



Cairnmillar
INSTITUTE

Treatment | Education | Research

Student Grievance Policy and Procedure

Academic and Non-Academic Matters

Policy Name	Student Grievance Policy and Procedure
Policy number	SSP007
Date approved	24 July 2019
Approving body	The Cairnmillar Institute Academic Board
Responsible officer	Head of School
Implementation officer	Head of School
Next review date	June 2022
Linked policies	<ul style="list-style-type: none"> ▪ TPLP004 Academic Integrity and Student Conduct Policy ▪ SSP008 Academic Progress and Review Policy
Linked forms and documents	

1. Purpose of this policy

The Cairnmillar Institute (the Institute) is committed to implementing effective grievance procedures that, where possible, are managed quickly and effectively.

The purpose of the policy is to provide a process for students to pursue grievances that are not covered by other, specific policies and procedures.

2. Scope

The policy applies to students of the Institute in relation to a grievance they have in either academic or non-academic matters.

3. Policy

3.1. The institute will uphold its core values and commitment to equity and fairness in its approach to the resolution of student grievances by:

- a) Ensuring staff and students are informed of the grievance procedures through staff/student induction and orientation programs and making it publicly available on the Institute website
- b) Ensuring student grievances are dealt with fairly and in a timely manner
- c) Ensuring that the principles of natural justice are observed in the conduct of proceedings to which this policy relates, and that the processes and procedures do not victimise or discriminate against any complainant or respondent
- d) Ensuring impartial mediation by a trained mediator is available if needed
- e) Undertaking appropriate actions to address systemic or underlying causes with a view to preventing problems from occurring or recurring
- f) Providing support and advice to students who require assistance beyond that provided by the Institute

4. Responsibilities

4.1. Staff will:

- a) Comply with this policy
- b) Respond appropriately and in a timely manner to an informal student grievance they have been made aware of
- c) Where a formal grievance is submitted, relevant staff will respond appropriately to ensure a decision is made in a timely manner

4.2 Students will:

- a) Comply with this policy
- b) In making a complaint or grievance, do so with integrity and honesty
- c) Abide by the procedures of this policy
- d) Provide any available documentation relevant to the complaint or grievance being made

5. Procedures

These procedures outline process for resolving a student's informal or formal grievance, the constitution and role of the grievance appeals committee and appeals against informal grievance outcomes resolution.

5.1 Resolving a Grievance: Informal Resolution

- 5.1.1. In the first instance, the student will normally discuss the grievance informally with the relevant staff member who must try to resolve it.
- 5.1.2. Where a student is unable to make contact with or is reluctant to approach the relevant staff member, the student should then raise the matter with the Course Coordinator or relevant Associate Head of School (or the Director of Corporate

Services where the grievance relates to an administrative matter) who must try to resolve it.

- 5.1.3. The informal process must be completed within ten (10) working days from the date the student contacted the relevant staff member. The Head of School may grant an extension, not exceeding five (5) working days, if it seems likely that the matter may be resolved in that time.
- 5.1.4. The student must be advised in writing within three (3) working days of the conclusion of the informal resolution process, of:
 - a) The outcome of the informal resolution process
 - b) The availability of relevant support services at the Institute; and
 - c) The appeals mechanism

5.2 Resolving a Grievance: Formal Resolution

- 5.2.1 If a student is not satisfied with the outcome of the informal resolution process, the student may submit a formal grievance in writing to the Head of School, within five (5) working days of the date of notification of the outcome of the informal resolution process. The formal grievance must include:
 - a) relevant information about the grievance, including specific issues the student may wish to raise and/or resolutions/restitutions sought.
 - b) detail of the outcome of the informal resolution process
 - c) copies of documentary evidence (where applicable)
- 5.2.2 The Head of School will:
 - a) review the student's formal grievance and the outcomes of the informal resolution
 - b) ensure that all appropriate procedures have been correctly carried out
 - c) seek additional information from appropriate staff concerning the subject of the grievance
 - d) discuss the matter with the student
 - e) undertake other action as appropriate
- 5.2.3 After consideration of all the available evidence, the Head of School must decide to:
 - a) dismiss the grievance; or
 - b) uphold the grievance and direct that:
 - (i) reparation as appropriate be made to the student, and/or
 - (ii) where relevant, the student's enrolment status be restored; and /or
 - (iii) appropriate actions to address systemic or underlying causes (if any) be undertaken, with a view to preventing problems from occurring or recurring, and/or
 - (iv) where the grievance relates to assessment, grant the student an opportunity for re-assessment (if it is considered appropriate) and/or
 - (v) other actions as appropriate
- 5.2.4 If the Head of School and all suitable nominees have already been involved in the process, or some other conflict of interest is perceived, the Executive Director must appoint another person to investigate the formal grievance

5.2.5 The student must be informed of the outcome in writing within ten (10) working days from receipt of the student's formal grievance.

