

Student Complaints Policy

Section 1 - Summary

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

Section 2 - Accountability

Accountable/Responsible Officer	Role
Accountable Officer	Head of Legal Services
Responsible Officer	Senior Manager, Integrity & Safer Community

Key decision-making powers under the Policy (if applicable)

(Delegated) Power	Role
N/A	

Section 3 - Scope

(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.

(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.
- d. Any complaints about matters that are not dealt with by other University [policies and procedures](#), for example; Clients of VU Clinics (who may complain under the [Student Clinics Policy](#)); Staff of the University (who may complain under the [Staff Complaints Resolution Policy](#)); or People wishing to lodge a complaint relating to Animal Welfare (who may complain under the [Animal Welfare Complaints Procedure](#)).

(4) This Policy will not apply to any decision under a policy or procedure that provides an internal appeal or review mechanism, for example; disputes about assessment results, special consideration applications, etc.

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

(6) Matters involving sexual assault will be addressed using the [Sexual Assault Response Policy](#).

Section 4 - Definitions

(7) Nil

Section 5 - Policy Statement/Regulation

(8) 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.

- a. 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.
- b. The University does not condone victimisation and students may be subject to a misconduct proceedings, if found to have victimised another student or students for their participation in (or association with) alleging, making, supporting or resolving a complaint.
- c. Any student who uses the student complaints process to make a frivolous or vexatious complaint or who deliberately misleads in relation to a complaint may be subject to misconduct proceedings.

(9) Complaints 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.
- b. 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 complaints are considered on their merits, on the basis of information relevant to the complaint and any mitigating circumstances.
 - v. All parties have the right to be heard before decision is made, including the right to respond to statements or material that is to be relied upon in reaching a determination.
 - vi. 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.
- c. 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 provision that aggregated and de-identified data can be used to support the University's monitoring, reporting and continuous improvement processes.

- d. 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.
- e. 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 Procedure](#) with no cost.
 - 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 student in writing of the delay and the reasons for it, and the expected timeframe for completion.
- f. Recordkeeping: All records related to a complaint 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 Procedure](#).
- g. 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.
- h. Support: The University supports the personal wellbeing of students and staff who are parties to a complaint. For example:
 - i. A student may nominate their own support person, other than a practicing legal practitioner, to support them in the process. If a student does not have a person they wish to nominate, the University may supply at their request an appropriate support person.
 - ii. Assistance is available through the Student Counselling Service or Employee Assistance Program.
 - iii. The Safer Community Unit is available to offer advice, assistance and referral services to students who report sexual harassment, bullying, discrimination, vilification or other unlawful behaviours.

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

(11) 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. A student must not be hindered or prevented from continuing to use University services or facilities and attend lectures, classes, laboratories and tutorials or submit assessment as required, simply by virtue of having made the complaint.
- b. A student must not be hindered or prevented from lodging a complaint within 20 University business days of any termination, provided the matter to which the complaint relates occurred during the course of their enrolment.
- c. A student has access to the student complaint process who is also:
 - i. the subject of an action by the University under the [Student Misconduct Regulations 2019](#); or
 - ii. subject to exclusion under the [Exclusion for Safety Reasons Regulations 2019](#); 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.

(12) 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. The University retains the right to not investigate a complaint, particularly where another process is more appropriate or where there is insufficient nexus with the University.

(13) Right to appeal: A student who considers that the outcome of the University-managed complaint is not consistent with the prescribed grounds of the [Student Appeals Regulations 2019](#) may lodge an appeal through the University's Appeals process, provided they meet the prescribed grounds and lodge the appeal application within the prescribed period.

(14) Right to external review: If, at the conclusion of all University-managed complaint and appeal processes, the student remains dissatisfied with the complaint process, 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.

(15) Anonymity: Students who have a complaint and wish to remain anonymous may lodge their complaint by emailing the [Integrity Office](#). However, it should be noted that these complaints may be difficult to investigate because of inadequate information. The Senior Manager, Integrity & Safer Community will progress these matters at their discretion. Further, while the University will accept anonymous complaints it does not guarantee the anonymity of complainants.

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

(17) This Policy complies with all requirements of the [Education Services for Overseas Students Act 2000 \(Cth\)](#) (Cth), TEQSA [Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cth\)](#), [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cth\)](#) and the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#) (the Code). This Policy accords with the Australian/New Zealand Standard: Guidelines for complaints management in organizations ISO 10002:2014.

Section 6 - Procedure

(18) See [Student Complaints Procedure](#).

Section 7 - Guidelines

(19) Nil

Status and Details

Status	Historic
Effective Date	23rd May 2018
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Accountable Officer	John Lambrick Head of Legal Services +61 3 99195280
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