

Grievance Resolution Procedures for Student Related Grievances

Section 1 - Purpose

(1) QUT is committed to promoting an environment for study, research and learning that is harmonious, fair and just and underpinned by principles of natural justice and procedural fairness. These procedures emphasise resolution of grievances as early as possible and as close to the source as possible.

(2) Students and/or staff involved in these procedures are expected to participate in good faith, and behave according to the relevant University [Code of Conduct - Student](#) and for [Code of Conduct - Staff](#), and the [Human Rights Act 2019](#) (Qld).

(3) It is recognised that persons involved in these procedures may require support. Students with a grievance, or involved in a grievance resolution process, may consult with the Student Ombudsman to discuss access to QUT support services.

Section 2 - Application

(4) Except in special circumstances, as determined by the Deputy Vice-Chancellor and Vice-President (Academic) in consultation with the Student Ombudsman, a grievance will not be accepted where it is lodged later than six months after the date on which the grievance was alleged to have arisen.

(5) These procedures are limited to grievances raised by current or immediate past QUT students arising from QUT teaching, learning, research or administrative activities. In particular, these procedures may apply to grievances concerning:

- a. academic or administrative decisions;
- b. delivery or quality of a product or service by QUT;
- c. behaviour of an individual or individuals in undertaking QUT activities; and
- d. supervisory practice, interpersonal relationships, research facilities and resources relating to higher degree research candidates.

(6) These procedures will not apply if the grievance relates to any of the following:

- a. matters where the complainant is not fulfilling the role of current or immediate past QUT student;
- b. matters where procedures are already specified in QUT policies, in particular:
 - i. failure to maintain [academic integrity](#) (including cheating and plagiarism);
 - ii. [reviews of grades](#) and [academic rulings](#);
 - iii. [admission](#) and [exclusion](#);
 - iv. attendance by holders of an Australian Government student visa in courses regulated by the National Code of Practice for Providers of Education and Training to Overseas Students (the ESOS National Code) (QUT College Attendance policy);

- v. any matter where an appeal right exists to Appeals Committee;
- c. harassment or discrimination related matters ([Resolution Procedures for Sexual Harassment, Sexual Assault and Discrimination Related Complaints](#));
- d. allegations of student misconduct or [Managing and Investigating Potential Breaches of the QUT Code for Responsible Conduct of Research Policy](#);
- e. [Public Interest Disclosure Management Policy](#);
- f. decisions of QUT Council;
- g. the content of approved University policy and procedures; and
- h. matters where the complainant or the respondent have referred the matter to an external agency such as the Queensland Ombudsman or engaged a practising lawyer, and the Vice-President (Administration) and University Registrar has determined that these procedures will cease as per Section 5 below, Applying to external agencies.

(7) The Student Ombudsman or relevant University officer receiving a grievance may take advice as necessary from other areas of the University such as Human Resources or Student Services and Wellbeing. The University reserves the right to determine under which policy or procedures a grievance will be handled. Where it is determined that an action initiated under these procedures should be managed under a different policy or procedure, the complainant will be advised of the procedures under which the grievance will be managed.

Section 3 - Roles and Responsibilities

Position	Responsibility
Deputy Vice-Chancellor and Vice-President (Academic)	Oversees overall conduct of these procedures. Prepares annual reports as outlined in Grievance Resolution Procedures for Student Related Grievances .
Student Ombudsman/Deputy Student Ombudsman	Receives, acknowledges, investigates, reports and provides advice relating to student grievances concerning matters outlined in the Grievance Resolution Procedures for Student Related Grievances .
Vice-President (Administration) and University Registrar	Receives requests for and determines if a Level 2 grievance is to proceed to Level 3. Following consultation with the Student Ombudsman, oversees proceedings at Level 3 and reports the outcome to the Student Ombudsman (Grievance Resolution Procedures for Student Related Grievances).
Senior officer	Collates information, investigates and formally reports outcomes to the Student Ombudsman at Level 2 of the (Grievance Resolution Procedures for Student Related Grievances).
Relevant University officer	Collates information, investigates and informally reports outcomes to the Student Ombudsman at Level 1 of the (Grievance Resolution Procedures for Student Related Grievances).

(8) Where a student seeks assistance to resolve a grievance, responsibility for receipt and resolution of student-related grievances at the different levels is as follows.

Level of grievance process	Person responsible for receipt of grievance	Person responsible for investigation or other resolution	Reporting of outcome
Level One Informal resolution	Relevant University officer or Student Ombudsman	Relevant University officer or Student Ombudsman	If the grievance is resolved no further report is required.
Level Two Formal resolution	Student Ombudsman	Senior officer	Senior officer provides a report to the Student Ombudsman.

