Student Grievance Resolution Procedure

Section 1 - Purpose and Scope

(1) This Procedure seeks to facilitate the informal resolution of grievances as close as possible to the source of student dissatisfaction, and to provide a general framework under which the University will handle and respond to complaints.

(2) This Procedure which enacts the Student Grievance Resolution Policy applies to all students and to University staff involved in managing student grievances or appeals relating to decisions made in accordance with University policies and procedures.

Section 2 - Principles and Key Requirements

Part A - Procedures for Students

Support for Students

(3) There are a number of advocacy and support services available through the grievance resolution process that students may access free of charge.

a. Representatives of UQ Union (UQU) may take an advocacy role in the grievance resolution process. Students can consult UQU, which can help the student to present their grievance.
b. The University's Student Support and Wellbeing Services staff do not advocate on behalf of students, however, Student Support and Wellbeing Services staff can provide students with documentation attesting to circumstances that may be taken into account by the University in considering a grievance or an appeal (for example, evidence of attendance at a personal counselling appointment).
c. In cases of alleged discrimination or harassment (including sexual harassment), students may see a Discrimination and Harassment Contact Officer (DHCO). DHCOs provide information on UQ policy (including student grievance, prevention of sexual harassment and discrimination and harassment). DHCOs are not able to advocate on a student's behalf or become in any way involved in resolving a grievance. A list of Discrimination and Harassment Contact Officers and a description of their role is available online.

(4) Where students initiate meetings to resolve grievances with University staff or are invited to attend meetings for this purpose, students may request the presence of a support person to attend with them, in addition or in preference to a representative of the UQU. The role played by someone in the support capacity is as a neutral witness to the discussion. The support person must not be a legal representative or a currently practicing solicitor or barrister.

Informal Resolution

(5) It is expected that, in the first instance, a student will attempt to resolve the issue informally by approaching the person concerned directly. Informal resolution strategies may include:

a. seeking clarification on the matter from a relevant staff member;
b. requesting a relevant staff member to raise the matter with an individual;

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c. requesting a conciliation or mediation be arranged. Refer to the relevant policy:
    i. Student Integrity and Misconduct Policy
    ii. Diversity, Equity and Inclusive Behaviours Policy
    iii. Sexual Misconduct Prevention and Response Policy.

(6) If the issue is unable to be resolved informally with the relevant person in the initial step, and where the student requires formal resolution, a formal grievance must be lodged as follows.

Lodging a Formal Grievance or Appeal

(7) In order for a grievance or appeal to be accepted for consideration it must:

a. be in writing (via the University's complaints management system or in person at a Student Centre);
b. contain the name of the complainant. (Where an anonymous complaint is received, efforts will be made to the extent practicable, to investigate the complaint);
c. provide details of the resolution sought;
d. provide details of informal steps taken to seek resolution;
e. where relevant, the name and contact details, if known, of any respondent or witnesses to the incident/s which has led to the grievance;
f. contain sufficient information about the matter to enable an assessment of the grievance to be made;
g. be lodged by the student who has been aggrieved, or by a third party with explicit written consent from the aggrieved student; and
h. be lodged within the following timeframes, unless a different time period is prescribed in a specific policy or rule:
    i. Formal Grievances – within 28 calendar days of the decision/action giving rise to the grievance. In exceptional circumstances the timeframe for lodging a grievance may be extended beyond 28 calendar days by the Academic Registrar. The student must submit a written request for the extension that includes sufficient reasoning via the University's complaints management system.
    ii. Appeals – within 28 calendar days of the decision/action giving rise to the appeal. A further extension of up to 28 calendar days may be given by the relevant appeal person or body upon receipt of the request from the student or their authorised third-party representative. In the case of appeals heard by Student Academic Administrative Appeals Committee (SAAAC), the request for an extension must be submitted to the Secretary of SAAAC via email saaac@uq.edu.au.

        In some grievances, for example matters relating to assessment outcomes, shorter timeframes are set in the relevant policies.

(8) Students are required to submit their grievances or appeal through the University's complaints management system or in person at a Student Centre. Appeals to SAAAC must also be submitted via the UQ complaints management system.

