

STUDENT COMPLAINTS – ADVICE AND PROCEDURES FOR STUDENTS

FOREWORD

If you wish to lodge a complaint under the Student Complaint Management Policy, it is your responsibility to read that policy and ensure that you understand its requirements. The following “Advice and Procedures” is designed to assist you in this regard, but you must first read the Student Complaint Management Policy itself.

In addition, it is in your best interests to –

1. Consider the issue calmly, and carefully consider your rights and obligations, as well as those of the other party, under the relevant policies, procedures or legislation.
2. Approach the relevant staff member(s) (eg in the School, Faculty, Library or administrative unit concerned) and/or fellow students with courtesy, and focus on options to resolve your complaint.
3. Endeavour to resolve the issue at the level at which it arose, and only proceed to the next level if those endeavours have been unsuccessful. Commit to achieving resolution of the issue and to honouring any agreement reached or decision made by the University to resolve the complaint.
4. Give us full details about your complaint when you first bring it to our attention. This will help us to understand and deal with it appropriately.
5. Seek appropriate advice and/or support – for example, through the Student Association, by checking the University’s website or by enquiring at the Student Centre regarding relevant procedures.
6. Keep clear, written records, including dates, of all relevant actions, including consultation with staff. Keep a copy of all written correspondence.
7. Respect the confidentiality of all parties in the course of your appeal.
8. Respond promptly to requests for further information.
9. Take the opportunity to meet with relevant people – accompanied, if you wish, by a support person as provided for in the policy.

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1. Student Complaint Management Policy

The University wants you to have the best possible learning experience and we recognise that if you have a complaint or concern, it can impact on your learning environment. The University takes all complaints seriously and has established the **Student Complaint Management Policy** (<http://www.acu.edu.au/173439>) to provide fair and equitable processes which enable students' concerns to be addressed as quickly as possible and at a level as close to the source of the decision-making as possible. This document contains advice to assist you if you have a complaint regarding a matter that comes within the ambit of this policy. (Note: Many academic decisions fall within the ambit of the **Student Appeals Policy** (<http://www.acu.edu.au/226818>) rather than this policy.)

In the case of any conflict or inconsistency between this document and the Student Complaint Management Policy, the policy takes precedence.

2. Principles

The principles adopted by the University for dealing with appeals are set out in the **Student Complaint Management Policy** (<http://www.acu.edu.au/173439>). In particular, they are based on values that are consistent with the University Mission. There is a requirement that students adhere to all relevant University statutes, rules, regulations, policies and standards of conduct. It is expected that you will fully co-operate in processes to deal with your complaint, attend any hearings or meetings (including those held by teleconference or videoconference), and that you behave in a reasonable and courteous manner at all times.

The University also commits to taking all reasonable steps to prevent students suffering any disadvantage as a result of taking action under the policy.

3. What types of situation are covered by the Student Complaint Management Policy?

- 3.1 The policy applies to a wide range of topics but excludes topics which are addressed in other specific University policies or regulations such as
- Student Appeals Policy [<http://www.acu.edu.au/226818>]
 - Research and Professional Doctorate Degree Regulations [http://www.acu.edu.au/policy/student_policies/research_and_professional_doctorate_degree_regulations/]
 - Discrimination and Harassment Policy [http://www.acu.edu.au/staff/services/hr/working_at_acu/policies_and_procedures/equal_opportunity/discrimination_and_harassment/] or in legislation applicable within the relevant state/territory
 - Bullying in the Working or Learning Environment Statement [http://www.acu.edu.au/policy/personnel/equal_opportunity/bullying_in_the_working_or_learning_environment/]
 - Occupational Health and Safety policies [http://www.acu.edu.au/policy/personnel/health_safety_and_well-being/].

The policy is designed to facilitate resolution of complaints between parties including:

- (a) student:student
- (b) student:staff member

- (c) student:external agency - such as those agencies co-operating with the University in its professional experience or community engagement placements (eg clinical, school, business placements). In any such case, you should first raise the matter in accordance with the complaint handling procedure of the co-operating agency before raising a complaint under this policy.

