

Student Complaints and Grievances Procedure (MPF1067)

GOVERNING POLICY

This procedure is made under the [Student Complaints and Grievances Policy](#).

SCOPE

This procedure applies to all students of the University. It covers issues arising from a student's current or past involvement with the University, except where the matter relates to unlawful discrimination, sexual harassment or bullying, or to matters covered by the [Academic Performance Policy](#) and the [Academic Progress Procedure](#). Complaints of unlawful discrimination, sexual harassment and bullying by staff or students are addressed by the [Equal Opportunity Policy](#).

PROCEDURE

1. Summary of process

1.1 Students wishing to raise a complaint should:

- seek advice on whether they have a legitimate case and to clarify options for resolving their concerns (refer to section 3)
- seek to have the complaint resolved informally in the area where the complaint arose in the first instance (refer to section 4)

1.2 Students may seek to have the complaint resolved through mediation if it cannot be resolved informally (refer to section 5).

1.3 Students should submit a complaint or grievance if the matter is not resolved in the area where the complaint arose, if it cannot be resolved through mediation, or if the student does not wish to pursue mediation (refer to section 6).

2. Anonymous complaints and grievances

2.1 Students who choose to submit an anonymous complaint or grievance must note that:

- It is not possible to keep an anonymous complainant informed of decisions and progress of investigations.
- It may not be possible to ensure that the identity of the complainant remains anonymous.
- The provision of recompense or assistance to complainants who remain anonymous may not be possible.

3. Seeking advice

3.1 Students wishing to raise a complaint should firstly seek advice from an independent person knowledgeable about the process and aware of potential outcomes, such as:

- an advocate from the [Student Union Advocacy Service](#). Additional support services are also available at the following site services.unimelb.edu.au/finder
- a student adviser
- a departmental graduate research coordinator
- an appropriate academic staff member
- a staff member from a central support service.

3.2 The student and the independent adviser should:

- consider whether the complaint is reasonable
- clarify the details of the matter, including the events that occurred, the basis for the complaint and the resolution sought
- where appropriate, identify the most appropriate process under which the matter may be pursued.

3.3 The student may, on the basis of this discussion:

- take no further action;
- make an informal approach to the person concerned (the respondent); or
- proceed directly to the grievance process.

3.4 Students who decide to pursue the matter further may seek the continued assistance of an advocate from the [Student Union Advocacy Service](#) or the [Graduate Student Association](#).

4. Informal resolution

4.1 Students wishing to pursue a complaint should first make reasonable attempts to resolve the matter informally in the area where the complaint arose unless there is a compelling reason why this is not appropriate. Informal resolution will aim to establish if the complaint arises from a misunderstanding or error and if so, attempt to achieve a prompt resolution.

4.2 Students may attempt an informal resolution by submitting their complaint to the person concerned or another appropriate person. Appropriate people to contact include:

- the relevant student centre manager or a student adviser
- the relevant program director or academic course coordinator
- the relevant associate dean, head of department, or dean
- the chair of the committee if the issue relates to a committee decision
- a supervisor, departmental graduate research coordinator, or staff member from the Melbourne School of Graduate Research for research higher degree students.

4.3 Staff members who are contacted by students seeking informal resolution of a complaint must within five working days:

- acknowledge receipt of the complaint
- arrange to discuss the matter with the student or indicate when an initial response will be provided and in what form
- attempt to clarify with relevant parties what is agreed and where opinions differ
- attempt to clarify the relevant policies, procedures or processes underpinning the action to which the complaint relates
- identify the appropriate manner of resolving the complaint, including seeking advice or a decision from other relevant parties
- advise the student of a proposed process for resolving the complaint (mediation or proceeding directly to the grievance process may be appropriate courses of action if informal resolution is unlikely to be possible)
- notify the student of his or her right to be accompanied by a support person at any meetings or discussions during the attempt at informal resolution.

4.4 The officer who receives the complaint may reasonably judge that disclosure of the complaint to the person who is the subject of the complaint may put a student or staff member at risk and may therefore advise that the complaint be submitted as a formal grievance under section 6.

4.5 Students who are not satisfied with the outcome of informal processes must, within five working days of receiving advice of the outcome:

- advise the respondent that they wish to pursue the matter and request a mediated discussion, or
- proceed directly to the grievance process, or
- lodge a complaint under another University policy or procedure, or with an external agency.

