



# Student Grievance Policy

CEDAR INTERNATIONAL ACADEMY NPC

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## Purpose

- 1) Students and staff are expected to conduct themselves in such manner to respect the welfare of others. In cases where such conduct is not observed, the Student Grievance Policy ensures that students have an official avenue to voice grievances to the Day Management Team (DMT) or Board regarding unacceptable actions by other students or staff of Cedar, and that Cedar has a consistent way of resolving these grievances in a fair and just manner.

## Scope

- 2) This policy applies to all students registered at Cedar. Students agree to abide by the rules and regulations set out in the Student's Code of Conduct and Residence Agreements. The policy lays out a framework for the resolution of grievances that arise from misconduct or any other grievance a student might have.

## Aims

- 3) This policy aims to:
  - a. provide effective mechanisms for communication and participation;
  - b. maximise the commitment and motivation of all students;
  - c. promote respectful relationships;
  - d. anticipate and defuse conflict wherever possible;
  - e. encourage students to make concerns and conflicts visible and to seek resolution for underlying issues at the lowest level possible; and
  - f. provide channels for conflict resolution to promote mutual trust.

## Guiding Principles

- 4) Settlement of grievances must be timeously, and where possible redemptive.
- 5) Key guiding principles include the following:
  - a. A student who lodges a complaint will not be prejudiced in their relationship with Cedar.
  - b. Students should be free to report misconduct to Cedar Management.
  - c. Grievances are addressed during normal office hours unless exceptional circumstances dictate otherwise.
  - d. All facts involving grievances shall be viewed objectively. Resolutions shall be fair and impartial.
  - e. Everyone involved in a grievance has the right to be treated equally in the grievance process.
  - f. All persons involved shall have their dignity respected and protected.
  - g. The aggrieved student shall be informed of the procedure and progress of the matter in the grievance process.

- h. Cedar encourages students to raise any grievances or issues with a counsellor.
- i. Grievances shall be dealt with swiftly to avoid disrupting Cedar's community relations and to prevent discontent spreading to other students.
- j. The aggrieved student has the right to be heard and make a statement regarding the case in question.
- k. Academic result discrepancies shall be brought to Academic Management. Please note that Cedar does not recognise grievances relating to academic judgement. Cedar's position is that academic judgement is a proper part of higher education. However, if you have evidence that a bias has occurred or due process was not followed, then you may proceed to pursue a grievance through the grievance process.

## Policy Statement

- 6) For consistency and uniformity purposes, Cedar policy is as follows:
  - a. The person alleged to have caused a grievance will have an opportunity to hear accurately what the allegation was and will be given a chance to respond.
  - b. A grievance resolution process shall cause no financial burden on the student.
  - c. Where possible, a resolution shall rectify any harm done rather than become an opportunity to impose punitive action.
  - d. The DMT and/or Board members will preside over grievance hearings on the campus.
  - e. A grievance shall be lodged formally and in writing using the prescribed form.
  - f. The aggrieved student has the responsibility to submit proof of alleged unfair/improper action to the DMT for a formal grievance hearing to commence.
  - g. The DMT will handle any grievances in consultation with the Board.
  - h. No staff member with an identified conflict of interest shall be involved in the grievance process.
  - i. Prescribed forms will be made readily available to students for flagging grievances.
  - j. All records of the grievance hearing will be kept confidential. Such records must be maintained for at least 8 years to satisfy the requirements of the CHE National Review Manual for Re-accreditation of Programmes. Thereafter, records will be destroyed according to the Protection of Personal Information Policy.
  - k. In the interests of all parties involved, grievances must be lodged and resolved promptly and procedurally.

## The Grievance Procedure

### Background

- 7) A student may pursue a grievance if s/he believes that a fellow student or a staff member of Cedar has caused injustice by violating his/her rights or by violating laws and policies that protect his/her rights. All formally lodged grievances shall be thoroughly investigated before decisions on remedial action are made. The Board shall endeavor to ensure that harmonious relations are maintained; that Cedar is a caring and protective environment where all students always receive equal and fair treatment.

## Purpose

- 8) The purpose of this procedure is to stipulate a clearly established and fair process in which grievances are lodged and resolved.

