

Academic Appeals and Grievances Principles and Procedures

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Approval Authority	Deputy Vice-Chancellor (Academic)
Contact Person	University Grievance & Academic Processes Coordinator - Deputy Vice-Chancellor (Academic)

Introduction

The University endeavours to provide a safe, harmonious and productive environment for its students and staff. The University seeks to achieve this by complying with the law; internal regulations, policies and procedures; and by ensuring there is a process through which students may raise concerns and have academic appeals and grievances considered.

This document should be read in conjunction with the following documents:

- [General Course and Examination Regulations N: Hardship \(University Regulations website\)](#);
- [General Course and Examination Regulations O: Appeals and Grievances \(University Regulations website\)](#);
- [Harassment Policy \(PDF, 123KB\)](#); and the
- [Code of Practice for the Pastoral Care of International Students \(PDF, NZQA website\)](#)

Definitions

Academic appeal – A request for reconsideration of an academic matter where a decision has been made under University regulations.

Academic grievance – A situation not subject to an Academic Appeal as defined by University regulations where a student believes they have suffered an academic disadvantage.

Allegation – The nature of a grievance.

Formal academic grievance – A written statement submitted by a named student that expresses dissatisfaction about a University service or process and which asks for consideration and response.

Informal academic grievance – A concern which might be expressed orally, by email, or in writing that can be resolved informally at a low level without recourse to the formal grievance procedure.

Respondent – The person against whom there is a grievance or who is appealed against.

Principles

The consideration of student academic appeals and grievances is underpinned by the following principles:

1. The respondent has the right to know of, and be able to respond to, the allegations made against him or her.
2. The appeal or grievance will be considered by independent and unbiased decision-makers who observe fair and impartial procedures.
3. The final decision will be based solely on relevant evidence and information.
4. The procedures for considering student appeals and grievances will be transparent and easily accessible to students and staff.
5. Student appeals and grievances will be considered in a timely manner. Unless there are reasons outside the University's control or the matter is complex, the University will endeavour to come to a decision on student appeals and grievances within 20 working days.
6. Where possible, efforts will be made to resolve an appeal or grievance informally before the formal procedure is invoked.
7. The University will deal with each appeal or grievance in accordance with relevant legislation and internal regulations, policies and procedures.
8. All appeals and grievances received in writing will receive attention. Appeals and formal grievances will only proceed if they contain sufficient information to enable the respondent to respond.
9. At any time the student has the right to withdraw an appeal or grievance. However, the University may choose to continue with a grievance if it can be proceeded with independently of the student, and the matter is sufficiently serious.

Procedures: Overview

1. Where possible, students should first seek an informal review of the original decision from the person who made that decision.

2. Where an informal review is not possible, or the student is not satisfied with the outcome of the informal review, the student may seek mediation if appropriate, appeal the original decision or lodge a formal academic grievance.
3. Having exhausted procedures in the department/school and/or College, the University Grievance and Academic Processes Coordinator is the point of contact for students who wish to raise concerns, make an academic appeal or lodge a formal grievance.

Informal Review of the Original Decision

A student has the right to seek an informal review of any original decision by the person who made it. Such requests must be in writing. This step is prior to any appeal process and is not recorded in the student's transcript. The outcome of any such reconsideration must be notified to the student in writing. If the outcome of the reconsideration is not that sought by the student, the notification must inform the student of their right of appeal and that any appeal must be made within ten working days of the student receiving notification of the outcome of the review.

Academic Appeals

The following partial extract from the [General Course and Examination Regulation O: Appeals and Grievances \(University Regulations website\)](#) should be noted:

1. Right of Appeal

A student may appeal against any decision by which he or she is aggrieved which is made in the exercise of powers under the General Course and Examination Regulations, the Limitation of Entry Regulations, the Course Regulations or any other academic decision where an appeal right is not provided within the University regulations.

