

1. Purpose of policy

1.1 This policy provides a framework to investigate and resolve student grievances in a timely, fair and just way and ensures all grievances are resolved without victimisation or intimidation of anyone connected with the grievance. It outlines the expectations and responsibilities of staff and students engaged in the process.

1.2 This policy, which should be read in conjunction with the Student Grievance Resolution – Procedures and the Student Review and Appeals - Procedures, aims to ensure that all parties are appropriately supported during a grievance resolution process.

2. Policy scope and application

2.1 This policy applies to grievances where a complainant and/or respondent is a University of the Sunshine Coast student regardless of the location of their studies either on-campus or off-campus.

2.2 For the purpose of this policy, a person whose enrolment is suspended or cancelled by the University and who requests a review or lodges an appeal against a decision, may access this process.

2.3 Students have the right to submit a grievance concerning any matter or decision affecting them which has been made by the University.

2.4 A USC student who undertakes cross-institutional study at another university is considered a student of the host institution for matters directly relating to their studies at that institution.

2.5 Grievances about University decisions relating to student general misconduct are not within the scope of this policy. Please refer to the Student Conduct – Governing Policy.

3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to these procedures and are critical to its effectiveness:

Grievance is a real or perceived cause for complaint, dissatisfaction, disagreement or dispute, raised by a student for which the student is seeking resolution. Grievances must be related directly to the student's studies at the University or life as a student.

Anonymous complaint: A grievance may initially be made by a complainant or representative anonymously and, where sufficient information is provided to make an investigation feasible, such grievances will be investigated.

Review means an appraisal of an initial decision affecting the complainant by a more senior officer of the University who is a designated decision maker. A request for a review may be upheld in part or in whole.

Appeal is a written application by a complainant to have a decision affecting the complainant investigated. An appeal may be upheld or dismissed in part or in whole.

Mediation/conciliation are informal discussions and negotiations involving the complainant and respondent/s trying to reach a mutually acceptable resolution of the student's grievance. Resolution is therefore reached by agreed outcome, and not by an imposed decision.

APPROVAL AUTHORITY

Council

RESPONSIBLE OFFICER

Deputy Vice-Chancellor (Academic)

DESIGNATED OFFICER

Pro Vice-Chancellor (Students)

FIRST APPROVED

6 December 2016

LAST AMENDED

6 August 2019

EFFECTIVE START DATE

1 July 2019

REVIEW DATE

6 December 2021

STATUS

Active

RELATED DOCUMENTS

Anti-Discrimination and Freedom from Bullying and Harassment (Staff) - Governing Policy

Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Governing Policy

Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Procedures

Equity and Diversity - Governing Policy

Monitoring Academic Progress and Exclusion - Academic Policy

Public Interest Disclosures - Governing Policy

Public Interest Disclosures - Procedures

Review of Assessment and Final Grade - Procedures

Sexual Harassment Prevention (Students) - Governing Policy

Student Conduct - Governing Policy

Student General Misconduct - Procedures

Student Grievance Resolution - Procedures

Student Ombudsman - Managerial Policy

Student Review and Appeals - Procedures

SUPERSEDED DOCUMENTS

Student Complaints and Appeals - Governing Policy

RELATED LEGISLATION / STANDARDS

Education Services for Overseas Students Act 2000

Higher Education Standards Framework (Threshold Standards) 2015

National Code of Practice Providers of Education ...

Overseas Students

USC Student Charter

Procedural Fairness (Natural Justice): Procedural fairness refers to the process by which a decision is reached and not the decision itself. With regard to grievances, procedural fairness requires that a student or staff member, against whom a grievance is raised by a student, be provided with:

- all relevant details and evidence of the grievance; and
- an opportunity to present their version of events concerning the grievance.

The procedure also requires a decision maker:

- to act impartially and without bias;
- to consider all relevant information;
- not take into account any irrelevant matters; and
- to deal with the grievance in a timely manner.

Discrimination related grievances: involve matters relating to unfair treatment based on irrelevant factors such as a person's race, disability, gender etc. Refer to the Anti-Discrimination and Freedom from Harassment - Governing Policy.

Frivolous complaint is a complaint that is deemed to be groundless and trivial. A complaint found to be frivolous will be dismissed by the University.

Vexatious Complaint is a complaint made maliciously with the intent to annoy or embarrass the respondent or made with another ulterior purpose. A complaint found to be vexatious will be dismissed by the University. Making a vexatious complaint may constitute misconduct under the Student Conduct – Governing Policy.

Show Cause Notice: For the purpose of this policy, when a student is issued with a show cause notice arising from an academic progress decision, the show cause notice is deemed to be the notification of a Stage 1 decision. Students are given an opportunity to respond to the show cause notice at Stage 2 of the grievance process within the specific time frame set out in the relevant policy.