## Process

- 9) A resolution must first be sought through the **informal** approach (stage 1) before a **formal** approach (stage 2) will be considered.
- 10) Stage 1: Informal Procedure
  - a. Students are encouraged to settle grievances timeously and directly with the person(s) concerned.
  - b. Meetings and discussions between the aggrieved student and the person causing the grievance should take place to address the complaint.
  - c. Alternatively, the aggrieved student may wish to present his or her grievance in writing to the person alleged to have caused the grievance.
  - d. In either case, the person alleged to have caused the grievance must respond to the aggrieved student promptly, either orally or in writing.
  - e. At any time while trying to settle the grievance, a complainant or respondent may consult/seek advice from the Cedar community.
  - f. A mediator/counsellor could be used at this stage but there should be consensus between the parties on the appointment of a mediator.
  - g. The mediator/counsellor may gather information; communicate with all parties and attempt to bring about an informal resolution.
- 11) Stage 2: Formal Procedure
  - a. If no resolution is reached under the informal grievance resolution procedure, the grieved student shall formally lodge his/her grievance in writing, using the prescribed form.
  - b. A grievance shall be lodged with the DMT on the prescribed grievance form obtained from the Registrar's office or by using the link provided on the website or within Teams for this purpose.
  - c. The remedy or relief requested must be clearly stated in the grievance lodgement form using clear, objective language.
  - d. The grievance must be lodged within a reasonable time period (not later than five (5) days) after the incident that caused the lodging of the grievance.
  - e. The DMT has the authority to deal with all grievances lodged in consultation with the Board.
  - f. The DMT will examine or delegate a person to investigate the grievance and make an initial determination on whether the grievance is complete, timely, within their jurisdiction, and whether the case presented constitutes a violation of law or Cedar policy.
  - g. The complainant will be notified of the determination in writing within five (5) working days of the investigation.
  - h. If found to be incomplete, the student will be given five (5) working days to complete the grievance lodging. If the student fails to complete the grievance lodging, the grievance will be dismissed and an explanation will be given. The student has a right to appeal such a decision.

- i. In the event of a settlement, the DMT shall submit a written statement to that effect within five (5) working days after the date of the completion of the investigation. Copies of the statement shall be handed to the complainant, and to the respondent.
  - j. If no settlement is reached, a hearing shall take place.
  - k. The DMT must advise the Board and all persons concerned of the final determination within ten (10) working days after the end of the hearing.
  - l. The determination may include a recommendation for counseling for either / both parties; reconciliation of the grievance; redemptive action and/or disciplinary action; or that no further action shall be taken.
- 12) Stage 3: Appeals
- a. Both the grieved student and the defendant have the right to appeal to the Board if there is dissatisfaction with the grievance hearing.
  - b. The Board will consider the situation and hand down a decision to the DMT.
  - c. The decision of the Board is final.
  - d. Any reference to days in this policy should be considered maximum timelines. Every effort must be made to expedite the resolution of the grievance.
  - e. Time limits for registering a grievance or for submitting reports and for lodging appeals may be extended by agreement between all parties only where there is good cause, and a notice of the extension is provided to all parties within a reasonable period.

## Grievance Resolution

- 13) A grievance is deemed to have been resolved when:
- a. The grieved student provides a written withdrawal of the grievance to the DMT (often at the end of a mediation/conciliation process).
  - b. The grieved student approves the decision or outcome of the grievance hearing process.
  - c. A settlement has been agreed to in writing and signed by both parties.
  - d. The DMT has handed down a decision, and no appeal is made.
  - e. A student chooses to leave Cedar rather than pursue a grievance resolution. In such cases, students must inform DMT of their intentions in writing.

## Records

- 14) At the conclusion of each case, the outcome must be documented and filed. The form designated for this purpose is 'Record of Grievance Meeting/Outcomes' and is found at I:\Admin share\HRM\Conflict Resolution\Related Forms.
- 15) Completed forms are signed and kept in the relevant file.

## Glossary

**Appeal** refers to an application made by a student to have a grievance resolution reviewed.

**Complainant** refers to the student lodging the grievance.

**Counsellor** is someone whom the complainant trusts and confides in on a personal level for advice and guidance.

**Grievance/complaint** is the concern raised by a student about an attitude, behaviour or action affecting the rights, status or privileges of the student or that which affects his/her studies or life as a student for which he/she is seeking a resolution.

**Respondent** refers to the person against whom the grievance has been lodged.

**Student** refers to any person for whom Cedar maintains educational records and who is currently enrolled in an academic programme offered by Cedar.

## Reference Materials

Council on Higher Education. (2012). *National review manual for the re-accreditation of programmes*.

Retrieved from [http://nr-online.che.ac.za/html\\_documents/National\\_Review\\_Manual.pdf](http://nr-online.che.ac.za/html_documents/National_Review_Manual.pdf)

*Constitution of the Republic of South Africa, Act No 108 of 1996*. (South African Government).

Retrieved from <https://www.gov.za/documents>

*Promotion of Equality and Prevention of Unfair Discrimination Amendment Act 2002*. (South African Government). Retrieved from <https://www.gov.za/documents>

*Protection of Personal Information Act, 2013*. (South African Government). Retrieved from <https://www.gov.za>

## Relevant Internal Documents

Admission and Registration Policy

Protection of Personal Information Policy

Record of Grievance Meeting/Outcomes

Student Code of Conduct

Student Grievance Form