5. Mediation

5.1 Students who are not satisfied with the outcome of informal processes may seek mediation by submitting their complaint to one of the following responsible officers:

- the relevant program director or academic course coordinator
- the relevant associate dean, head of department, or dean
- the relevant student centre manager
- the Research Higher Degrees Manager at the Melbourne School of Graduate Research for research higher degree students.

5.2 The responsible officer will make a judgement about whether mediation is practicable and appropriate, and secure the agreement of all parties to the complaint to the use of mediation (noting that the use of mediation does not necessarily imply there is a case to answer).

5.3 The responsible officer will advise students of their right to lodge a grievance if mediation is deemed not to be an appropriate course of action, or the agreement of all parties is not forthcoming.

5.4 The responsible officer will negotiate the appointment of an independent qualified mediator with the parties concerned where mediation is to proceed. The mediator will be a qualified University of Melbourne staff member, unless the responsible officer believes the circumstances warrant the appointment of a qualified external mediator.

5.5 The responsible officer will forward a copy of the complaint to all parties and the mediator.

5.6 Students will be given an opportunity to present their case and the mediator will assist the parties to reach a mutually agreed resolution.

5.7 All parties to the mediation may be accompanied by a support person other than a legal representative during the mediation process.

6. Grievance resolution

6.1 Students may lodge a grievance with the Academic Registrar where informal resolution and/or mediation have failed, or are not appropriate.

6.2 The University will manage grievances in relation to staff misconduct under the [Responsible Conduct of Staff Policy](#).

6.3 The University will manage grievances in relation to misconduct by students under the [Equal Opportunity Policy](#) where appropriate, or if not covered by that policy, under [Statute 13.1 Student Discipline](#).

6.4 The University will manage other student grievances under this procedure.

6.5 The Academic Registrar may reasonably judge that disclosure of a grievance to the person who is the subject of the grievance may put a student or staff member at risk and may therefore approve the withholding of information until a preliminary investigation has been undertaken.

6.6 The Academic Registrar may decline to hear a grievance, for example, where the student has repeatedly submitted grievances in relation to the same matter which have not been upheld.

6.7 The Academic Registrar will act as the responsible officer or forward a grievance to be heard to a responsible officer who is not the subject of the grievance and does not have a conflict of interest.

6.8 Depending on the nature of the grievance, the responsible officer will investigate the grievance or appoint an independent staff member as the investigator of the grievance.

6.9 The Academic Registrar will brief the investigating officer about matters that are to be investigated.

6.10 The Academic Registrar will undertake a quality check of all investigation reports to ensure that:

- all issues raised in the student complaint are investigated
- all key stakeholders are interviewed
- the report is fair and balanced
- all relevant circumstances have been considered
- the findings and recommendations are evidence based and defensible

6.11 The investigator must:

- acknowledge receipt of the grievance in writing within five working days and indicate when a resolution of the matter should be expected
- recommend any immediate corrective action that needs to be taken before the grievance is investigated
- independently review the grievance including hearing from all parties who wish to partake in the process and attempt to resolve the problem
- within fifteen working days of receipt of the grievance, notify the student and the Academic Registrar in writing of the nature of the investigation process
- provide the Academic Registrar, or delegate, a report of the investigation for review prior to its release
- provide the student with the outcome of the review process, including a resolution or why a resolution could not be reached.

6.12 The investigator will notify the student and the Academic Registrar if the complaint is frivolous, or if no grounds could be adduced to support it.

7. Withdrawal of grievances

7.1 Students may withdraw grievances at any time during the grievance resolution process, and the grievance will be deemed to be resolved.

8. Simultaneous grievances

8.1 The Academic Registrar may determine that a single investigation will take place into multiple grievances that relate to the same issue where the student or students lodging the grievance(s) agree to this approach.

9. Repeat grievances

9.1 The Academic Registrar will contact a student who repeatedly submits grievances on a particular matter, and the person who is the subject of the grievance, to ascertain that there is prima-facie evidence to support the grievance before initiating an investigation.

10. Record keeping

10.1 Student complaints must be registered on a University-wide student complaints register and should include data collected on student complaints submitted at faculties, student centres, graduate schools and other student service delivery points.