(9) Appeals submitted to SAAAC must be within SAAAC jurisdiction.

(10) All appeals must have sufficient grounds as specified in Academic Administrative Appeals by Students Policy to be considered by the relevant decision-maker.

(11) There is no cost associated with lodging a formal grievance or appeal. A student's enrolment will be maintained while the complaint and appeal process is ongoing. However, this does not entitle a student to enrol in shorter form credentials, courses or programs they are not qualified to be in. Any grades obtained during this period of provisional enrolment will be withheld until the conclusion of the appeal process.

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Part B - Procedures for Staff

Requirement to Act Fairly, Impartially and Exercise Independent Judgment

(12) Staff who investigate or decide complaints or appeals must act fairly and impartially. They should seek advice about the process and their responsibilities under it from an appropriate source (for example, Academic Services Division), and must exercise independent judgment at all times about the particular complaint or appeal, based on their objective assessment of the evidence.

(13) Staff must conduct themselves in a professional and courteous manner at all times.

Confidentiality

(14) Staff who investigate or hear a complaint or appeal must treat it as confidential and must only disclose information to others strictly on a “need-to-know” basis.

Conflicts of Interest

(15) Staff involved in a complaint or appeal must disclose actual, perceived or potential conflicts of interest (whether personal, financial or otherwise) as soon as they become aware of them. That staff member’s supervisor (or other person to whom they are accountable under that process) must assess whether that conflict does, or is likely to be seen to, preclude that staff member from acting fairly and impartially. If so, another person must be appointed to replace the staff member as investigator or decision-maker.

(16) Staff who have previously advised or supported a student must not be involved in undertaking an investigation or in a decision-making capacity in relation to that student’s complaint or appeal. Advice may be sought from the Academic Registrar.

Role of a Decision-maker

(17) A decision-maker who receives a complaint or appeal must take the following steps:

a. Acknowledge receipt of a complaint within 14 calendar days of lodgement and provide an explanation to the student of the grievance resolution process and the estimated timeframe for resolution.
b. Assess the detail of the complaint and seek further information from relevant parties where necessary and appropriate. Where the nature of the complaint is unclear, particularly in terms of who the appropriate decision-maker may be (e.g., if there are legislative implications), advice must be sought from the Student Conduct and Grievance Resolution unit in Academic Services Division.
c. Seek advice from the Associate Director, Student Conduct and Integrity or Director, Human Resources in instances where a grievance may potentially be more appropriately managed through the staff or student misconduct process.
d. Decide how the grievance will best be resolved and advise the relevant parties of this decision.
e. If the grievance is not sufficiently supported by appropriate grounds, communicate this decision to the student along with the rationale.
f. Advise the student of further avenues for their concerns to be addressed if they have not been resolved to their satisfaction.

Making the Decision

(18) In coming to a decision, the decision-maker must follow fair procedures observing natural justice and due process. This requires gathering information relevant to the decision and providing procedural fairness to people whose interests may be adversely affected by any decision.

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(19) All findings of fact must be supported by relevant evidence. After the decision-maker has gathered the evidence, this must be evaluated to determine what is relevant to the grievance or appeal. All relevant evidence must be considered, not just the evidence which supports the finding the decision-maker may want to make. Whether the evidence that has been gathered is sufficient to prove a fact must be assessed in accordance with the civil standard (proof on the balance of probabilities). The strength of evidence necessary to establish a fact on the balance of probabilities may vary according to the seriousness of the issues involved, that is, the more serious the issue, the stronger the evidence required. The decision-maker needs to ensure they record all findings of fact and their reasoning for them.

(20) The decision-maker must reasonably exercise their discretion, within the limits of their authority. In reaching a decision, the decision-maker must have regard for legislation and University policy and should consult with other officers as appropriate (for example, Student Administration).

(21) The decision-maker must ensure they consider relevant matters and disregard irrelevant detail, noting the reasons for doing so. Where necessary, the decision-maker should determine the weight to be given to competing factors considered when deciding and detail their rationale. For example, a student may allege that they had no internet access to manage their enrolment during a certain period but system logs of their mySI-net account might indicate they had logged in on several occasions during that same period. In that circumstance, more weight may be placed on the system logs than the claim made by the student, because physical records can be produced to substantiate the system activity.

