

# Student Complaints Resolution Policy

## Section 1 - Purpose / Objectives

(1) This Policy provides for the fair and prompt resolution of student complaints in a manner that is consistent with the University's values.

## Section 2 - Scope / Application

(2) This Policy may be used by:

- a. Students of Victoria University, which includes all people whose study performance is being or is to be assessed by the University, notwithstanding that such a person is not enrolled at the University in a course leading to an award.
- b. This Policy and associated procedure may also be used by a person making a complaint regarding an admissions decision, notwithstanding that they are not a student of the University. Complaints regarding admission decisions must be lodged within 6 months of the decision's communication.
- c. Similarly, this Policy and its procedure may be used by a person whose enrolment (or provisional enrolment) was completed or terminated no more than 6 months prior to bringing the complaint, provided that the matter to which the complaint relates occurred during the course of their enrolment.

(3) A complaint brought under this Policy may relate to:

- a. the performance of administrative, academic, teaching or research or service functions of the University;
- b. any third party involved in the delivery of services on behalf of the University, if the complaint is in regards to the delivery of those services; or
- c. the behaviour or actions of another student of the University.

(4) Allegations of discrimination, harassment and bullying are managed under the University's [Discrimination and Sexual Harassment Prevention and Management Policy](#) and the University's [Bullying Prevention and Management Policy](#).

## Section 3 - Definitions

(5) Nil

## Section 4 - Policy Statement

(6) The University is committed to a culture of continuous improvement, quality assurance, excellence and ongoing process review and values comments from students on their University experience and suggestions for improvement. The University recognises its responsibility to provide an environment in which students and staff are treated fairly and with respect. To this end, the University is committed to maintaining an organisational culture in which a student's

right to seek resolution of a complaint is recognised and supported.

(7) Complaints by students will be handled in accordance with the following principles:

- a. Good faith: The complaints process assumes and relies upon all parties engaging in good faith, with an open approach to considering reasonable options.

(8) Communication: All complainants will receive an acknowledgment in writing of the receipt of their complaint, however lodged.

a. Procedural fairness:

- i. All parties to a complaint will be treated fairly, and in a manner that respects their right to an unbiased, timely and transparent process.
- ii. The decision-maker will not be biased or appear to be biased nor have a personal interest in the matter of the complaint.
- iii. Matters that are not relevant will not be taken into account by the decision-maker.
- iv. All parties have the right to be heard before decision is made, including the right to respond to statements or evidence that are relied upon in reaching a determination.
- v. Where the complaint concerns the actions of an individual or individuals, respondents have the right to be informed of the allegations and the right to respond.

b. Confidentiality:

- i. A complaint will be treated by all parties with appropriate confidentiality.
- ii. Unless required otherwise by law, information arising in the course of a complaint will be circulated only between the parties and other persons involved on a need-to-know basis.
- iii. Information will only be used for the purpose of resolving the complaint in accordance with this Policy, with the proviso that aggregated and de-identified data can be used to support the University's monitoring, reporting and continuous improvement processes with respect to student services.

c. Proximity: Every reasonable effort will be made by the parties to the complaint and the decision-maker to resolve the complaint at the level closest to the parties.

d. Timeliness:

- i. All relevant levels of authority within the University will make every reasonable effort to resolve complaints as quickly as possible and in accordance with the timelines set out in the [Student Complaints Resolution Procedure](#).
- ii. In resolving complaints, University staff will be mindful of internal and/or external timelines, processes and requirements that are relevant to the subject of the complaint (e.g. census date, professional registration).
- iii. All student complaints will be concluded within 60 days wherever possible. When this is not possible, the University will inform the complainant in writing of the delay and the reasons for it, and the expected timeframe for completion.

e. Advocacy: The University will make available to students VU advocacy services for advice and representation. The University will advertise the availability of these services through appropriate channels.

f. Recordkeeping: All records related to a complaint resolution process will be retained in accordance with the University's Retention and Disposal Authority, the relevant periods for which are detailed in the [Student Complaints Resolution Procedure](#).

g. Support: A complainant may nominate their own support person, other than a currently practicing solicitor or barrister (except during an appeal with the prior leave of the Appeals Panel Chair), to support them in the process. If a student does not have a person they wish to nominate, the University will supply at their request an appropriate support person.

(9) No disadvantage: A student making a complaint will not be disadvantaged simply by virtue of having made the complaint, unless the complaint is found to be vexatious. In particular:

- a. The complainant must not be hindered or prevented from continuing to use University facilities and attend lectures, classes, laboratories and tutorials and to submit assessment as required, simply by virtue of having made the complaint.
- b. A student who is also:
  - i. the subject of an action by the University under the [Student Misconduct Regulations 2014](#); or
  - ii. subject to exclusion under the [Exclusion for Safety Reasons Regulations 2014](#); or
  - iii. subject to a cancellation of enrolment due to unpaid fees, where fees are unrelated to the substance of the complaint; or
  - iv. the subject of any relevant court order or action precluding them from attending a campus

may be excluded or prevented from attending classes on that basis, unrelated to their status as a complainant.

(10) Right to withdraw: A student making a complaint has the right to withdraw the complaint at any stage of the process. However, the University retains the right, to address complaint matters, even in cases where a complaint has been withdrawn, in order for the University to meet its obligations.

(11) Right to appeal: A student who makes a complaint under this Policy, and is not satisfied with the outcome, has a right to apply for an appeal, the grounds for which are specified under the [Student Appeals Regulations 2014](#) of the University. The relevant [Student Appeals Procedure](#) details the process for initiating an appeal.

(12) Right to review: If, at the conclusion of all University-based complaint and appeal processes, the student remains dissatisfied with the complaint resolution, they may lodge a request for an external review with the Victorian Ombudsman. As Victoria University is a public institution, the Ombudsman provides independent reviews of decisions and processes undertaken by the University.

(13) Anonymity: Students who have a complaint and wish to remain anonymous may lodge their complaint by writing directly to the Academic Registrar. However, it should be noted that these complaints may be difficult to investigate because of a lack of evidence. The Registrar will progress these matters at her or his discretion. Further, while the University will accept anonymous complaints it does not guarantee the anonymity of complainants.

(14) Continuous improvement: VU will make a record of, and follow up on, the causes of the complaint, and put in place suitable remediations to mitigate against a recurrence.

(15) This Policy complies with all requirements of the [Education Services for Overseas Students Act 2000](#) (Cth) and the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (the Code). This Policy accords with the International Standard: Guidelines for complaints handling in organizations ISO 10002:2004.

## Section 5 - Procedures

(16) [Student Complaints Resolution Procedure](#).

## Section 6 - Guidelines

(17) Nil

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	21st May 2015
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