



UNIVERSITY
OF
JOHANNESBURG

**POLICY:
HANDLING OF STUDENT COMPLAINTS**

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Related documents

UJ documents (e.g. Policies, Regulations, Guidelines, Contracts)	Other (e.g. Legislation, DoE and HEQC directives and guidelines)
<ul style="list-style-type: none"> • UJ Vision, Mission and Values; • Academic Rules and Regulations; • Language Policy; • Policy on Access to Information; • Occupational Health and Safety Policy; • UJ Code of Academic and Research Ethics; • UJ Grievance Procedures; • UJ Code for Sexual Harassment; • UJ Student Regulations; • UJ Student Regulations for 	<ul style="list-style-type: none"> • Constitution of the Republic of South Africa: 1996; • Higher Education Act (Act 101 of 1997); • Labour Relations Act (Act 66 of 1995) as amended; • Protected Disclosure Act (Act 26 of 2000); • Occupational Health and Safety Act (Act 85 of 1993)

<p>Student Discipline;</p> <ul style="list-style-type: none"> • UJ Student Representative Council Constitution; • UJ Whistleblowers' Policy. 	
<p>Stakeholders affected by this document (units and divisions that should be familiar with it).</p>	<ul style="list-style-type: none"> • Executive Deans; • Heads: Academic Departments; • Lecturers (Part-time and Full-time); • Executive Directors/Directors: Academic Support Units. • Heads: Academic Support Units;
<p>Website address of this document:</p>	

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APPENDIX

POLICY ON HANDLING OF STUDENT COMPLAINTS

1. PREAMBLE

The University of Johannesburg is committed to excellence in teaching and learning and the advancement of the values of freedom, democracy, equality and human dignity as encapsulated in its vision, mission and values statement. The institution is also committed to promoting positive relationships with its students about matters or issues pertaining to their experiences at the University and the development and maintenance of an effective system of complaints management as well as an organisational structure that responds to complaints and conflict in a positive way.

The policy on handling students' complaints forms part of the policies and practice of the University of Johannesburg and is a key element in maintaining mutual and healthy relationships among students, the University, its partners and/or clients. The policy ensures students' right to lay a complaint concerning an incident and/or issue pertaining to any phase of their experience of University life. The students are ensured that their complaints will receive professional service. The complainant will be treated with the necessary respect, empathy and professionalism. The Bill of Rights, as contained in the Constitution of the Republic of South Africa, forms the context of this policy.

2. PURPOSE

The purpose of this policy is to:

- 2.1 establish a clear set of regulations, guidelines and procedures for addressing student complaints and grievances, crafted to achieve mutually acceptable resolutions based on the points of departure outlined in Section 5;
- 2.2 make provision for a transparent management process which ensures that student complaints and grievances are dealt with fairly, consistently and promptly across all faculties, divisions and campuses;
- 2.3 identify the appropriate channels for resolving the various categories of student complaints concerning academic and academic-related matters that may arise during the various stages of the academic life cycle at the University, including student activities that contribute to overall growth and development;
- 2.4 provide procedures for the handling of student complaints;

The policy should be read in conjunction with Student Rules and Regulations and does not repeal any related University Rules.

3. SCOPE

- 3.1 This policy applies to all aspects of a student's academic life and related experiences, across all campuses at the University, and has reference to:
- 3.1.1 other students of the University;
 - 3.1.2 academic, support and service employees (including contract, sub-contract or casual, visiting staff/appointments, guest/visiting lecturers);
 - 3.1.3 visitors to the University;
 - 3.1.4 external people with whom students interact as part of an approved external programme of study such as work-integrated and service learning, industrial or clinical placements, exchanges or work-based learning units;
 - 3.1.5 any matter which relates to a programme of study, even though the incident from which the complaint arises does not occur on campus. This includes issues such as incidents arising from field trips, external placements, University courses attended outside the institution, outside training programmes, e.g. leadership and house committee training, as well as University sporting, arts, cultural and other recreational functions.
- 3.2 This policy does not deal with matters of:
- 3.2.1 sexual harassment and bullying which are dealt with in collaboration with the relevant department within Human Resources in accordance with the University's Sexual Harassment Policy;
 - 3.2.2 health-related matters which are dealt with in accordance with the University's Health and Safety Policy;
 - 3.2.2 crime and related issues which are dealt with by the appropriate Campus Director, Head of Security and/or Executive Director: Operations.

