procedure, to the Student Grievance Appeals Committee.

‘Complainant/s’: the person or persons who make a complaint.

‘Formal Complaint’: a written and signed complaint describing the grievance by a student which is referred by that student, a staff member or the Student Guild, to the Deputy Vice-Chancellor.

‘Grievance’ means a complaint arising from:

- Academic programs (content or structure)
- Delivery of a course or whole program
- Alleged action by a University staff member or another student that, in the aggrieved student’s opinion, is prejudicial to his or her welfare as a student.
- Administrative action or inaction, policy, procedure or decision
- Research degree supervision matters not provided for under the Rules for Higher Degrees by Research and Professional Doctorates.

This Procedure does not apply to grievances arising under the following Academic Rules: Admission Rules, Enrolment Rules, Assessment Rules, Progression Rules, Unsatisfactory Academic Performance and Exclusion Rules and the Rules for Higher Degrees by Research and Professional Doctorates. Separate procedures exist for allegations involving sexual harassment or racial discrimination.

‘Informal Complaint’: a verbal complaint describing the grievance to any staff member or Student Guild representative in which a student complainant may or may not wish to be identified.

‘Investigating Officer’ shall be a senior member of staff appointed by the Deputy Vice-Chancellor to investigate a formal complaint.

‘Mediator’: the person who assists the parties named in the complaint to resolve the grievance. The mediator remains neutral and makes no assessment of the facts or rights and wrongs of a case. A number of staff suitable to act as mediators shall be identified by the Deans of Faculties and managers of Administrative Units and shall receive training in mediation skills if required.

‘Natural Justice’: the ‘fair hearing’ rule and the ‘no bias’ rule: all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right of representation by another person. A decision-maker in relation to the grievance should have no personal interest in the matter and should be unbiased in their decisions.

‘Respondent/s’: the person or persons against whom the complaint is made.

‘Responsible Officer’: the Dean, Course or Program Coordinator, Cost Centre Manager or Supervisor of an area.

‘Victimisation’: imposing unjust penalties or taking unjust detrimental action against a person.

Procedure

1. Informal procedure
 - 1.1 A student may make an informal complaint to any staff member of the University or representative of the Student Guild (should a staff member not wish to receive a complaint they will refer the student to a Responsible Officer in the area).
 - 1.2 The staff member or member of the Student Guild will refer the complaint to the Responsible Officer of the area concerned. The Responsible Officer will attempt to seek a resolution to the matter and feedback will be provided to the student complainant or the Student Guild within a reasonable period of time.
 - 1.3 If the matter is not resolved or requires more intensive intervention, the Responsible Officer may nominate a staff member (who has no involvement in the complaint) to act as a mediator. The mediator will assist the student complainant and the area or person against whom the complaint is directed, to reach a mutually satisfactory outcome.
 - 1.4 If the student is satisfied with the results of the informal procedure, the mediator will close the case with a written report to the Responsible Officer who will treat the report as confidential and keep it on file in the Cost Centre.
 - 1.5 If the student is not satisfied with the results of the informal procedure he or she may make a formal complaint in accordance with the following formal procedure.
 - 1.6 A student complainant may be accompanied by an advocate at any stage of the informal procedure.
2. Formal procedure
 - 2.1 A student may make a formal complaint if the student is dissatisfied with the results of the informal procedure.
 - 2.2 The formal complaint must be in writing, identify the complainant and the respondent/s and provide details of the nature of the complaint. The complaint will be referred to the Deputy Vice-Chancellor by the student complainant, the Guild, a staff member or a Responsible Officer. The Deputy Vice-Chancellor will appoint a senior member of staff who has had no involvement in the informal process, to investigate the complaint. The Investigating Officer will be appointed within 10 working days after receiving the formal complaint. The Director, Student Affairs or his/her nominee will assist the Deputy Vice-Chancellor and the Investigating Officer by administering the formal process.

- 2.3 Should a formal complaint be made before the informal procedure is followed, the Deputy Vice-Chancellor may refer the complaint to a Responsible Officer in the relevant area to try to resolve the matter informally if possible.
- 2.4 The investigator must interview the complainant and respondent/s and any other parties relevant to the complaint as soon as reasonably possible and provide a written report to the Deputy Vice-Chancellor including a recommendation on measures to be taken to resolve the grievance. The student complainant may be accompanied by an advocate during the interview.
- 2.5 The Deputy Vice-Chancellor will inform the student complainant in writing of his/her decision in relation to the resolution of the grievance.

3. Student Grievance Appeals Committee

- 3.1 If the student is dissatisfied with the outcome of the formal complaint they may appeal to a Student Grievance Appeals Committee consisting of an external member, a staff member nominated by the Vice-Chancellor and a representative of the Student Guild nominated by the Board. The members of the Committee shall be approved at the first meeting of Council in each year. The Director, Student Affairs or her/his nominee will act as Secretary to the Student Grievance Appeals Committee.
- 3.2 No member of the Student Grievance Appeals Committee will have had any previous involvement in the informal or formal procedure in relation to the complaint. The Vice-Chancellor shall nominate an alternate in the case where an external member or staff member has had prior involvement in the procedure. The Student Guild shall nominate an alternate where their representative has had prior involvement in the procedure.
- 3.3 The Student Grievance Appeals Committee will:
 - Consider all material relating to the grievance
 - Interview such parties as are relevant to the grievance (a student complainant may be accompanied by an Advocate at any such interview)
 - Determine a resolution to the complaint and advise the Vice-Chancellor in writing, and
 - Make such other recommendations to the Vice-Chancellor in relation to the grievance including any remedies to be applied as it wishes.
- 3.4 The Vice-Chancellor will consider any recommendation of the Student Grievance Appeals Committee and take such action as is appropriate.

The University of the Sunshine Coast provides an indemnity to any staff or external member who undertakes a role for or on behalf of the University in relation to the operation of this procedure. The University accepts full and sole responsibility for all claims including the cost of defending or settling cases where, in the opinion of the Vice-Chancellor, an officer or external member has diligently and conscientiously endeavoured to carry out the duties of a role delegated under the Student Grievance Policy and this procedure.