

# Student Complaints Resolution Procedure

## Section 1 - Purpose / Objectives

(1) This Procedure outlines the steps for students and Victoria University staff to follow in resolving complaints by students or people who seek to enrol in a course of study. The governing policy for this Procedure is the [Student Complaints Policy](#).

## Section 2 - Scope / Application

(2) This Procedure applies to students or prospective students who wish to raise concerns or lodge complaints about:

- a. Customer service issues
- b. Third parties providing services on behalf of VU;
- c. Other students of the University;
- d. Discrimination, sexual harassment and bullying;
- e. Any complaints about matters that are not dealt with by other University [policies and procedures](#) (e.g. administrative matters, access to facilities, etc).

## Section 3 - Definitions

(3) Nil

## Section 4 - Policy Statement

(4) Nil

## Section 5 - Procedures

### Part A - Roles and Responsibilities

Role	Responsibilities
Senior Officer	Responds to and/or investigates student concerns and complaints. This will be a senior member of staff delegated by the Vice Chancellor.
Student	<p>makes reasonable efforts to resolve matters before making a complaint if it is possible to do so;</p> <p>is open to identifying and/or considering solutions;</p> <p>follows the appropriate process in lodging and responding to a complaint, and cooperating with reasonable requests from staff involved under this Procedure</p>

Role	Responsibilities
Student Matters Office	<p>provides information to both staff and students</p> <p>facilitates the resolution of complaints and provides administrative oversight of the referral process to Senior Officers</p> <p>operationalises the responsibilities of the Registrar under this Procedure.</p>
College or responsible business unit	<p>responds in a timely and appropriate manner to complaints</p> <p>makes reasonable efforts to resolve matters, is open to identifying and/or considering solutions and follows the complaint resolution process</p>
Registrar	<p>oversees the Procedure</p> <p>has the discretion to determine risk and instigate alternative means of resolution</p>
Support person	provides assistance and support to the complainant
Student Advocate	provides advocacy, advice and assistance to the complainant

(5) Complaints will be addressed according to the [Student Complaints Policy](#). Student complaints of discrimination, harassment or bullying (which are governed by the [Discrimination and Sexual Harassment Prevention and Management Policy](#) and the [Bullying Prevention and Management Policy](#)), will also be addressed using this Procedure.

## Part B - Overview

(6) When a student has a concern or complaint, there are three key internal processes that may be employed to resolve the matter.

(7) Local level, self-managed resolution: Staff and students are expected to try to resolve most problems at the local level (if reasonable and appropriate to do so) before making a complaint through the Student Matters Office.

(8) University-managed resolution: When a matter has cannot be resolved at the local level, or if a student is dissatisfied with the outcome at the local level, the student may lodge a complaint via the Student Matters Office. The Student Matters Office will seek to resolve the matter at the lowest appropriate level.

(9) Appeal: If a student is not satisfied with the determination, he/she has the right to lodge an appeal provided there are grounds as set out in the [Student Appeals Regulations 2014](#).

## Part C - Local level resolution

(10) Students are expected to attempt to resolve matters in good faith at the local level, where it is reasonable and appropriate to do so, before lodging a complaint with the Student Matters Office.

(11) Students are encouraged to identify their problems and, if possible, think of some solutions. Once a student has identified the problem and thought about solutions, either by themselves or in conjunction with a support service or person, they are encouraged to speak directly to the staff member concerned or responsible for the particular issue.

(12) When a staff member becomes aware of an student issue they should:

- a. endeavour to resolve the issue to the satisfaction of all parties if possible and appropriate;
- b. refer the issue to a senior officer from within the College/business if appropriate; or
- c. where the matter is not suitable for local level resolution, or where parties have concerns that a matter may be serious and/or complex, or are seeking further advice serious, contact the Student Matters Office as soon as practicable.

(13) Students may also raise their concerns with a senior officer from the within the relevant College/business area. In attempting to resolve a student concern at the local level, the senior officer may employ a range of strategies, including but not limited to:

- a. Preliminary enquiries and seeking advice if required
- b. Problem-solving and remedial intervention
- c. Changing a decision
- d. Provision of assistance and/or support to the local decision-maker
- e. Referral to other staff or support services
- f. Facilitated discussions between parties
- g. Mediation, which must be mutually agreed and arranged through the Student Matters Office
- h. Referring the complainant, or the complaint, to the Student Matters Office

(14) Students have free and confidential access to Student Advocacy Services, who can help the student speak to a staff member about their issues/concerns. Students also may access the following support services to assist with problems:

- a. AskVU - find answers to general questions, or ask a question
- b. Counselling
- c. Disability Support
- d. Housing and Finance
- e. International Student Support
- f. Language and Learning
- g. Student Advocacy
- h. Wellbeing and Advice

(15) The outcome of the local level resolution is considered to be a determination or decision by the University which is capable of review via the University-managed process below.

## **Part D - University-managed resolution (Complaint)**

(16) If an issue cannot be resolved at the local level or where a student is dissatisfied with the local level determination or decision, they may contact the Student Matters Office or make a complaint through the Student Matters Office using the University's online Complaint form.

(17) Online lodgement will generate an immediate acknowledgment. Other methods of lodging complaints will also be acknowledged in writing as soon as possible following receipt.