4. DEFINITIONS

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

Table: Definitions

Term	Definition
1. Administrative Action	Any decision taken, or any failure to take a decision by an employee of the University, which may have an adverse effect on a student.
2. Complainant	The aggrieved person: the person lodging a complaint.
3. Complaint	An action or a statement that expresses

	dissatisfaction about any behaviour that someone perceives to be unfair, discriminatory, provocative, unwelcome, prejudicial or unjustified and which requires prompt action or a response.
4. Conciliation	An act of intervention between two or more people by a third party for the purpose of reconciliation or finding a mutually agreeable resolution to the complaint.
5. Confidentiality	<p>A process in which all the information and records about a complaint are classified as secret/private and personal, are entrusted to the University and employees concerned and stored in a safe place. (Note: Implicitly, this term embodies notions of “rights” and “obligations” as stipulated in the <i>Promotion to Access to Information Act (Act 2 of 2000)</i> viz.:</p> <p>(a) The student and all persons involved in the complaint have a just expectation (right) that the University and employees involved in the problem-resolution process will not divulge any matters pertaining to the matter to any other body or person (obligation);</p> <p>(b) The University has a duty (obligation) and is accountable for ensuring that all records pertaining to the complaint are stored in a secure place with limited authorised access:</p> <p>provided that the release of such information is not authorised by law.)</p>
6. Dispute Resolution	A process whereby a complaint is solved or addressed.
7. Intimidation	An act of frightening, bullying of and/or aggression directed at a person who has reported a complaint and/or the witnesses involved.
8. Mediation	An instance where a complaint between a complainant and the accused is resolved through a third person. The third party attempts to resolve the matter in a peaceful manner. The process is informal and confidential and the parties involved must first

	agree to this process.
9. Procedural Fairness	A process whereby a student's complaint will be resolved using fair procedures as dictated by the University rules and regulations for students. Fair and proper procedures are the basic principles of the University when dealing with student complaints.
10. Prompt Resolution	Speedy attendance to a complaint until it is resolved.
11. Racism	The belief that there are characteristics, abilities or qualities specific to each race. It also refers to discrimination or antagonism towards other races.
12. Student Complaint	A criticism levelled by a student against another student, member of staff, service or facility of the University, external people with whom students interact in the course of approved external placements and any other incidents relating to their programme of study at the University.
13. Student Grievance	An acknowledged disagreement between a student and a member of, or a department within, the University over an alleged deficiency in conduct, provision or process. Grievances should only arise once all avenues for resolving complaints have been exhausted.
14. Substantive Fairness	The complaint will be treated in a fair manner and without bias. The complainant will not be unfairly treated when the complaint is being solved.
15. Victimisation	Any attempt or threat to harm or instil fear into a person who has lodged a complaint with the University and/or the witnesses involved.

5. POINT OF DEPARTURE

The handling of student complaints is based on the following points of departure:

- 5.1 The University seeks to minimise student complaints and grievances by ensuring that students have opportunities to participate in all the formal decision-making processes of the institution through representation on committees at programme, departmental, faculty and institutional levels and by providing an environment within which students are encouraged to raise any matters of concern in an informal manner as soon as they arise.
- 5.2 Appropriate and timely resolution of complaints is essential to the maintenance of a safe, harmonious and co-operative work and learning environment.
- 5.3 Procedures used to review and resolve complaints or grievances are fair and seen to be fair (transparent).
- 5.4 Students may lodge their complaints in good faith with the assurance that they will not be penalised or victimised for doing so.
- 5.5 Students are encouraged to raise a concern or complaint about an issue or event as soon as possible after it has occurred and normally no later than the semester in which the incident occurred.
- 5.6 The principle of confidentiality is respected for all parties in respect of handling the complaint, unless the use of information is authorised by law. Students, however, need to be aware that some disclosure of the circumstances of a case is generally necessary to allow for an appropriate response.
- 5.7 Complaints or grievances are handled in a timely manner with achievable deadlines set for each stage of the resolution process. Any student on whom the complaint has a direct impact is regularly informed of the progress of the matter.
- 5.8 Students who wish to raise formal complaints or grievances have the right to be represented by a “friend” and/or to consult with the Student Representative Council (SRC), Student Judicial Services or Executive Director: Student Affairs for expert advice and advocacy services.
- 5.9 Conciliation and mediation play an integral part in the complaints resolution process.
- 5.10 Student complaints are resolved, wherever possible, at the lowest appropriate level of management. Grievances should only arise once all avenues for resolving complaints have been exhausted.
- 5.11 The University is responsible for addressing any deficiencies in its academic provision, support services or other student-related activities highlighted by student complaints.

