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# Academic Grievance Policy

## Academic Policy

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### 1 Purpose

The Victoria University of Wellington ('the University') seeks to provide a learning environment that enables students to achieve their fullest academic potential. To that end, it is important that procedures exist to ensure decisions affecting student learning and progress are fair. This policy sets out how perceived academic disadvantage and academic grievances are to be resolved.

### 2 Organisational Scope

This is a University-wide policy.

### 3 Definitions

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

Academic Disadvantage:	An adverse and unjustified impact on a student's academic performance or course of study caused by: <ol style="list-style-type: none"><li>1. a change in University statutes or policies;</li><li>2. advice given by staff of the University;</li><li>3. a decision made by staff of the University; or</li><li>4. course delivery, assessment or administrative processes that are not consistent with University policies and statutes.</li></ol>
Academic Grievance:	A formal complaint to the University about perceived academic disadvantage.
Complainant:	A student who submits an academic grievance or who submits an appeal against a decision of the Academic Board Grievance Committee.
Postgraduate student:	A student who has completed a bachelor's degree and is enrolled in a higher qualification.
Respondent:	In relation to an academic grievance: the member of the University staff who made the decision which prompted the academic grievance.  In relation to a decision of the Academic Board Grievance Committee that is appealed on the grounds of process: the Convenor of the Academic Board Grievance Committee.

Student:	A person currently or formerly enrolled as a student at the University, or person who is currently studying at the University under an exchange agreement with another institution.
Student advocacy service:	The person or service provider appointed to independently support and advocate on behalf of students.

## 4 Policy Content and Guidelines

### 4.1 Resolving academic disadvantage (informal process)

- (a) Where a student considers that academic disadvantage has occurred, and provision for addressing the matter exists in a statute or policy, a student must use that provision.
- Note 1: Appeals against admission or enrolment decisions are dealt with under the Admission and Enrolment Statute.*
- Note 2: Reconsiderations of examination scripts or items of assessment or of aegrotat applications are dealt with under Assessment Handbook.*
- Note 3: Appeals against the outcome of the examination of a Master's thesis are dealt with under the Master's Thesis Policy.*
- Note 4: Appeals against certain constraints on enrolment in a PhD are dealt with under the Doctoral Policy.*
- Note 5: Appeals against decisions in respect of fees are dealt with under the Fees Statute.*
- Note 6: Appeals against suspensions and exclusions are dealt with under the Academic Progress Statute.*
- Note 7: Misconduct by staff or students is dealt with under the Conduct Policy or Student Conduct Statute as applicable.*
- (b) Where a student considers that academic disadvantage has occurred and the matter is not covered by s4.1(a) they should first discuss the matter with the relevant Lecturer, Course Coordinator or Supervisor.
- (c) If the student does not feel able to discuss the matter directly with the lecturer, course coordinator or supervisor, or if they consider that the matter has not been resolved under s4.1(b), they should discuss the matter with the programme director (if applicable) or head of school. The programme director and/or head of school may request written details of the alleged academic disadvantage and may refer the matter to the appropriate staff member(s).
- (d) If the student does not consider that the matter has been resolved within the School under s4.1(c) they must contact the relevant associate dean or deputy dean as applicable. The associate dean or deputy dean may request written details of the alleged academic disadvantage.
- (e) The student may, at any time, contact any of the following for advice or support: the student advocacy service, the Student Interest & Dispute Resolution Adviser, student support staff or the Academic Office.
- (f) Members of the relevant Faculty must respond to the student's allegation of academic disadvantage and should make all reasonable efforts to try to resolve the matter within the Faculty, within a reasonable timeframe. A written summary of the resolution should be provided to the student.

