



GRIEVANCE POLICY

Version	1.00	Number of pages	10
Responsible officer	Vice-Principal (Students and Community)		
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Approving authority	Morling College Board		
Keywords	Complaint; Discontent; Grievance; Dispute; Resolution; Appeal; Staff; Student; Resident; Community		
Access level <i>Select from the drop-down menu</i>	Public		
Dissemination range	All Morling Community members		
Approval date	26 May 2025		
Effective date	26 May 2025		
Review date	May 2028		
Superseded documents	Grievance Policy: CCSC; Education; MRC V4.02 2022 Staff Grievance Policy V4.04 2019		
Compliance References	HES_2.4; 6.1.4		
Document classification <i>Select from the drop-down menu</i>	Community Engagement and Development		
Mandatory status <i>Select from the drop-down menu</i>	Everyone		

1. PURPOSE

To outline how Morling College manages formal grievances from students, staff, residents and other members of the Morling Community and ensures that grievance resolution and management processes are compliant with the relevant standards and best practice guidelines.

2. DEFINITIONS

The following definitions apply for the purpose of this policy:

Key Term of Acronym	Definition
Academic grievance matter	For students only: Grievance matters relating to admissions, courses, units, review of a grade, credit transfer or advanced standing, quality assurance, student progression and eligibility for graduation. Academic disagreement is not a grievance.
AUT	Australian University of Theology
Complainant	A person who makes a statement expressing discontent, unhappiness or dispute about a situation.
Dean of Residents	The Dean of Residents oversees Morling Residential, including Morling Residential College and Morling Village.
DSS	Director of Student Services

Executive Leadership Team / ELT	The Principal and C-Suite Officers: currently the Chief Operating Officer; the VP(A) and the VP(SC).
General grievance matter	All other grievance matters that do not qualify as a “Academic grievance matter” or “residential grievance matter,” including staff matters that may include academic considerations.
Grievance	Covers a broad range of concerns, complaints, conflicts or disputes. A grievance can: <ul style="list-style-type: none"> • be about any act, behaviour, omission, situation or decision impacting on a person that they think is unfair or unjustified; • be about interactions with any member of the Morling Community and behaviours that they feel are offensive, upsetting or discriminatory; • relate to any aspect of employment, including remuneration, performance appraisals, safety in the workplace, access to training and the manner of supervision etc.; • relate to the result of a decision, the method through which the decision was made, or how the decision was communicated.
Grievance Officer	A suitable person selected (per this policy) to facilitate the grievance process.
Intervention	A formal process, when parties cannot agree on a solution or where mediation and negotiation have been unsuccessful or are not appropriate to the circumstance, where parties present their evidence and arguments to the Grievance Officer who investigates and decides what the outcome should be.
MC	Morling College
Mediation	A process of helping parties to meet, with an impartial facilitator, and work out a good solution for everyone. Aims to be a party driven process.
Morling Community	Relates to MC staff and students, MR residents, and all others engaging with MC, including contractors, volunteers and visitors.
MR / MRC	Morling Residential and Morling Residential College– encompassing those living on a Morling Campus, excluding staff
MRSC	Morling Residential Subcommittee
Negotiation	A process of an impartial facilitator liaising between parties and then holding discussions to help them agree on a solution. More facilitator directed than a mediation process.
Respondent	The person about whom the complaint is made.
Resident	A person who has signed a contract for accommodation on a Morling campus, excluding staff who are under a different accommodation arrangement.
Residential grievance matter	For residents only: Administrative or other matters (for example, matters related to fees, living arrangements, accommodation standards or relational conflicts or concerns etc.) and other action, inaction or decisions that residents may consider are interfering with their accommodation experience.
Serious grievance	A grievance that: <ul style="list-style-type: none"> • If proven, could involve an offence under law (e.g. assault, theft); or