6. GROUNDS FOR COMPLAINTS

Without limiting the circumstances that may give rise to a complaint, a student has valid grounds for making a complaint when he/she considers that he/she has been adversely affected by one or more of the following:

- 6.1 irregular or negligent behaviour by a University employee and/or external partners with whom students interact as part of their programme of study and/or at sporting and recreational functions;
- 6.2 failure by a University employee to act fairly;
- 6.3 irregular behaviour by fellow students;

- 6.3 a decision based on insufficient consideration to specific facts, evidence and or circumstances pertaining to the student;
- 6.4 failure by the University to make a decision within a reasonable time-frame;
- 6.5 awarding a penalty that is perceived as being too harsh.

7. RESPONSIBILITIES OF MANAGERS AND STUDENTS

Complaints are a facet of interactions among students and other students, employees and clients in which critical analyses and appropriate responses play an integral and important role in the collective endeavour to improve the quality of the University's academic programmes, organisational/management structures and University life in general. Successful resolution of complaints is dependent on the following persons fulfilling the responsibilities associated with their respective roles.

7.1 Managers

Managers and other employees with authority at the University are responsible for receiving and responding promptly and appropriately to students' complaints in accordance with the University's complaint-handling principles and procedures (see Appendix A) using relevant and related policies. They:

- 7.1.1 manage the resolution process in accordance with the principles of procedural fairness, the key elements of which are:
 - (a) the opportunity to be heard,
 - (b) adequate notice of meetings,
 - (c) disclosure of all relevant material before making a decision,
 - (d) the opportunity for all parties to respond to any material and/or allegations,
 - (e) the fact that decisions are made only on relevant evidence,
 - (f) the fact that decisions are made without bias or prejudice;
- 7.1.2 ensure that students are aware of the processes and procedures pertaining to the handling of problems;
- 7.1.3 ensure that all the people who are involved in the complaint-resolution process understand their rights and responsibilities in relation to this policy;
- 7.1.4 recognise and apply the lessons that can be learned from complaints in improving the quality, effectiveness and efficiency of service delivery.

7.2 Students

- 7.2.1 Students have a responsibility, wherever possible, to raise any problem directly with the person/s involved, as soon as possible, before referring to the more formal stages pertaining to the handling of student complaints.
- 7.2.2 Where it is not possible for a student to raise the complaint in the first instance with the person involved, students should report a complaint to the relevant manager at the next level of authority or seek advice from any other person of authority who may be of assistance in resolving the matter.
- 7.2.3 Students should know the relevant people or units who are responsible/accountable for particular complaints as outlined in section 8 below (see also Appendix A).
- 7.2.4 Students should avoid reporting the same matter to different units or several people at the same time.

7.3 Joint Managerial-Student Responsibilities

The joint responsibilities of managers and students are to:

- 7.3.1 participate in the complaint resolution process in good faith;
 - 7.3.2 cooperate fully in the investigation process;
 - 7.3.3 avoid complaints and counter-complaints with mischievous or malicious intent.
 - 7.3.4 maintain respect for the dignity of all parties.
- 7.4 Students will follow official procedures and protocols when lodging a complaint (see also Appendix A).

8. TYPES OF STUDENT COMPLAINTS

8.1 Academic Programme Complaints

These usually include, but are not limited to, complaints about academic decisions, processes and/or procedures viz.:

- 8.1.1 admission and selection (pertaining to academic criteria);
- 8.1.2 content and/or structure of academic programmes and/or lecturing/facilitation practices;
- 8.1.3 assessment matters;
- 8.1.4 decisions and/or actions by academic employees that affect an individual student or groups of students;
- 8.1.5 compliance with qualification requirements;
- 8.1.6 supervision of research projects;
- 8.1.7 authorship and intellectual property;
- 8.1.8 academic-related issues such as bursaries, timetables, venues and facilities.

