

# **ADELAIDE COLLEGE OF DIVINITY INC**

## **Grievance Procedures**

**Established:** ACD Board/ACD President 12/11/2004

**Reviewed:** 14/09/2005 & 02/04/2007

**Last Review:** January 2011

**Updated:** October 2018

### **Delegations**

The ACD Council has delegated to ACD College principals the responsibility for ensuring that member college grievance procedures comply with AQTF Standards, with Higher Education Provider Guidelines and with the relevant legislation. The ACD Executive Officer is the officer delegated by ACD to ensure that the ACD complies with the below standards and legislation.

### **Legislation/Standards**

Disability Discrimination Act 1992

Educational Services for Overseas Students (ESOS) Act 2000

EEO Act 1984

Occupational Health, Safety and Welfare Act 1986

Racial Discrimination Act 1975

Racial Vilification Act 1996

Sex Discrimination Act 1984

AQTF Standards for Registered Training Organisations

Higher Education Support Act 2003 and Higher Education Provider Guidelines

National Protocols for Higher Education Approval Processes

Training and Skills Development Act 2008

### **Preamble**

These procedures cover complaints related to non-academic matters and apply to students formally enrolled in ACD courses and to persons seeking to enrol in ACD courses. Students of the College or those seeking to enrol in a course of study with the College are entitled to access the grievance procedures set out in this document regardless of the location of the campus of the College at which the grievance has arisen, the student's place of residence or the mode in which they study.

Other complaint mechanisms available to students enrolled with the ACD are found in the documents *Appeals Against Final Grades* and *Appeals Against Academic Review Decisions*.

### **Associated Documents**

*Appeals Against Academic Review Decisions*

*Appeals Against Final Grades*

## **Policy**

1. Should an enrolled student or a person seeking to enrol have a grievance, there will be provision for a process of informal consultation before a formal complaint is made. If resolution of the matter is not achieved in this way there will be provision for formal complaint to the ACD Council and an appeal process should it be required.
2. Complaints should be made responsibly and the ACD will treat them seriously, but there should be provision to protect the ACD from malicious complaints.
3. The rights of all parties involved in a complaint will be protected and neither the complainant nor respondent will be victimised or discriminated against in any stage of the process.
4. The ACD shall not impose a financial cost on the complainant or respondent at any stage of this process.
5. At any stage of these procedures a complainant and/or respondent may be accompanied by a third person (such as a family member, friend, counsellor or other professional support person) if they so desire; however, formal legal representation is not permitted for either party.
6. The ACD shall keep all parties involved in a complaint informed of progress or outcomes.
7. At all stages of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures will be given if so requested by the complainant and/or respondent.

## **Procedures**

8. A complaint may be lodged with the relevant ACD college principal and/or the ACD Executive Officer who will hold informal discussions with the complainant in an attempt to resolve the complaint. Should this initial step be deemed inadequate by either party, the matter may be taken to the Chairperson of the ACD for further discussion.
9. Failing the informal resolution of the matter in (8) above, a formal written complaint may be lodged with the ACD Executive Officer who shall acknowledge receipt of the complaint in writing within ten working days and shall advise that the complaint will be considered at the next regularly scheduled meeting of the ACD Council and will notify the date of that meeting. Should the date of the next scheduled Council meeting be more than three months from the date of the formal written complaint, the complainant may request that the Council appoint a sub-committee to consider the complaint.
10. When the complaint has been heard, the Executive Officer will notify the complainant in writing of the decision of the ACD Council, or the sub-committee of the Council, within ten working days of the meeting.
11. Should any party to the complaint be dissatisfied with the decision of the ACD Council or its sub-committee, they may lodge a written appeal stating the grounds for the appeal and providing supporting documentation with the ACD Executive Officer within ten working days of receipt of the notification.
12. The Executive Officer will initiate appeal proceedings within one month provided that:
  - 5.1 The appeal is in accordance with the provisions of this policy; and
  - 5.2 The grounds on which the appeal is based are substantiated in the

supporting documentation submitted by the appellant.

13. If the Executive Officer does not initiate an appeal, then the grounds for rejecting the initiation of proceedings shall be notified to the appellant in writing within ten working days and reported to the ACD Council at its next regular meeting.
14. Appeals will be heard by a sub-committee of the ACD Council.
15. This committee:
  - 15.1 will determine its own procedures for the conduct of hearings;
  - 15.2 will consider written submissions from the appellant and respondent; and
  - 15.3 may, at its discretion, invite the appellant to attend the hearing.
16. The Executive Officer will notify the appellant in writing of the decision within ten working days and will give reasons and full explanation of the decisions and action taken if requested by the appellant.
17. Should the student be dissatisfied at any stage of the process or with the outcome of these procedures, mediation services may be sought [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au),
18. External complaints will be handled within a reasonable timeframe, and parties to the appeal will be provided with an indication of the likely timeframe for response by the Training Advocate. The ACD Executive Officer will ensure that any recommendations from the Training Advocate arising from a complaint will be implemented.
19. The ACD Executive Officer will keep secure the confidential records of grievances lodged under these procedures for at least five years and will give appropriate access to the records to the parties to the complaint.

#### **Communication**

20. This policy is published on the ACD website at [www.acd.edu.au](http://www.acd.edu.au) and will be discussed at student orientation sessions.
21. This policy is communicated to staff on the ACD website at [www.acd.edu.au](http://www.acd.edu.au). Training is provided to staff through staff meetings and induction sessions for new staff.