Level of grievance process	Person responsible for receipt of grievance	Person responsible for investigation or other resolution	Reporting of outcome
Level Three Formal determination	Vice-President (Administration) and University Registrar	Investigation panel/Investigator	Panel/Investigator reports to Vice-President (Administration) and University Registrar with copy to Student Ombudsman. De-identified information is reported in the grievance management database.

Section 4 - Three Level Grievance Resolution Process

(9) Grievances should be resolved within a reasonable timeframe, as appropriate to the nature of the grievance. Grievances can be received by the Student Ombudsman Office by email, phone or in person. The Student Ombudsman Office will acknowledge receipt of a grievance within five working days.

Level One - Informal resolution of grievance

(10) Most grievances are resolved informally, through discussion with the involved parties.

(11) A student is strongly encouraged to resolve matters as soon as possible and directly with the person/s concerned.

(12) Students are encouraged to review relevant policies and procedures and may seek information, advice and support as appropriate from the Student Ombudsman and/or from relevant school/faculty/division/portfolio and services and departments. For higher degree research students this can include the Graduate Research Centre and Graduate Research Education and Development.

(13) After seeking information and advice in relation to a matter of concern, a student may:

- a. take no further action; or
- b. make an informal approach to the person/s concerned; or
- c. request that a relevant University officer assist them to informally resolve the grievance; or
- d. ask the Student Ombudsman to assist with informal resolution of the grievance.

(14) Any relevant University officer receiving a request for assistance to resolve a grievance should normally commence action to resolve the matter within 10 working days of receipt of the complaint.

(15) A student seeking assistance from the Student Ombudsman is expected to advise the Student Ombudsman of all matters of concern and outcomes sought. After consultation with the student the Student Ombudsman may contact the relevant school/faculty/division/institute, or persons concerned to facilitate resolution of the grievance.

(16) If the grievance is not able to be resolved quickly and relatively informally, the Student Ombudsman may nominate an appropriate individual to assist with informal resolution of the grievance.

(17) Resolution may involve information gathering, consultation, liaison or conciliation with relevant parties.

(18) Where the Student Ombudsman requests another person to facilitate the process, this person must advise the Student Ombudsman in writing of the proposed resolution including the reasons and recommendations for action.

(19) The Student Ombudsman or relevant University officer will notify the complainant (and relevant parties) in writing

of the outcome. Where appropriate, or where any underlying systemic issues are identified, the Student Ombudsman may make recommendations for further action. Actions recommended by the Student Ombudsman must be implemented as soon as practicable by the relevant operational area, or a rationale provided for not accepting the actions recommended.

(20) Where a student is dissatisfied with the outcome, they may apply to the Student Ombudsman for Level Two grievance resolution, or the Student Ombudsman may determine that it is appropriate to progress the matter to Level Two.

Level Two - Formal Resolution of Grievance

(21) The complainant may request in writing that the Student Ombudsman refer their grievance to the relevant senior officer. The request should identify all matters of concern and outcomes sought. The Student Ombudsman will normally facilitate the process and advise the complainant of available support services where appropriate. Following consultation with the complainant, the Student Ombudsman may elect to handle the complaint in the first instance by discussions with the relevant parties. Resolution of the matter at this level should normally be commenced within 10 working days of receipt of the grievance by the Student Ombudsman.

(22) The senior officer will normally be requested to initiate a formal process where an informal approach has been unsuccessful; or an informal process is not appropriate.

(23) The senior officer may undertake any of the following to resolve the grievance:

- a. discuss options for resolution with the relevant parties;
- b. consider all relevant matters and where appropriate make further enquiries;
- c. discuss the situation with the complainant and relevant parties to the grievance in an attempt to conciliate the grievance; and
- d. conduct an investigation or, in consultation with the Student Ombudsman, appoint a suitably qualified person to do so on their behalf.

(24) The complainant and/or the respondent may elect to be supported by a person of their choice who could be a representative of the QUT Student Guild or the relevant staff union. This person must not be a practising lawyer.

(25) The senior officer, in consultation with the Student Ombudsman, will determine how the grievance is to be resolved. The Student Ombudsman will be advised in writing of the reasons for the senior officer's decision, and proposed actions.

(26) The Student Ombudsman will advise the complainant (and relevant parties) in writing of the outcome.

(27) Where appropriate, or where any underlying systemic issues are identified, the Student Ombudsman may make recommendations to the senior officer, as relevant, for further action. Actions recommended by the Student Ombudsman must be implemented as soon as practicable by the relevant operational area or a rationale provided for not accepting the actions recommended.