8.2 Academic Support Services

These usually include, but are not limited to, complaints about the library, academic development, student counselling and career development, work-integrated and service learning, student affairs, including student housing, viz.:

- 8.2.1 service delivery;
- 8.2.2 decisions and/or actions by academic employees that affect an individual student or groups of students;
- 8.2.3 access to and/or the quality of University resources and facilities;
- 8.2.4 implementation of policies and regulations.

8.3 Administrative Complaints

These usually include, but are not limited to, complaints about decisions and actions associated with faculty and central academic administration services or finances relating to:

- 8.3.1 administration of policies, procedures and rules by Faculty and Central Academic Administration or Finances;
- 8.3.2 service delivery, (e.g. admissions and selection, fees and bursaries);
- 8.3.3 decisions by administrative employees that affect an individual student or groups of students;
- 8.3.4 academic-related issues such as bursaries, fees, timetables, venues and facilities;
- 8.3.5 standard of the quality of resources and facilities;
- 8.3.6 graduation and certification.

8.4 Sport, Arts and Culture, Social and Recreational Events

These usually include, but are not limited to, complaints about decisions and actions associated with divisional and administrative employees associated with the Arts Academy, Sports Bureau and Student Affairs, viz:

- 8.4.1 service delivery;
- 8.4.2 decisions and/or actions by employees that affect an individual student or groups of students;
- 8.4.3 implementation of policies and regulations;
- 8.4.4 access to and/or the quality of University resources and facilities.

9. CHANNELS FOR THE LODGING OF STUDENT COMPLAINTS

If the problem cannot be resolved through discussion with the person/s directly involved in the issue concerned or it is not possible to confer with the individual/s concerned, the following applies in respect of the various activities related to the academic life cycle of the student.

9.1 Academic Programme Complaints

- 9.1.1 Students have recourse to the immediate line manager, usually the Head of the relevant academic Department, or the Head of Faculty Administration or Faculty Officer in instances where there may be an overlap between programme and administrative matters.
- 9.1.2 If a complaint listed under 8.1 is still not resolved, the student may consult progressively further up the hierarchy with the Vice-dean and then the Executive Dean, if necessary.
- 9.1.3 Complaints pertaining to research-related issues are resolved in accordance with the Higher Degrees and Postgraduate Studies Policy.
- 9.1.4 The relevant Executive Dean is the final arbiter regarding student complaints pertaining to academic programmes.
- 9.1.4 Thereafter, if not resolved based on procedural grounds that could lead to a case of procedural unfairness (with particular reference to the Academic Regulations), the matter may be referred to the Registrar.

9.2 Academic Student Support Services

Heads of Departments and Faculty Officers may be the first point of contact for students experiencing problems in these areas and shall refer students accordingly:

- 9.2.1 In areas such as the Library, Student Affairs, Student Counselling and Career Development, Academic Development and Cooperative Education, students have recourse to the Heads of the relevant Departments.
- 9.2.2 Should the complaint not be resolved, higher authority for the above departments is vested in the Directors and Executive Directors of the respective divisions, if necessary.
- 9.2.3 In respect of student residences, the line of authority for reporting complaints is the House Committee, Residence Manager, Head of Residences, Director and thereafter the Executive Director: Student Affairs, if necessary.
- 9.2.4 If matters identified under 9.2.1 to 9.2.3 remain unresolved, the matter may be referred to the Pro-Vice-Chancellor.

9.3 Administrative Complaints

Due to the overlapping nature of academic programme and academic administration complaints, Heads of Departments and Faculty Officers are frequently the first point of contact for students experiencing problems in these areas and shall refer the student accordingly.

