3.30.2 Student Grievance Resolution

Policy number: 3.30.2
Contact Officer: General Manager, Education & Training
Approved by and date: College Management Group - 20 September 2012
Date for Next Review: 12 months from approval for Contact Officer to review policy
Related Policies/legislation: 4.20.2 Academic appeals

Overview

1. This policy and procedures are underpinned by the principles of natural justice and procedural fairness, and emphasises the need to resolve the grievance as early as possible and as close to the source as possible. The policy requires that all grievances be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or consequent to a grievance resolution procedure. In the spirit of this declaration, the College does not charge a lodgment fee to process a student grievance.

The procedures outlined below will apply in any student grievance where at least one of the complainant or the respondent is a UQ College student. These procedures are limited to apply to grievances arising from UQ College activities. In particular, these procedures may apply in, but are not limited to, the following situations:

- grievances concerning academic or administrative decisions. (Academic appeals are covered in policy 4.20.2 Academic appeals)
- grievances concerning delivery or quality of a product or service by UQ College
- grievances concerning behaviour of an individual or individuals

Where it is considered by the CEO that the alleged actions or behaviours of a staff member/student/s, which constitute the grievance, may involve misconduct or serious misconduct; the CEO may decide to handle the matter in accordance with the relevant procedures for misconduct and serious misconduct.

Where a matter is one of a potentially criminal nature, this should be referred to the Police and notified to the UQ College Board through the CEO, UQ College.

Except in special circumstances, as determined by the CEO, a grievance may not be lodged later than one month after the date on which the grievance was alleged to have arisen.

Description

2. The Policy

2.1 UQ College approaches student grievance resolution, and devises student grievance resolution processes, according to the following guiding principles:
- the resolution of student grievances will be handled informally where possible;
- student grievances will be addressed as close as possible to the source of student dissatisfaction;
- grievances will be resolved expeditiously, with due regard to legislative requirements and with due regard for confidentiality. Students should feel secure in the knowledge that they will not suffer any form of disadvantage as a result of making a complaint;
- student grievance processes will promote the principles of natural justice and students will be treated equitably;
- effective, reciprocal communication and feedback will underpin the relationship between students and UQ College;
- grievances will be regarded by staff as valuable input to the continuous improvement of programs, policies, procedures and services, and monitored and acted upon accordingly; and
- grievance procedures and the support available to students will be widely publicised to facilitate access to the grievance resolution process.

3. Administrative Procedures

3.1 Student grievance resolution processes seek to facilitate the informal resolution of grievances as close as possible to the source of student dissatisfaction, though there will be instances when either students will formally appeal decisions or a grievance needs to go to a higher authority for resolution. It should also be noted that a student’s initial communication with UQ College may be directed to any member of staff at any level. Rather than consulting the relevant teacher about an assessment issue, for example, a student may write directly to a senior executive. When this occurs, the senior staff member should use his or her discretion in relation to dealing personally with the grievance or redirecting it to the staff member who might more appropriately and effectively deal with the matter.

3.2 Grievance Resolution Processes

Students should follow the steps outlined below in having a grievance addressed by UQ College, or when appealing a decision made with regard to a particular matter. While students are free to address their grievance to any individual or body identified as having a responsibility in relation to a particular category of grievance, they should be encouraged, in the first instance, to attempt to resolve the matter informally with the individual closest to the source of the grievance.

3.3 Resolution Choices

a. Informal resolution:
   a complainant is strongly encouraged to resolve the matter directly with the respondent, and every assistance will be given to facilitate this. However, the complainant is not obliged to do so before applying these procedures.

b. Formal resolution:
   a complainant may apply formal procedures as outlined below to resolve a grievance.

c. External agencies:
   a complainant may use an external agency to resolve a grievance, for example by taking the grievance to the Queensland Ombudsman; however, UQ College is committed to facilitating the resolution of grievances without the need to make recourse to external agencies.

3.4 Formal Procedures

Where a student has lodged a formal grievance or appeal, the process to resolve the grievance should commence no later than 10 days after receipt by UQ College of the grievance or appeal, and all reasonable measures should be taken by the decision-maker to ensure the matter is finalised as soon as practicable.

Steps:
1. The complainant should advise in writing to the Manager, Corporate and Student Services, the nature of their grievance and the form of resolution they seek.

2. If the respondent is a staff member then the grievance will normally be handled by the relevant supervisor or nominee. If the respondent is a student, the grievance will normally be handled by the Programs Coordinator or other nominee. Resolution may involve:
   - consultation with another appropriate person
   - liaison with support services
   - acting as a mediator in the conflict
   - facilitating a conciliation or mediation meeting between the complainant and the respondent and/or other relevant interested persons.

3. The nominated UQ College officer handling the process may undertake any of the following to resolve the grievance:
   - discuss with the parties options for resolution
   - consider all relevant matters and where appropriate make further enquiries
   - discuss the situation with the complainant and other parties to the grievance in an attempt to conciliate the grievance
   - conduct an investigation or appoint a trained person to do so on their behalf
   - establish an independent panel

4. If an independent panel is established it will consist of:
   - an independent Chair (internal or external to UQ College)
   - a senior staff member of UQ College
   - a nominee of the CEO or student representative on the Student Affairs Committee.

5. The complainant and/or the respondent may elect to be supported by a person of choice. This person must not be a practising legal practitioner.

6. The process at this level should normally take no more than 20 working days. This timeline may be extended in light of matters such as the availability of relevant staff or students, however; the matter will be finalised as soon as practicable.

7. The complainant and the respondent must be advised in writing of the resolution and of any recommendations for action as a result of the investigation.

It should be noted that where all avenues for escalation or appeal have been exhausted, without reaching what the student considers to be a satisfactory outcome, the student may then take the matter to the Office of the Queensland Ombudsman. The Ombudsman would normally focus on issues of procedural compliance or fairness in the decision making process rather than matters concerning academic judgement. Important Note: The Ombudsman may decline to investigate a complaint if the student making the complaint has not first attempted to resolve the problem through UQ College’s grievance resolution process.

The Ombudsman’s Office should be contacted for specific advice regarding particular circumstances.
Details regarding the Office of the Queensland Ombudsman can be found at http://www.ombudsman.qld.gov.au/

4. Support for students

4.1 UQ College encourages students to seek advice on grievance mechanisms.

4.2 Where students initiate meetings to resolve grievances informally with UQ College staff, or are invited to attend meetings for this purpose, students may request the presence of an impartial person to attend with them. The role played by this person should be as a neutral witness to the discussion.
5. Records management

The Manager, Corporate & Student Services is responsible for creating a file on receiving a written formal student grievance.

The Manager, Corporate & Student Services will forward the file to the relevant supervisor, Programs Coordinator or nominee for management of the grievance resolution. This person is responsible for and will ensure:
1. the file is updated in a timely manner and returned to the Manager, Corporate & Student Services on finalisation of the grievance matter
2. the Non-Academic Complaint, Grievance and Appeals Register is updated and both the General Manager, Education & Training and Manager, Corporate & Student Services are advised electronically.

Modification History
Original document prepared by:

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<th>Document Owner(s)</th>
<th>Project/Organization Role</th>
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<tbody>
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Version Control History:

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<th>Date</th>
<th>Author</th>
<th>Change Description</th>
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<td>1.0</td>
<td>20/9/2011</td>
<td>J Du Moulin</td>
<td>CMG approval</td>
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