

# HIGHER DEGREE RESEARCH (HDR) STUDENT ACADEMIC COMPLAINTS POLICY

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| First Approved by:                        | University Council                                                                                                                                                                                                                                                                                                                                                                   |                                                        |                      |  |
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| Responsible Division & Unit:              | Graduate School of Research Research and Innovation Division (RaID)                                                                                                                                                                                                                                                                                                                  |                                                        |                      |  |
| Supporting documents, procedures & forms: | Campus Access and Order Rules Code of Practice – Responsible Conduct of Research Grievance Policy Higher Degree Research (HDR) Award Rules Higher Degree Research (HDR) Student Academic Complaint Form Higher Degree Research Supervision and Resources Policy HDR Award Rules Procedures for Investigating Grievances Research Misconduct Policy Student Conduct Rules UOW Website |                                                        |                      |  |
| Relevant Legislation &                    |                                                                                                                                                                                                                                                                                                                                                                                      |                                                        |                      |  |
| <b>External Documents:</b>                |                                                                                                                                                                                                                                                                                                                                                                                      |                                                        |                      |  |
| Audience:                                 | Public                                                                                                                                                                                                                                                                                                                                                                               |                                                        |                      |  |

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# 1 Purpose of Policy

- 1. This policy replaces the HDR Academic Grievance Policy and the appeals Against HDR Thesis Outcomes Policy.
- 2. The University aims to provide a fair, equitable and productive learning environment for all its students. This policy supports the achievement of this goal by providing a transparent and consistent process for resolving all student complaints including Higher Degree Research (HDR) students' academic complaints.
- 3. The policy affirms the UOW core values contained in the University Strategic Plan 2013 2018.

#### 2 Definitions

| Word/Term            | Definition (with examples if required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Academic complaint   | A complaint by a HDR student concerning a decision, act or omission of a member of UOW staff, committee or thesis examiner which affects the student's candidature or thesis examination outcome.                                                                                                                                                                                                                                                                                                                                         |  |  |
|                      | Examples of the types of complaints that may be covered by this definition in relation to this policy are listed at clause 6.1.                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |
| Complaint            | An expression of concern, dissatisfaction or frustration with the quality or delivery of service, a policy or procedure, or the conduct of another person.                                                                                                                                                                                                                                                                                                                                                                                |  |  |
| Conciliation         | A process whereby an impartial third party assists in the process of complaint resolution.                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |
| Conflict of interest | Exists where there is a divergence between the individual interests of a staff member or affiliates and their professional obligation to the University, such that an independent observer might reasonably question whether the professional actions or decisions of that staff member are influenced by their own interests or are for their own benefit.                                                                                                                                                                               |  |  |
| Discrimination       | Treating someone unfairly or differently because of their sex, pregnancy, race (including colour, ethnicity and descent), disability, sexual preference, religion, transgender, carer's responsibilities, marital status, social origin, political belief, employee association activity, irrelevant criminal record or age. Discrimination also includes treating someone the same as someone else, but where the result of doing this unreasonably disadvantages substantially more people of that person's sex, race, disability, etc. |  |  |
| Due process          | Procedural rights under this policy, other policies (including University, Faculty or Unit policy documents), University rules and codes of practice, and includes the application of the principles of natural justice.                                                                                                                                                                                                                                                                                                                  |  |  |
| Faculty Designate    | Faculty staff member given designated authority to undertake investigations of academic complaints. For investigations of HDR academic complaints, the Faculty Designate will typically be the Head of School, Head of Postgraduate Studies, or                                                                                                                                                                                                                                                                                           |  |  |