(22) When considering an appeal the decision-maker must have regard to whether:

a. the student has provided additional, substantive information;
b. a fair and proper process for considering the grievance/appeal has been followed;
c. there was an appropriate level of information on which the decision-maker made the initial decision;
d. the decision was fair and reasonable in the circumstances;
e. the outcome, including any penalties imposed, was fair and reasonable in the circumstances.

Communicating the Decision

(23) In the case of all formal grievances and appeals, the decision made must be communicated to the student in writing, and this decision advice must contain the reasons for the decision.

(24) The purpose of giving reasons for a decision is to enable the person affected by the decision:

a. to understand why the decision was made;
b. to decide whether to appeal the decision if they remain dissatisfied; and
c. if they appeal the decision, to identify the grounds for the appeal.

(25) A person adversely affected by the decision must be notified of any review or appeal process at the time they are notified of the decision, including the time allowed to apply for the review/appeal and how to apply for the review/appeal.

(26) Where a decision finds in favour of the student, the University must take steps to implement the decision or corrective action as soon as practicable after the decision is reached, and to advise the student about the action that will be, or has been, taken.

Possible Remedies

(27) Where a finding in relation to a grievance or appeal is in favour of the student, possible remedies might include, but are not limited to:

a. offering an apology where appropriate;
b. correcting an error to the extent possible;
c. making a new decision; and undertaking to revise and
d. improve existing processes.

Part C - Decision-Maker Tables

(28) The Decision-Maker Tables describe the steps, within the University, a student must take to have a grievance dealt with, or to appeal one or more of the decisions listed.

(29) Students are expected in the first instance to attempt to resolve the matter informally with the individual closest to the source of the decision or grievance. However, where this is not practicable or a student believes the matter remains unresolved, the student may choose to lodge a formal grievance, or to make a formal appeal.

Formal Academic Grievance/Appeals

Topic	Decision-maker	Appeal	Notes
Admission to a coursework program under the Admission to Coursework Procedure	See the Admission to Coursework Procedure.	Deputy Vice-Chancellor (Academic)	
Progression Improvement Plan	Associate Dean (Academic)	SAAAC	
Assessment	Head of Academic Unit (for example: Head of School) (before the date of finalisation of results); Associate Dean (Academic) (after the date of finalisation of results)	SAAAC	In all cases, it is expected that a student will seek feedback from the Course Coordinator before starting the formal process.
Assessment remark	Associate Dean (Academic)	SAAAC	
Mid-semester deferred examinations	Head of Academic Unit (for example: Head of School)	Associate Dean (Academic)	
Another decision by the Associate Dean (Academic), Executive Dean, or the Deputy Vice-Chancellor (Academic) that directly affects the student	Associate Dean (Academic) / Executive Dean / Deputy Vice-Chancellor (Academic)	SAAAC	For example, requests for program variations, or credit/exemption decisions.
Change to finalised results (refer to Academic Records Policy)	Associate Dean (Academic) / Executive Dean (before the remark finalisation date)	SAAAC	When there is an error in the grade calculation or as a result of a remark request.
OS-HELP	Director, Student Enrichment and Success	SAAAC	
Termination of a Vice-Chancellor's Scholarship or a UQ Excellence Scholarship based on changes in student's eligibility	Scholarship Progression Improvement Plan Committee Chair	SAAAC	
All matters relating to admission, enrolment or assessment of the PhD, MPhil and research professional doctorates	Dean, Graduate School	SAAAC	

Topic	Decision-maker	Appeal	Notes
Academic or teaching standards	Head of Academic Unit (for example: Head of School) for coursework programs and shorter form credentials; Associate Dean (Research) or Institute Deputy Director for PhD, MPhil and research professional doctorates	Executive Dean for coursework programs and shorter form credentials; Dean, Graduate School for PhD, MPhil and research professional doctorates	The category “academic standards” refers to issues such as teaching, supervision, academic programs and workloads.
Research matters	Head of Academic Unit (for example: Head of School) / Academic Discipline; other relevant Heads of Organisational Unit	Executive Dean for coursework programs and shorter form credentials; Dean, Graduate School for PhD, MPhil and research professional doctorates	Consultation with or transfer to the Office of the Deputy Vice-Chancellor (Research and Innovation) may be applicable in some cases. For example, issues related to access to or standards of research facilities.