Level Three - Formal Grievance Determination

(28) A complainant cannot proceed to Level Three of the formal resolution process without an attempt to resolve the grievance at Level Two.

(29) Where the grievance is not resolved at Level Two, the complainant may request that the Vice-President (Administration) and University Registrar progress the grievance to Level Three. The request must be made within 10 working days of notification of the outcome at Level Two.

(30) The matter will not be accepted at Level Three unless the application presented by the complainant includes:

- a. new information that may have had a material effect on the result at Level Two had it been known at the time; or
- b. reasons why the decision made at the conclusion of Level Two does not comply with QUT policy, rules or procedure.

(31) The Vice-President (Administration) and University Registrar will not progress complaints to Level Three that are lacking in substance or repeat and pursue issues which have been previously addressed. The Vice-President (Administration) and University Registrar will be provided with access to all University records related to the management of the grievance.

(32) Where the Vice-President (Administration) and University Registrar decides that the matter should proceed to Level Three, an independent investigation will commence. The Vice-President (Administration) and University Registrar following consultation with the Student Ombudsman, will elect for this to be undertaken either:

- a. by a panel; or
- b. by an independent person with specific skills, expertise or knowledge relevant to the grievance; or
- c. by seeking an independent investigator to provide a report on factual findings, which is provided to a panel to determine whether the grievance is substantiated.

(33) Once the Vice-President (Administration) and University Registrar has determined the method for investigation, and the panel membership/investigator the relevant parties will be advised of the process and expected timeframe.

(34) An investigation panel will consist of members with expertise in the relevant area:

- a. an independent Chair (internal or external to the University);
- b. a senior staff member of the University (Where the complainant is a higher degree research student, and the complaint is research related, this panel member may be a member of Research Degrees Committee);
- c. a nominee of the Vice-Chancellor and President, (the Vice-Chancellor and President will consult with the QUT Student Guild before making the nomination).

(35) A nominee of the Vice-President (Administration) and University Registrar will act as secretary.

(36) The complainant and/or the respondent may elect to be supported by a person of their choice who could be a representative of the QUT Student Guild or of the relevant staff union. This person must not be a practising lawyer.

(37) The panel/investigator will establish procedures in accordance with the rules of natural justice, and advise the parties of the procedures to be adopted. This may include:

- a. interviewing (or taking written statements from) the complainant, respondent, and other relevant parties including those who handled the grievance at earlier levels;
- b. reviewing all relevant documents;
- c. considering the grievance in the context of QUT policy and procedures;
- d. seeking advice from any person deemed appropriate; and
- e. giving the complainant and the respondent an opportunity to respond to all relevant information gathered.

(38) The panel/ investigator will advise the Vice-President (Administration) and University Registrar of the findings and recommended actions based on all relevant circumstances. The Vice-President (Administration) and University Registrar will advise the appropriate senior officer of any accepted recommendations arising from the investigation. The Vice-President (Administration) and University Registrar will advise the complainant and relevant parties of the

outcome.

(39) A copy of the panel/investigator's report will be provided to the Student Ombudsman by the Vice-President (Administration) and University Registrar. Where appropriate, or where any underlying systemic issues are identified, the Student Ombudsman, may make recommendations for further action to the Vice-President (Administration) and University Registrar. Actions recommended by the Student Ombudsman and accepted by the Vice-President (Administration) and University Registrar must be implemented as soon as practicable by the relevant operational area, or a rationale provided for not accepting the actions recommended.

Section 5 - Applying to External Agencies

(40) A complainant remaining dissatisfied by the University's management of the grievance may apply to external agencies, such as the Queensland Ombudsman, for an external review. QUT will fully cooperate with external agencies investigating any such grievance. However, QUT is committed at all times to facilitating the resolution of grievances without the need to have recourse to external agencies.

(41) Students may wish to notify the Student Ombudsman of their application to an external agency, particularly in cases where enrolment may be impacted by the outcome of an investigation. The notification in this case must be in writing.

(42) Where the University is notified of an external agency complaint, the Vice-President (Administration) and University Registrar in consultation with the Student Ombudsman, will determine whether or not internal proceedings will cease. In the event of cessation of proceedings before a resolution is achieved, all decisions and agreements arising from these procedures will cease to be implemented and all records will be annotated accordingly.