5.3 Appealing the decision

5.3.1 A student has the right to lodge an appeal to the Grievance Appeals Committee against an outcome from a formal grievance, on the basis of one or more of the following grounds for appeal:

- a) the case was not heard on its merits
- b) there is new evidence that could not reasonably have been provided at the time of the formal grievance investigation
- c) a procedural irregularity has occurred during the investigation of the formal grievance

5.3.2 The appeal must be lodged with the office of the Executive Director within five (5) working days of receipt of written notification of the outcome of the formal grievance. The written appeal must:

- a) state the grounds on which the appeal is made in accordance with section 5.3.1 of this policy,
- b) provide evidence relevant to the grounds for appeal. A copy of documentary evidence referred to in the written appeal must be attached

5.3.3 Upon receipt of the written appeal, the Executive Director will either dismiss the appeal as lacking in substance or determine that the appeal should be heard by the Grievance Appeals Committee for determination.

5.3.4 Composition of the Grievance Appeals Committee will be:

- a) the Executive Director or nominee (Chair)
- b) one or two independent staff member(s)
- c) one independent student representative
- d) an external representative from another Higher Education Provider
- e) the Academic Registrar or nominee will be in attendance as Secretary to the Committee and will:
 - (i) collate and disseminate all documents relevant to the appeal hearing to all parties and inform them of the time and location the hearing will take place
 - (ii) maintain a record of the proceedings and outcome of the appeal hearing, including all documentation on the official file in the Grievance and Appeal file system.
 - (iii) draft the letter advising the student of the outcome of the appeal for the Chair's approval and signature and send to the student within five (5) working days of the hearing.

5.3.5 Where an appeal is to be heard by the Grievance Appeals Committee, a hearing must be convened within 15 working days of lodgement of the appeal. All participants must be given at least five (5) days notification in writing of the time, date and place the appeal is to be heard.

- 5.3.6 The hearing will be held in camera, and the Committee will regulate its own proceedings. The Committee may call before it any witnesses to provide additional evidence.
- 5.3.7 The student will be given the opportunity to appear in person before the Committee and to call a witness(es) and be accompanied by a support person if they wish.
- 5.3.8 The Committee must hear the matter on its merits, taking account of all circumstances relevant to the case. The Committee will reach a decision by consensus, or a majority vote, with the Chair holding a casting vote in the event that the Committee consists of four (4) members. The Secretary does not have voting rights.
- 5.3.9 The Committee may decide to confirm the decision against which the student had lodged an appeal or uphold the appeal.
- 5.3.10 If the appeal is upheld, the Committee may:
 - a) modify the outcome of the formal appeal
 - b) direct that appropriate actions be taken to address any systemic or underlying causes
 - c) refer the matter to an external mediator, at the cost of the Institute
 - d) take other action as appropriate
- 5.3.11 If the original decision is confirmed, the Secretary must:
 - a) advise the student in writing of the reasons for the outcome in the letter drafted under 5.3.4.d) iii, and
 - b) include instructions for the student on how to seek external mediation or appeal to the Ombudsman (if available) and the expected distribution of any associated costs for such external review.
- 5.3.12 There is no avenue of further appeal within the Institute against the decision of the Grievance Appeals Committee.

5.4 External Dispute Resolution

- 5.4.1 Students who are not satisfied with the internal grievance process can request an external mediation or, if available pursue the grievance with an Ombudsman
- 5.4.2 Where an Ombudsman was not available, to request external mediator or arbitrator, the student should do so in writing to the Academic Registrar within five (5) working days of the final outcome
 - a) the mediator or arbitrator can be nominated by the student or the institute and must be mutually agreed within 14 working days. The mediator will be
 - (i) external representative from another higher education provider
 - (ii) a registered mediator or arbitrator
 - b) There may be costs involved in lodging an external grievance complaint or appeal.
 - (i) The student will normally be required to pay the cost prior to mediation, and can seek a lower cost alternative if agreed by the Institute.

(ii). If an appeal is upheld in the student's favour by an external mediator or ombudsman the Institute may refund the cost of the mediation to the student.

5.4.3 International students maintain the right to take a grievance or complaint to the Overseas Students Ombudsman. The Australian Government provides the Ombudsman as a free service for international students. Further information about the service can be found at www.oso.gov.au

6. Resources and References

Legislative and compliance framework relevant to the development of this policy:

- [TEQSA Guidance Note on Grievance and Complaint Handling](#)
- [TEQSA Complaints Process for Domestic Students](#)
- [Overseas Student Ombudsman for International Students](#)