

# Dispute Resolution Policy for Domestic Students

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*Vose Seminary*

## Responsibility and Authority

The Principal of Vose Seminary shall define the *Dispute-Resolution Policy for Domestic Students*. The Principal shall ensure the policy is developed, distributed, reviewed, maintained, understood, and implemented in Vose Seminary.

## Publication

This *Dispute Resolution Policy for Domestic Students* will be made available to students and potential students through publication on our website ([www.vose.wa.edu.au](http://www.vose.wa.edu.au)), in hardcopy by request through the *General Policy Handbook*, as well as in the *Student Handbook*.

## Policy Statement

The Seminary shall provide processes for handling grievances brought by prospective, enrolled and former domestic students (called *students* in this policy) regarding academic and non-academic decisions.

*Grievance* means a statement of concern by a student that:

- 1) Has been reported by the student to an officer in Vose Seminary; and
- 2) Requires action or a response under the policies or regulations of Vose Seminary.

General feedback and comment from students about administration, academic programs and services will not be treated by Vose Seminary as a grievance unless action or a response is required under the policies or regulations of Vose Seminary.

Whenever possible, grievances will be handled within the Seminary. Formal procedures for the resolution of grievances will normally only be invoked when a matter cannot be resolved by informal means. A grievance is deemed formal when it is lodged in writing. However, should these internal processes not resolve the matter, provision is made for external independent grievance handling by reference to the Council of Private Higher Education. If the Council of Private Higher Education makes recommendations in relation to a grievance they have reviewed, they will forward those recommendations within ten (10) working days of the decision to Vose Seminary Principal, who will ensure that the recommendations are implemented within twenty five (25) working days.

Vose Seminary is obliged to provide students with the information contained in this policy statement on request or, for enrolling students, at initial enrolment or within seven (7) days of starting an award course. Continuing students should have this policy brought to their attention at the commencement of each subsequent year of enrolment in units of their course.

Vose Seminary must report formal complaints, and decisions reached, in its Annual Report to the Seminary Board of Directors. The Seminary Board of Directors has appointed the Chair as the review officer in relation to outcome of appeals to the Principal. If the Chair was involved in making the original decision that becomes the matter in dispute or the Chair is unavailable to participate in any resolution process below, another person of appropriate rank and expertise shall be appointed by the Chair of Vose Seminary Board of Directors as the review officer in place of the Chair.

## Principles underpinning this policy include:

- 1) Actions within the process will be undertaken in a timely manner and timelines for responses will be specified at each stage of the process;
- 2) The process will be as simple as possible and easily accessible to students;
- 3) The process will not victimise or discriminate against any student or respondent;
- 4) As part of the process, reasons and full explanations will be given for decisions and actions taken;
- 5) Appropriate records of the handling of a grievance/complaint will be kept for a minimum of five (5) years and treated as confidential, with appropriate access available to involved parties;
- 6) Components of the process within Vose Seminary shall normally be at no cost to the student, apart from travelling expenses. Any required arrangements for external independent grievance handling/dispute resolution will be inexpensive to the student. A fee may apply when a review is formally requested in relation to the grade of a passed assessment item or the grade of a passed unit;

- 7) All staff involved in a complaint or appeal have a duty to observe the principles of procedural fairness (natural justice);
- 8) Students accessing the appeal process will have their enrolment maintained while the process is ongoing;
- 9) Students may use the procedures set out in this policy regardless of the location of the campus of the affiliated Seminary at which the grievance has arisen, the student's place of residence or the mode in which the student studies;
- 10) The complainant may withdraw a grievance at any stage in the process. If the grievance is withdrawn, the matter will be deemed to be closed;
- 11) If the appeal results in a decision that supports the student, Vose Seminary will immediately implement that decision and/or corrective and preventative action required and will advise the student of the outcome.

Nothing in the Seminary's policies and procedures negates the right of any student (Australian or overseas resident) to take action under Australia's consumer protection laws in the case of financial disputes. This Dispute Resolution Policy does not circumscribe the student's right to pursue other legal remedies.

### Principles of Natural Justice (Procedural Fairness)

All staff involved in resolving a complaint have a duty to observe the principles of natural justice, which include the following elements:

- 1) The right of the student (complainant) to a fair hearing;
- 2) The right of the student (complainant) or any respondent to attend hearings with a friend or support person, if desired, provided the person is not a practicing solicitor or barrister;
- 3) The opportunity for all parties involved to be heard, including any person having full knowledge of the nature and substance of the grievance.
- 4) The right to an independent, unbiased decision-maker;
- 5) A final decision that is based solely on the relevant evidence with all submissions considered.

### Appeals against Academic Decisions

In these procedures, an *academic decision* means a decision of a member of the academic staff that affects the academic assessment or progress of a student. Academic decisions include, but are not limited to, final grades for units and marks for intra-semester assessment tasks.

