

## 1 Purpose

To ensure the Institute adopts a fair and prompt approach to the resolution of student complaints, within a framework that is effective, efficient, legal, transparent and ethical.

## 2 Scope

This procedure applies to all potential, current and past SuniTAFE students for all academic and non-academic issues, including students who receive training through a third-party provider on behalf of SuniTAFE. In the case of international students, this process will take into account the expiry date of their current student visa.

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## 4 Definitions

ACRONYM / Term	Definition
<b>Academic matters</b>	Matters which relate to student progress, assessment, curriculum and awards in a VET course of study
<b>Appeal</b>	A formal request for a change in or confirmation of a decision
<b>CEO</b>	Chief Executive Officer
<b>Complainant</b>	A person making a complaint
<b>Complaint</b>	<p>a) an issue arising from any decision, act or omission which a student considers to be unjust, discriminatory or wrongful or at variance with Institute policy or procedure;</p> <p>b) a complaint about the behaviour of another student, group of students, staff member or group of staff; and</p> <p>c) any other matter within the control of the Institute that is not resolved through normal communication channels.</p> <p>A complaint may relate <i>inter alia</i> to</p> <ul style="list-style-type: none"> <li>facilities, support services, curriculum, administrative procedures or decisions;</li> </ul>

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# Student Complaints Procedure

	<ul style="list-style-type: none"> <li>academic issues including student progress, assessment, curriculum and awards in a VET course of study ; and</li> <li>issues about the handling of personal information and access to personal records held by the Institute.</li> </ul>
<b>DE</b>	Director Education
<b>DOC</b>	Director Organisational Capability
<b>EBM</b>	Education Business Manager
<b>Feedback</b>	Comments, suggestions and ideas which highlight improvement opportunities in Institute practices
<b>Formal Complaint</b>	Is a written complaint formalised by the Formal Complaint Form
<b>Informal Complaint</b>	Can be verbal or written in nature and remains anonymous
<b>Investigating officer</b>	The trained staff member delegated the responsibility of investigating and responding to the complaint.
<b>ISU</b>	International Student Unit
<b>KD</b>	Koorie Department
<b>Non-academic matters</b>	Those matters not relating to student, progress, assessment, curriculum or awards in a VET course and includes complaints in relation to personal information that the VET provider holds in relation to the VET student
<b>Previous student</b>	A student who has completed a course of study with the Institute
<b>Principles of natural justice</b>	<p>Have been identified by the Human Rights and Equal Opportunity Commission (HREOC):</p> <ul style="list-style-type: none"> <li>The person who is the subject of concern must know all the allegations in relation to their behaviour.</li> <li>They must have a full opportunity to put their case forward.</li> <li>All parties relevant to the issue must have the right to be heard.</li> <li>All relevant submissions and evidence must be considered.</li> <li>Matters that are not relevant must not be taken into account.</li> <li>The person who raises the concern must not have responsibility in establishing the process.</li> <li>The decision-maker must be fair and just</li> </ul>
<b>Prospective student</b>	A person seeking to enrol with the Institute
<b>PROV</b>	Public Records Office of Victoria
<b>Respondent</b>	Person the complaint is in regards to
<b>SSS</b>	Student Support Services

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<b>Student</b>	Any person issued with a SuniTAFE student ID number for a course of study undertaken through SuniTAFE or through a third-party providing services on SuniTAFE's behalf.
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## 5 Actions

### 5.1 Stage 1 – initial complaint (informal)

- 5.1.1 The complainant should make an initial approach to the relevant respondent. The complainant is encouraged to address concerns with the relevant respondent where possible.
- 5.1.2 An informal complaint can be received at various points across the Institute; staff members who receive an informal complaint must refer the complainant to the direct Departmental EBM / Manager.
- 5.1.3 Academic complaints will be directed to the EBM / Manager of the relevant Department. Non-academic complaints will be referred to the Manager Learning Resources and Student Support Services who will determine the most suitable course of action.
- 5.1.4 All informal complaints (both verbal and written) are to be recorded through an informal complaint report and maintained by the EBM / Manager for record keeping purposes only. This document is controlled confidentially by the relevant EBM / Manager involved at the informal level. Any actions or follow up required at the informal stage is managed by the relevant manager.
- 5.1.5 At any stage of the complaints procedure the complainant and the respondent are allowed to be accompanied and supported by a 3rd party if desired. If any parties are under 18, parent or guardian must be present.
- 5.1.6 The EBM / Manager investigating the informal complaint must follow principles of natural justice, and ensure both respondent and complainant have the opportunity to give their version of events.
- 5.1.7 The EBM / Manager overseeing the informal complaint must notify the relevant Director of the informal complaint and subsequent actions being undertaken to resolve the complaint.
- 5.1.8 The EBM / Manager overseeing the informal complaint shall make all reasonable efforts to resolve the issue, including notifying all relevant parties of the informal complaint. Where relevant the Manager KD or ISU Coordinator will be informed.