2. Appeal Hearing

- a. Appeals to the Academic Appeals Committee are conducted as a full re-examination of the original decision.
- b. Appeals to the Council Appeals Committee will be conducted in accordance with the policy relating to Appeals to the University Council.

3. Appeals from a Departmental or School Decision

A student who is aggrieved by a decision made by a Head of Department/School, or an academic within a department or school, may appeal to the Dean of the Faculty for the degree to which the decision applies or, for matters related to PhD or any thesis examination, to the Dean of Postgraduate Research.

4. Appeals from a Decision of a Dean, Academic Manager, Deputy Vice-Chancellor, Pro-Vice-Chancellor or other University Officer

- a. A student who is aggrieved by a decision made by a Dean, Academic Manager, Deputy Vice-Chancellor, Pro-Vice-Chancellor or other University Officer may appeal to the Academic Appeals Committee (a subcommittee of the Academic Administration Committee acting on behalf of the Academic Board).
- b. A student who is not satisfied with the outcome of the appeal to the Academic Appeals Committee may appeal that decision to the Council Appeals Committee.

5. Appeals from a Decision of a University Committee (including the Academic Appeals Committee)

- a. A student who is aggrieved by a decision made by the Academic Administration Committee, a subcommittee of the Academic Administration Committee, or the Executive of the Academic Administration Committee may appeal to the Council. Appeals to the Council are heard on behalf of the Council by the Council Appeals Committee.
- b. The decision of the Council Appeals Committee is final.

Appeals may cover a wide range of matters that have an academic outcome for the student; examples include admission to courses, waiver of pre-requisites, extensions of time, reconsiderations of grades, and the granting of credit for courses taken elsewhere.

Note 1: When a formal academic grievance has been lodged in conjunction with an academic appeal, the grievance will be considered before the academic appeal is heard.

Note 2: Appeals from decisions of the Proctor, the Discipline Committee or the Students' Association are dealt with under the [Discipline Regulations \(University Regulations website\)](#), regulations 5 and 7.

Appeal Procedures

Please also see Appendix 1 – Flowchart of Academic Appeals Procedures.

1. Appeals from Department or School Decisions

Appeals of decisions made by a department/school or individual academic staff member are made to the relevant Dean.

Note: The relevant Dean is the Dean responsible for the award in which the student is enrolled.

- a) An appeal must be made in writing to the relevant College Academic Manager within ten working days of the student receiving notification of the original decision (or result of informal review). Every appeal must specify the grounds of the appeal in detail.

- b) Only in exceptional cases will a late appeal be considered. The Dean will decide whether a late appeal will be accepted. Reasons for lateness should be provided when the request to consider a late appeal is made.
- c) Upon receipt of the appeal, the Academic Manager will refer it to the relevant Head of Department/School for written comment (or where more appropriate to a Programme Convenor).
- d) The appeal and any comment from the Head of Department/School or Programme Convenor will be forwarded by the Academic Manager to the relevant Dean for a decision. The Dean may seek further information from the student or department/school or Programme Convenor.
- e) The outcome of the appeal will be communicated in writing by the Academic Manager to the student as soon as is practicable.
- f) Where the result of the appeal is not that sought by the student, the notification of the outcome of the appeal must inform the student
 - i. of their right of appeal from that decision,
 - ii. that any appeal must be made within ten working days of the student receiving notification of the decision, and
 - iii. that any appeal must be lodged with the University Grievance and Academic Processes Coordinator.

Note: If the Academic Manager considers that the appeal would be more appropriately heard by the Academic Appeals Committee, then the student request shall be forwarded to the University Grievance and Academic Processes Coordinator and the student advised accordingly.

2. Appeals from a Decision of a Dean, Academic Manager, Deputy Vice-Chancellor, Pro-Vice-Chancellor or other University Officer

Appeals of decisions made by Deans, Academic Managers, Deputy Vice-Chancellors, Pro-Vice-Chancellors or other University Officers are made to the Academic Appeals Committee.