#### Informal complaints about the grade awarded in a unit

Following release of the final grades in units by Vose Seminary, students may wish to lodge a complaint about the grade awarded in an enrolled unit. Should the student proceed to formal appeal of a passing grade, a fee may apply.

#### *Informal resolution with the Registrar*

Students concerned about the final grade awarded in a unit of study should initially discuss the issue informally with the Registrar. This should be done within twenty five (25) working days of the release of results by Vose Seminary. The Registrar should deal with the issue promptly, giving a full explanation to the student of the reasons for the grade awarded.

If the student's concerns are not resolved by this means, the Registrar should:

- 1) Explain the next step in the procedure, set out below; and
- 2) Give the student a copy of this policy.

#### *Reference to the Academic Dean*

If the student's concerns were not resolved by the Registrar, and/or the student alleges failure to follow procedures, the student may then choose to approach the Academic Dean. The student may approach the Academic Dean on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do one of these things within fifteen (15) working days of the outcome of discussions with the Registrar.

If the student chooses to approach the Academic Dean, this does not preclude later lodgment of the grievance formally in writing to the Academic Dean. The Academic Dean should deal with an informal

complaint about the final grade for a unit promptly, giving a full explanation to the student of the reasons for the academic decision.

### **Formal complaints about the grade awarded in a unit**

While not limited to the following, a student may normally appeal formally against the award of a grade only where:

- 1) The lecturer did not provide a unit outline as required; or
- 2) The assessment requirements as specified in the unit outline were varied in an unreasonable way; or
- 3) The student alleges the examiner's judgment was not objectively applied because of prejudice against the individual candidate; or
- 4) A student is of the view that a clerical error has occurred in the computation of the grade; or
- 5) The student is of the view that due regard has not been paid to the evidence of illness or misadventure if submitted by the specified date; or
- 6) The student is of the view that they have been disadvantaged in some way due to the conduct of their final examination.

The Academic Dean must acknowledge a formal complaint in writing within five (5) working days of receipt and ensure that all documentation relevant to the complaint is maintained within the student's file.

The Academic Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint.

The Academic Dean may discuss the matter with both the student and the relevant lecturer in attendance. The Academic Dean may arrange for the assessment script(s) completed in the unit to be marked by another lecturer in the student's Seminary of enrolment.

Following investigation of the matter, the Academic Dean will advise the student in writing of his/her decision:

- 1) Setting out the reasons;
- 2) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the Australian College of Theology; and
- 3) Giving the student a copy of this policy, if the student does not already have a copy.

### *Reference to the Dean of ACT*

If the student's concerns cannot be resolved by the Academic Dean, and/or the student alleges failure to follow procedures, the student may only formally approach the Dean of ACT by putting the complaint in writing and lodging it within fifteen (15) working days of receipt of the written response by the Academic Dean. Again the nature of the complaint and the grounds for appeal should be detailed. The Dean must acknowledge the formal complaint in writing within five (5) working days of receipt. The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint. Following investigation of the matter, the Dean will advise the student in writing of his/her decision:

- 1) Setting out the reasons for the awarding of the final grade for the unit;
- 2) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- 3) Giving the student a copy of this policy, if the student does not already have a copy.

### *Complaints and Grievances about other Academic Decisions*

For the purposes of this policy these decisions include those relating to student admission or progression, curriculum and awards in a course of study, as well as results of intra-semester assessments (eg, an essay).

### **Informal Complaints**

#### *Informal resolution with a lecturer*

Students concerned about an academic decision concerning curriculum/assessment in a unit of study should initially discuss the concern informally with the relevant lecturer at their Seminary of enrolment. In particular, following the release of results of intra-semester assessments, students may informally request that an assessment be reviewed by the lecturer of the unit of study. This should be done within twenty five (25) working days of the particular academic decision being made. The lecturer should deal with the issue promptly, giving a full explanation to the student of the reasons for the academic decision.

If the student's concerns are not resolved by this means, the lecturer should:

- 1) Explain the next step in the procedure, set out below; and
- 2) Give the student a copy of this policy.

#### *Reference to the Academic Dean*

If the student's concerns cannot be resolved by the relevant lecturer, and/or the student alleges failure to follow procedures, the student may then choose to approach the Academic Dean. The student may approach the Academic Dean on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do one of these things within fifteen (15) working days of the outcome of discussions with the lecturer.

If the student chooses to approach the Academic Dean informally, this does not preclude later lodgment of the grievance formally in writing to the Academic Dean. The Academic Dean should deal with informal complaints promptly, giving a full explanation to the student of the reasons for the academic decision.