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- 5.1.9 The EBM / Manager handling the initial complaint can arrange with SSS for an independent mediator and make the necessary arrangements for a mediation session/s to be held if requested by either the complainant or respondent.
- 5.1.10 If the informal complaint is resolved, the relevant EBM / Manager will forward all documentation, including details of how it was dealt with, outcomes, timeframes, causes and prevention strategy to mitigate/eliminate a repeat of the issue, to the HR dept for inclusion in the Institute complaints register.
- 5.1.11 The Director Organisational Capability and/or Director Education reserves the right to elevate an informal complaint to formal complaint where deemed necessary. An Investigating officer is determined by either Director Education and/or Organisational Capability can be instigated at the discretion of DOC or DE.
- 5.1.12 If the complaint is not resolved to the satisfaction of the complainant, the complainant may commence Stage 2 of this procedure.
- 5.1.13 If a (formal) complaint is received in writing by a staff member during any of the Stages outlined in this procedure, this is to be forwarded to the Manager, HR Services prior to any action being taken. HR Services is responsible for monitoring and overseeing the complaints and appeals process including management of the complaints and appeals checklist.

## 5.2 Stage 2 – Formal Complaint

- 5.2.1 Formal complaints must be made on the Formal Complaint Form, outlining complaint details, action in the matter to date, respondent details, and desired outcome.
- 5.2.2 The staff member receiving the Formal Complaint Form must forward to HR Services within five (5) working days for registration on the electronic complaints register.
- 5.2.3 HR services will forward complaint to relevant Director – academic complaints to Director Education, non-academic complaints to Director Organisational Capability.
- 5.2.4 The relevant Director will provide written acknowledgement of receipt to both complainant and respondent within five (5) working days outlining the following:
- Timelines and guidelines, especially if more than 60 calendar days will be required to process and finalise the matter
  - Anticipated date of next correspondence
  - Date of referral of complaint to respondent and subsequent acknowledge receipt
  - Availability of mediation assistance from SSS
  - Clarification that complaints process has no bearing on student results

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- Clarification of confidentiality and storage of complaints information in secure register
- 5.2.5 The relevant Director will appoint an investigation officer from the pool of trained Institute staff. The appointed officer must declare any Conflict of Interest before commencing investigations as per Conflict of Interest policy.
- 5.2.6 The investigating officer (in consultation with relevant Director) shall determine a process for resolving the complaint which may include:
- Meeting with parties and relevant support persons/interpreters, together or separately
  - Providing for mediation and conciliation by appropriately qualified person
- 5.2.7 Either party may be accompanied by a support person who is not a legal representative, but may be an Institute staff member, another student, a union representative or family member. The support person can provide advice and support, but is not to provide advocacy on student's behalf. If any parties are under 18, parent or guardian must be present.
- 5.2.8 Where an international student requests an interpreter service, it will be available.
- 5.2.9 The investigating officer will complete the Investigation Report within fifteen (15) working days of beginning the investigation, and forward report and associated recommendations to the relevant Director with copy to HR services.
- 5.2.10 The Investigation Report must include details of how the matter was dealt with, outcomes, timeframes, causes and prevention strategy to mitigate/eliminate a repeat of the issue.
- 5.2.11 The relevant Director must endorse or revise the recommendations. Once the recommendations are finalised:
- 5.2.11.1 The report is included in the HR services complaints register;
  - 5.2.11.2 The complainant and respondent will be advised of the recommendations in writing by the relevant Director within three (3) working days.
- 5.2.12 If either party are dissatisfied with the resolution, they may choose to have the decision reviewed. Refer to the *Student Reviews and Appeals Procedure*.
- 5.2.13 In the event that any time frames cannot be met by the Institute, especially if more than 60 calendar days will be required to process and finalise the matter, HR services will notify all parties in writing and record in the Complaints Registry.

