

# Students - Academic Grievance Procedures

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## INTRODUCTION

The University is committed to providing a fair and transparent procedure through which students may seek to lodge a complaint against an academic action, or appeal an academic decision.

Grievances related to the use of animals (for teaching or research), should be referred directly to the Executive Officer of the Animal Ethics Committee. Grievances related to the ethical conduct of research involving humans should be referred to the Executive Officer of the Human Research Ethics Committee.

## COMPLIANCE

This is a compliance requirement under the:

- [Higher Education Standards Framework \(Threshold Standards\)](#);
- [Standards for Registered Training Organisations \(RTOs\)](#); and
- [National Code of Practice for Providers of Education and Training to Overseas Students](#)

## INTENT

The intent of this document is to clearly set out the steps that students should take to resolve a grievance in a timely, impartial and confidential way that is mindful of procedural fairness and protects against victimisation.

The intent of this document is to ensure:

- Procedures to resolve student grievances regarding academic matters are clear;
- Easily accessible availability of advice and support to complainants;
- Confidentiality of all parties is respected;
- A consistent and transparent procedure for resolving academic grievances.
- A commitment to resolve concerns informally in the first instance; and
- A transparent, effective and consistent three-stage process.

## RELEVANT DEFINITIONS

In the context of this document

**Academic progression** means an assessment of academic performance. Satisfactory progression in a course or award requires successful advancement through set levels of academic achievement in a timely manner;

**Appeal** means a request to the University Appeals Panel for a review of a decision;

**Complaint** means a problem or issue which has not been resolved through discussion and progresses to a written grievance;

**Complaints Officer** means the person appointed by the University to assist in the resolution of grievances;

**Concern** means a problem or issue that may in the first instance be resolved by discussion with the person or people most directly involved;

**Credit transfer** means used to indicate that credit has been given for a specified unit based on successful completion of equivalent units of competency completed previously;

**HE** means Higher Education;

**Procedural Fairness (also called “natural justice”)** means the basic principles considered central to fair decision making and which can be summarised as follows:

- The opportunity for all parties to be heard;
- The respondent having full knowledge of the nature and substance of the grievance;
- The right to an independent, unbiased decision maker; and
- A decision based solely on evidence provided;

**PVC** means Pro Vice-Chancellor;

**Recognition of prior learning** means a process where credit can be given towards a course based on skills attained through employment and/or life skills. Current competence needs to be demonstrated. Evidence is required;

**Register** means the records relating to academic complaints stored in the University’s on-line complaints management system and records system;

**Staff member** means anyone employed by the University and includes all continuing, fixed-term, casual, adjunct or honorary staff or those holding University offices or who are a member of a University committee; and

**VET** means Vocational Education and Training.

## **PROCEDURES**

### **Identification**

Grievances identified will relate to decisions and actions including, but not limited to:

- Assessment and academic progression;
- Content or structure of the academic program or teaching methodology;
- Credit transfer and recognition of prior learning; and/or
- Matters relating to the enrolment, candidature and supervision of postgraduate research students.

### **Discussion**

In the first instance the student will contact the academic staff member/s involved to seek a mutually satisfactory resolution to the concern. This will be accomplished via an informal discussion between the student and the academic staff member/s directly involved. This discussion may be face-to-face, by telephone or via email or other mode of communication.

Every attempt should be made to resolve the concern through discussion at this level.

Either party may seek guidance from the Complaints Officer on how to express their concern.

If the student is not comfortable in discussing their concern with the academic staff member/s involved, he or she may seek guidance from the Complaints Officer.

### Documentation of procedure

The academic staff member involved will summarise the initial concern, discussion and agreed resolution in an email including the student's name and student identification number sent to the person who is raising the concern. This step is designed to minimise the opportunities for misunderstanding, not hearing or misconstruing the discussion and resolutions.

A copy of this email will be sent to the Complaints Officer for entry into the Register.

### Written Complaint

If, within twenty (20) days, the student cannot resolve their grievance through discussion, he or she will contact the Complaints Officer to request investigation of the issue. The University recognises the right of students to seek a review of, and to appeal, an academic decision. While the Complaints Officer will provide the student with realistic and practical advice regarding the strength of the complaint and the appropriateness of pursuing investigation, the decision to proceed with the complaint remains with the student.