|                            | AUSTRALIA                                                                                                                                                                                                                                                                                                     |  |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                            | Associate Dean (Research).                                                                                                                                                                                                                                                                                    |  |
| Good faith                 | Honestly and with propriety.                                                                                                                                                                                                                                                                                  |  |
| Harassment                 | Unwelcome behaviour that makes a person feel belittled, intimidated, offended or apprehensive, and that a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.                                                                          |  |
| HDR student                | A person:                                                                                                                                                                                                                                                                                                     |  |
|                            | who has been accepted for admission to or enrolled in any postgraduate research degree offered at, or in conjunction with, the University of Wollongong, and                                                                                                                                                  |  |
|                            | whose body of HDR work (e.g. a research thesis) is incomplete or still under examination, or                                                                                                                                                                                                                  |  |
|                            | who was enrolled as a HDR student and whose body of HDR work (e.g. a research thesis) was examined as part of their HDR candidature at the University; or                                                                                                                                                     |  |
|                            | A person who has submitted work for examination for a Higher Doctoral Degree (eg. Doctor of Science, Doctor of Letters, Doctor of Law).                                                                                                                                                                       |  |
| Natural justice            | Principles that ensure that decision-making is fair and reasonable. These involve decision-makers informing people of the case against them or their interests, giving them a right to be heard, not having a personal interest in the outcome, and acting only on the basis of logically probative evidence. |  |
| Policy document            | University rules, policies, standards, codes of conduct, codes of practice, procedures and guidelines.                                                                                                                                                                                                        |  |
| Prior involvement          | Providing advice on or making a determination on the merits of a complaint at an earlier stage in the complaints process. Such participation goes beyond providing advice or guidance on the provisions of the policy or other procedural aspects of the complaints process.                                  |  |
| Procedural<br>Irregularity | A circumstance where, in the course of the thesis examination process, University rules, standards, policies, codes, procedures or guidelines have not been followed.                                                                                                                                         |  |
| Progress Reviews           | A review of a HDR candidate's progress that occurs at various stages throughout the student's candidature and includes Research Proposal Reviews, Faculty Progress reviews and Annual Progress Reports.                                                                                                       |  |
| Staff                      | All persons appointed by the University as academic or professional services staff regardless of their classification and regardless of whether holding full-time, parttime, or ongoing or fixed term appointments, including conjoint appointments.                                                          |  |
|                            | All persons engaged by the University as casual employees.                                                                                                                                                                                                                                                    |  |
|                            | All persons defined as Affiliates in the University Code of Conduct.                                                                                                                                                                                                                                          |  |
| Support Person             | A person, other than a legal representative, who provides support to a complainant or a respondent during the course of the consideration of a complaint and any                                                                                                                                              |  |



|                 | subsequent review or appeal process.                                                                                                                                                                                     |  |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Thesis          | Also known as a dissertation, a thesis is the document submitted in support of candidature for a Doctoral or Masters by research degree which presents the author's research and findings.                               |  |
| Thesis Examiner | A thesis examiner is a person appointed by the University to assess by Australian Quality Framework standards appropriate for the relevant Higher Degree Research qualification.                                         |  |
| University      | The campuses, facilities, operations, resources, staff and services of the University of Wollongong.                                                                                                                     |  |
| Vilification    | Anything that happens publicly that could encourage hatred, serious contempt or severe ridicule of a person or group of people, because of their race, ethno-religion, homosexuality, transgender or HIV or AIDS status. |  |

# 3 Application & Scope

- 1. This policy applies to HDR candidates enrolled at the University of Wollongong and sets out the general approach of the University of Wollongong (UOW) in resolving academic complaints.
- 2. This policy addresses academic complaints by HDR candidates including appeals against academic decisions affecting HDR candidature.
- 3. Management of student complaints relating to research methods subjects undertaken by Honours students are addressed in the Coursework Student Academic Review and Academic Complaints Policy.
- 4. Procedures for student complaints relating to coursework subjects taken as part of a HDR degree are addressed in the Coursework Student Academic Review and Academic Complaints Policy.
- 5. This policy does NOT apply to issues relating to campus access and order, student conduct and discipline or student discrimination, harassment or vilification, which are addressed in other policy documents.
- 6. Policy documents pertaining to HDR candidature and thesis submission are contained in a number of complementary documents, as are complaint procedures and rules which are not covered by this policy, including:
  - Higher Degree Research (HDR) Supervision and Resources Policy
  - Higher Degree Research (HDR) Award Rules
  - Coursework Student Academic Complaints Policy
  - <u>Grievance Policy</u> and <u>Procedures for Investigating Grievances</u>, which include student complaints regarding discrimination, harassment or vilification on the part of University staff
  - <u>Student Conduct Rules</u>, which set out procedures for disciplinary action where students are accused of academic or other misconduct
  - Campus Access and Order Rules