- a) An appeal must be made in writing to the University Grievance and Academic Processes Coordinator within ten working days of the student receiving notification of the original decision (or result of an informal review). Every appeal must specify the grounds of the appeal in detail.
- b) Only in exceptional cases will a late appeal be considered. The Chair of the Academic Appeals Committee will decide whether a late appeal will be accepted. Reasons for lateness should be provided when the late appeal is made.
- c) Upon receipt of an appeal, the University Grievance and Academic Processes Coordinator will refer it to the person who made the original decision and request a written response. In appropriate cases, the Head of the relevant Department or School or Programme Convenor may also be asked for a written response.

- d) The student will be advised of his or her right to choose to be heard orally as soon as is practicable. The relevant staff member who made the original decision will also be invited to appear.
- e) If the student chooses not to appear before the Committee then the Committee may determine the appeal on the written material alone.
- f) Before an appeal hearing, whether in person or by consideration of written submissions, the University Grievance and Academic Processes Coordinator will:
 - (i) Send the student any written material submitted to the Committee, including any statement made by a Head of Department or School, Dean, Academic Manager, Deputy Vice-Chancellor, Pro-Vice-Chancellor or other University Officer.
 - (ii) Send the person who made the original decision any written material submitted to the Committee, including any statement made by the student.
 - (iii) However, in either case, the University Grievance and Academic Processes Coordinator must withhold information which is protected from disclosure by law which will include information protected by the [Privacy Act 1993 \(New Zealand Legislation website\)](#) and/or the [Official Information Act 1982 \(New Zealand Legislation website\)](#).
 - (iv) Advise the student and the person who made the original decision of the date and time of the hearing and of the membership of the Committee (including co-opted members).
- g) Additional written material (whether evidence or submissions) may be sent to the Committee, provided it is received no less than three working days prior to the date upon which the matter is to be considered. Only in exceptional circumstances will additional written material be accepted after this time.
- h) The Academic Appeals Committee may co-opt academic members of staff who are not members of the Committee where the Chair of the Committee considers it is necessary to provide balance or expertise on the Committee.
Such co-opted members will not be voting members of the Committee; however they will attend all of the hearing or hearings concerning the matter. All parties will be informed in advance of the membership of the Committee, and of any experts likely to be called.
- i) At an appeal hearing where the student appears in person:
 - i. The student may be represented by an advocate of his or her choice (for example, the UCSA Student Advocate), who will have speaking rights.
 - ii. The student may be accompanied by support people or whanau. The support people/whanau will have no speaking rights.
 - iii. The person who made the decision appealed against will be invited to make representations to the Committee.
 - iv. The student, the person whose decision is appealed against, or the Committee itself, may call witnesses to give evidence. Where the witnesses are called by a party, the Secretary must be advised of the names of the witnesses at least one working day prior to the meeting.

- v. The student will be invited to explain his or her case, either personally or through his or her advocate. The person whose decision is being appealed against will be invited to respond. The Committee may ask questions at any time. The student and the person whose decision is being appealed against will be given the opportunity to ask questions of any witness, or of the other party.

Note: It is normally undesirable for the student or the advocate simply to read from written material already before the Committee. He or she may assume the Committee is familiar with that material.

- vi. The Committee may adjourn any hearing to a later date.
- j) At a meeting where the student does not appear in person, the Committee will consider the written material and may seek further information from any person.
- k) After considering the evidence and the submissions, the Academic Appeals Committee will decide the appeal.
- l) In communicating the decision of the Committee where an appeal is declined, the Secretary will advise the student of the reasons for the decision and their further appeal rights. Other material may be provided to the student if relevant. The student has the right to request a copy of the minutes of the relevant part of the Committee meeting. The Secretary must withhold information which is protected from disclosure by law which will include information protected by the [Privacy Act 1993 \(New Zealand Legislation website\)](#) and/or the [Official Information Act 1982 \(New Zealand Legislation website\)](#)

3. Appeals from Academic Administration Committee Decisions (including decisions of the Academic Appeals Committee)

Appeals from a decision made by the Academic Administration Committee, a subcommittee of the Academic Administration Committee or the Executive of the Academic Administration Committee may be made to the University Council.