#### 4.2 Submitting an academic grievance (formal process)

- (a) Where an allegation of academic disadvantage has not been resolved within a faculty, a student may submit an academic grievance to the University. The academic grievance must be submitted within one year of the decision, advice or other event that caused the student to consider that they have suffered academic disadvantage.
- (b) The academic grievance must be submitted in writing to the Director of the Academic Office. Receipt of the academic grievance will be acknowledged by the Academic Office, normally within ten working days. Once submitted, an academic grievance may not be expanded to cover matters not originally included.
- (c) The academic grievance must state clearly and succinctly the grounds upon which the academic disadvantage is claimed. The submission should contain sufficient, relevant information for the matter to be investigated, including any relevant correspondence with the School or Faculty. A brief timeline should be included. The Convenor of the Academic Programmes Committee shall consider the academic grievance and may request clarification and/or a summary of the academic grievance from the complainant.
- (d) The Academic Office shall forward the academic grievance to the respondent, with a copy to the Dean of the relevant Faculty, and request a written response. The written response shall normally be provided within ten working days.

#### 4.3 Investigation of the academic grievance

- (a) The Academic Board Grievance Committee is a committee of the Academic Board that has responsibility for the investigation and determination of academic grievances.
- (b) The Convenor of the Academic Board Grievance Committee shall be appointed by the Provost. The Convenor shall normally be a member of the academic staff at professorial level.
- (c) The Academic Board Grievance Committee shall comprise:
  - (i) the Convenor;
  - (ii) another academic staff member of the Academic Board; and
  - (iii) a student member of the Academic Board, or of a Committee of the Academic Board.

The Academic Office shall inform the complainant and respondent of the membership of the Academic Board Grievance Committee.

*Note 1: Members of the Academic Board Grievance Committee will not normally be recruited from the Faculty in which the academic grievance has originated.*

*Note 2: In the case of an academic grievance submitted by a thesis student the student member of the Academic Board Grievance Committee will normally be a postgraduate student.*

*Note 3: In case of a perceived conflict of interest about membership of the committee the Convenor of the Academic Programmes Committee shall make the final decision on membership.*

- (d) The Academic Board Grievance Committee shall follow a procedure which is appropriate to the subject matter of the academic grievance and which protects the rights of the student and any affected staff member or other student.
- (e) The Academic Board Grievance Committee shall follow the principles of natural justice.
- (f) When appropriate, the Academic Board Grievance Committee shall follow the principles of the Treaty of Waitangi.

- (g) In order to ensure its recommendation is based on all available evidence, the Academic Board Grievance Committee may request additional information or seek clarification from the complainant, respondent and/or other University employees.
- (h) The Academic Office will forward to the complainant the written response provided by the respondent (refer s4.2(d)). The Academic Office may remove sensitive or personal information relating to staff or other students.
- (i) As part of its investigation, the Academic Board Grievance Committee will normally meet the complainant, the respondent and relevant other parties. Meetings with the complainant and respondent will be held separately. The complainant or respondent may bring up to two support persons to the meeting, who may speak on their behalf. The Convenor should adjourn the meeting after two hours if, in their judgment, all relevant points have been addressed. In the event of inappropriate behaviour by any party the Convenor may adjourn the meeting at any time.
- (j) Minutes of any meetings held under s4.3(i) will be made available to the complainant and respondent.
- (k) The investigation will normally be completed within six months of receipt of the academic grievance. All parties are expected to make their best efforts to complete the academic grievance process within that timeframe.
- (l) The complainant shall have the right to translation services in Te Reo Māori or New Zealand Sign Language. Such translation services will, if necessary, be provided at the University's expense.

#### **4.4 Decision on the academic grievance**

- (a) Having thoroughly investigated the academic grievance, the Academic Board Grievance Committee shall prepare a written report that sets out the key issues and decides whether academic disadvantage has occurred. Where the Academic Board Grievance Committee decides that academic disadvantage has occurred, the report should recommend appropriate actions to address the academic grievance.
- (b) The Convenor of the Academic Programmes Committee or delegate shall inform the complainant and respondent in writing of the Academic Board Grievance Committee's decision, with a copy of the report. The decision and report are forwarded to the relevant Dean.
- (c) When appropriate, the Academic Board Grievance Committee may recommend changes to University statutes or policies.