Complaints must be submitted within six (6) months of the incident. The Complaints Officer may extend the deadline for the submission of an academic complaint in exceptional circumstances.

In order to allow a comprehensive assessment of the complaint, the student should provide all supporting documentation. While support, guidance and advice on this process may be sought from the Complaints Officer, students are expected to produce their own documentation relating to complaints and appeals.

The Complaints Officer will record the complaint in the Register and refer the complaint to the appropriate VET or HE Head of School for consideration and action. In cases where the complaint involves the Head of School, the complaint will be referred to the PVC of the relevant Faculty.

### Review of complaint

The Head of School will undertake a review of the complaint following the [Principles for Addressing Student Grievances Guidelines](#). In the interests of procedural fairness, the student must be provided with an opportunity to be heard and due regard be given to information provided by the student/s.

Relevant information from other sources may be included in the investigation.

Based on the evidence presented, Head of School will determine if there is sufficient evidence to support investigation of the complaint.

### Outcome of review

The Head of School will provide the student with a formal written decision on the complaint in the form of a review, including the basis for the decision within ten (10) working days of having been notified of the complaint by the Complaints Officer.

If a decision cannot be reached within ten (10) working days, the Head of School will provide the student with written notice of the steps being taken to investigate and resolve the complaint and an estimate of the time required until a decision can be provided.

Where additional time is required, the Head of School will monitor the investigation, ensuring that the student is appraised in writing of progress and provided with a formal written decision including the basis for the decision as soon as possible.

A copy of all communication will be sent to the Complaints Officer for entry into the Register.

The Head of School will provide the Complaints Officer with documentation of actions or recommendations arising from the review. Should any of these actions or recommendations be outside the role of the Head of School, (e.g. professional development, systems review). They will be referred to the Complaints Officer who will ensure that they are communicated to the responsible person/s. The Complaints Officer will report such recommendations or actions to Academic Board which will monitor implementation of actions or recommendations.

### **Monitoring Progress of the Complaint**

The Complaints Officer carries responsibility for monitoring progress of complaints. The Complaints Officer will provide Heads of School/s with fortnightly reports listing progress on all active grievances.

The Complaints Officer will send the relevant PVC a report on any grievances in which there has been no recorded decision or other written notice to the complainant for twenty (20) or more days following submission of the complaint. The PVC will ensure that any outstanding complaints are dealt with in a timely manner and according to the [Principles for Addressing Student Grievances Guidelines](#).

### **Lodging of an Appeal**

If the student believes that procedural fairness has not been followed in any inquiry related to the complaint and/or additional evidence is available, and/or that the decision has been unjust given the circumstances in which the incident occurred, an appeal may be lodged.

The student contacts the Manager, Appeals and Review, Complaints Management Unit, to lodge an appeal. Appeals must be lodged within twenty (20) working days of the student being notified of the determination. The Manager, Appeals and Review may extend the deadline for the submission of an academic complaint in exceptional circumstances.

The Manager, Appeals and Review will update the Register with details of the appeal.

### **Review by Academic Appeals Committee**

If a student lodges an appeal, the Complaints Officer will organise a meeting of the University Academic Appeals Committee.

The Academic Appeals Committee will follow the Principles for Addressing Student Grievances Guidelines. The Committee may review documentation, seek clarification or request further information to support its deliberations.

The University Academic Appeals Committee will meet to make a determination as soon as possible and within twenty (20) working days of lodging the Appeal.

The student may at any time withdraw the appeal by writing to the Complaints Officer who will inform members of the Academic Appeals Committee.

## Outcome of Appeal

The Academic Appeals Committee may uphold the original decision or recommendation, or uphold the appeal and undertake such action as it sees fit.

Decisions of the Academic Appeals Committee are final. There are no further avenues of recourse within the University system.

## Documentation of Appeal

The Academic Appeals Committee will provide the student with a written decision on the appeal including the basis for the decision within twenty (20) working days of having received the appeal.

