

## GRIEVANCES POLICY



Approved by Council: 4 December 2013

Revised by Council: 9 March 2016

### Related documents

1. Higher Education Support Act 2003 division 19 section 45
2. Higher Education Provider Guidelines 2012, chapter 4 'Grievance and Review Procedures'
3. Statement of Rights, Responsibilities, and Conduct of members of the University ('the Statement')
4. Policy on Appeals
5. Grievance Notification Form

### 1. Scope

This policy applies to enrolled students, all persons who apply for admission to the University, and to all staff of the University including accredited academic staff at its Colleges and staff in the Office of the Vice-Chancellor.

### 2. Definitions

- 2.1 A grievance is a matter in which a student, staff member, or applicant for admission to the University ('the complainant') believes the conduct of a member or members of the University ('the respondent') towards him or her has not been in accordance with the Statement.
- 2.2 A Grievance Panel ('the Panel') must have three members. The Chair of the Grievance Panel ('the Panel Chair') is an external member of Council appointed annually by Council to serve in this role. The remaining members of a Panel are appointed by the Panel Chair from a pool of five persons nominated annually by Council.
- 2.3 A Support Officer is an appropriately qualified person nominated by a College or by the University who is available to provide independent support to either a complainant or a respondent at any stage of a grievance process.
- 2.4 In cases where a respondent or complainant is a member of staff in the Office of the Vice-Chancellor, the Office of the Vice-Chancellor must fulfil the responsibilities otherwise assigned to a College in this policy.
- 2.5 A Grievances Officer is a person specified in Schedule A with responsibility for managing a grievance process and for assisting a complainant, a respondent, the Panel Chair, or the Panel in application of this Policy. A Grievances Officer does not have authority to make a determination under this Policy.
- 2.6 Schedule A may be amended by the Council or by the Governance and Nominations Committee.

### 3. Conflict of interest or inability to act

If a Grievances Officer, the Panel Chair, or a member of a Panel has a conflict of interest in a grievance process or is unable to act, that conflict of interest or inability to act must be reported to the Chancellor who must appoint an alternate person to serve in the role.

#### **4. Process**

Grievances are handled at the University through a three stage process.

##### **4.1 Stage 1: Mediation**

Wherever possible a complainant should seek to resolve a grievance with the respondent through mediation. The home College or Colleges of the complainant and respondent must provide support to each party, including access at no cost to a Support Officer, and provide reasonable assistance to facilitate mediation.

##### **4.2 Stage 2: Grievance**

4.2.1 A grievance proceeds to stage 2 when a complainant lodges a Grievance Notification Form with a Grievances Officer. The complainant must state the nature of the grievance, the identity of the respondent, and the steps the complainant, the College, or the Support Officer has taken to resolve the grievance through mediation.

4.2.2 The Grievances Officer advises the Panel Chair of the grievance. The Panel Chair must determine if the nature of the grievance falls within this Policy and if so, if reasonable steps have been taken to resolve the grievance through mediation. The complainant and respondent must be advised by the Grievances Officer of the outcome of the determination within 5 working days of receipt of the Grievance Notification Form.

4.2.3 If the Panel Chair determines that the matter does fall within this Policy and that reasonable steps have been taken to resolve it through mediation, then the Panel Chair must

- a) determine a course of action to investigate the grievance, in which case the complainant and respondent must be advised of that action or of the dismissal of the grievance within 10 working days of receipt of the form; or
- b) constitute a Panel to investigate the grievance.

4.2.4 The Panel may take whatever steps it deems necessary to seek resolution of the grievance. It must advise the complainant and respondent of the outcome of its deliberations within 30 working days of receipt of the form.

4.2.5 On completion of the investigation of a grievance the the Panel Chair must lodge a confidential report with the Office of the Vice-Chancellor and provide a copy to the complainant and respondent. The report may, where appropriate, include recommendations for action. These recommendations should be written in a form that can be communicated to officers, boards or committees of the University without divulging the identity of the complainant or respondent or the details of the grievance.

##### **4.3 Stage 3: Review**

A grievance proceeds to stage 3 if on completion of stage 2 a complainant writes to the Chancellor seeking an independent review on the grounds that the process has been

flawed. The Chancellor must appoint an independent person to review the process and report in writing to the Chancellor. The Chancellor must communicate the findings of the review to the complainant within 30 working days.

**5. Reporting**

The Panel Chair must report to Council through the Vice-Chancellor on the number of grievances which proceed to Stage 2 or Stage 3 in each calendar year.

**6. Publication**

This policy must be published on the University's website and be accessible by all members of the University.

**Schedule A**

1. Grievances Officers

Primary: Anjali Antoniotti (University Secretary, Office of the Vice-Chancellor)  
(03) 9853 3177 or aantoniotti@divinity.edu.au

Alternate: Damien Arnold (Chief Financial Officer, Office of the Vice-Chancellor)  
(03) 9853 3177 or darnold@divinity.edu.au