10.2 Officers receiving complaints must keep appropriate, confidential records of informal discussions and outcomes.

10.3 Mediators must keep appropriate, confidential records of mediation discussions and outcomes.

10.4 Investigators must report findings and outcomes to the Academic Registrar, who will ensure appropriate, confidential records are kept.

10.5 The Academic Registrar will ensure that reporting of complaints and grievances and their resolution is confined to ensuring that processes are fair and that appropriate action is taken to address problems and improve existing policies, procedures and processes.

10.6 The Academic Registrar will analyse data relating to complaints and grievances on an annual basis to identify trends.

10.7 The Academic Registrar will provide an annual report on student complaints and grievances to the Academic Board and to University Council including quantitative and qualitative data.

10.8 The Implementation Officer will maintain a risk register that will identify risks against the objectives of the [Student Complaints and Grievances Policy](#). The risk register will be reviewed annually by the Academic Registrar.

11. Appeals

11.1 Students may appeal the outcome of the grievance process to the Academic Board in accordance with the [Appeals to the Academic Board Procedure](#).

RELATED DOCUMENTS

- [Appeals to the Academic Board Procedure](#)
- [Equal Opportunity Policy](#)
- [Responsible Conduct of Staff Policy](#)
- [Student Complaints and Grievances Policy](#)
- [Students complaints and grievances online submission](#) (detailed information about the process and the online application)

DEFINITIONS

Term	Definition
Advocate	An independent person, usually from a student association's advocacy service, who can

	provide a student with advice about the complaints and grievances process and the steps towards resolution, and assist the student with the submission and presentation of their complaint or grievance.
Appeal	A request for reconsideration of a decision. An appeal may be either an initial complaint about a decision relating to an administrative or academic matter or a request for a review of the outcome of a complaint or grievance.
Complaint	A problem or concern raised by a student who considers they have been wronged because of an action, decision or omission within the control or responsibility of the University.
Grievance	A matter to be investigated according to formal grievance processes. This includes complaints which are not able to be resolved through informal processes or mediation, and matters relating to allegations of misconduct where disciplinary action against a student or staff member may be an outcome of the investigation.
Investigator	A person who is appointed to investigate the circumstances of a grievance and make objective findings and recommendations, which may include a hearing involving the relevant parties.
Mediator	An independent qualified mediator appointed to facilitate discussion between a complainant and a person who is the subject of a complaint with the goal of reaching a resolution acceptable to both parties. The mediator will be a University of Melbourne staff member, unless the responsible officer believes the circumstances warrant the appointment of a qualified external mediator.
Respondent	A staff member who is either the subject of a complaint, or who is nominated by the faculty or department to respond to a complaint, and who is approached by a student for an informal resolution of that complaint.
Responsible officer	Person responsible for an area which is subject to a complaint. This person may be a Head of Department, Program Director, Associate Dean, Dean, Executive Director, Director, General Manager, Manager or other delegated officer. The Responsible Officer for all research higher degree students is the Pro Vice-Chancellor (Graduate Research).
Support person	A person who may assist a student in the preparation and, where appropriate, the presentation of their case in formal grievance proceedings. The role of the support person is neither that of advocate nor legal representative, and therefore a support person should not be a legal practitioner (except with the prior permission of the Chair of the proceedings). The support person may not be a person was involved in or associated with events giving rise to the grievance.

RESPONSIBLE OFFICER

The Academic Registrar is responsible for the development, compliance monitoring and review of this procedure and any associated guidelines.

IMPLEMENTATION OFFICER

The Grievances and Policy Manager, Office of the Academic Registrar is responsible for the promulgation and implementation of this policy in accordance with the scope outlined above. Enquiries about interpretation of this policy should be directed to the implementation officer at complaints-grievances@unimelb.edu.au.

REVIEW

This procedure is to be reviewed by 30 June 2015.

VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Academic Board	7 Dec 2011	21 Aug 2012	New version arising from the Policy Simplification Project. Loaded into MPL as Version 1.
2	Provost	17 Nov 2013	17 Nov 2013	Changes made in response to recommendations from an internal audit of the University's student complaints and grievances policy and procedures. Updates to sections 3.1, 6 and 10. Approval authority changed from Academic Board to Provost. Responsible officer changed from Provost to Academic Registrar. Implementation officer title updated.
3	Provost	27 Nov 2013	27 Nov 2013	Correction to numbering of section 4.3. Amendments to sections 4.4, 6.3, 6.11 and definition of 'Investigator'.