#### Research Misconduct Policy

- 7. The list included at clause 3.6 is not exhaustive and students should consult the <u>University website</u> for information regarding other UOW complaint resolution processes and the most recent versions of the listed documents and policies.
- 8. In the case of HDR students enrolled in a UOW program delivered by a third party, the policy applies with the modifications set out in Schedule 1.
- 9. This policy does not apply to students studying at the University of Wollongong in Dubai, who may make academic complaints using the UOWD Student Academic Grievance Policy.
- 10. The University will accept anonymous complaints and will take action, in accordance with this policy, to investigate issues or concerns raised by anonymous complainants.
- 11. One central component of the University's approach to academic complaints is the operation of the Student Ombudsman, an independent and impartial senior officer who is responsible for reviewing student complaints and who will discharge the functions of that office in accordance with the terms of reference set out in Schedule 3 of the Coursework Student Academic Complaints Policy.

# 4 Principles of Complaints Resolution

- 1. The following principles must be adhered to when dealing with an academic complaint:
- 2. Academic complaints must be handled within an appropriate time frame having due regard to procedural fairness and to the specific requirements of this policy;
- 3. All parties involved in an academic complaint must be treated with respect and impartiality, and any relevant issues put forward by the complainant, such as the existence of a disability or medical condition, will be taken into consideration;
- 4. All parties involved should approach proceedings with a genuine desire to resolve the academic complaint in good faith;
- 5. Individuals must not victimise or harass other parties involved in the matter;
- 6. Confidentiality must be observed by all participants and at all stages of the academic complaints process;
- 7. All parties must be informed of the progress of and, if relevant and subject to the University's obligations under privacy legislation, the outcome of the academic complaint and must be provided with reasons for the outcome reached; and
- 8. Academic complaints from anonymous sources must be considered but the anonymity of the complainant should be recognised as a potential hindrance to the effective examination of a complaint.
- 9. The University is committed to the principles of continuous improvement and monitors academic complaints to identify trends that may require proactive measures to minimise or eradicate subsequent academic complaints.

#### 5 Flowchart

1. A flowchart depicting the stages in the HDR academic complaint process can be found at Schedule 2.



# 6 Process for HDR Academic Complaints

#### **HDR Academic Complaints**

- 1. Examples of the types of Higher Degree Research academic complaints include, but are not limited to:
  - a. failure of research thesis supervisor(s) to fulfil responsibilities, in relation to the thesis examination process, as defined in the <u>Higher Degree Research Supervision and Resources Policy</u>;
  - b. failure of the academic unit to fulfil its responsibilities, in relation to the thesis examination process, as defined in the <u>Higher Degree Research Supervision and Resources Policy</u>;
  - c. failure to adhere to the requirements of the <u>Higher Degree Research (HDR) Award Rules</u>, governing examination of theses;
  - d. failure to adhere to mandatory requirements of the <u>Higher Degree Research Resources</u> and <u>Supervision Policy</u> in relation to assessment or examination requirements of theses;
  - e. failure to follow due process in handling thesis examinations;
  - f. failure of Research Proposal Review Committee to fairly or appropriately review a research proposal.

#### **The Four Stage Process**

- 2. There is one informal and there are three formal stages in the HDR academic complaint resolution process:
  - Informal approach to person directly involved see section 7 below
  - Stage 1: Formal Complaint to Faculty see section 8 below
  - Stage 2: Referral of Complaint to Student Ombudsman see section 9 below
  - Stage 3: Appeals to the Deputy Vice-Chancellor (Research and Innovation) see section 10 below
- 3. At each step in the HDR academic complaint process the staff member to whom the matter has been referred:
  - a. may exercise their discretion to extend the specific time limit for application or referral in consultation with the student; and
  - b. must respond to the student, and resolve the matter, as soon as practicable.
- 4. Where a HDR academic complaint is not resolved at any stage after one calendar month, the student may proceed to the next stage.
- 5. At all stages of resolving HDR academic complaints, students may be accompanied and assisted by a support person at any relevant meeting.