4. Principles for resolving student grievances

4.1 The University will:

- (a) deal with grievances within the time limits set out in the procedures and in accordance with procedural fairness (natural justice) principles;
- (b) ensure that formal student grievances are properly and impartially considered by the relevant decision maker;
- (c) respect confidentiality by disclosing only information necessary to consider and respond to a request for resolving a grievance;
- (d) explain a decision clearly in writing and ensure that any further steps the student may take in the resolution process are conveyed with the decision;
- (e) neither intimidate nor victimise a complainant.

4.2 The Student will:

- (a) familiarise themselves with the Student Grievance Resolution – Governing Policy and Student Grievance Resolution – Procedures prior to submitting a request for the resolution of a grievance;
- (b) ensure that a formal grievance is submitted in writing within the specified deadlines;
- (c) substantiate an argument for dissatisfaction with an earlier decision when seeking a review or appeal of that decision in accordance with the Student Review and Appeals – Procedures; and
- (d) if relevant, provide any new or additional information to support a review or appeal.

4.3 When submitting a formal grievance, students are encouraged to seek advice and support from the USC Student Guild. Procedural guidance may also be sought from the Student Ombudsman.

5. Processes for resolving student grievances

5.1 The processes for resolving student grievances are:

- Informal discussion or negotiation process through mediation/conciliation.
- Stage 1: A formal written grievance considered;
- Stage 2: A written review of Stage 1 decision considered;
- Stage 3: A written appeal of Stage 2 decision considered; and
- Stage 4: A written appeal of Stage 3 decision considered by an external body.

5.2 In the first instance, the University encourages an informal resolution or conciliation of student grievances, where appropriate, as early as possible and as close as feasible to the source of the student's dissatisfaction.

5.3 Schedule A of this policy sets out the relevant decision makers for the typical stages of the student grievance resolution processes, providing a detailed and convenient cross-reference to various university policies and procedures.

5.4 The associated Student Grievance Resolution – Procedures and Student Reviews and Appeals – Procedures specify deadlines and the required documentation to be submitted for each stage. The procedures also provide detailed guidance for staff on adherence to good practice principles for handling complaints and grievances, to ensure the principles of natural justice and procedural fairness are observed.

5.5 Unless a student provides on appeal or review, new information which has not previously been considered in the resolution of a grievance or evidence that the publicised process has not been adhered to, the University may consider a matter resolved and the internal grievance process exhausted.

6. Informal discussion or negotiation process through mediation/conciliation

While students are encouraged to attempt an informal discussion or negotiation through mediation/conciliation concerning of their grievance first, this may not apply in a number of situations including:

- (a) refund of fees
- (b) credit transfer decisions
- (c) cancellation of enrolment in a program
- (d) academic progress and exclusion

7. Formal resolution process

7.1 Stage 1 – Formal Grievance or Notice of decision:

If a grievance is unable to be resolved informally through discussion and negotiation, the student may lodge a formal written grievance. Stage 1 also includes notification of University decisions which directly affect the student, for example when a student is asked to 'Show Cause' why they should not be excluded for unsatisfactory academic progress.

7.2 Stage 2 – Review:

If a formal grievance is not resolved at Stage 1 to the student's satisfaction, the student may request a review of the decision. Stage 2 also includes responding to University decisions which directly affect the student, such as submitting a Show Cause response, as specifically referred to in University's policies and procedures. Students should refer to the Student Reviews and Appeals – Procedures.

7.3 Stage 3 – Internal Appeal:

If a complainant is not satisfied with the review decision in Stage 2, or where a Stage 2 review is not available, the student may be able to lodge an appeal of the decision. Refer to Schedule A for the relevant decision makers.

7.4 Stage 4 – External Appeal:

If a complainant remains dissatisfied with the University's internal appeal outcome, and the grievance remains unresolved, the student may refer the grievance for external review to the Queensland State Ombudsman or similar external agencies, and in the case of international students also to the Australian Department of Education.

7.4.1 The Queensland State Ombudsman only considers requests for external review after the University's internal processes for resolving a grievance have been exhausted.

7.4.2 The Australian Department of Education only intervenes where the University's appeals process are not conducted correctly or if the University does not make the appeals process available to the student.

8. Student Academic Appeals Committee

8.1 The Student Academic Appeals Committee is a standing committee of Academic Board and is constituted in accordance with the Terms of Reference and Composition approved by Academic Board.

8.2 The Student Academic Appeals Committee will investigate Stage 3 internal appeals on specified academic matters and make a determination. The Committee will report to Academic Board on an annual basis, detailing the de-identified outcomes of student academic appeals.