Formal Administrative Grievances/Appeals

Topic	Decision-maker	Appeal	Notes
Removal of course - includes: • Remission of fees for Commonwealth supported students (HECS-HELP and FEE-HELP); • re-credit of fees for full fee-paying students who pay up-front (international and domestic students); • withdrawal from a course without academic penalty; • change from a finalised grade to a grade of W	Managers and Senior Managers, Academic Services Division	Academic Registrar or Deputy Director, Academic Services or an Associate Director in Academic Services Division	Administrative Review Tribunal is a body external to the University that has legislative responsibility for managing appeals related to the remission of HECS and FEE-HELP liabilities and Student Learning Entitlements for undergraduate Commonwealth supported students. International and domestic full fee-paying students have the right to take further action under Australia’s consumer protection laws.
Deferred end-of-semester examinations	Deputy Director, Academic Services or an Associate Director in Academic Services Division	Academic Registrar	For deferred mid-semester examinations see the Formal Academic Grievance/Appeals table (above).
Changes to finalised results arising from administrative errors	Associate Dean (Academic) / Executive Dean (up to one year after the finalisation of results); Academic Registrar	Academic Registrar	Where the decision-maker is the Academic Registrar, no internal appeal available. May be considered by an external agency, e.g., Office of the National Student Ombudsman.
Submission of applications after the due date (e.g. Progression Improvement Plan, Deferred Examination and change to finalised grade)	Deputy Director, Academic Services or an Associate Director in Academic Services Division	Academic Registrar	The time limits associated with considering a late application for changing a final grade (arising from student request due to special circumstances) are specified in the Assessment Procedure.

Topic	Decision-maker	Appeal	Notes
Submission of an application for a deferred examination where the medical certificate was obtained after the required timeframe	Deputy Director, Academic Services Division or a Senior Manager in Academic Services Division	Academic Registrar	
Submission of applications after the due date for decisions made by Faculties (e.g. remark request, application for supplementary assessment)	Senior Administrative Officer	Senior Manager, Academic Services (in the relevant Faculty)	
Submission of applications after the due date for decisions made by Schools (e.g. extension of assessment item due date)	Senior Administrative Officer in the relevant School/School Manager	Senior Manager, Academic Services (in the relevant Faculty)	
Administration of policies and procedures	Head of Organisational Unit or Division (for example: Head of School; Chief Information Officer; University Librarian; Deputy Director or Associate Director, Academic Services Division; Academic Registrar)	Academic Registrar	An example would be where a policy requirement has been misread or applied out of time by the person enforcing those requirements. Where the decision-maker hearing the grievance is the Academic Registrar, the appeal person is the Deputy Vice-Chancellor (Academic).
Availability of, or access to, University resources and facilities	Head of Unit (for example: Head of School or Academic Discipline; Manager Service Desk, Information Technology Services; Manager, Branch of UQ Library); Director, Student Support and Wellbeing Services	Academic Registrar	The Academic Registrar may refer some administrative grievances to the Chief Operating Officer for resolution.
University's obligations under the Education Services For Overseas Students Act and Part B of The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code)	Deputy Director, Academic Services or an Associate Director in Academic Services Division or the Senior Manager Enrolments and Fees	Academic Registrar	Students can appeal to an independent arbiter (e.g., National Student Ombudsman). The Academic Registrar may refer some grievances to the Deputy Vice-Chancellor (Global Engagement).
Assessment of Genuine Student (GS) requirements for the purposes of admission to a program	Academic Registrar	Deputy Vice-Chancellor (Academic)	
Assessment of Genuine Student (GS) requirements for the purposes of continued enrolment in a program	Academic Registrar	Deputy Vice-Chancellor (Academic)	