#### **Process for Appeals against HDR Thesis Examination Outcomes**

6. Students wishing to lodge an appeal in relation to a HDR thesis examination outcome will bypass Stage 1 and follow the process outlined under Stage 2.

#### **Grounds for Appeal**

- 7. An appeal against a HDR thesis examination outcome may be against:
  - a. a decision to not award a postgraduate research degree or higher doctoral degree;
  - b. a decision to not allow submission of a thesis for examination as a postgraduate research degree
  - c. a decision to not allow submission of a thesis for examination as a higher doctoral degree; or
  - d. a decision to not allow re-submission of a thesis for re-examination
- 8. The only grounds permitted for an appeal against a HDR thesis examination outcome are:
  - a. lack of due process or procedural irregularities in the assessment or examination process; or
  - b. evidence of bias in the examination process;

#### **Process for Appeal**

- 9. A HDR candidate who believes that they have grounds for appeal under one of the conditions noted in section 6.6 above in relation to the examination of their thesis and wishes to appeal the outcome, must follow procedures outlined in Stage 2 of this policy (see section 9 below).
- 10. The appeal must be lodged in writing as provided for Stage 2 complaints and must clearly state the reasons for appeal and any supporting evidence. The onus is on the HDR candidate to provide evidence of circumstances outlined under section 6.6 above.

## 7 Informal Resolution

- 1. A HDR candidate who has a question or concern about a decision, act or omission that affects their academic progress within the scope of this policy should first approach their Supervisor(s) directly to discuss the matter. The HDR candidate may alternatively seek advice informally from other appropriate persons in the Faculty (e.g. Head of School, Head of Postgraduate Studies, Associate Dean (Research)).
- 2. HDR candidates are encouraged to seek to resolve any issues or concerns informally wherever possible before initiating formal complaint resolution procedures under Stage 1. HDR candidates should seek informal resolution as soon as possible after the decision, act or omission has occurred. If informal complaints are not resolved within ten (10) working days of notification by the candidate of an issue, the HDR candidate may instigate formal Faculty resolution processes (Stage 1).

# 8 Stage 1 - Formal Complaint to Faculty

1. Where an issue or concern is not resolved informally, a HDR candidate may lodge a written complaint with the relevant Faculty Designate for action in accordance with this policy.



#### **Procedural Requirements**

- 2. The complaint must:
  - a. be lodged by the HDR candidate within twenty (20) working days of either:
    - i. the unsuccessful attempt at informal resolution of the complaint; or
    - ii. the student becoming aware of the matter giving rise to the complaint;
  - b. include the HDR candidate's name, student number and contact details and state the nature of the complaint, specific issues to be addressed and the form of resolution sought.
- 3. If the Faculty Designate has had prior involvement in the complaint process at an earlier stage, in order to avoid any perceptions of a conflict of interest, the Faculty Executive Dean must refer the matter to an alternative Faculty Designate who must not be below the level of an Associate Dean.
- 4. After examining the complaint, any other relevant documentation and, if necessary, speaking to the student and other relevant parties, the Faculty Designate may:
  - a. uphold the complaint and direct actions be taken to resolve the matter; or
  - b. dismiss the complaint on the grounds that there are insufficient grounds for the academic complaint.
- 5. At each step in the Faculty complaint process, the Faculty Designate:
  - a. must respond to the student's complaint in writing within ten (10) working days; and
  - b. may exercise his/her discretion to extend the specified time limit for application, referral or response and must inform the candidate in writing of that decision as soon as practicable.
- 6. Should the Faculty Designate fail to respond within ten (10) working days and fail to inform the student of any extension to the specified time limit to respond, this is deemed to be a refusal to take action on the complaint and the student is entitled to move to Stage 2, if they wish to pursue the complaint further.
- 7. Faculties must keep a copy of all documentation relating to any complaint in accordance with the UOW Records Management Policy.
- 8. The Faculty Designate must notify the HDR candidate, in writing, of his/her decision regarding the matter and of the HDR candidate's right to appeal to the Student Ombudsman if the student believes that there are grounds for appeal as specified in section 9.1 below:

# 9 Stage 2 – Referral of Complaint to Student Ombudsman

- 1. Where the HDR candidate considers that:
  - a. the decision at Stage 1 of the process is not supported by the available evidence;
  - b. due process has not been adhered to by the Faculty, or
  - c. relevant new or additional information is now available

the HDR candidate may refer the matter, in writing, to the Student Ombudsman within twenty (20) working days of receiving a formal decision from the Faculty Designate as per Stage 1 of the process.



