

GRIEVANCE AND APPEALS POLICY (ACADEMIC)

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1 Context

This policy outlines the principles on which the Academic Grievance Policy is based and the procedures that are followed to address academic grievances.

2 Scope

2.1 Rationale

UBSS is required to establish protocols and procedures for the handling of academic grievances. This policy specifies UBSS's commitment to ensuring that students have access to processes that allow for grievances, disputes, problems and complaints of an academic nature to be resolved in a fair, efficient and effective manner.

The procedures set out in this document do not replace or modify procedures or any other responsibilities that may arise under other higher education provider policies or under any statute or other law.

2.2 Legislative Context

- The Higher Education Support Act (HESA)
- The Educational Services for Overseas Students Act (ESOS): 2000 The National Code

3 Definitions

Item	Definition
Academic Grievance	An Academic Grievance is a grievance relating to student academic progress, student assessment, curriculum or awards in a course of study.
Appeal	An Appeal is the process by which a student requests reconsideration of a decision.

4 Scope

All students at UBSS or those seeking to enrol in a course of study at UBSS are entitled to access the grievance procedures set out in this policy, regardless of the location of the UBSS campus at which the grievance has arisen, the student's place of residence or the mode in which they study.

The policy is underpinned by the principles of natural justice and procedural fairness and emphasises the desirability of resolving a grievance as early and as close to the source as possible.

5 Policy Dissemination and Staff Training

This policy is published in a public area – on UBSS’s website at www.ubss.edu.au – and is therefore accessible to all staff, students and other stakeholders.

The **Executive Dean** is responsible for training academic staff in the application of the policy and for verbally explaining the policy to students.

The **Academic Coordinator** is responsible for training support staff in the application of the policy and for publishing and updating the policy as needed on the UBSS website.

6 Procedure

Current or prospective students in any accredited higher education course at UBSS have access to a procedure through which a complaint may be addressed. Each step in the procedure is free of charge. However any external agency, counsel or consultant engaged by the complainant may choose to charge the complainant a fee for their service.

6.1 Student Academic Progress.

It is a requirement that students studying at UBSS achieve satisfactory Academic Progress.

6.2 Academic Warning Letter

If students do not make satisfactory Academic Progress (defined as failing with a mark of less than 30% of percent or more of any assessment studied in one trimester or with an attendance of less than 70%), they are issued a warning letter.

Right to appeal – Students have the right to appeal this warning within 20 days of its issue. If they do so and the appeal is upheld, no further action is required of the student and UBSS removes the warning from the student’s MyGCA journal.

If the appeal is denied, UBSS notifies students via their student online account. Students who are dissatisfied with the result of their appeal may request that the matter be dealt with by an independent, external third party. More information is available at www.acpet.edu.au/students/student-support/appeals

International Students can take their appeal to the Overseas Students Ombudsman (OSO). More information on this option is available at: www.oso.gov.au

If the external appeal is upheld, no further action is required of the student, and UBSS removes the warning letter from the student’s MyGCA journal within 10 working days.

6.3 Discontinuation of Studies – non-Achievement of Academic progress

If the student has been issued a warning letter and does not make satisfactory academic progress pursuant to Policy 3.1 Academic and Progression & Intervention Policy, section 4.3 – Discontinuation of studies the student will be issued with a show cause letter.

Right to appeal – Students have the right to appeal the show cause letter within 20 days of its issue. If they do so and the appeal is upheld, no further action is required of the student.

If the appeal is denied, UBSS notifies students via their student online account. Students who are dissatisfied with the result of their appeal may request that the matter be dealt with by an independent, external third party. More information is available at www.acpet.edu.au/students/student-support/appeals

If the external appeal is upheld, no further action is required of the student. If the student choose not to submit an appeal, or does submit an appeal that is denied, UBSS initiates relevant disciplinary action, which includes reporting the student to DIBP for failing to make satisfactory academic progress and cancellation of the students CoE.

7 Student Assessment

7.1 Curriculum and Awards Grievance.

Before any process is begun the complainant should liaise with the staff member concerned within 10 working days of the occurrence of the grievance event and discuss/negotiate their concerns with a view to arriving at a mutually agreeable resolution. The staff member must send their decision to the student by email within 10 working days of initially liaising with the student about the grievance. If the complainant is not satisfied with the outcome or with the time taken to resolve the matter, then the complainant can proceed as follows:

7.2 Official Complaint.

If not satisfied with the results of the informal outcome the complainant can lodge an official complaint in writing within 10 working days of the student's receipt of the staff member's decision about the outcome of the informal procedure. Details including their student ID number and documentation to support their claim should be included.

7.3 Evaluation.

Within 10 working days, the **Executive Dean** or delegate must evaluate the official complaint, hold meetings with the complainant if necessary, and notify the complainant of the outcome of the evaluation in writing via their student online account.

7.4 Appeal.

If the complainant is not satisfied with this outcome, they may submit their complaint in writing with full supporting documentation to the **Chair** of the UBSS Academic Senate. The **Chair** of UBSS Academic Senate must establish a committee of members from the Academic Senate within 10 working days to consider the complaint. The complainant must be notified in writing of the outcome within a reasonable period of time.

7.5 Second Appeal.

Students dissatisfied with the decision by the UBSS Academic Senate may request that the matter be dealt with by an independent external third party group.

Students may take their appeal to the Australian Council for Private Education and Training (ACPET). More information is available at www.acpet.edu.au/students/student-support/appeals.

International Students can take their appeal to the Overseas Students Ombudsman (OSO). More information is available at www.oso.gov.au

UBSS implements all recommendations arising out of the External Appeal process within the timeframe specified. When a timeframe is not specified, recommendations are implemented within 10 working days.

7.6 No Victimisation or Discrimination

The complainant and respondent must not be victimised or discriminated against at any stage of the procedure set out in this policy.

7.7 Representation by Third Party

The complainant and/or respondent have the right to be represented by a third person (such as a family member, friend, counsellor or other professional support person). In such case, the complainant should give notice of this representation to all parties involved in the meeting stage of the procedure.

7.8 Record of Grievance and Confidentiality

Records of all grievances and applications for review of decisions must be kept by UBSS and be accessible to all interested parties for a responsible amount of time. Such records must be kept confidential.

8 Document Change Control

Version	Change Description	Date	Author
v12	Refreshed format	November 2017	Professor Ian Bofinger
v12	Added definition (Section 3)	November 2017	Professor Greg Whateley
V12.1	Revised 6.2 Academic Warning and 6.3 discontinuation of studies	June 2018	Associate Professor Wayne Smithson