Formal Grievances/Appeals about Discrimination, Harassment and Bullying

Topic	Decision-maker	Appeal	Notes

Discrimination, harassment and bullying	Head of Unit (for example: Head of School or Academic Discipline; Manager Service Desk, Information Technology Services; Manager, Branch of UQ Library); Academic Registrar	Head of Division (for example: Executive Dean; Chief Information Officer; University Librarian); Academic Registrar	Refer to Diversity, Equity and Inclusive Behaviours Policy for further information. Where the decision-maker hearing the grievance is the Academic Registrar, the person hearing the appeal is the Deputy Vice-Chancellor (Academic).

Part D - External Avenues for Grievance Resolution

(30) Where all avenues for escalation or appeal listed in the Decision-Maker Tables (above) have been exhausted, without reaching what the student considers to be a satisfactory outcome, the student can then take the matter to the National Student Ombudsman.

(31) In addition, other external agencies may be able to provide advice or review a decision taken by the University. They include:

a. Australian Human Rights Commission
b. Queensland Human Rights Commission
c. Office of the Information Commissioner
d. Commonwealth Ombudsman
e. Crime and Corruption Commission Queensland.

(32) The University must respond promptly, when contacted by these external agencies, to provide information relevant to grievances lodged by UQ students or former students.

Section 3 - Roles, Responsibilities and Accountabilities

Vice-Chancellor

(33) The Vice-Chancellor is the Chief Executive Officer of the University and is responsible for approval of changes to the overarching Student Grievance Resolution Policy.

Academic Registrar

(34) The Academic Registrar is the central point of contact for student grievance resolution processes and is responsible for:

a. Approving changes to this Procedure.
b. Initiating periodic reviews of this Procedure.
c. Developing, publishing and promulgating guidelines as relevant to assist in the management of this Procedure; and
d. Overseeing the integrity of records on all grievances and appeals in accordance with the requirements of the Queensland Government's Records Governance Policy.

Decision-Makers

(35) Decision-makers, as set out in the Decision-Maker Tables above, are responsible for:

a. identifying key issues of a claim;
b. making impartial, unbiased and timely decisions; and
c. communicating these decisions to both the student and the Student Conduct and Grievance Resolution unit.

Section 4 - Monitoring, Review and Assurance

(36) The SAAAC will monitor the types of complaints heard by the committee to identify if systemic issues exist across the University. A report will be produced annually with recommendations for changes to policy or procedures regarding addressing issues as they are identified.

(37) The Academic Registrar will periodically review the volume of complaints received by the University and the timelines of processing these complaints through the University's complaints management system.

Section 5 - Recording and Reporting

(38) The University’s complaints management system will be used to record grievances and appeals received by the University.

(39) All records relating to student grievances and appeals, including allegation notices and decision letters, must be lodged with Data Strategy and Governance in accordance with the Information Management Policy.

Section 6 - Appendix

Terms	Definitions
Appeal	An application made by a student to have a decision reviewed where that decision relates to a matter affecting their studies or life as a student.
Decision-maker	In the context of this Procedure, a person or body that considers the student’s grievance or appeal and makes a decision as to what remedy, if any, should be applied.
Grievance	A problem or concern raised by a student about something affecting their studies or life as a student, for which the student is seeking a resolution. The term complaint is often used interchangeably with grievance.
Head of Organisational Unit	Head of School, Institute Director or equivalent.
Procedural Fairness	The processes by which an outcome is reached and not the outcome itself. With regard to complaint resolution at The University of Queensland, procedural fairness (natural justice) requires that a respondent to a complaint must be provided with: 1. sufficient details of the complaint to enable the respondent to formulate a response; 2. information about the process by which the matter is to be resolved; and 3. opportunity to put their case and respond to the complaint. In addition: 1. any decision-maker must act impartially and without bias; 2. all relevant submissions and evidence must be considered; 3. irrelevant matters must not be taken into account; and 4. the complaint must be dealt with in a timely manner.
SAAAC	Student Academic Administrative Appeals Committee
UQU	The University of Queensland Union (Student Union)

Status and Details

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