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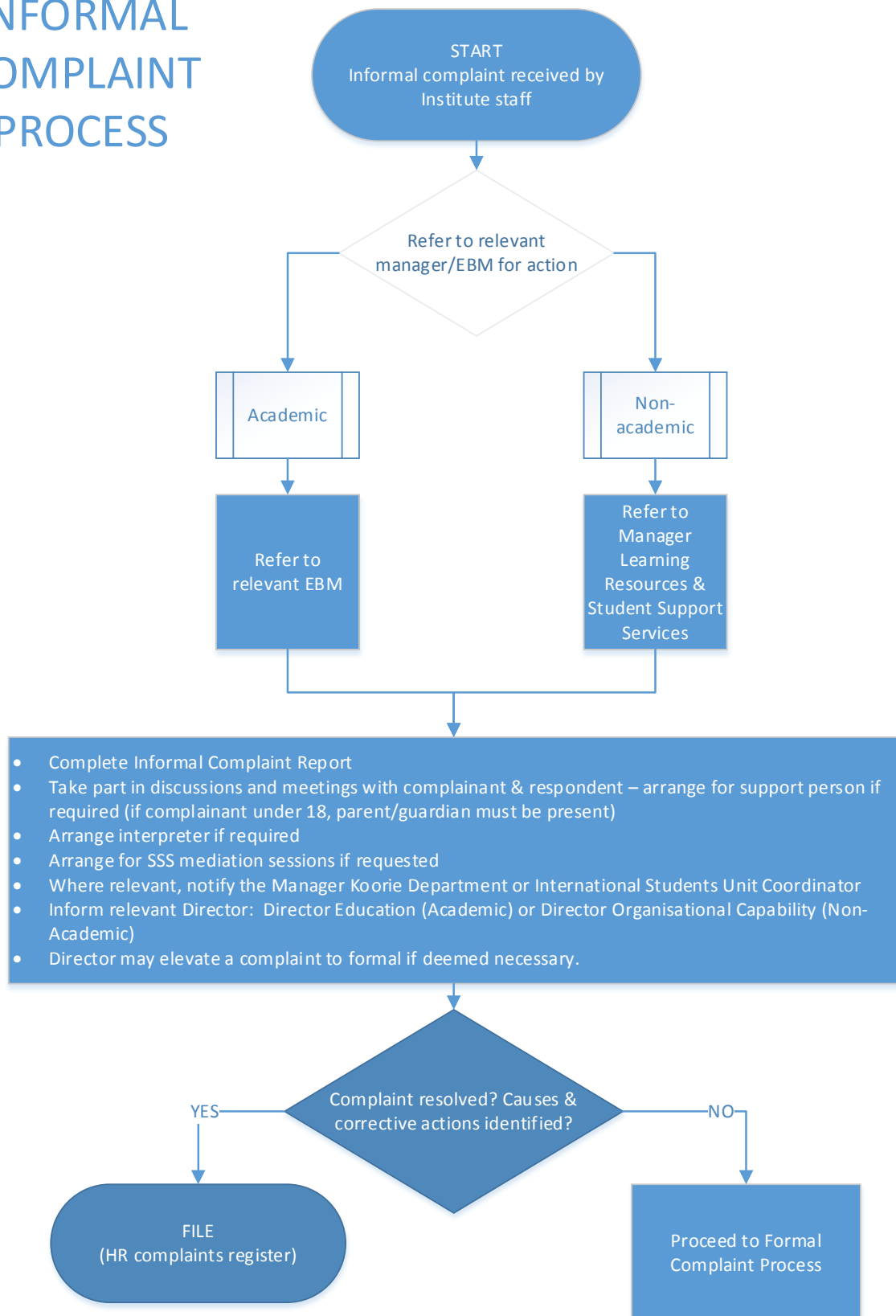
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## INFORMAL COMPLAINT PROCESS