Section 6 - Other considerations

Student Support

(43) It is recognised that persons involved in these procedures may require support. Before applying these procedures the Student Ombudsman may discuss options for accessing QUT support services including but not limited to disability services, international student services and counselling services. The student may be accompanied to a meeting with the Student Ombudsman by a support person. A support person must not be legally qualified. The support person's role is confined to assisting a student during the meeting to understand the process undertaken.

Frivolous or Vexatious Grievances

(44) Where it is believed that a grievance is frivolous or vexatious, this may be dealt with under the [Management of Student Misconduct Policy](#).

Reprisals or Victimisation

(45) Disciplinary action in accordance with relevant University policies may be taken against any person who initiates or incites adverse action against another person because of their involvement in these grievance resolution procedures.

Confidentiality

(46) Confidentiality will be respected and maintained by all persons involved with the grievance at all times, except where it is necessary to afford natural justice or to ensure matters are investigated. Where it is necessary to disclose confidential information relevant parties will be advised.

Student Satisfaction

(47) Persons involved in a grievance process may be surveyed to monitor satisfaction and to obtain feedback on the effectiveness of these procedures. This survey will be conducted by the Student Ombudsman in consultation with the Vice-President (Administration) and University Registrar. De-identified data will be used to analyse and report on the survey.

Duty of Disclosure

(48) Participation in these procedures may result in details of a complainant's grievance including their personal information being disclosed to Governance and Performance and to relevant third party providers of QUT for the purposes of liability assessment and/or formal advice in managing the grievance.

Third Party Authorisation

(49) Requests for information made to the University from third parties acting as a representative of a person involved in this procedure, will only be considered if a verifiable, signed authorisation from the person is provided.

Anonymous Complaints

(50) A grievance may be discussed anonymously by a complainant or respondent (or their representative) for the purposes of seeking advice or guidance. A grievance may be lodged anonymously, and where possible such complaints will be considered for investigation having regard to the limitations which may be imposed by that anonymity.

Withdrawing Grievance

(51) A student may withdraw their grievance at any time, however, the University may determine that the seriousness of the matters raised warrant the University continuing to review the matter.

Misconduct Identified during Grievance Process

(52) Where it is considered that the alleged actions or behaviours of a student which constitute the grievance may involve misconduct (as defined in the [Code of Conduct - Student](#), the matter will be managed according to the [Management of Student Misconduct Policy](#).

(53) Where it is considered that the alleged actions or behaviours of a staff member which constitute the grievance may involve misconduct or serious misconduct (as defined in the relevant enterprise agreement or policy), the matter must be referred to the Vice-President (People) and Chief People Officer.

Section 7 - Recordkeeping and Reporting

(54) Records must be managed according to QUT's [Records Governance Policy](#). Records must be kept at all stages of a grievance resolution process. Where the Student Ombudsman has been involved in resolution of the matter, records are kept on a confidential Student Ombudsman file.

(55) Otherwise capturing confidential records is the responsibility of the operational area. Records should include, but are not be limited to:

- a. the complainant's name;
- b. meeting notes;
- c. recordings, transcripts, or summaries of discussions and interviews with relevant stakeholders;

- d. the outcome; and
- e. whether or not the grievance was resolved to the complainant's satisfaction.

(56) A report on student-related grievances is prepared by the Deputy Vice-Chancellor and Vice-President (Academic) and presented to Executive Leadership Team, University Academic Board and the Risk and Audit Committee annually. Information on higher degree research student research related grievances is provided to Research Degrees Committee. Statistics will also be provided for the QUT Annual Report.

Section 8 - Definitions

Term	Definition
Complainant	Means the QUT student/s submitting a grievance under these procedures.
Grievance	Means a real or perceived cause for complaint, disagreement, conflict, dispute or similar problem.
Higher Degree Research (HDR) Candidate	Means a candidate for an award defined by the University as a higher degree undertaken by research (i.e. Doctor of Philosophy, Professional Doctorate by research, Masters by Research). For the purpose of these procedures, reference to a student includes higher degree research candidates.
Informal Resolution	Can include a direct, respectful approach to the other party to seek a resolution, or a process of conciliation, mediation, or a facilitated discussion with the relevant parties.
Relevant University Officer	Means a university staff member, usually in the school/faculty/division/portfolio of the complainant, who because of their work responsibilities is in a position to assist parties to informally resolve a grievance.
Respondent	Means the person/s subject to a complaint under these procedures.
Senior Officer	Is defined in the Organisational Structure Policy .
Student Ombudsman)/Deputy Student Ombudsman	Means the QUT officer performing the functions set out in the Student Ombudsman Office Policy .

Status and Details

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Effective Date	12th November 2020
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Author	Udo Gottlieb Student Ombudsman
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