- 9.3.1 Complaints in areas such as admission, selection and assessment, as well as timetables and venues are submitted, in the first instance, to the Head of Faculty Administration concerned. If unresolved, the complaint may follow either one of two routes viz.:
 - (a) the Executive Dean of the Faculty concerned; or

- (b) the Manager of the administration department concerned with higher authority vested in the Director: Academic Administration and then the Executive Director, if necessary.
- 9.3.2 In respect of financial matters, e.g. student fees, bursaries etc., the student is referred directly to the relevant Faculty Accountant or Financial Bursary/NSFAS Supervisor in the Division: Financial Aid. Higher authority is vested in the Managers: Faculty Accountants and Financial Aid respectively and thereafter, in the Directors and Executive Directors of the divisions concerned, if necessary.
- 9.3.3 Operational and technical issues are dealt with directly via the Heads of Faculty Administration in accordance with the provisions of 8.3 above and/or in co-operation with the relevant operational structures within the University.
- 9.3.4 Complaints concerning certification and graduation matters are handled by the respective Heads of Faculty Administration in cooperation with the Senior Academic Officer: Certificates or the Academic Administration Assistant: Graduations respectively. In the case of the matter being unresolved, the issue may be referred progressively further up the hierarchy to the Manager: Faculty Co-ordination and then the Director Academic Administration and Executive Director: Academic Development if necessary.
- 9.3.5 Thereafter, if issues mentioned under 9.3.1 to 9.3.4 are not resolved, the matter may be referred to the Registrar.

9.4 Sport, Arts and Culture, Social and Recreational Events

- 9.4.1 The line of hierarchical progression for unresolved issues for the Sports Bureau and Arts and Culture Division is the Manager of the respective division in which the complaint originated and then the Director and the Executive Director of the division, if necessary.
- 9.4.2 Complaints concerning social and recreational events are addressed in terms of the infrastructure of the faculty or division organising the event/function.
- 9.4.3 Thereafter, if not resolved on procedural grounds, the matter may be referred to the Deputy Vice-Chancellor under whose authority the division concerned falls.
- 9.4.4 As a last resort, a formal written complaint can be channelled to the Vice-Chancellor on condition that the complaint has been previously considered at the appropriate level of management. The Vice-Chancellor will seek advice from the manager concerned before responding to the complaint.
- 9.4.5 In respect of all the complaints outlined under Section 8, students may seek concurrent assistance and advice from a SRC representative, Student Counselling and Career Development, the Student Judicial Services or the Executive Director: Student Affairs, as appropriate.

10. ANONYMOUS COMPLAINTS

Anonymous complaints will be accepted by the University as determined by the Protected Disclosure Act, No 26 of 2000 and as contained in the University's Whistle-blowing Policy. Complaints may include matters that involve allegations of corruption, misadministration, serious waste of public money, child abuse, dealing with drugs and serious crimes committed on the premises of the University. Further action will be taken if the anonymous complaint contains sufficient information to make a prima facie case or to carry out an investigation. Staff members have a responsibility to respond to complaints within a reasonable time frame and as quickly as possible. Acknowledgement of receipt will be sent to the student/s and student/s will receive regular feedback.

11. PROCEDURES FOR THE HANDLING AND RESOLUTION OF STUDENT COMPLAINTS

Procedures that apply to the handling of student complaints are described in Appendix A.

12. OUTCOMES OF THE COMPLAINTS-RESOLUTION PROCESS

Students receive a written advice on the outcome of their complaints. The outcome is determined by the seriousness of the complaint/incident. The outcomes are applied consistently across the University. Conciliation and mediation is the point of departure in dealing with student complaints. The outcome is determined by established procedures as encoded in the rules and regulations for students.

13. DOCUMENTATION

All documentation relating to student complaints is kept in a safe place. It remains the property of the University and is regarded as confidential. The documents will not be accessible to anyone who is not directly involved in the handling of the complaint. Any material, including the outcome, will be placed in a student file in accordance with the requirements of the Policy on Access to Information.

14. RELATIONSHIP OF POLICY WITH OTHER UNIVERSITY POLICIES

This policy does not over-ride the established administrative or appeal procedures which would normally be followed in relation to academic matters, e.g. appeal against assessment grades, exclusion, student rules and regulations, residence rules and regulations, SRC's Code of Conduct.

15. POLICY REVIEW

Regular review of the policy will be done in line with the approved University Policy on Policy Development. This takes place in consultation with the relevant quality assurance structures at management and institutional level under the auspices of the official custodian of this policy

namely the Registrar to ensure that the policy remains valid and current in the light of changing circumstances. Unless circumstances dictate otherwise, the policy will be formally reviewed within the six-year University review cycle.

