

Students – Academic Grievance Procedures

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.

DEFINITIONS

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 Management Unit (CMU) means the unit designated 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;

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;

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; and

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.

PROCEDURE

1. Identification

1.1. 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 enrolment, candidature and supervision of postgraduate research students.

2. Discussion

2.1. In the first instance the student will contact the academic staff member/s involved to seek a mutually satisfactory resolution of their 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, via email, or other mode of communication.

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

2.3. Either party may seek guidance from the CMU on how to resolve the issue.

2.4. If the student is not comfortable discussing their concern with the academic staff members/s involve, they may seek guidance from the CMU.

3. Documentation of Discussion

3.1. To minimise the opportunities for misunderstanding, or misconstruing the discussion and resolutions, the academic staff member involved in the discussion will send an email to the student that contains the following information:

- Student name;
- Student identification number;
- A summary of the initial concern;
- A summary of the discussion; and
- Agreed resolution.

3.2. A copy of this email will also be sent to the CMU for record-keeping.

4. Written Complaint

4.1. If, within twenty (20) working days, the student cannot resolve their grievance through discussion, they will contact the CMU to request and investigation of the issue.

4.2. While the CMU 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.

4.3. Complaints must be submitted within six (6) months of the incident. In special circumstances, the CMU may extend the deadline for submission of a written complaint.

- 4.4. 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 CMU, students are expected to produce their own documentation relating to complaints and appeals.
- 4.5. The CMU will record the complaint and refer the complaint to the appropriate College Dean for consideration and action. In cases where the complaint involves the College Dean, the complaint will be referred to the Provost.

5. Complaint Investigation

- 5.1. Based on the evidence presented, the College Dean will determine if there is sufficient evidence to support an investigation of the complaint.
- Where it has been determined that the complaint does not contain sufficient evidence to proceed with an investigation, those reasons must be included in the Dean's written response.
- 5.2. Investigations undertaken by the College Dean must follow the Principles for Addressing Student Grievances Guidelines.
- In accordance with procedural fairness, the student must be provided with an opportunity to be heard, and due regard be given to the information provided by the student.
 - Relevant information from other sources can be included in the investigation.
- 5.3. If the investigation cannot be concluded within ten (10) working days, the College Dean will provide the student with written notice of the steps being taken to investigate their complaint and an estimate of the time required until a decision can be provided.

6. Complaint Outcome

- 6.1. With the exception of 5.3, the College Dean will provide the student with a formal written decision within ten (10) working days of receipt of the complaint from the CMU.
- 6.2. The formal written decision should address all issues raised in the complaint;
- Any issues that are deemed as irrelevant to the complaint require an explanation as to why those issues were not considered;
 - Where relevant, decisions should refer to applicable internal policies and procedures;
 - Decisions, or conclusions, must be supported by evidence; and
 - Outcomes that are not in favour of the complainant must include information about lodging an appeal.
- 6.3. The College Dean will provide the CMU with documentation of actions, or recommendations, arising from the complaint investigation.
- 6.4. Should any of these actions, or recommendations, be outside the role of the College Dean, they will be referred to the CMU, who will ensure that they are communicated to the responsible person/s.
- 6.5. The CMU will report such recommendations, or actions, to Academic Board, which will monitor the implementation of actions, or recommendations.

7. Monitoring Complaint Progress

- 7.1. The CMU carries responsibility for monitoring progress of complaints. The CMU will provide

College Deans with fortnightly reports listing progress on all active complaints.

- 7.2. The CMU will provide the Provost with a report on any complaint in which there has been no recorded decision, or other written notice to the complainant, for twenty (20) or more days following receipt of the complaint by the College Dean.
- 7.3. The Provost will ensure that any outstanding complaints are dealt with in a timely manner and in accordance with the [Principles for Addressing Student Grievances Guidelines](#).

8. Final Stage – Appeal

- 8.1. An appeal may be lodged by the student if they believe that any of the following conditions have been met;
 - Procedural fairness was not followed in any inquiry related to their complaint; and/or
 - Additional information is available that was not reasonably available at the time of submitting their complaint; and/or
 - The decision was unjust, given the circumstances in which the matter occurred.
- 8.2. An appeal must be lodged with the CMU within twenty (20) working days of receipt of the complaint outcome.
 - The CMU may extend the deadline for lodgement of an appeal where the student can demonstrate that special circumstances prevented them from meeting the deadline.
- 8.3. The CMU will maintain a record of all appeal-related communication and documentation.

9. Review by Academic Appeals Committee

- 9.1. Once a student has demonstrated sufficient grounds for appeal, the CMU will schedule a meeting of the Academic Appeals Committee (AAC).
- 9.2. The AAC will meet within twenty (20) working days of receipt of a complete appeal.
- 9.3. The AAC will follow the Principles for Addressing Student Grievance Guidelines.
- 9.4. The AAC may review existing documentation, seek further clarification, and/or request additional relevant documentation to support its deliberations.
- 9.5. The student may, at any time, withdraw the appeal by writing to the CMU, who will inform members of the AAC.
 - A withdrawn appeal cannot be re-submitted outside the initial twenty (20) working day time limit to apply.

10. Appeal Outcome

- 10.1. The AAC will provide the student with a written decision, including the basis for the decision, within twenty (20) working days of the scheduled meeting.
- 10.2. If a decision cannot be reached within twenty (20) working days, the AAC will provide the student with written notice of the steps being taken to finalise the outcome and an estimate of when a decision can be provided.
- 10.3. The AAC may uphold the original complaint outcome, or uphold the appeal and undertake such action as it sees fit.
- 10.4. Decisions of the AAC are final. There are no further avenues of recourse within the University.
- 10.5. A copy of all documentation will be submitted to the CMU for their records.

11. Document Retention

11.1. 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.

12. External Avenues

12.1. Where a student remains dissatisfied with the final outcome of an appeal, they may refer the matter to an external organisation, which, depending on the nature of the complaint, could include;

- The Ombudsman NT www.ombudsman.nt.gov.au
- The Northern Territory Anti-Discrimination Commission www.adc.nt.gov.au
- Australian Human Rights Commission www.humanrights.gov.au
- Office of the Independent Commissioner Against Corruption NT <https://icac.nt.gov.au/>

NON-COMPLIANCE

Non-compliance with Governance Documents is considered a breach of the [Code of Conduct](#) and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures

RELATED AND SUPPORTING DOCUMENTS

Legislation	Higher Education Standards Framework (Threshold Standards) 2015 Standards for Registered Training Organisations (RTOs) 2015 National Code of Practice for Providers of Education and Training to Overseas Students 2017 Charles Darwin University (Student Conduct) By-laws
Policy	Academic and Scientific Misconduct Policy Academic Assessment and Moderation Policy Academic Credit Policy Equal Opportunity Policy Higher Education Examination Policy Students Policy
Procedures	Higher Education Assessment Procedures Higher Education Students – Academic Progression Procedures International Students – VET Course Progression Procedures Students – Breach of Academic Integrity Procedures
Definitions	CDU Glossary



GOVERNANCE

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