#### **4.5 Submission of an appeal**

- (a) A complainant or respondent who is dissatisfied with the decision of the Academic Board Grievance Committee may submit an appeal to the Grievance Appeal Committee.
- (b) An appeal must be submitted in writing within twenty working days of the date of the letter notifying the decision on the academic grievance. The Convenor of the Grievance Appeal Committee may extend this period if they are satisfied that there is a good reason. The complainant should indicate in their submission whether they wish to appear in person before the Grievance Appeal Committee.
- (c) The appeal must be submitted in writing to the Provost, who will acknowledge receipt of the appeal, normally within ten working days, together with an outline of the anticipated timeframe for the appeal and the membership of the Grievance Appeal Committee. All correspondence on the appeal shall be conducted between the Convenor or nominee and

the complainant or nominee. Once submitted, a grievance appeal may not be expanded to cover matters not originally included.

- (d) The Grievance Appeal Committee must not allow an appeal unless satisfied that the decision of the Academic Board Grievance Committee:
  - (i) was unsound because of some material defect in the procedures followed by the Academic Board Grievance Committee; or
  - (ii) was incorrect on the basis of the information considered by the Academic Board Grievance Committee; or
  - (iii) has been shown to be incorrect in the light of additional information which, for good reasons, the party appealing was unable to have considered by the Academic Board Grievance Committee.

#### **4.6 Consideration of the appeal**

- (a) The Convenor of the Grievance Appeal Committee is the Provost or nominee.
- (b) The Grievance Appeal Committee shall comprise the Convenor and a member of Council who is not a student or University staff member.

*Note: In case of a perceived conflict of interest about membership of the Grievance Appeal Committee the Vice-Chancellor shall make the final decision on membership.*

- (c) The Grievance Appeal Committee shall review the evidence submitted to the Academic Board Grievance Committee, and the decision of that committee, and may request any further evidence that it deems relevant. The Grievance Appeal Committee may request to meet the complainant, the respondent and relevant other parties.
- (d) Any meetings with the complainant and respondent will be held separately. The complainant or respondent may bring up to two support persons to the meeting, who may speak on their behalf. The Convenor should adjourn the meeting after two hours if in their judgment all relevant points have been addressed. In the event of inappropriate behaviour by any party the Convenor may adjourn the meeting at any time.

#### **4.7 Decision on the appeal**

- (a) The decision of the Grievance Appeal Committee cannot be appealed further within the University. The Convenor shall inform the complainant and the respondent of the decision in writing. The appeal decision is notified to the relevant Dean and other relevant parties.

*Note: Section 4.7 does not prevent a student pursuing the matter through an external agency such as the Office of Ombudsmen.*

- (b) Where appropriate the Committee may provide recommendations to the Academic Board on changes to University statutes or policies.

## **5 Legislative Compliance**

Though the University is required to manage its policy documentation within a legislative framework, there is no specific legislation directing this policy.

## **6 References**

[Admission and Enrolment Regulations](#)

[Assessment Handbook](#)

[Fees Policy](#)

[General Programmes of Study Regulations](#)

[Master's Thesis Regulations](#)

[Doctoral Regulations: for PhD and other Doctorates with Theses](#)

[Staff Conduct Policy](#)

[Student Conduct Statute](#)

[Treaty of Waitangi Statute](#)

## 7 Appendices

None

## 8 Approval Agency

Academic Board

## 9 Approval Dates

This policy was originally approved (as a statute) on: 22 December 2001

This version was approved on: 1 December 2011

9 February 2023 Minor edits

This version takes effect from: 1 October 2014

## 10 Policy Sponsor

Provost

## 11 Contact Person

The following people may be approached in relation to this policy:

Senior Academic Quality Advisor

Ext: 6830

Student Interest & Dispute Resolution Adviser

Ext: 5023

*Note: The provision of the student advocacy service has been contracted to the Victoria University of Wellington Students' Association (VUWSA). The contact is:*

*Email: [advocate@vuwsa.org.nz](mailto:advocate@vuwsa.org.nz)*

*Phone: (04) 463 6716*