- a) Appeals to the Council are heard on behalf of the Council by the Council Appeals Committee.
- b) The decision of the Council Appeals Committee is final.

Note: See Appendix 3 for detailed procedures for the conduct of appeals to the Council Appeals Committee.

Academic Grievances

Application and scope

1. These procedures apply to grievances about any aspect of the teaching and learning process where a student believes they have suffered an academic disadvantage, except where the grievance can be dealt with under the [Harassment Policy \(PDF, 123 KB\)](#), in which case those procedures take precedence over these grievance procedures.

2. These procedures are applicable to any prospective, current or recent student of the University (see section on Time Limits).
3. These grievance procedures cover students who are querying the academic judgement of an examiner in a postgraduate examiner's report and students who wish to question the competence of their supervisor/s.
4. These procedures do not cover:
 - grievances against individuals who are not members of staff, e.g. associate teachers or placement supervisors. In such cases students are encouraged to inform a relevant University staff member (e.g. professional practice co-ordinator or programme coordinator) who may be able to resolve the grievance or who may be able to refer the grievance directly to the person's home organisation;
 - grievances against a group of staff rather than an individual member. It may be more appropriate for the matter to be taken up with the HOD/S through the class representative system or through the [UCSA Advocacy and Welfare Team \(UCSA website\)](#);
 - student grievances concerning the behaviour of another student. The student should contact the Student Support Team Leader; or
 - grievances about the conduct of a staff member which are not concerned with academic disadvantage. The person (staff or student) should contact Human Resources in the relevant College, either directly or through the University Grievance and Academic Processes Coordinator.

Informal resolution of concerns

This is the first step in dealing with any concerns, and every effort should be made to undertake this step before lodging a formal academic grievance.

1. Should minor concerns arise, students are encouraged to raise the matter directly with the staff member concerned, with the aim of resolving the matter at the lowest possible level and without undue formality.
2. The concern must be raised personally by the student either orally or in writing, e.g. by email. The UCSA Student Advocate or another support person may assist the student to express their concern.
3. Staff approached by a student with a concern are expected to deal with the matter in an open and professional way and to take reasonable and prompt action to try to resolve the matter informally. The staff member may seek further clarification about the circumstances either from the student or from others. The staff member may discuss a particular issue with a colleague as a 'case in principle' without naming the student. Staff members may seek the support of their Head of School or Department, or Dean or Pro-Vice-Chancellor.

4. The staff member will promptly advise the student in writing of the outcome of the matter. A staff member or student who is uncertain about how to seek informal resolution of a concern is encouraged to seek advice from the University Grievance and Academic Processes Coordinator or the [UCSA Advocacy and Welfare Team \(UCSA website\)](#).

Where informal discussions have not resulted in a satisfactory resolution for the student, or where the matter is more serious, the formal academic grievance procedures should be followed.

Formal academic grievance procedures

Where it has not been possible to resolve a concern informally or the grievance is considered serious, a student may lodge a formal academic grievance.

1. A student who wishes to lodge a formal academic grievance must submit it in writing on the prescribed form to the University Grievance and Academic Processes Coordinator. Students are advised to keep notes of any incidents or actions that form part of their complaint. A group of students may lodge one complaint, but each must provide their full name and student ID number.
2. Receipt of formal academic grievances will be promptly acknowledged in writing.
3. The University will then consider the grievance. Consideration of a grievance may include meeting with relevant staff and/or the student. Should meetings be held, the student and the respondent may each be accompanied by support people/whanau.
4. The outcome will be communicated to all parties in writing.

When a formal academic grievance has been lodged in conjunction with an academic appeal, the grievance will be considered before the academic appeal is heard. The Secretary to the Academic Appeals Committee can provide advice on academic appeals procedures.