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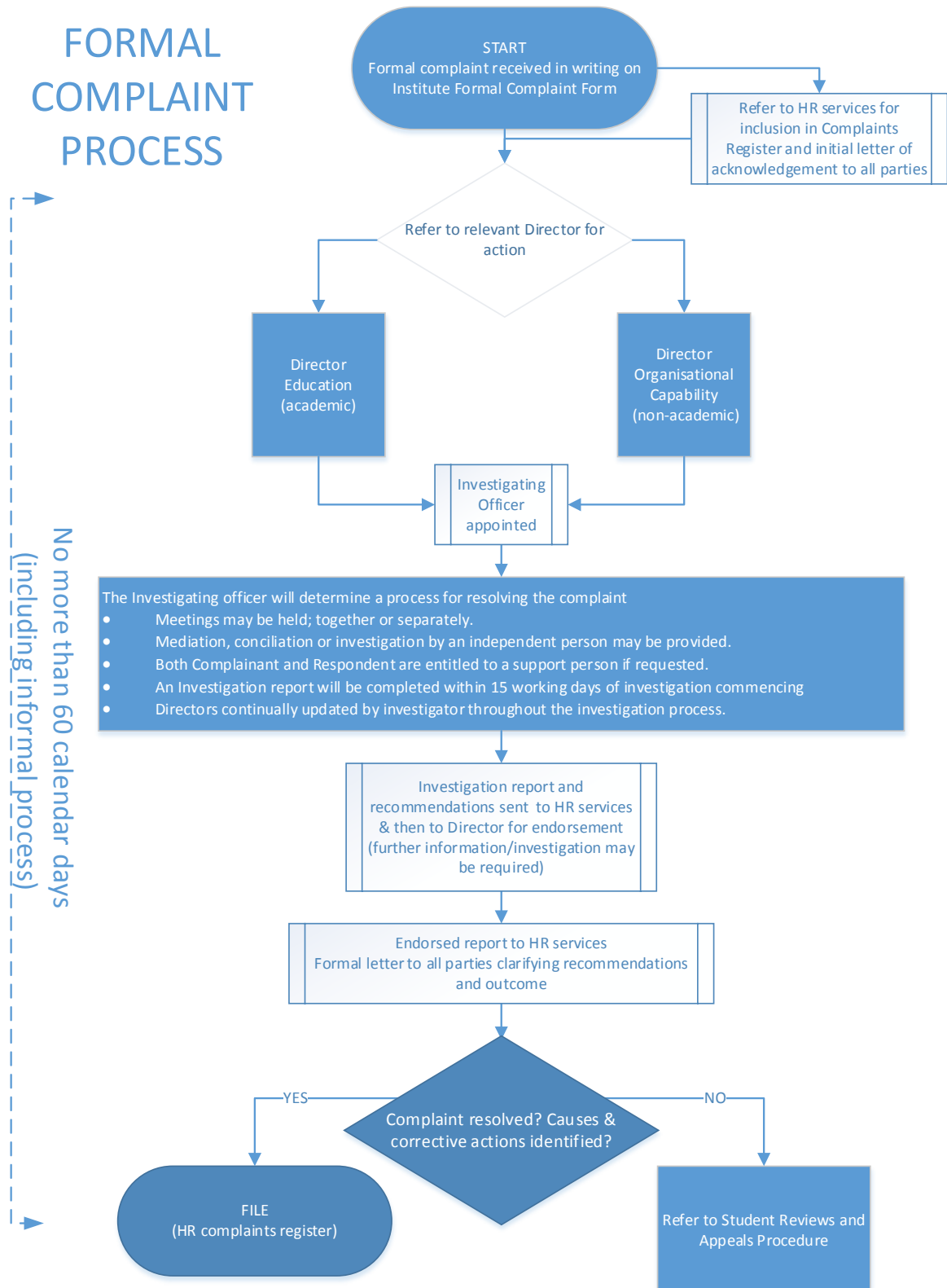
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## 6 Associated Documents

- Student Complaints and Appeals Policy
- Formal Complaint Form
- Informal Complaint Report
- Investigation Report
- Complaints File
- Complaints Register
- Conflict of Interest Policy
- Privacy Policy
- Student Equal Benefits and Opportunity Policy
- Management of Personal Student Information Procedure
- International Student Transfer Policy
- International Student Transfer Procedure
- International Student Fee Refund Policy
- International Student Fee Refund Procedure
- ESOS Compliance and Policy Framework

## 7 References

- [Higher Education Support Act 2003 – VET Guidelines 2013](#)
- Ombudsman Victoria's Good Practice Guide November 2007
- Information Privacy Act 2000
- Public Records Act 1973 (PROVs)
- Higher Education Support Act 2003
- Standards for Registered Training Organisations (RTOs) 2015 – Standard 6.1-6.6
- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations 2001 (ESOS Regulations)

## 8 Forms / Record Keeping

All records generated by this procedure should be listed and must state title, location, responsible officer and minimum retention period.

Title	Location	Responsible Officer	Minimum Retention Period
Complaints Records (penalty incurred)	HR Services	DOC	15 years
Complaints records (proven)	HR Services	DOC	7 years
Complaints record (not proven)	HR services	DOC	Temporary
Application for release letter	ISU	Director Client Services	7 years

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