- 2. Should the Student Ombudsman, following an initial review of the matter, determine that the matter requires further consideration; the Student Ombudsman may request the Manager, Graduate School of Research or the Faculty to prepare a report for the Student Ombudsman on the background to the matter.
- 3. In considering the matter the Student Ombudsman will, where necessary in order to determine the appeal fairly:
  - a. give the HDR candidate concerned an opportunity to be heard and advise him/her of procedures and time requirements;
  - b. invite any staff member or student or committee member, whom he/she considers may assist the review, to provide evidence in person or otherwise;
  - c. provide both the HDR candidate and the person or committee against whose decision the student is appealing with access to information considered by the Student Ombudsman in determining the matter;
  - d. permit the HDR candidate to nominate staff or students to be invited to speak with the Student Ombudsman in support of his/her case; and
  - e. allow the HDR candidate to be accompanied by a person who may lend support but who shall not be permitted to address the Student Ombudsman.
- 4. In considering the matter the Student Ombudsman will:
  - a. consult with the Dean of Graduate Research prior to finalising the Student Ombudsman's consideration of the matter;
  - b. keep an adequate record of the evidence;
  - c. with the consent of the student concerned, allow any member of the University with sufficient justification to have access to that record;
  - d. outline their findings and advise the student and any other relevant parties of the decision in relation to the student's complaint.

#### **Possible Outcomes**

- 5. After examining the relevant documentation and, where necessary, speaking to relevant parties, the Student Ombudsman may:
  - a. refuse to take the matter further if there are insufficient grounds for the complaint; or
  - b. uphold the Faculty's original decision from Stage 1; or
  - c. conciliate the matter in accordance with sections 9.6 9.7; or
  - d. refer the matter, in writing, back to the Thesis Examination Committee (TEC) for reconsideration of the matter; or
  - e. uphold the Stage 2 referral on the basis that:
    - i. the evidence does not support the outcome at Stage 1; or
    - ii. there has been a failure of due process at the Faculty; and take appropriate action in accordance with sections 9.8 9.10.
  - f. make any other decision as deemed appropriate under the circumstances.



#### Conciliation

- 6. The Student Ombudsman may conciliate the matter in order to clarify the issues with the student and suggest possible directions for resolution of the academic complaint.
- 7. The Student Ombudsman may, with the student's consent:
  - a. refer the student to another person, or student representative body, who can provide relevant advice or assistance with the aim of resolving the academic complaint; and/or
  - b. facilitate negotiation of the academic complaint between the parties.

#### **Decision and Outcome**

- 8. Where the Student Ombudsman decides that the evidence does not support the outcome of the Stage 1 process or that due process has not been followed by the Faculty, he/she may:
  - a. conciliate the matter in accordance with sections 9.6 and 9.7; or
  - b. refer the matter, in writing, back to the Faculty for reconsideration of the matter in accordance with due process and within a specified time period; or
  - c. refer the matter, in writing, back to the Thesis Examination Committee for reconsideration of the matter
  - d. make a determination to resolve the matter.
- 9. Where the matter is referred back to the Faculty for reconsideration under section 9.8(b), the Faculty must report back their final determination on the matter including reasons to the Student Ombudsman within a designated time limit.
- 10. Where the matter is referred back to the Thesis Examination Committee for reconsideration under section 9.8(c), the Thesis Examination Committee must report back their final determination on the matter including reasons to the Student Ombudsman within a designated time limit.
- 11. Where the Student Ombudsman makes a determination under section 9.8(d) he/she must notify the relevant Faculty, in writing, of that decision as soon as practicable.