A student who wishes to lodge a formal academic grievance must do so within 20 working days after the last occurrence of the action or matter that has given rise to the grievance, unless the Vice-Chancellor decides otherwise.

Representation and Confidentiality

A student or staff member may be accompanied at meetings by a support person or whanau at any stage during the consideration of a grievance (informal or formal). The person considering the grievance must be advised that the student or staff member will be accompanied by a support person/whanau.

The privacy and confidentiality of all parties to the grievance will be observed in accordance with the law. Only those who are directly involved in the grievance, or are

involved in its consideration, will have access to information about the grievance. Records that identify a student will be stored in secure files.

Appeals Against the Outcome of a Formal Academic Grievance

A student dissatisfied with the outcome of the consideration of an academic grievance may appeal to the Vice-Chancellor within ten working days of being notified of the outcome. Such an appeal will only be considered on the grounds of unfair process or on the presentation of new material. The Vice-Chancellor's decision will be final.

Monitoring

In order to facilitate the improvement of processes and services, the University Grievance and Academic Processes Coordinator will record the number, type and outcome of all formal academic grievances.

Related Documents and Information

Legislation

- [Privacy Act 1993 \(New Zealand Legislation website\)](#)
- [Official Information Act 1982 \(New Zealand Legislation website\)](#)

Regulations

- [Discipline Regulations \(University Regulations website\)](#)
- [General Course and Examination Regulations N: Hardship \(University Regulations website\)](#)
- [General Course and Examination Regulations O: Appeals and Grievances \(University Regulations website\)](#)

UC Policy Library

- [Harassment Policy \(PDF, 123KB\)](#)

External

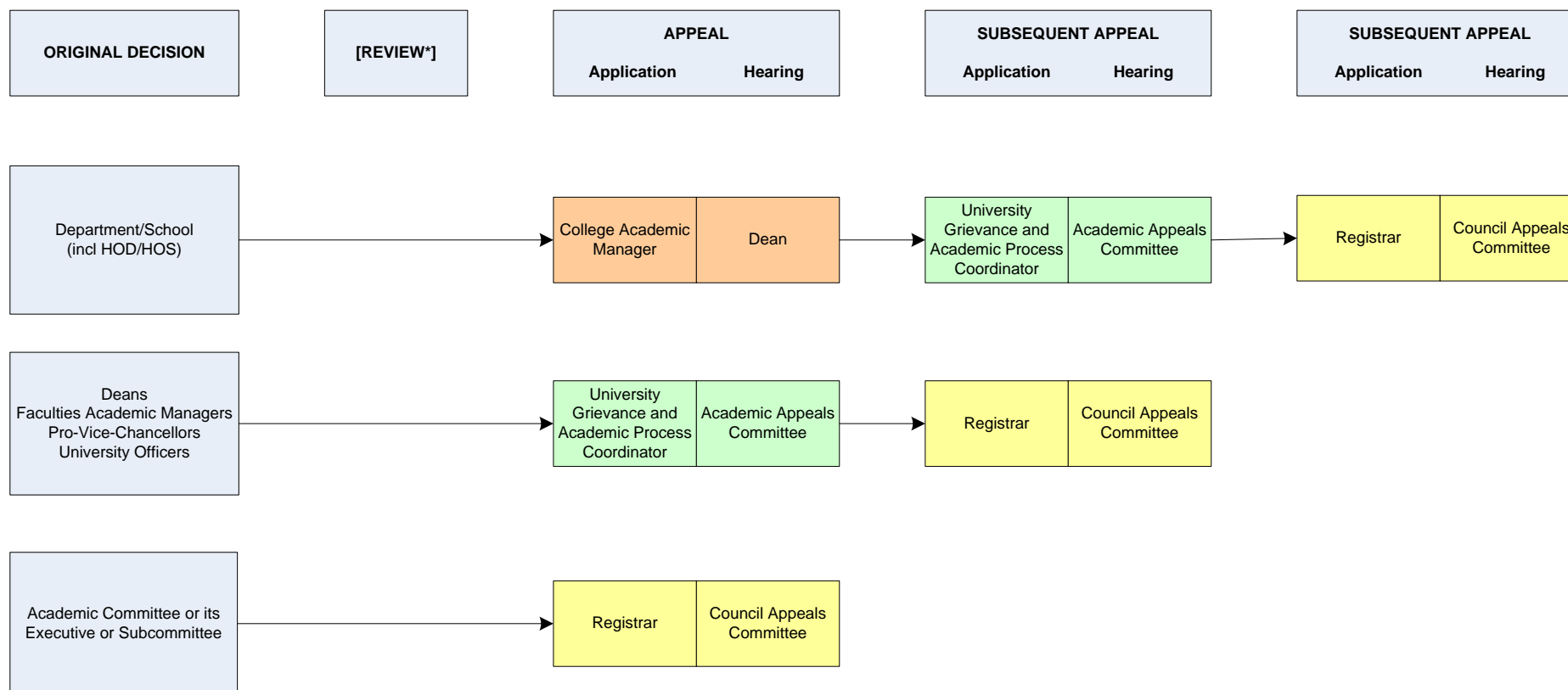
- [Code of Practice for the Pastoral Care of International Students \(PDF, NZQA website\)](#)
- [Official Information Act 1982 \(New Zealand Legislation website\)](#)
- [Privacy Act 1993 \(New Zealand Legislation website\)](#)
- [UCSA Advocacy and Welfare Team \(UCSA website\)](#)