#### **Formal complaints**

The Academic Dean must acknowledge a formal complaint in writing within five (5) working days of receipt and ensure that all documentation relevant to the complaint is maintained within the student's file. The Academic Dean must try to resolve the complaint within 15 working days of receiving the complaint. The Academic Dean may discuss the matter with both the student and the relevant lecturer in attendance. If the complaint relates to the mark for an intra-semester assessment, the Academic Dean may arrange for the assessment script to be marked by another lecturer in the student's college of enrolment. Following investigation of the matter, the Academic Dean will advise the student in writing of his/her decision:

- 1) Setting out the reasons;
- 2) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the Australian college of Theology; and
- 3) Giving the student a copy of this policy, if the student does not already have a copy.

#### *Reference to the Dean of ACT*

If the student's concerns cannot be resolved by the Academic Dean, and/or the student alleges failure to follow procedures, the student may only formally approach the Dean of ACT by putting the complaint in writing and lodging it within fifteen (15) working days of receipt of the written response by the Academic Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

The Dean must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint. If the complaint relates to the mark for an intra-semester assessment, the Dean may appoint an independent assessor who will remark the assessment script under dispute. A fee may be charged if the student had been awarded a pass grade or higher for the assessment script under dispute.

Following investigation of the matter, the Dean will advise the student in writing of his/her decision:

- 1) setting out the reasons;
- 2) if the complaint relates to the mark on an intra-semester assessment, advising that his/her decision is final;
- 3) on other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- 4) giving the student a copy of this policy, if the student does not already have a copy.

#### **Appeals regarding non-Academic and Administrative Decisions**

Non-academic and administrative decisions include, but are not limited to, matters related to fees, withdrawals, and other decisions that students may consider are interfering with the progress of their studies or with issuing of an award of the Seminary. Such appeals may also include complaints made against Seminary staff or about Seminary services.

#### **Informal Complaints**

##### *Informal resolution with the Academic Dean*

In the first instance, a student who is concerned about a non-academic decision made or action taken by Vose Seminary should discuss their grievance with the Academic Dean. The Academic Dean will promptly notify

the student of any action taken or any decision made by them in relation to the grievance. If, following the notification from the Academic Dean, the student's grievance is not resolved to their satisfaction or the student alleges failure to follow procedure, the student may address their grievance to the Principal. The Academic Dean will give the student a copy of this policy.

#### *Reference to the Principal*

If the student's concerns cannot be resolved by the Academic Dean, and/or the student alleges failure to follow procedures, the student may only formally approach the Principal by putting the complaint in writing and lodging it within fifteen (15) working days of receipt of the notification from the Academic Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

If the Principal was involved in making the original decision that that has become the matter in dispute or the Principal is unavailable to participate in the resolution process, another person of appropriate rank and expertise shall be appointed by the Chair of the Seminary Board of Directors (or equivalent) as the review officer in place of the Principal.

The Principal must acknowledge the formal complaint in writing within five (5) working days of receipt and ensure that all documentation relevant to the complaint is maintained within the student's file. The Principal must try to resolve the complaint within fifteen (15) working days of receiving the complaint. Following investigation of the matter, the Principal will advise the student in writing of his/her decision as well as:

- 1) Setting out the reasons for this decision;
- 2) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the Australian College of Theology; and
- 3) Giving the student a copy of this policy, if the student does not already have a copy.

#### *Reference to the Dean of ACT*

If the student's concerns cannot be resolved by the Principal, or the student alleges failure to follow procedures, the student may formally approach the Dean of ACT only by putting the complaint in writing and lodging it within fifteen (15) working days of receipt of the written response by the Principal. Again the nature of the complaint and the grounds for appeal should be detailed.

The Dean must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt. The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Dean will advise the student in writing of his/her decision as well as:

- 1) setting out the reasons for this decision;
- 2) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- 3) giving the student a copy of this policy, if the student does not already have a copy.

### **External Dispute Resolution**

Students who remain dissatisfied with the outcome of any appeal, except those related to a mark for an intra-semester assessment, can make a final appeal free of charge to the Council of Private Higher Education (COPHE), c/- the Executive Officer, Mr Adrian McComb, PO Box 4210, Castlecrag, NSW, 2068 (02 9417 0834). Such appeals must be in writing. The staff at Vose Seminary are also able to make representation to COPHE regarding the matter. Students can include a nominee in this process if they so choose. Decisions of COPHE shall be final and binding on all parties.

Notwithstanding the above, in matters of dispute resolution, students may exercise their rights to other legal remedies and may contact the higher education authority in their state. Contact details for the higher education authority in each state where Vose Seminary is the registered provider are listed below. Students can include a nominee to represent them in this process if they so choose.

### **External Formal Concern**

If a domestic student is concerned about the Seminary's actions, the student may raise concerns with respect to Vose Seminary's registration as an education and course provider to students with the higher education authority in Western Australia.

Office of Non-Government and International Education, Department of Education Services  
PO Box 1766  
Osborne Park WA 6916  
Ph: (08) 9441 1900  
Fax: (08) 9441 1950

### **Review**

This policy shall be reviewed annually in compliance with education industry standards including the Australian Universities Quality Agency (AUQA) Good Practice Database.