3.2 If you lodge an appeal under the Student Appeals Policy, you cannot also lodge a complaint under the Student Complaint Management Policy.

4. Timing

If you wish to lodge a complaint, you should take action within 20 days of the occurrence of the subject matter of the complaint or of notification of the matter which is the subject of the complaint. If you do not take action within that timeframe, the person to whom the complaint is addressed can rightly decline to consider the matter.

5. Taking a support person with you

At any stage of the informal or formal processes under the **Student Complaint Management Policy**, you can take a support person with you to attend any meeting called to address the complaint. Your support person can be a relative, a friend, a fellow-student or a colleague, but cannot be someone who is legally qualified or a member of staff of the University. The role of that person is simply to be present at the meeting as 'moral support' and/or a neutral observer. Your support person cannot make a representation on your behalf but their being there may assist you, as an independent observer may hear and interpret advice or statements differently from how you hear or interpret them, or indeed confirm that your understanding of the discussion is correct. If you want to take a support person to accompany you at a meeting, you should advise the person arranging the meeting of the name of the support person; such advice should be provided in writing (eg via email) at least three days in advance of the meeting.

6. First steps

Before initiating action under the **Student Complaint Management Policy**, you can seek advice as to the appropriate course of action. You can contact the local Student Association and/or a Student Counsellor to make an appointment to seek advice. You can also contact the Student Centre for clarification regarding the relevant processes to follow.

7. Informal dialogue

After discussion with the Student Association or other support network available to you, the next step is to talk to the person to whom the complaint relates. At this stage, you and the other person should both have the opportunity to express your positions and/or concerns and to try to reach a mutual agreement on the subject matter.

8. Formal process

If your complaint remains unresolved, you can initiate a formal complaint. This must be in writing (there is no form relevant to this process) and contain details of the complaint as set out in section 8 of the policy. You should identify the grounds for complaint fully from the outset, as new evidence or new grounds for complaint cannot be added subsequently during the complaint resolution process under this policy, unless there has been a **major** change in circumstance after you lodged the initial complaint, the additional information was not reasonably available at the initial stage, and the person to whom the complaint is addressed considers that the circumstances justify the subsequent, exceptional submission of the additional information. This new information or evidence must also be such as to have a significant bearing on the complaint.

Where such a major change in circumstance has arisen and the person/committee dealing with the complaint determines that it should be taken into consideration, the matter will normally be referred back to the person who undertook the initial review, for further consideration.

By initiating a formal complaint, you are making a commitment to its resolution and to honouring any agreement reached or decision made by the University to resolve the complaint.

9. Progression of complaint

If the outcome at the first stage of the formal process does not resolve the matter to your satisfaction, you can escalate your complaint, but you need to do so incrementally, for example:

Table1: Complaint escalation levels

Academic matter or non-academic matter relating to a School or Faculty or a staff member in a School or Faculty

Relevant staff member → Head of School → Faculty Dean → Pro-Vice-Chancellor (Academic) → University Appeals Committee

Matter re any other decision or organisational unit, including conduct of a staff member in the organisational unit

Relevant staff member → Manager of organisational unit → relevant Director → relevant Pro-Vice-Chancellor → University Appeals Committee.

Examples of subject matters and the relevant Pro-Vice-Chancellors include:

<i>Subject matter</i>	<i>Relevant Pro-Vice-Chancellor</i>
**Admission – coursework program	Pro-Vice-Chancellor (Students, Learning and Teaching)
**Admission – international student	Pro-Vice-Chancellor (Administration and Resources)
**Admission – research program	Pro-Vice-Chancellor (Research)
AHEGS	Pro-Vice-Chancellor (Students, Learning and Teaching)
Enrolment – coursework program	Pro-Vice-Chancellor (Students, Learning and Teaching)
Enrolment – research program	Pro-Vice-Chancellor (Research)
ESOS Act and National Code	Pro-Vice-Chancellor (Administration and Resources)
Fees, fines – domestic student	Pro-Vice-Chancellor (Students, Learning and Teaching)
Fees, fines – international student	Pro-Vice-Chancellor (Administration and Resources)
IT	Pro-Vice-Chancellor (Administration and Resources)
Timetable or exam timetable	Pro-Vice-Chancellor (Students, Learning and Teaching)
Transcript	Pro-Vice-Chancellor (Students, Learning and Teaching)