#### **Notification of Outcome**

- 12. Once the matter is finalised, the Student Ombudsman must notify the Dean of Graduate Research and the Manager, Graduate School of Research of the outcome of the academic complaint as soon as practicable.
- 13. Once the matter is finalised, the Student Ombudsman must notify the student, in writing, of the final decision regarding their academic complaint, including reasons for the decision, and of the student's right to appeal to the Deputy Vice-Chancellor (Research and Innovation) under Stage 3 if they believe that there are grounds for appeal as specified in section 10.

# 10 Stage 3 - Appeal to the Deputy Vice-Chancellor (Research and Innovation)

#### **Lodging and Referral of Appeal**

1. Where the HDR candidate is not satisfied with the outcome of their academic complaint under Stage 2, the candidate may appeal the outcome, in writing, to the Deputy Vice-Chancellor (Research and Innovation), on the ground that:



- a. due process has not been adhered to at either Stage 1 or Stage 2, or
- b. relevant new and substantial information is now available.

#### 2. The appeal must:

- a. be lodged, in writing, with the Deputy Vice-Chancellor (Research and Innovation) within twenty (20) working days of receiving written notification of the decision of the Student Ombudsman;
- b. state fully the reasons for the appeal; and
- c. include any relevant documentary evidence to support the appeal.

#### **Consideration of Appeal by Deputy Vice-Chancellor (Research and Innovation)**

- 3. If the Deputy Vice-Chancellor (Research and Innovation) has had prior involvement in the matter, or if a conflict of interest exists on the part of the Deputy Vice-Chancellor (Research and Innovation), the Vice-Chancellor will nominate an alternative officer to determine the appeal in place of the Deputy Vice-Chancellor (Research and Innovation), in accordance with clauses 10.4 10.12 below.
- 4. The Deputy Vice-Chancellor (Research and Innovation) will conduct a preliminary assessment of the appeal, to determine whether the appeal meets the requirements of clause 10.1.
- 5. Following the preliminary assessment, the Deputy Vice-Chancellor (Research and Innovation) will:
  - a. review the matter in accordance with 10.6; or
  - b. refer the matter to another appropriate member of staff, who is free from prior involvement in the matter, to review the matter in accordance with 10.6.
- 6. In his/her review of a HDR academic appeal, the Deputy Vice-Chancellor (Research and Innovation), or other member of staff as per 10.5(b) may:
  - a. give the student concerned an opportunity to be heard and advise him/her of procedures and time requirements;
  - b. invite any staff member or student, whom it considers may assist the review, to attend the meeting and advise such persons of procedures and time requirements;
  - c. provide both the student and the Executive Dean of the Faculty or the Student Ombudsman (as appropriate) with access to information considered by the Student Ombudsman in determining the appeal;
  - d. permit the student to nominate staff or students to be invited to appear in support of his/her case; and/or
  - e. allow the student to be accompanied by a person who may lend support but who shall not be permitted to address the Deputy Vice-Chancellor (Research and Innovation), or other member of staff as per 10.5(b).
- 7. The Deputy Vice-Chancellor (Research and Innovation) or other member of staff as per 10.5(b) must keep an adequate record of the evidence and his/her decision.
- 8. Where the matter was referred to another member of staff as per 10.5(b), the member of staff will recommend an outcome to the Deputy Vice-Chancellor (Research and Innovation).



#### **Outcome of Appeal**

- 9. Where the Deputy Vice-Chancellor (Research and Innovation) decides there are insufficient grounds for the appeal he/she will advise the student that there are insufficient grounds for the appeal and that the decision of the Student Ombudsman shall be upheld.
- 10. Where the Deputy Vice-Chancellor (Research and Innovation) decides that there are sufficient grounds for the appeal he/she will refer the matter back to the Faculty, Thesis Examination Committee, or Student Ombudsman (as appropriate) for reconsideration.
- 11. Where the matter is referred back to the Faculty, Thesis Examination Committee or Student Ombudsman, the Faculty, Thesis Examination Committee or Student Ombudsman (as appropriate) must report their final determination on the matter including reasons to the Deputy Vice-Chancellor (Research and Innovation) within a designated time limit.
- 12. The Deputy Vice-Chancellor (Research and Innovation) must notify the student, the Executive Dean of the Faculty, the Dean of Graduate Research and the Student Ombudsman of the outcome of the appeal within ten (10) working days of his / her determination.