A copy of the decision and any associated recommendations will be sent to the appropriate Head of School.

If a decision cannot be reached within twenty (20) working days, the Academic Appeals Committee will provide the student with written notice of the steps being taken to resolve the appeal and an estimate of the time required until a decision can be provided.

The Academic Appeals Committee will ensure that the student is appraised in writing of the progress of the appeal and provided with a written decision including the basis for the decision as soon as possible.

A copy of all documentation will be submitted to the Complaints Officer for entry into the Register.

## Retention of Documentation

Records related to student academic grievances and/or appeals will be kept separately from Academic Records. Files will be disposed of according to the relevant University Records Disposal Schedule.

## External Avenues

If the student complainant is dissatisfied with the final outcome of the appeal, he or she may refer the matter to an external organisation which, depending upon the nature of the complaint could include:

- The Northern Territory Ombudsman; or
- A lawyer.

## ESSENTIAL SUPPORTING INFORMATION

### Internal

[Academic and Scientific Misconduct Policy](#)

[Academic Assessment and Moderation Policy](#)

Grievance Complaint Form (contact Complaints Management Unit)

CDU Referencing Guide

CDU Study and Learning Skills

[Equal Opportunity Policy](#)

[Higher Education Examination Policy](#)

[Higher Education Students – Academic Progression Procedures](#)

[Principles for Addressing Student Grievances Guidelines](#)

Student Academic Appeals Form (contact Complaints Management Unit)

[Charles Darwin University \(Student Conduct\) By-Laws](#)

[Students Policy](#)

## Document History and Version Control

<b>Last amendment:</b>	15 Dec 2017	<b>Next Review:</b>	Jan 2013
<b>Sponsor:</b>	Director, Strategic Services and Governance		
<b>Contact Officer:</b>	Manager, Complaints Management Unit		

Version	Date Approved	Approved by	Brief Description
1.00	21 Oct 2004	Vice-Chancellor	Creation of original document and upload to CDU website.
1.01	24 Oct 2007	Vice-Chancellor	Inclusion of new position titles throughout the document which reflect the new VET structure EG: Director VET, NT Industry Clusters General Manager VET Business Improvement. Update Pro Vice Chancellor, Teaching and Learning to Deputy Vice Chancellor, Teaching and Learning
2.00	6 Jan 2009	Director Support and Equity Services	Scheduled review of process all in order. Included GM VET Business Improvement before Deans
3.00	28 Jan 2011	Academic Board	Converted Student Academic Grievance and Appeals Process to new procedure document and major review completed.
3.01	3 Jun 2011	Chair of Academic Board	<ul style="list-style-type: none"> <li>Change "Grievance Officer" to "Complaints Officer" and insert "Manager, Appeals and Review" as appropriate to reflect positions now established in Office of Leadership and Organisational Culture.</li> <li>Alter procedure for recording complaints and supporting documentation to reflect introduction of on-line entry into database, rather than use of paper forms.</li> </ul>
3.02	15 May 2013	Governance	Addition of definition for staff <ul style="list-style-type: none"> <li>Updated and added hyperlinks</li> <li>Removed references to NT Manager</li> </ul>
3.03	5 Aug 2013	Governance	Assigned document number <ul style="list-style-type: none"> <li>Converted to current template</li> <li>Updated and add hyperlinks</li> <li>Minor changes to wording, grammar and formatting</li> </ul>
3.04	15 Dec 2017	Governance	<ul style="list-style-type: none"> <li>Conversion to new template due to new University branding</li> <li>Updated definitions</li> <li>Updated hyperlinks</li> <li>Amended Contact Officer from Director, Office of Leadership and Organisational Culture to Manager, Complaints Management Unit</li> <li>Added Sponsor Director, Strategic Services and Governance</li> <li>Amended HE Examination Policy to Higher Education Examination Policy</li> </ul>

			<ul style="list-style-type: none"> <li>• Amended HE Students - Academic Progression Procedures to Higher Education Students – Academic Progression Procedures</li> <li>• Amended OLOC to Complaints Management Unit</li> </ul>
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