Approved by Management Executive Committee

27 November 2007

PROCEDURES FOR THE HANDLING OF STUDENT COMPLAINTS

Procedures for the handling and resolution of student complaints are as follows:

1. STAGE 1

1.1 Informal Approach

- 1.1.1 Students should always raise any problem with the person immediately involved, e.g. Lecturer, Faculty Administrative Officer, Academic Administration Assistant, Librarian, Student Counsellor, Financial Administrative Assistant, Bursary/NSFAS Financial Officer, Programme Coordinator, Sports Coach.
- 1.1.2 Recipients of student concerns or informal complaints are responsible for addressing them promptly and fairly. The recipient will normally, within a week of receiving the initial complaint, inform the student as to what steps are to be taken and the expected timeframe.
- 1.1.3 This stage is normally an oral process and a written record will not be made other than in the minutes of meetings, where applicable. The employee involved is encouraged to share the experience where the effectiveness of an academic department or administrative service could benefit.
- 1.1.4 The University expects that, in most cases, a discussion about the complaint or incident, together with an appropriate response, will result in a prompt resolution of the matter which both parties find acceptable.

1.2 Formal Approach

- 1.2.1 Having first attempted to resolve the complaint through informal processes, a student who believes that his or her complaint has not been adequately addressed, or who feels unable to go to the person directly concerned with the incident, is advised to seek information and advice from one or more of the following, as appropriate:
 - (a) In faculties, if problems pertaining to an academic programme and/or related administrative and/or operational or technical issue remain unresolved or if students are unable to discuss the issue with the person concerned, they may have recourse to the immediate line manager, usually the Head of Department and/or Faculty Administration;

- (b) In areas such as the Library, Student Counselling and Career Development, Academic Development, Cooperative Education, Student Affairs, Academic Administration, Financial Aid and Accounts, Certification and Graduation, Sport, Arts and Culture, students have recourse to the Manager of the relevant department within the division responsible for the service concerned. (The Heads of Academic Departments and Faculty Administration play a role in directing the student appropriately when required).
- (c) In the case of residence students, the line of authority for reporting complaints is the House Committee or Resident Manager. Complaints may also be directed to the Security Officer who will liaise with the Risk Management Office. Day students have recourse to a SRC representative or the Executive Dean: Student Affairs.
- (d) In respect to (a) to (c) above, students may seek concurrent assistance and advice from a SRC representative, Student Judicial Services, Student Counselling and Career Development.

1.2.2 Having taken this advice, the students may decide to:

- (a) take no further action; or
- (b) lodge a formal complaint.

2. STAGE 2

- 2.1** If the student decides to lodge a formal complaint, he/she must do so in writing, with all relevant documents (where possible) attached as evidence, to the relevant Head of Department or support service. As a last resort at local level, a formal complaint may be directed to the Executive Dean or Director/Executive Director concerned.
- 2.2** Where a formal written complaint has been submitted, a designated employee, usually a Head of Department/Service with no vested interest in the complaint, investigates it. The designated employee acknowledges receipt of the complaint within five (5) working days. The designated employee may wish to discuss the matter with the student who has the right to be represented by a 'friend'.
- 2.3** The employee investigating the complaint keeps formal records of the actions taken in response to the complaint and the outcome thereof. The student is informed in writing of the outcome of the complaint, normally within four (4) weeks of its submission, or within eight (8) weeks if the complaint is submitted during a recess.

3. STAGE 3 – REVIEWS

- 3.1** A student who still feels aggrieved after his/or her formal complaint has been considered may consult the Registrar to initiate a procedural review.
- 3.2** The student must lodge the appeal within twenty (20) working days of receiving notification of the resolution.
- 3.3** The criteria for requesting a review by the Registrar are that:

- (a) there were procedural irregularities in the investigation of the complaint; or
- (b) evidence can be presented which was not or could not reasonably be made available to the investigation; or
- (c) the finding of the hearings, outlined under Stage 2, was against the weight of the evidence.

4. STAGE 4 – REVIEW LETTER

Once the University's internal processes are exhausted, the University will issue a completion of review letter. If a student is still of the opinion that his/her case remains unresolved he/she may apply for external assistance.

5. WITHDRAWAL OF COMPLAINTS

A student may withdraw a complaint or grievance at any stage during the complaint/grievance resolution process and in this case the matter will be concluded and deemed to be resolved. If the complaint or grievance was originally made in writing the notice of withdrawal must also be in writing.