#### 11 Extension of Time Limits

1. Any time limit set in this policy may be extended at the discretion of the investigating officer, for example, to provide adequate time to gather evidence and convene a meeting or because of special circumstances demonstrated by the student.

#### 12 External Review

1. At any point during the HDR academic complaint process, a student who is dissatisfied with the outcome or conduct of an appeal against an academic complaint or HDR Thesis Examination outcome may lodge a complaint with an external agency. Students have the right to make a complaint to the NSW Ombudsman when there is evidence of maladministration or misconduct by the University of Wollongong. The NSW Ombudsman may choose to not investigate a matter until the University has had sufficient opportunity to remedy/rectify the academic complaint internally.

#### 13 Conflict of Interest

1. If a staff member is involved in an academic review or complaint against a decision arising from a matter in which they have a real or perceived conflict of interest, they should disqualify themselves from the investigation and an appropriate alternative staff member should be appointed.

#### 14 Record Keeping

- 1. Files relating to HDR academic complaints considered by the Faculty will be retained and disposed of by the Faculty in accordance with the UOW Records Management Policy.
- 2. Files relating to HDR academic complaints considered by the Student Ombudsman will be retained and disposed of by the Office of the Student Ombudsman in accordance with the UOW Records Management Policy.
- 3. Files relating to HDR academic complaints considered by the Deputy Vice-Chancellor (Research and Innovation) will be retained and disposed of by the Graduate School of Research in accordance with the UOW Records Management Policy.



## 15 Roles & Responsibilities

- 1. All persons involved in investigations of HDR academic complaints have a responsibility to conduct themselves in accordance with this policy.
- 2. The University has a responsibility to:
  - a. ensure that this policy is accessible and communicated to all staff and students
  - b. ensure that this policy is implemented and applied consistently across all faculties and academic units
  - c. promote best practice in resolving HDR academic complaints, and
  - d. ensure that the process for resolving HDR academic complaints allows for:
    - i. timeliness of response;
    - ii. fairness of consideration
    - iii. respect for privacy; and
    - iv. keeping all parties informed of their rights and responsibilities in relation to HDR academic complaints.
- 3. Students and staff involved in HDR academic complaints have a responsibility to follow the requirements of this policy.



# 16 Version Control and Change History

| Version<br>Control | Date Effective                | Approved By                                       | Amendment                                                                                                                                              |
|--------------------|-------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                  | Autumn Session 2015           | University Council-<br>060214                     | New policy to replace HDR Academic<br>Grievance and Thesis Appeal Policy 2007<br>– 2014                                                                |
| 2                  | May 2015                      | Vice-Chancellor                                   | Minor amendments post-implementation to provide clarity on application of policy.                                                                      |
| 3                  | December 2016                 | Deputy Vice-Chancellor<br>(Research & Innovation) | Administrative amendments and update to the new template.                                                                                              |
| 4                  | 14 December 2018              | Deputy Vice-Chancellor<br>(Research & Innovation) | Administrative amendments removing broken links to discontinued internal GRS documents.                                                                |
| 5                  | 1 January 2020<br>ON APPROVAL | Deputy Vice-Chancellor<br>(Research & Innovation) | Administrative amendments to reflect the rescission of General Course Rules replaced by Coursework Rules and Higher Degree Research (HDR) Award Rules. |
| 6                  | 9 June 2020                   | Deputy Vice-Chancellor<br>(Research & Innovation) | Administrative amendments to reflect change from Dean of Research to Dean of Graduate Research                                                         |



# 17 Schedule 1 - Application of Policy to Third Party Providers

## Definition of "third party provider"

1. Third party provider – a higher education provider (other than the University of Wollongong Dubai - UOWD) with which UOW has an agreement for the delivery of UOW courses at or in conjunction with that institution.

#### **Application**

2. Where a HDR student is enrolled in a UOW program delivered by a Third Party Provider, the HDR Student Academic Complaints Policy ("this policy") applies with the modifications set out in this Schedule.

