

RESOLUTION OF STUDENT ACADEMIC COMPLAINTS AND DISPUTES STATUTE

University Statute

1 SCOPE

This Statute is intended to deal with academic disputes and complaints arising from them and applies to all students. Parties to a dispute include students, course lecturers and coordinators, and supervisors. This Statute does not override the provisions in course or other Regulations and must be interpreted so as to be consistent with other University Regulations and Statutes. The following may give rise to an academic dispute:

- a) Allegations of unfair treatment by a staff member
- b) Allegations of inadequate teaching, advice, assessment and evaluation as outlined in the Student Charter, including responses to drafts of theses or dissertations.
- c) Disagreements about the satisfactory progress of research.
- d) Disagreements about ways of establishing/maintaining an effective working relationship between a student and a staff member.
- e) Disagreements about access to resources required by the student in order to meet the requirements of their course of study.

Notes:

1) Procedures pertaining to registration for the degree of PhD and the examination of PhD theses are addressed in the PhD Statute.

2) In cases of disputes relating to admission to a programme or course, the relevant Faculty procedure should be followed. Complainants in such cases have recourse to the review procedures outlined in Clause 4.

2 INFORMAL PROCEDURES

- a) A student should initially approach the Class Representative, the lecturer, professional teaching fellow, tutor or supervisor concerned, or the appropriate co-ordinator of undergraduate or postgraduate studies.
- b) In the course of seeking an informal resolution of a dispute, the student may seek assistance from the Graduate Centre, Head of the appropriate faculty's Student Centre or AUSA Advocacy.

3 FORMAL PROCEDURES

- a) In the event that the matter is not resolved satisfactorily at an informal level, or where informal resolution is considered inappropriate by the student, s/he may approach the Academic Head to institute formal proceedings. Such an approach must be made in writing and materials pertinent to the complaint must be provided to the Academic Head at this time. At this point, the complainant must finalise the nature of the dispute; no new material pursuant to the complaint will be admitted or considered subsequently. Heads who are parties to a dispute must ask the Dean to nominate a senior member of the academic staff to perform their role.
- b) The Academic Head (or nominee) will appoint an independent investigator not involved or implicated in the dispute to investigate it. The Academic Head (or nominee) will forward a copy of all documentation to the independent investigator.

- c) The investigator will complete the investigation according to the principles of natural justice, including inviting comment from all affected persons, and will provide the Academic Head or nominee with a written report within a reasonable length of time. Following receipt of the written report, the Academic Head (or nominee) will provide a copy to the complainant and shall then:
 - i. Dismiss the dispute, or
 - ii. Agree with parties on a procedure to resolve the dispute, or
 - iii. Refer the matter to the Dean and make a recommendation.

- d)
 - i. In cases in which the dispute is dismissed or in which a procedure to resolve the dispute is agreed upon, the Academic Head or nominee must, within 20 working days, communicate in writing with the complainant and other parties explaining either the reasons for the dismissal or outlining the terms of the resolution.
 - ii. Where a case has been dismissed under c i) the complainant may refer the matter to the Dean.

- e) In cases in which the matter is referred to the Dean, the Dean must be provided with all the information previously submitted by the claimant and collected by the investigator. The Dean will then consider the case and, on applying the principles of natural justice, make a final decision. The Dean must, within 20 working days, communicate in writing with the complainant and other parties explaining the reasons for the decision.

4 RIGHT OF REVIEW

Complainants may request a review of the Dean's decision to the DVC (A) or duly authorised delegate, on the grounds that:

- a. There was a failure of the University's process, and/or
- b. The basis of the decision was manifestly at odds with the evidence.

The decision of the DVC(A) on such requests is final.

5 DOCUMENT MANAGEMENT CONTROL

Prepared by: Office of the Vice Chancellor
Owned by: DVC (A)
Approved by: Council
Date approved: 15 October 2012
Date Issued: 1 January 2013
Review Date: 1 January 2016

This Statute repeals the following documents:

Student Learning and Research Grievances: Procedures for Undergraduate Students

Resolution of Research Problems: Postgraduate Research Students