

STUDENT OMBUDSMAN PROCEDURE

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1 PURPOSE

1.1 This procedure outlines the role and responsibilities of CQUniversity's Student Ombudsman.

2 SCOPE

2.1 This procedure applies to CQUniversity:

- administrative actions or decisions as they affect students, and
- students undertaking a course of study or research.

2.2 This procedure does not apply to CQUniversity's controlled entity, PT CQU Executive Business Training Centre.

3 PROCEDURE

3.1 The Vice-Chancellor and President will appoint a person to be the Student Ombudsman to review issues raised by students where they reasonably consider the University's policy documents and processes have not been followed and they have been adversely impacted.

3.2 The Vice-Chancellor and President may appoint one or more people as Assistant Ombudsman with the same authority and responsibilities as the principal Student Ombudsman. Refer to the [Student Ombudsman website](#) for more details.

3.3 The Student Ombudsman:

- acts as a neutral arbiter and reviews matters students raise about the implementation and adverse impact of any University administrative action or decision as they affect students
- may make recommendations to resolve a specific matter or to ensure that potential future policy document anomalies are corrected

- is independent of influence or administrative direction from any source when implementing this procedure and other University policy documents
- ensures that the principles of procedural fairness are followed so that all parties directly involved have a right to a fair hearing and that decisions are unbiased, and
- provides advice on development of good practice in the resolution of student grievances and undertakes an educative role to ensure compliance with relevant student grievance policy documents.

Scope of authority

- 3.4 The Student Ombudsman will review a matter only if the student has made reasonable attempts to pursue other avenues to resolve the matter available under University policy documents, especially the categories of complaints listed in the [Complaints Policy and Procedure](#). The Student Ombudsman can exercise discretion to decide whether or not to review a matter.
- 3.5 To assist a review, the Student Ombudsman can move across all administrative areas of the University and will be given access to all University records and documents relevant to the review process. This access does not include material held in employee personnel files.
- 3.6 The Student Ombudsman may access confidential data about a student requesting a review only when the Student Ombudsman gives written reasons why the access is necessary and the student gives written permission to release the confidential data.
- 3.7 The Student Ombudsman may refer a review request to an Assistant Ombudsman, the Vice-Chancellor and President or a Vice-President not connected with the initial matter under review.

Restrictions on authority

- 3.8 The Student Ombudsman does not have authority to:
- reverse any decision of the University Academic Appeals Committee
 - undertake any role in a student misconduct matter considered by the Director Governance
 - undertake any role in deciding academic matters, unless it can be shown that the relevant policy document has not been followed
 - consider fee matters dealt with by the University Review Officer acting as a Commonwealth Government delegate, or
 - consider any matter outside the scope of University functions, responsibilities and powers defined by the [Central Queensland University Act 1998](#) (Qld) and in its policy documents.
- 3.9 If the Student Ombudsman becomes aware that the matter under review is under consideration by the Director Governance, the subject of an appeal to the University Academic Appeals Committee, or action by any court, the review will cease until the matter is resolved.
- 3.10 A 12-month time limit, calculated from the end of the calendar year in which a matter was raised with an organisational area, applies to student requests for review. The Student Ombudsman may exercise discretion to accept requests received after 12 months if appropriate in the circumstances.

University review process

- 3.11 All requests for review must be in writing (in electronic or other forms) and give sufficient details to enable the review. Refer to the [Student Ombudsman website](#) for more information about requesting a review.
- 3.12 Students must give their consent in writing to enable the Student Ombudsman to consider a review request, consult third parties, and circulate documents considered relevant to the review.
- 3.13 The person requesting the review of a matter must be a former, current or prospective student of CQUniversity.
- 3.14 On receipt of the student's documentation, the Student Ombudsman may make further enquiries and decide whether or not the matter is within jurisdiction.

- 3.15 The Student Ombudsman will reject a matter for review, and give written reasons, if:
- other means to resolve the complaint exist
 - the complaint is frivolous, trivial, vexatious or not made in good faith
 - the complainant does not have a sufficient interest in the matter, or
 - the incident has occurred outside the 12-month timeframe outlined in section 3.10.
- 3.16 If the matter is not resolved by informal consultation, discussion or negotiation suitable to all parties, the Student Ombudsman may proceed with the review and undertake any of the following action:
- provide a written statement to the person or head of the organisational area involved requesting a formal response to the complaint
 - convene a conference of all parties to discuss the complaint
 - use any methods appropriate to resolve the complaint, or
 - recommend that the matter be referred to the University's Academic Appeals Committee, with or without supporting reasons.
- 3.17 The Student Ombudsman will advise the student of the status of the review and/or its outcome, including reasons for the decision in writing, within 14 working days of receipt, except where differing timeframes are set in individual policy documents.

External review

- 3.18 Students who have exhausted all the internal appeals processes of the University and are not satisfied with their outcome may appeal to the [Queensland State Ombudsman](#).
- 3.19 Students enrolled in a vocational education and training (VET) course of study may refer their complaint to the [Queensland Training Ombudsman](#).

4 RESPONSIBILITIES

Compliance, monitoring and review

- 4.1 The Student Ombudsman will adhere to the provisions of the *Central Queensland University Act*, all University policy documents, and to the principles of procedural fairness in taking action and making decisions.
- 4.2 The Director Office of the Vice-Chancellor and President and Student Ombudsman are responsible for implementing, monitoring, reviewing and ensuring compliance with this procedure.

Reporting

- 4.3 If the Student Ombudsman discovers an issue during a review that may leave the University open to litigation by any party, the Student Ombudsman will immediately report the matter in writing to the Vice-Chancellor and President and make recommendations as appropriate.
- 4.4 The Student Ombudsman will submit each year a detailed statistical report with comments about the previous year's activity to the Vice-Chancellor and President. This report may contain recommendations about the future implementation of policy documents.
- 4.5 The Student Ombudsman reports to the Director Office of the Vice-Chancellor and President on day-to-day matters, but retains independence in undertaking reviews and deciding review outcomes.

Records management

- 4.6 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.

- 4.7 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).
- 4.8 The Student Ombudsman will maintain detailed records of all matters.

5 DEFINITIONS

- 5.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Procedural fairness: the methods used by a decision-maker in responding to a complaint. When dealing with the Student Ombudsman, students can expect:

- ethical and honest behaviour
- an unbiased and independent response to complaints
- equitable treatment
- respect for diversity, and
- a timely response as set out in section 3.17 of this procedure.

6 RELATED LEGISLATION AND DOCUMENTS

[Complaints Policy and Procedure](#)

[CQUniversity Student Ombudsman website](#)

[Queensland Ombudsman website](#)

[Queensland Training Ombudsman website](#)

7 FEEDBACK

- 7.1 Feedback about this document can be emailed to policy@cqu.edu.au.

8 APPROVAL AND REVIEW DETAILS

| Approval and Review | Details |
|------------------------------|--|
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