#### **Procedural Matters**

- 3. Where they do not exist, the course owning faculty will designate staff at the third party provider who hold positions equivalent to those specified in this policy:
  - a. Head of School
  - b. Head of Postgraduate Studies
  - c. Associate Dean (Research)
- 4. An appeal by a student, as per Stage 3, must be lodged in accordance with section 10 respectively with either:
  - a. the Academic Registrar (or equivalent) of the offshore partner institution;
  - b. the Deputy Vice-Chancellor (Research and Innovation)
- 5. An appeal lodged with the Academic Registrar (or equivalent) of the third party provider must be referred to the Deputy Vice-Chancellor (Research and Innovation).
- 6. An appeal meeting may be conducted by teleconference or video-conference. In such a case, a member of staff of UOW or the third party provider may be present to assist the student at the third party provider's premises. This does not preclude the right of the student to nominate their own support person in accordance with this policy.



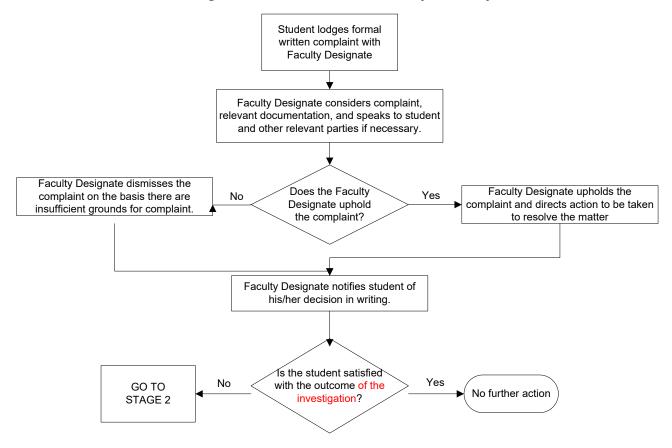
#### 18 Schedule 2 - Flowchart

# **HDR Academic Complaints**

## Informal Resolution

Student seeks to resolve question or concern about a decision, act, or omission that affects their academic progress by contacting Supervisor in the first instance; and may seek advice informally from other appropriate persons. e.g. Head of School, Head of Postgraduate Studies, Associate Dean (Research)

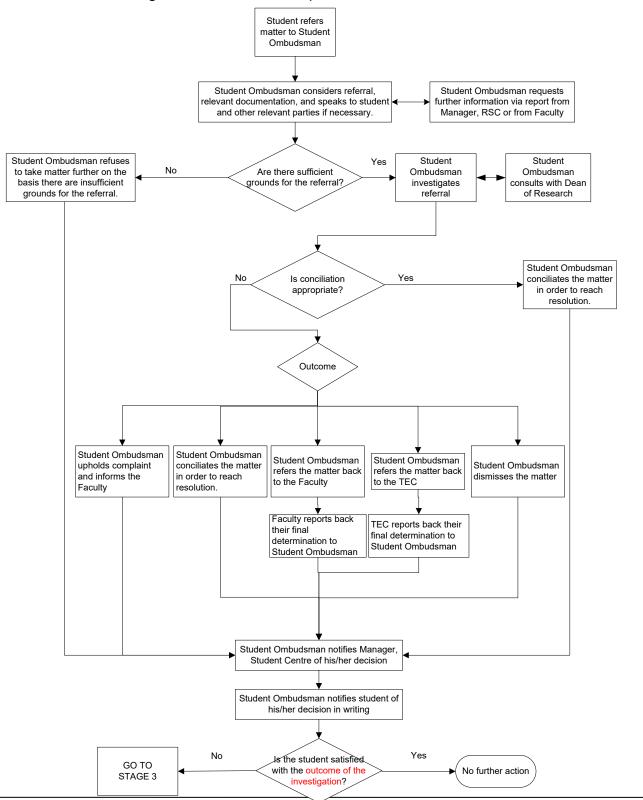
# Stage 1: Formal Resolution by Faculty





# **HDR Academic Complaints**

Stage 2 - Referral of Complaint to Student Ombudsman





# **HDR Academic Complaints**

Stage 3 – Appeal to Deputy Vice-Chancellor (Research and Innovation)