	<ul style="list-style-type: none"> • Obliges MC to act (e.g. harassment, victimisation); or • May otherwise present a significant risk to MC, its students, staff or community.
Sexual assault	<p>A person may be considered to have sexually assaulted another person if:</p> <ul style="list-style-type: none"> • The other person did not consent to sexual contact or a sexual act; and • The person should have reasonably known, having thought about the circumstances, that the other person did not consent to sexual contact or a sexual act. <p>Sexual assault is a legal term used to describe a range of sexual offences, from showing indecent images to another person, to kissing or touching them, as well as penetration of the person's body with a body part or object.</p>
Sexual harassment	<p>Defined as:</p> <ul style="list-style-type: none"> • Unwanted sexual advances, or unwelcome requests for sexual favours; or • Other unwelcome behaviour of a sexual nature; and • A reasonable person, considering the situation, would expect the person experiencing the behaviour to be offended, humiliated, or intimidated by the behaviour. <p>Sexual harassment can take many forms and may be physical, verbal, or occur online. It includes behaviour that may be considered an offence under criminal law, such as stalking.</p>
Staff	Academic and administrative employees in permanent, fixed term and casual arrangements.
Student	A person who is enrolled in a unit or course at Morling College.
Support person	A person whom a complainant or respondent appoints to provide personal support only throughout the process of managing a grievance under this policy. They are not there to speak on behalf of the complainant or respondent. They may include a coworker, a family member or friend.
Vexatious grievance	Grievances lodged with an intent to harass, annoy or subdue the respondent, rather than to address a genuine issue or concern.
Victimisation	Treating someone badly or unfairly, or threatening to treat someone badly or unfairly, because they have made (or intend to make) a complaint, or are helping someone in making a complaint.
VP(A)	Vice-Principal (Academic)
VP(SC)	Vice-Principal (Students and Community)
Vulnerable person	<ol style="list-style-type: none"> a. A child (a person under 18 years of age) b. An adult who is or may be unable to take care of themselves against harm, exploitation or discrimination by reason of age, illness, trauma or disability or any other reason, including disadvantage due to social or financial hardship or power imbalance in their circumstances.
Whistleblower	<p>An individual who is, or has been, any of the following with respect to MC, is seeking to disclosure misconduct or dishonest or illegal activity within Morling College (MC) under protection, and who qualifies as a whistleblower under the <i>Corporations Act 2001</i>:</p> <ul style="list-style-type: none"> • Employees;

	<ul style="list-style-type: none"> • Directors and officers; • Volunteers; • Consultants and contractors, including their employees; • Suppliers, including their employees; and • Relatives, dependents, spouses or dependents of a spouse of any of the above.
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3. SCOPE

This policy applies to all members of the Morling Community, EXCEPT in the following contexts:

- 3.1 **Students at MC who are enrolled with the Australian University of Theology (AUT)** should first and primarily refer to the *AUT Grievance Resolution Policy – Students*.
 - 3.1.1 MC will abide by the *AUT Grievance Resolution Policy – Students* where a grievance is lodged by an AUT enrolled student at MC.
- 3.2 Where a grievance relates to **sexual assault or sexual harassment**, the *Sexual Assault and Sexual Harassment Prevention and Response Policy* should be first and primarily referred to.
- 3.3 Where a grievance relates to a **child or other vulnerable person**, the *Vulnerable People Policy* should be first and primarily referred to.
- 3.4 For **whistleblower** related disclosures, the *Whistleblower Policy* should be first and primarily referred to.

4. POLICY STATEMENT

Morling College’s (MC) approach to grievance aims to:

- Provide free, fair, timely, efficient and accessible facility to lodge a grievance,
- Enable MC to respond to problems appropriately,
- Assure people that grievances will be dealt with impartially,
- Identify potential improvements in MC programs, services and performance, and
- Empower people to resolve concerns at the point of origin (except in cases of serious grievance).

MC prioritises positive outcomes and focuses on resolutions that work towards a re-establishment of good relationships.

5. PRINCIPLES

- 5.1 MC encourages Morling Community members to attempt to resolve their concerns (except in cases of serious grievance) at the point of origin before lodging a formal grievance.
- 5.2 Where they exist, all MC policies documents relevant to the circumstances surrounding a concern must be pursued to conclusion before submitting a

grievance under this policy. The grievance processes will only be utilised to ensure MC policies have been complied with and that due process has been afforded to the complainant.