Appendices

- Appendix 1: Flowchart for Academic Appeals Procedures
- Appendix 2: Choosing the Correct Appeal/Complaint Pathway
- Appendix 3: Appeals to the University Council

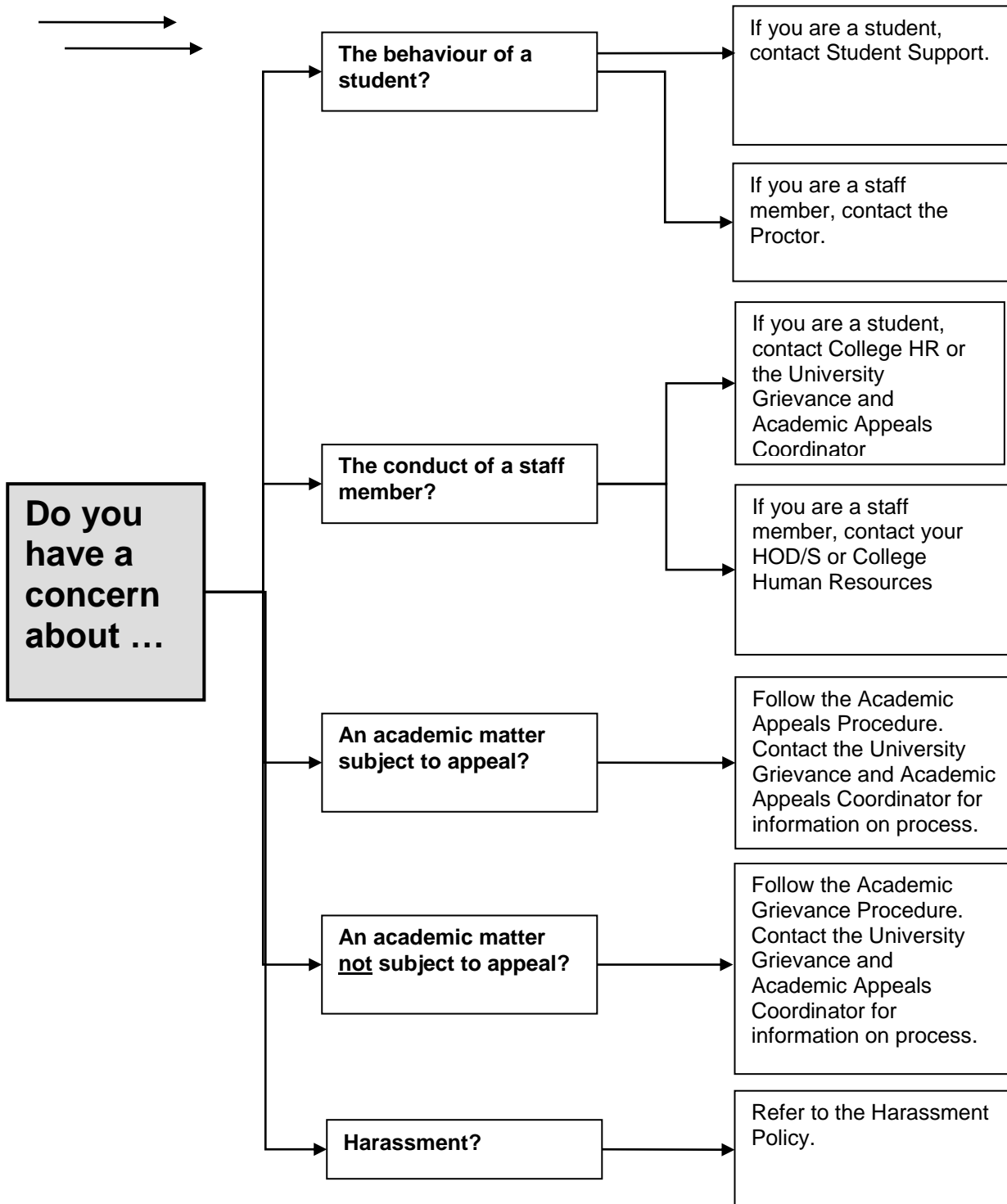
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1.00	Conversion of document into new template	Policy Unit	Oct 2013
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Appendix 1 - Academic Appeals



