

# Student Complaints Procedure

## Section 1 - Summary

(1) This Procedure outlines the steps for students and Victoria University staff to follow in handling student complaints. The governing policy for this Procedure is the [Student Complaints Policy](#).

## Section 2 - Accountability

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

## Section 3 - Scope

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

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

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

## Section 4 - Definitions

(7) Authorised Officer – University employee or agent of the University.

## Section 5 - Policy/Regulation

(8) See [Student Complaints Policy](#)

## Section 6 - Procedure

### Part A - Summary of Roles and Responsibilities

Role	Responsibilities
Senior Officer	Responds to and/or investigates student matters in a timely and appropriate manner in accordance with this Procedure. This will be a senior member of staff delegated by the Vice-Chancellor.
Student	Makes reasonable efforts to resolve matters before making a complaint if it is possible to do so. Is open to identifying and/or considering solutions. Follows the appropriate process in lodging and responding to a complaint. Cooperating with reasonable requests from staff involved under this Procedure.
Integrity Office	Provides relevant information to both staff and students in resolution of student matters. Facilitates the handling of complaints and provides administrative oversight of the referral process to Senior Officers. Operationalises the responsibilities of the Head of Legal Services under this Procedure.
College or responsible business unit	Responds in a timely and appropriate manner to complaints. They make reasonable efforts to resolve matters. Is open to identifying and/or considering solutions and follows the <a href="#">Student Complaints Procedure</a> .
Senior Manager, Integrity & Safer Community	Oversees this Procedure and has the discretion to determine risk and instigate alternative means of resolution.
Support person	Provides assistance and support to the student.
Complainant	Provides a statement in writing of the nature of the complaint, giving as many details as possible. Co-operates with the investigation process as required.

### Part B - Overview

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

- 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 Integrity Office.
- University-managed resolution: When an issue cannot be resolved at the local level, the student may lodge a complaint in writing via the Integrity Office. The Integrity Office will endeavor to resolve the matter at the lowest appropriate level.
- Appeal: If 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](#), they 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.

## **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 Integrity Office.

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

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

- a. endeavour to resolve the issue to the satisfaction of all parties if possible and where appropriate email the student the outcome and basis for that decision;
- b. refer the issue to a Senior Officer from within the College/Business area if appropriate; or
- c. where the matter is not suitable for local level resolution, or where parties have issues that a matter may be serious and/or complex, or are seeking further advice, contact the Integrity Office as soon as practicable.

(13) Students may also raise their issues at the VUHQ Student Service Centre and/or with an appropriate authorised officer within the relevant College/Business area. In attempting to resolve a student issue at the local level, the authorised 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, such as Student Counselling or Safer Community;
- f. Facilitated discussions between parties;
- g. Mediation, which must be mutually agreed and arranged through the Integrity Office or Student Support and Advocacy;
- h. Referring the complainant, or the complaint, to the Integrity Office.

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

- a. AskVU - find answers to general questions, or ask a question;
- b. VUHQ (Student Services Centre);
- c. Counselling and Accessibility Service;
- d. Safer Community;
- e. International Student Support;
- f. Student Support and Advocacy;
- g. Student Advising.

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

## Part D - University-managed Resolution (Complaint)

(16) If an issue cannot be resolved at the local level (because either it is inappropriate or the resolution reached is considered unsatisfactory), students may contact the Integrity Office or make a complaint using the University's [online complaint form](#).

(17) Students unable to use the online complaint form may contact the Integrity Office or Student Services Centre for assistance to provide a hard copy form. Students may lodge the complaint form at [integrity.office@vu.edu.au](mailto:integrity.office@vu.edu.au) or submit to a Student Services Centre in a sealed envelope addressed to: Integrity Office, Footscray Park Campus, Victoria University, PO Box 14428, Melbourne, VIC 8001.

(18) When making a complaint to the Integrity Office, students should:

- a. Identify the relevant breach in University policy and procedure and a lack of consideration of relevant facts (and where practicable provide evidence/supporting documents) and describe the reasons for making such complaint.
- b. Details of local level attempts or the reasons for bypassing the local level resolution process – students should explain why they have referred the matter to the Integrity Office. For example: bypass of a local level resolution may include serious matters such as harassment, discrimination, etc.
- c. Propose the outcome sought – students should be aware that not all University-managed complaints will result in the outcome they seek.

(19) Lodging a complaint via the online form will generate an immediate acknowledgment. Other methods of lodging complaints will be acknowledged in writing as soon as possible following receipt.

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

- a. Enrolled students must raise a complaint with the Integrity Office within 6 months of the issue arising or when the student first becomes aware of the matter that is the subject of the complaint. The University will only consider complaints lodged more than 6 months after the issue where the University considers that there are exceptional or compelling circumstances.

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

(22) In assessing and addressing the complaint, the Integrity 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 or service if this is more appropriate (e.g. fee issues, admissions matters, academic progress, misconduct, safer community etc.);
- f. assist parties to resolve the matter by suggesting 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, without merit or otherwise represents an abuse of process.

(23) 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 Integrity Office will seek written verification of the complainant's authorisation for this contact.

## Part E - Investigation

(24) If an issue has not been resolved at the local-level or is not appropriate for local-level resolution or cannot be resolved with the assistance of the Integrity Office as set out above, the complaint may be referred to a senior officer or investigator.

(25) 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 Integrity Office of actual or potential conflicts of interest, or any circumstances that could reasonably give rise to a perception of bias.

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

(27) Students can seek advice from the Integrity Office and are encouraged to use the Student Support and Advocacy Service for impartial advice, representation or support.

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

(29) Where a complaint involves a staff member's conduct, the senior officer may refer the complaint to People and Culture who may address the matter as a personnel issue.

(30) At the end of the investigation, the senior officer or investigator will prepare a report setting out the relevant facts and the findings in relation to the complaint and the reasons for those findings based on the relevant facts. The report should be provided to the Integrity Office.

(31) The investigation will result in a decision, which will be communicated to the student via the Integrity 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. A direction of no contact;
- d. Intervention by appropriate academic representative;
- e. Referral to another process within the University (e.g. academic progress process);
- f. Misconduct action.

(33) The investigation phase of the complaint will take no more than 15 University business days and 10 University business days for block model complaint, 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 implement any decision and/or corrective and preventative action required as soon as practicable.

(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 by the Integrity Office, 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) A student who considers 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. The appeal process is detailed in the [Student Appeals Procedure](#).

## **Part G - External Review**

(38) 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. Students may also access other external organisations such as the Victorian Equal Opportunity and Human Rights Commission and the Australian Human Rights Commission.

(39) Student visa holders who wish to make an external review about cancellation of enrolment must provide evidence of the lodgement of their complaint within 20 University business days from the date of the Appeal decision.

## **Section 7 - Guidelines**

(40) Nil

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	23rd May 2018
<b>Review Date</b>	23rd November 2021
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	11th May 2018
<b>Expiry Date</b>	27th April 2022
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