ACCESSIBLE, TIMELY AND FAIR

- 5.3 All grievances processes will uphold the principles of justice (procedural fairness), humility, mercy (love) and transparency.
- 5.4 Grievance processes will be accessible, with information about the process being published and advice freely available.
- 5.5 Lodging a grievance will be simple and free of charge.
- 5.6 MC will not act on an anonymous grievance. Procedural fairness requires that any person raising a grievance must be identified.
- 5.7 A formal grievance cannot be withdrawn. Once the complainant lodges a formal grievance MC must respond to the report to its outcome.
- 5.8 Grievance processes will be managed efficiently. Receipt of a formal grievance will be acknowledged and assessment commenced promptly, and outcomes will be finalised as soon as practicable.
- 5.9 The Grievance Officer responsible for facilitating a grievance process will be determined by considering:
 - 5.9.1 The type and matter of the grievance, and
 - 5.9.2 Whom and/or what the grievance is made against.
- 5.10 The selection a Grievance Officer will uphold the principle that those against whom grievances are made will play no leading or decision-making role.
- 5.11 The grievance facilitation approach will vary depending on the nature and circumstances of the grievance, but may include investigation, mediation, negotiation and/or intervention. Wherever possible and appropriate, the approach will aim toward reconciliation of relationship between parties.
- 5.12 Parties involved in a grievance process are expected to cooperate with MC to aid the efficient and fair resolution of the grievance.
- 5.13 Parties involved in a grievance process will be given the opportunity to present information directly related to the grievance.
- 5.14 No outcome decisions or judgements will be made until all information has been carefully and impartially considered by those responsible for facilitating the grievance process.
- 5.15 A written record of the grievance, including a statement of the outcome and reasons for the outcome will be kept by MC.

- 5.16 Parties involved in a grievance process are entitled to a written statement of the outcome of their grievance, including reasons for the outcome and advice on their right to have the outcome of their grievance reviewed.

APPEAL

- 5.17 Parties involved in a formal complaint will be made aware of their right to appeal and the avenues available to them if they are unhappy with the outcome or the management of their grievance.
- 5.18 If a party is unhappy with the outcome of the grievance process or its management, they may initially make an appeal internally, as per the *Grievance Procedures*.
- 5.19 If after an internal appeal (s 5.18) a party continues to be unhappy with the outcome of the grievance process or its management, they may engage in an external review.
- 5.20 Recommendations or directives provided to MC about a grievance review from an external authority will be implemented.
- 5.21 Nothing in this policy precludes a person from acting under Australian Consumer Protection or other applicable laws.

Student External Review

- 5.22 Students may approach the [National Student Ombudsman](#) for an external review. See the *Grievance Procedures*.

CONFIDENTIALITY

- 5.23 Information will be kept confidential, where and as appropriate.
- 5.24 Confidentiality will be maintained throughout the process of making and resolving grievances. This requirement seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive working/learning/living environment.
- 5.25 Relevant members of the Executive Leadership Team (ELT) will be made aware of formal grievances to ensure effective and efficient implementation of any actions arising from the outcome of the grievance.
- 5.26 High discretion must be upheld by parties involved in a grievance process who may only disclose information, with an expectation of confidentiality being maintained, where seeking support or advice from the following, as appropriate to the circumstance:
- 5.26.1 A trusted support person;
 - 5.26.2 A registered health professional (such as a general practitioner, counsellor, or psychologist);

5.26.3 A spiritual leader;

5.26.4 Staff from relevant government agencies, including state and federal agencies.

5.27 Breaches in confidentiality will be subject to the relevant misconduct policies and procedures.

SUPPORT AND PROTECTION

5.28 Parties directly involved in a formal grievance process have the right to be accompanied by a support person when participating in the grievance processes.

5.29 Parties involved in a grievance process will be made aware of the support services available to them.

5.30 All people handling a formal grievance will be sensitive to the needs of those parties both directly and indirectly involved.

5.31 Grievances must be made in good faith. If it is found that a grievance lodged was done in a frivolous or vexatious manner, the person complaining will be subject to appropriate disciplinary action as per relevant MC policy.

5.32 If a person is found to have knowingly provided evidence relating to a formal grievance that is false, that person will be subject to appropriate disciplinary action, as per relevant MC policy.

5.33 Victimisation will not be tolerated. Any Morling Community member who engages in such conduct will be subject to disciplinary action according to the relevant MC policy.

5.34 If MC considers it required for the safe and efficient conduct of a grievance process, parties involved may be required to comply with temporarily altered work, study, accommodation or other conditions.

RECORDS AND REPORTING

5.35 The records of a grievance process will be maintained on confidential record.

5.36 Records relating to grievances will be kept for a period of at least five years after the outcome has been reached and then destroyed. If a grievance may have longer-term consequences, as determined by the relevant member of the ELT, the file may be kept for up to fifteen (15) years after the outcome has been reached and then destroyed.

