



Grievance (Academic Matters) Policy: Education and Counselling

Title: Grievance (Academic Matters) Policy: Education and Counselling
Author: Academic Dean
Approved by: Academic Board
Date: February 2014
Review date: February 2017
Version: 2

Policy overview

All current and prospective students of MC are entitled to:

- a) Raise a concern or grievance relating to an academic matter; and/or
- b) Have an academic decision reviewed

MC is committed to developing and maintaining an effective, timely, fair and equitable grievance handling system which is easily accessible and offered at no cost to the student.

Policy purpose

The purpose of this policy is to outline the process for:

- resolving grievances and appeals on academic matters;
- reviewing grievance and appeals decisions; and
- providing guidelines on how grievances and complaints are addressed within MC

These grievance and resolution procedures emphasise positive outcomes and focus on resolutions that work towards a rapid re-establishment of good working/learning relationships.

Resolving grievances on academic matters

Academic matters include, but are not limited to, matters relating to admissions, review of a grade, credit transfer or advanced standing, quality assurance, and eligibility for graduation. This policy appears in both the relevant Departments' handbooks and on the MC website.

Timelines

MC will seek to resolve all concerns and grievances promptly. All parties will be kept informed about the progress of the issue at regular intervals and will be further advised where resolution is likely to extend beyond the specified times.

Confidentiality

Confidentiality must be maintained throughout the process of making and resolving grievances. This requirement seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive work/learning environment.

Procedural fairness

Grievance procedures must take account of the principles of procedural fairness that applies to the complainant, the respondent, and the investigating officer. Principles of procedural fairness encompass the following:

- grievance procedures should be explicit and known to all involved parties
- grievance handlers will employ honesty, integrity and fair dealing in all aspects of their communications, investigations, reporting and record keeping
- all parties involved will receive appropriate information and assistance in resolving the issue at all times.

Natural justice

It is a firmly established principle of Australian law that no one person should be condemned unheard. It is this opportunity to be heard that is the subject of the rules of natural justice/procedural fairness which means that every respondent to a grievance has the right to be heard; to present provable evidence and submissions in one's own cause; and the opportunity to be heard by an impartial decision-maker.

External review recommendations

If a body nominated by MC makes recommendations in relation to a grievance they have reviewed, that body will forward those recommendations to the Principal within two weeks of the review being completed, who will ensure that the recommendations are implemented within two months of receiving the recommendations.

Unsubstantiated grievances

Procedural fairness requires, in the interest of all parties, that a person raising a concern or grievance be aware that where a concern or grievance is investigated to its full extent and cannot be substantiated, no further action can be taken. This does not restrict the

right of any parties to pursue legal remedies outside the MC grievance handling procedures.

Anonymous grievances

MC cannot act on an anonymous concern or grievance. Procedural fairness requires that any person raising a concern or grievance must be identified. An anonymous concern or grievance can include (but is not restricted to) unsigned letters, unidentifiable emails or anonymous telephone calls.

Victimisation

At all times during and following the resolution process, all reasonable steps must be taken to ensure that victimisation does not occur to:

- the complainant;
- the person/persons about whom the grievance was made, i.e. the respondent; and/or
- any other student or client with knowledge of the grievance.

Victimisation of any kind is completely unacceptable and will not be tolerated.

All employees should be aware that victimisation of any kind is not only a breach of the Code of Conduct but is also unlawful. Victimisation is considered to have taken place where a person subjects, or threatens to subject, another person or associate of that person to any detriment.

OPTIONS FOR RESOLVING GRIEVANCES

The resolution processes are aimed at producing responsive, local solutions involving a minimum number of people. The process emphasises positive outcomes and focuses on resolutions that work towards a rapid establishment of good working relationships, whilst ensuring that the principles of natural justice are exercised.

Any grievance will be attended to promptly, confidentially (within the constraints of an investigation) and will be investigated impartially. Appropriate action will be taken to ensure that any harassment or discrimination will be treated seriously and at all times the rights of the complainant and the respondent will be respected.