(18) Complaints must be raised in a timely fashion.

- a. Students must raise a complaint with the Student Matters Office within 12 months of the issue arising. The University will only consider complaints after lodged more than 12 months after the issue where the University considers that there are exceptional circumstances.
- b. People who seek to enrol, or whose enrolment has ended for whatever reason, must to lodge their complaint within 6 months of the issue arising.

(19) Students unable to use the online form may contact the Student Matters Office, VU Support Services for assistance or staff may provide a hard copy. Students may lodge the form at [student.matters@vu.edu.au](mailto:student.matters@vu.edu.au) or submit to a Student Service Centre in a sealed envelope addressed to:

Student Matters Office

Footscray Park Campus

Victoria University

PO Box 14428

Melbourne VIC 8001

(20) The process of addressing the complaint will begin within 5 University business days of receipt of the written complaint.

(21) In assessing and addressing the complaint, the Student Matters Office may:

- a. contact the student and any other party/parties to a complaint in order to gather information
- b. Seek to clarify the information relevant to the matter, request further information and/or make preliminary enquires
- c. Provide further information to the complainant
- d. Provide relevant information as feedback to the College/business areas
- e. Refer the matter to a different University process if this is more appropriate (e.g. fee issues, academic progress, misconduct etc).
- f. Assist parties to resolve the matter and/or suggest options for resolution including, where appropriate, referring the matter back to the local area for local-level resolution.
- g. Dismiss the complaint if it is out of time, vexatious or represents an abuse of process

(22) Wherever possible, complainants should be involved in resolving their own matters. If a third party, including a parent, seeks to act on behalf of a complainant, the Student Matters Office will seek written verification of the complainant's authorisation for this contact.

## **Part E - Investigation**

(23) If a complaint is not appropriate for local-level resolution, cannot be resolved with the assistance of the Student Matters Office as set out above, matters may be referred to a senior officer or investigator external to the area of complaint as determined by the Registrar.

(24) Staff designated or approached to resolve a complaint must be free from bias and not have a real or perceived conflict of interest, including prior involvement in handling the complaint. Staff must advise the Student Matters Office of actual or potential conflicts of interest, or any circumstances that could reasonably give rise to a perception of bias.

(25) The University may also conduct its own investigation regardless of whether a formal complaint has been lodged and may refer a matter to another process at any stage if this is more appropriate.

(26) Students can seek advice from the Student Matters Office and are encouraged to use the Student Advocacy Service for advice, representation or support.

(27) The senior officer or investigator will conduct an investigation with due regard to procedural fairness, timeliness, and the individual's safety and well-being. This will include:

- a. Notifying the parties of the investigation;
- b. Seeking sufficient particulars to enable the complaint/concern to be investigated;
- c. Interviewing any relevant witnesses;

- d. Where there is a respondent party, providing the respondent with a summary of the issues/alleged conduct and providing them with an opportunity to respond; and
- e. Reviewing any relevant documentation;

(28) Where a complaint involves a staff member's conduct, the senior officer or investigator will also liaise with People and Culture who may choose to deal with the matter as personnel issue.

(29) Depending on the particular circumstances, the person responsible for investigating and determining the complaint may recommend to the parties that mediation or other alternative dispute resolution methods may be suitable to resolve the matter.

(30) At the end of the investigation, the senior officer/investigator will prepare a report setting out

- a. the complaint
- b. how the investigation was conducted
- c. the relevant facts
- d. the investigator's findings in relation to the complaint and the reasons for those findings.

The report should be provided to the Student Matters Office.

(31) The investigation will result in a decision, which will be communicated to the student or prospective student and any other relevant party via the Student Matters Office. The decision and the reasons for it will be recorded within the Student Complaints management system.

(32) A determination that the complaint is substantiated may lead to any combination of the following outcomes, or any other outcome deemed appropriate in light of the circumstances:

- a. Rectification of administrative error;
- b. Implementation of negotiated solution;
- c. Intervention by appropriate academic representative;
- d. Counselling or training of one, both or all parties;
- e. Referral to another process within the University (eg. academic progress process);
- f. Disciplinary action.

(33) The investigation phase of the complaint will be take no more than 15 University business days, unless there are exceptional circumstances which make this timeframe impracticable. All reasonable measures will be taken to finalise the process as soon as practicable. The length of the student's visa and students enrolment in future subjects should be taken into account.

(34) If the process results in a decision that supports the student, the University will immediately implement any decision and/or corrective and preventative action required.

(35) The complaints process will, in most cases, be concluded within 60 days. If this is not possible, the complainant will be informed in writing of the delay, and the reasons for it, and kept informed as to the likely timeframe for completing the matter.

(36) 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.

## **Part F - Appeal**

(37) If a student is not satisfied with outcome of the student complaint process and they meet the grounds prescribed

in the [Student Appeals Regulations 2014](#), they may lodge an appeal.

(38) The appeal process is detailed in the [Student Appeals Procedure](#).

## **Part G - External review**

(39) Students can seek an external review by the Victorian Ombudsman of the decision making process exercised by the University. The Ombudsman will consider if the University's stated process was followed in the particular instance, but will not review the substance of the decision. Students may also access other external organisations such as the Victorian Equal Opportunity and Human Rights Commission and the Australian Human Rights Commission.

## Status and Details

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