9. Records Management

Relevant records at all stages of resolving a grievance, including review and appeals, must be captured by staff and should provide reliable and accurate evidence of decisions and actions. All relevant records must be captured in an approved records management system, in line with the University's Information Management Framework – Governing Policy.

10. Schedule of Relevant Decision Makers

The Deputy Vice-Chancellor (Academic) has authority to amend and maintain Schedule A: Relevant decision makers, to align with relevant policies and procedures.

END of Policy

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Appendix 1

Student Grievance Resolution Flow chart (PDF)

(An accessible version of this flow chart can be made available on request from AccessAbility Services.)

Schedule A: Relevant decision makers for grievances

Schedule A (PDF – Printer-friendly version)

Note: Where the nominated decision maker was involved in the decision at a previous stage, the review or appeal will be delegated to another appropriate senior staff member, for example, where the Course Coordinator is also the Head of School.

- Table 1: Student-initiated grievances (students seeking informal resolution or making a formal grievance Stage 1)
- Table 2: University Decisions (students may seek a Review at Stage 2)
- Table 3: University-initiated matters (students may seek a Review at Stage 2)

Table 1: Student-initiated grievances

Privacy, including recording of personal information	Information Management Framework - Governing Policy	n/a	Right to Information (RTI) Officer/ Privacy Officer(Director, Information Services)	Deputy Vice-Chancellor (Academic)	n/a
Higher degree by research (HDR) candidates – Difficulties meeting project or thesis milestones/ candidature expectations; supervisory relationship	Higher Degrees by Research Candidature - Procedures	discuss problems with HDR Supervisor in the first instance	Head of School (or Director, Thompson Institute)	Dean, Graduate Research	Deputy Vice-Chancellor (Academic)
Bachelor Honours – Embedded (Four Year) Degree Issues with arrangements of their program	Bachelor Honours Degree - Procedures – Part B	n/a	Honours Coordinator / Program Coordinator	Head of School (or Director, Thompson Institute)	Deputy Vice-Chancellor (Academic)
Bachelor Honours End-on or Embedded (Differentiated Pathway) Degrees Difficulties meeting project milestones/ program expectations; supervisory relationship; etc	Bachelor Honours Degree - Procedures – Part A	discuss problems with Honours Supervisor in the first instance; seek resolution with Honours Supervisor and/or Honours Coordinator	Honours Coordinator / Program Coordinator	Head of School (or Director, Thompson Institute)	Deputy Vice-Chancellor
Allegation of discrimination, bullying or harassment - by another student or by a visitor	Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Governing Policy Sexual Harassment Prevention (Students) - Governing Policy Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Procedures	Contact Student Wellbeing	Pro Vice-Chancellor (Students)	Deputy Vice-Chancellor (Academic)	n/a
Allegation of discrimination, bullying or harassment - by a staff member	Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Governing Policy Sexual Harassment Prevention (Students) -	Contact Student Wellbeing	Director, Human Resources (If the allegation amounts to staff misconduct, it may be referred to	n/a	n/a

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	Governing Policy Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Procedures		Vice- Chancellor and President)		
Decision to grant credit transfer	Credit Transfer - Procedures	Contact Student Central	Program Coordinator. (Director, Student Services and Engagement or nominee may apply decisions based on articulation agreements and precedents register)	Head of School (or Director, Thompson Institute)	Student Academic Appeals Committee
Administrative decision, service or advice, e.g. enrolment, deferred examination, fees, graduation ceremonies, credit transfer, etc.	Numerous, e.g. Enrolments and Graduation - Procedures Administration of Central Examinations - Procedures	Contact Student Central	Manager of relevant Student Services and Engagement Unit	Director, Student Services and Engagement	Pro Vice-Chancellor (Students) (only where appeal is available, as specified in relevant policies and procedures)
Course content, or an action or decision by a staff member (or other person acting for the University) in relation to the delivery of a course e.g. WIL placement allocation	Various, e.g. Workplace and Industry Placement - Procedures	Talk to the teaching staff / Course Coordinator e.g. Schools may have a process for seeking re-allocation of WIL placement locations on the grounds of exceptional circumstances	Course Coordinator	Head of School (or Director, Thompson Institute)	Deputy Vice-Chancellor (Academic)
Marks for an individual assessment task (other than a final mark/ grade)(including request for special consideration) Note: This does not apply to the major research project/ thesis within a Bachelor Honours Degree	Review of Assessment and Final Grade - Procedures	Discuss with assessor/ refer the matter to the Course Coordinator, and/or to the Head of School (or Director, Thompson Institute). If matter not resolved by informal step, student may wait and seek a review of final grade (see Table 3, below)	Course Coordinator	Head of School (or Director, Thompson Institute)	n/a Lodge an Application for a Review of Final Grade (Form) (see Table 3, below)
NATURE OF GRIEVANCE RELEVANT POLICIES AND PROCEDURES		INFORMAL STEP	STAGE 1 - FORMAL GRIEVANCE DECISION MAKER	STAGE 2 - REVIEW DECISION MAKER	STAGE 3 - INTERNAL APPEAL DECISION MAKER