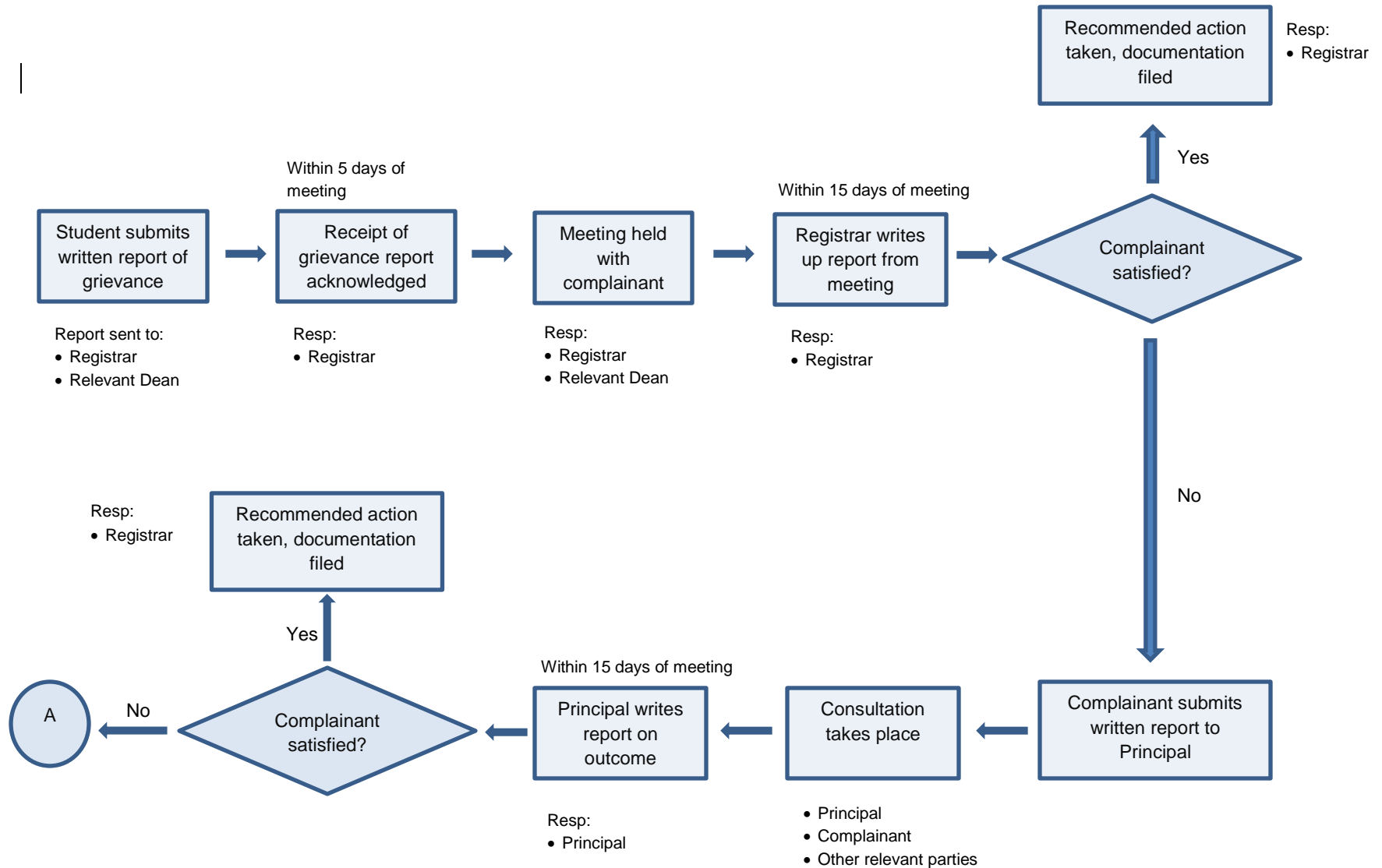
Personal resolution

In the first instance, students should raise any concern or grievance with the faculty/staff member/s concerned. If the grievance cannot be resolved, the following process should be followed.