* A student has the right to seek a re-consideration of any original decision by the person or committee who made it.

Appendix 2 - Choosing the Correct Appeal/Grievance Pathway



Appeals to the University Council

1. This procedure should be read in conjunction with the policy document – “Academic Appeals and Grievances: Principles and Procedures”.
 2. As outlined in that document, the Regulations of the University give a student aggrieved by a decision of the Academic Board the right of appeal to the University Council.
 3. The Council has delegated to its Council Appeals Committee authority to hear and dispose of appeals against academic decisions on the grounds of incorrect process or new evidence.
 4. The Council Appeals Committee consists of the Chancellor (or nominee), 2nd lay member of Council nominated by the Chancellor, Vice-Chancellor or nominee and the Student President *.
- * Normal membership of the Committee includes the Student President, but if there is a conflict of interest in a particular case, the second student member of the University Council will be invited to stand in for the Student President.
5. As specified in the Regulations all appeals to Council –

“shall be made in writing within 10 working days of the student receiving notification of the decision. Only in exceptional cases will a late appeal be considered.”
 6. The appellant should state the grounds for the appeal being made to the Council, and – if there is written material – provide that material to the Council at least seven (7) clear days prior to the hearing.
 7. The student will be given the opportunity to appear before the Committee in person, accompanied by another person, if the student so wishes. The other person will have speaking rights at the meeting.
 8. The Committee may invite the appropriate Head of Department, Dean or other member of academic staff to be present at the meeting, also.
 9. The student (if present) will be asked to explain his or her case, either personally or through an accompanying person. The appropriate Head of Department, Dean or other member of academic staff (if present) will be asked to respond. The Committee may then ask questions of either the student or the member of academic staff; the parties may also ask questions.
 10. The parties will then retire from the meeting whilst the Committee deliberates on the appeal.

11. At a meeting where the student does not appear in person, the Committee may decide the appeal on the written material before it.
12. The Committee may decide to adjourn a meeting at any stage during the hearing of an appeal, and/or seek further information.
13. The decision of the Council Appeals Committee, acting on behalf of the Council, is final.