Table 2: University Decisions (students may seek a Review at Stage 2)

Bachelor Honours – Embedded (Four Year) Final honours classification (process only, not a review of grade)	Bachelor Honours Degree - Procedures – Part B	Deputy Vice-Chancellor (Academic)	Student Academic Appeals Committee
Decision not to award a Postgraduate Research Scholarship	Higher Degrees by Research Scholarships - Procedures	Deputy Vice-Chancellor (Research and Innovation)	Student Academic Appeals Committee
Decision not to award a Commonwealth Scholarship	Selection of Students for Commonwealth ISSP Scholarships - Procedures	Deputy Vice-Chancellor (Academic)	Vice-Chancellor and President
Refund of fees	Enrolments and Graduation - Procedures	Director, Student Services and Engagement	n/a

Application for removal of financial liability (in special circumstances)	Enrolments and Graduation - Procedures	Director, Student Services and Engagement	n/a
application for removal of academic penalty (in special circumstances)	Enrolments and Graduation - Procedures	Director, Student Services and Engagement	Student Academic Appeals Committee
request for variation of program requirements	Enrolments and Graduation - Procedures	Deputy Vice-Chancellor (Academic)	n/a
waiving a pre-requisite or co-requisite conditions	Enrolments and Graduation - Procedures	Head of School (or Director, Thompson Institute)	Deputy Vice-Chancellor (Academic)
NATURE OF GRIEVANCE - STUDENT DISSATISFIED WITH UNIVERSITY DECISION RE:	RELEVANT POLICIES AND PROCEDURES	STAGE 2 - REVIEW DECISION MAKER	STAGE 3 - INTERNAL APPEAL DECISION MAKER

Table 3: University-initiated matters (students may seek a Review Stage 2)

Breach of Responsible Research Conduct	Responsible Research Conduct – Governing Policy Student Academic Integrity - Governing Policy Managing and Investigating Breaches of Responsible Research Conduct – Procedures	Deputy Vice-Chancellor (Research and Innovation) (n/a, where the Deputy Vice-Chancellor (Research and Innovation) was involved in determination of breach outcome)	Student Academic Appeals Committee
(n/a, where determination of misconduct was made by Deputy Vice-Chancellor (Academic))			
Deputy Vice-Chancellor (Academic) where determination was made by Head of School (or Director, Thompson Institute)	Student Academic Appeals Committee		
Student Academic Misconduct	Student Academic Integrity - Governing Policy Student Academic Misconduct - Procedures	Head of School (or Director, Thompson Institute) where determination was made by an academic staff member as investigator	Student Academic Appeals Committee
Withdrawal of a HDR Scholarship	Higher Degrees by Research Scholarships - Procedures	Deputy Vice-Chancellor (Research and Innovation)	Student Academic Appeals Committee
Withdrawal of a Commonwealth Scholarship	Selection of Students for Commonwealth ISSP Scholarships - Procedures	Deputy Vice-Chancellor (Academic)	Vice-Chancellor and President
Failure to make satisfactory academic progress (HDR candidate issued with a show cause notice, as to why they should not be excluded) or Termination of Higher degree by research candidature	Higher Degrees by Research Candidature - Procedures	Head of School (or Director, Thompson Institute) considers the Show Cause and determines whether to: (a) Continue candidature, with any subsequent conditions; or (b) Recommend termination of candidature to the Dean, Graduate Research. Dean, Graduate Research will determine whether to: (a) permit the student to continue under specified conditions; or (b) terminate the candidature.	Student Academic Appeals Committee
Deputy Vice-Chancellor (Academic)	Student Academic Appeals Committee		
Failure to make satisfactory academic progress (i.e. Student issued with a show cause notice, as to why they should not be excluded) (Coursework students)	Monitoring Academic Progress and Exclusion - Procedures	Head of School (or Director, Thompson Institute) or nominee (refer to section 5.5)(Respond to Show Cause)	Student Academic Appeals Committee
Final Grade for a course(including request for special consideration) Note: This does not apply to the major	Review of Assessment and Final Grade - Procedures	Head of School (or Director, Thompson Institute) (Lodge an Application for a Review of Final Grade Form)	Student Academic Appeals Committee

research project/ thesis within a
Bachelor Honours Degree

NATURE OF UNIVERSITY
DECISION

RELEVANT POLICIES AND
PROCEDURES

STAGE 2 - REVIEW DECISION MAKER

STAGE 3 -INTERNAL
APPEAL

END