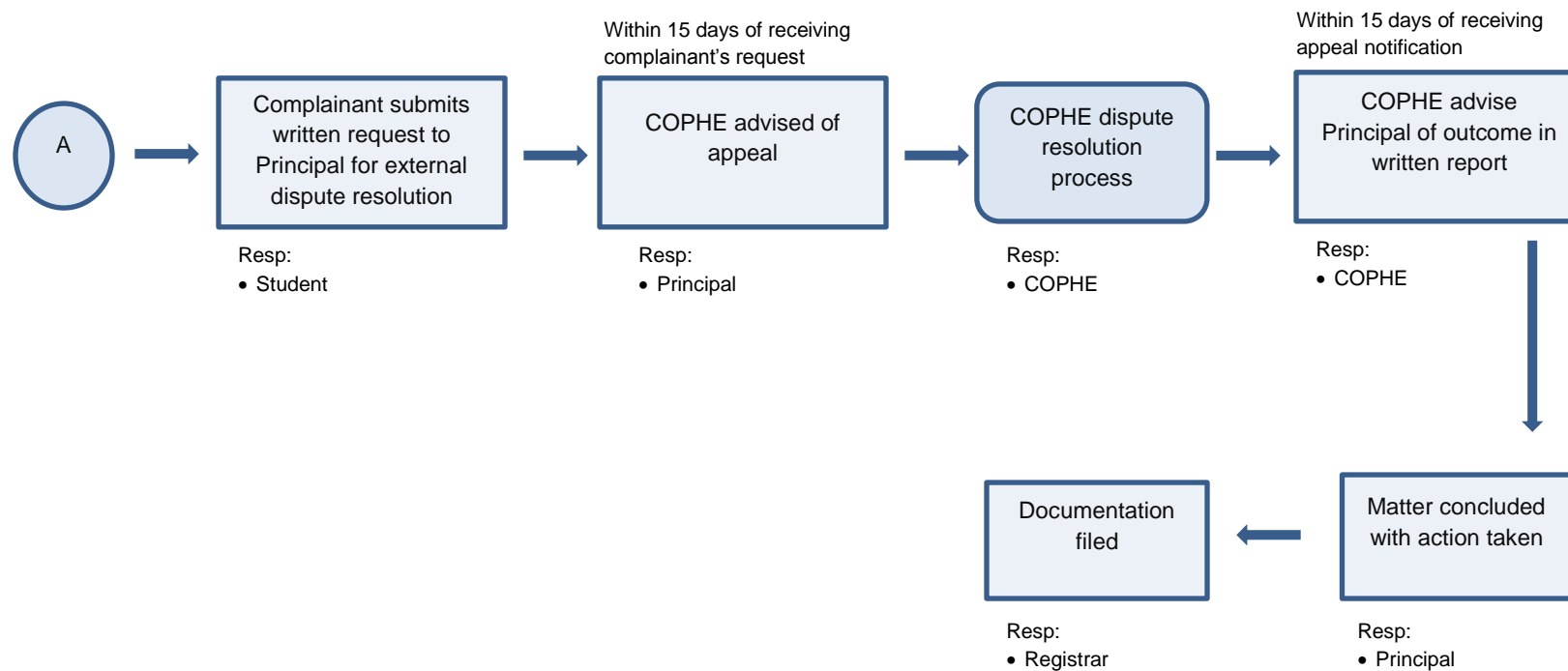
Process

The process flowchart identifies the various steps that are followed when resolving a grievance. More detailed explanations are described below the flowchart.

Grievance process flowchart



Grievance Process cont:



Stage 1

The student initiates the grievance process by submitting the grievance in writing to the Registrar, copying the relevant Dean. Receipt of the grievance will be acknowledged within 5 working days.

The Registrar, with the Dean, will then if necessary, arrange a meeting seeking to clarify the outcome that the complainant hopes to achieve. The student may choose to be assisted or accompanied by a support person of his/her choosing, who is not a practicing solicitor or barrister at this interview, and who is not to participate in the discussion

The Registrar will endeavour to resolve the grievance and provide a written report to the complainant within fifteen working days of receipt of the grievance as submitted by the prospective student, including actions taken and reasons for the decision.

In the event of the outcome being favourable to the student, the Registrar will immediately implement any decision and/or corrective action required.

Stage 2

If the response does not satisfy the complainant, he/she should submit a written account of the grievance to the Principal who will consult with the complainant and all other relevant parties. Where possible, such consultations will be face-to-face.

Following the consultation process, the Principal will provide a written report to the complainant on the decision, detailing the reasons and a full explanation of decisions and actions taken during stage two of this procedure within 15 working days of the consultation process.

In the event that the outcome is favourable to the student, the Principal will immediately implement any decision and/or corrective and preventative action required.

Stage 3

Where the internal review process fails to resolve the grievance or complaint to the satisfaction of the complainant, the complainant can request that the matter be dealt with through an independent, external dispute resolution process. The complainant should then put this request in writing to the Principal.

The complaint process will then be facilitated by the Council of Private Higher Education (COPHE).

On receipt of this written request, the Principal will advise COPHE within 15 working days of receiving the notification of the appeal.

If the external party (COPHE) makes recommendations in relation to a grievance they

have reviewed, the external party will be requested to forward those recommendations in writing to the Principal within 15 working days.

COPHE charges a fee for this service.

Please note that:

- A nominee of the student may be included in the grievance handling processes if the student so chooses
- Students who are enrolled at the College when the grievance is lodged, may continue their enrolment whilst the Grievance is under investigation
- All grievance/complaints actions are reported to the MC Academic Board.
- At all stages, all parties have the right to
 - (a) be represented by a third person if they so desire, and
 - (b) request a written explanation for decisions, reasons and actions taken as part of the process
- Nothing in this policy precludes students from taking action under Australia's Consumer Protection Laws.

Records

All records pertaining to grievance or concern will be maintained in a confidential Grievance and Appeal file kept in the Registrar Department. Access to files about a particular grievance can be gained by all parties to that grievance by making a request in writing to the Registrar. Grievance files will be maintained for a period of five years and then destroyed.

Staff training

This policy is communicated to academic and administrative staff through the MC Faculty and Staff Handbook. The Vice-Principal (Communication) is responsible for the training of staff in the application of the policy.

Availability of grievances procedures for academic matters policy

This policy is communicated to current and prospective students through the Morling College website at www.morlingcollege.com

MC recognises that its students or those seeking to enrol in a course of study with MC are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of MC at which the grievance has arisen, the student's place of residence or the mode in which they study, this includes MC students studying via Distance.