5.37 The Academic Board will receive an annual report on academic grievance matters.

5.38 The Morling Residential Subcommittee of the Board (MRSC) will receive an annual report on residential grievance matters.

- 5.39 The MC Board will receive an annual report on other grievances not covered in ss. 37 - 38.

IMPROVEMENT

- 5.40 Recommendations arising from grievance resolution processes will be, where reasonable, enacted by MC.
- 5.41 Grievance management and outcome data will be recorded in a manner to enable analysis which can inform areas for improvement within MC.
- 5.42 The management and outcomes of grievances will inform areas for improvement within MC.

RESPONSIBILITIES

- 5.43 The Vice-Principal (Students and Community) (VP(SC)) is responsible for maintaining grievance procedures.
- 5.44 The VP(SC) is responsible for ensuring suitable mechanisms are in place for maintaining appropriate and confidential records.
- 5.45 The Chief Operating Officer is responsible for appropriate dispute resolution and conflict management staff training.

General Grievance Matters

- 5.46 The Principal is responsible for the oversight of formal grievance processes (except where s 5.48 or s 5.49 apply).
- 5.47 The VP(SC) is responsible for processing a formal grievance, or appointment of an alternative Grievance Officer (except where s 5.47 or s 5.48 apply).
- 5.48 Where a C-Suite Officer is implicated in a formal grievance, the Principal is responsible for receiving and processing the grievance, overseen by the MC Board Chair (except where s 5.49 applies).
- 5.49 Where the Principal or a MC Board member is implicated in a formal grievance, the MC Board will nominate two disinterested MC Board members to form a subcommittee to facilitate the matter. Alternatively, if the MC Board deems necessary an appropriate external agency may be appointed. Determinations will be made by the MC Board.
- 5.50 The VP(SC) is responsible for annual reporting of grievance matters to the MC Board.

Academic Grievance Matters

- 5.51 The Vice-Principal (Academic) (VP(A)) is responsible for the oversight of a formal academic grievance process (except where s 5.53 applies).

- 5.52 The Academic Dean is responsible for receiving and processing a formal academic grievance, or appointment of an alternative Grievance Officer (except where s 5.53 applies).
- 5.53 Where the VP(A) or Academic Dean are implicated in a formal academic grievance, the Principal is responsible for receiving and processing the grievance, overseen by the MC Board chair.
- 5.54 The Academic Dean is responsible for annual reporting of academic grievance matters to the Academic Board.

Residential Grievance Matters

- 5.55 The VP(SC) is responsible for the oversight of a formal residential grievance process (except where s 5.56 applies).
- 5.56 The Dean of Residents is responsible for receiving and processing a formal residential grievance, or appointment of an alternative Grievance Officer (except where s 5.56 applies).
- 5.57 Where the Dean of Residents is implicated in a formal residential grievance, the VP(SC) is responsible for receiving and processing the grievance, overseen by the Principal.
- 5.58 The Dean of Residents is responsible for annual reporting of residential grievance matters to the MRSC.

6. RELATED DOCUMENTS AND LEGISLATION

INTERNAL

- Discrimination, Bullying and Harassment Policy
- Grievance Procedures
- Health and Safety Policy
- Privacy Policy
- Sexual Assault and Sexual Harassment Prevention and Response Policy
- Staff Code
- Student Academic Misconduct Policy: CCSC; Education
- Student Code
- Student Feedback Policy
- Student Support Policy
- Underperformance and Misconduct Policy
- Vulnerable People Policy
- Whistleblower Policy

EXTERNAL

- AUT Academic Integrity Policy
- AUT Grievance Resolution Policy – Students

- Higher Education Standards Framework (Threshold Standards) 2021
- Ombudsman Act 1976 (Cth)
- Privacy Act 1988 (Cth)
- Tertiary Education Quality Standards Agency Act 2011 (Cth)

7. REFERENCES

- Charles Sturt University Complaints Management Policy
- TEQSA Guidance Note: Grievance and Complaint Handling, 22 Feb 2019
- Advice provided by MinterEllison to IHEA, December 2023
- <https://www.fwc.gov.au/issues-we-help/common-issues-workplace/resolve-dispute-your-workplace>

8. VERSION HISTORY

Version	Approved by	Approval date	Effective date	Changes made
1.00	MC Board	26 May 2025	26 May 2025	The <i>Grievance Policy: CCSC; Education; MRC and Staff Grievance Policy</i> merged and revised.

Download this document anew with each use, as it may have changed.