** The complaint must relate to handling of the matter rather than the decision itself; the latter comes under the Student Appeals Policy.

10. Complaints involving allegations concerning a staff member

In any case where a student's complaint includes any specific allegation(s) against the conduct of a member of staff which might be in contravention of the Staff Code of Conduct, the University will determine whether the matter will be considered under the Student Complaint Management Policy, the Student Appeals Policy or the relevant Human Relations policy. In all such cases the staff member would be notified of the details of the complaint/allegation(s) and the matter would be dealt with in accordance with the relevant policy.

11. Discussion

Either you or a staff member dealing with your complaint can request a meeting with the other relevant party/ies. Normally you would do this via email or a telephone call to the person(s) concerned. As mentioned above, you may take a support person to attend any meeting with you.

You may also ask a staff member to assist in resolution of a complaint you have in relation to another student. Normally any request for involvement in a student:student conflict should be directed to the Pro-Vice-Chancellor (Students, Learning and Teaching).

Should you decide not to attend a meeting, or should your support person not accompany you, that will not prevent the meeting from progressing, though there may be little opportunity to resolve the matter without your involvement if you have initiated the complaint.

12. Investigating the complaint

The staff member dealing with any complaint will do so in accordance with the policy. Normally they will initiate action within 10 working days of receipt of the complaint and normally finalise the investigation and notify you of the outcome of the investigation and/or any proposal for resolution of the complaint within 20 working days of your lodging the complaint.

The advice will set out the process followed, the outcome of the investigation, the proposed resolution of the complaint and the reason (s) for that proposal. A copy of the letter will be provided to all relevant officers for noting and/or action.

13. Next stage(s)

If you are still dissatisfied with the outcome, you can move on to the next level of appeal, as set out in the table in Section 9 above. Again, you must make a written case regarding the complaint to the next senior officer.

A similar process is then undertaken at that next stage. Again you will be notified in writing of process followed, the outcome of the investigation, the proposed resolution of the complaint and the reason(s) for that proposal. A copy of the letter will be provided to all relevant officers for noting and/or action.

If you remain dissatisfied, you may progress to the next higher level, until you are satisfied with the outcome or have exhausted all internal levels of complaint resolution.

See also Sections 17 and 18 below.

14. Withdrawal of complaint

At any time during the process you may withdraw a complaint, by writing to the staff member to whom the complaint had been addressed. Normally, consideration of the complaint will then be discontinued. However, if the staff member considers it important to continue to investigate the matter, he/she is at liberty to do so. In that event, the above processes, including notifying you of his/her findings, apply.

16. Malicious or vexatious complaints

If the staff member dealing with any complaint determines that it is frivolous, vexatious or malicious, action may be taken against you under **Statute 10 Student Conduct and Discipline** (<http://www.acu.edu.au/110836>).

17. External avenues of appeal

While students are encouraged to resolve any concerns or complaints arising from their status as a student of the University under the Student Complaints Management Policy, you can nevertheless exercise any other right of complaint available to you outside the University, eg under state/territory law. However, if you initiate any external process before exhausting internal avenues of complaint management, the internal process may be terminated.

18. Appeal to University Visitor

Following exhaustion of internal complaint management processes, in the case of subject matters for which there is no specific external independent arbiter, you can appeal to the University Visitor, who is an independent arbiter, external to the University – see the **Policy on Review by the University Visitor of Unresolved Appeals or Complaints by Students** (<http://www.acu.edu.au/240042>).