POLICY

Policy Title: Student Complaints Policy
Policy Owner: Director, Office of Governance Services
Keywords: 1) Complaints 2) Administration 3) Quality
Policy Code: PL207 (sa004)

1. Intent
1.1 The purpose of the Student Complaints Policy is to provide a constructive service environment that supports individuals to make or respond to Complaints, and the University to learn from Complaints.
1.2 Accordingly this policy outlines the principles, roles and responsibilities in relation to student complaint handling at ECU. This policy complements, but does not supersede, formal processes established under University Statutes, Rules, By-laws, or the provisions of relevant industrial agreements for the hearing of student appeals or specific matters of Complaint designated under those instruments.

2. Organisational Scope
2.1 All ECU students and staff.

3. Definitions

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
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<tbody>
<tr>
<td>“Complainant”</td>
<td>A person, organisation or its representative making the complaint</td>
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<tr>
<td>“Complaint”</td>
<td>An expression of dissatisfaction about the University, related to its services or administrative practices, where a response is explicitly or implicitly expected</td>
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<tr>
<td>“Day”</td>
<td>A day on which the University is open to the public for normal business operations</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>“Informal Complaint” means</td>
<td>A Complaint made to a member of staff through the course of the day-to-day operations of the University, received through feedback channels, face-to-face communication, or by email or telephone (commonly resolved at the first point of contact).</td>
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<tr>
<td>“Formal Complaint” means</td>
<td>A Complaint that has not been resolved at the informal level, which is lodged in the prescribed manner with the Student Complaints Officer.</td>
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<tr>
<td>“Senior Officer” means</td>
<td>Line management positions, such as the Executive Dean, Dean, Head of School, Director, Manager, to whom Formal Complaints are referred for investigation.</td>
</tr>
<tr>
<td>“Student Complaints Officer” means</td>
<td>The person appointed from time to time by the Director, Governance Services, to implement this policy and attached guidelines</td>
</tr>
<tr>
<td>“Student Complaint Reference Group” means</td>
<td>Senior members of staff identified by the Student Complaints Officer as being able to assist the Student Complaints Officer with the investigation of a Complaint. Members of the group need not have line responsibility for the area responding to a Complaint.</td>
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<tr>
<td>“Student Complaint Management Guidelines” means</td>
<td>The Guidelines associated with this policy.</td>
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<tr>
<td>“Support Person” means</td>
<td>A person other than a legal practitioner, for example, a Guild Officer or University Contact Officer, or another individual providing peer support to a party to a Complaint.</td>
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</table>

4. **Policy Content**

4.1 ECU is committed to ensuring that student Complaints are addressed fairly, promptly and at the most appropriate level in the University and that Complaint handling will contribute to the quality improvement cycle at ECU. This commitment is consistent with the University’s long-term goal to be recognised for providing a world-class education and a fulfilling student experience, as articulated in ECU’s over-arching strategic priorities in *Engaging Minds; Engaging Communities. Towards 2020.*

4.2 The policy does not apply to Academic Appeals.

**COMplaint Management PRINCIPLES**

4.2 ECU’s management of student complaints will be guided by the following:

4.2.1 **Principles** – Student feedback and Complaints are important mechanisms which assist the University to achieve its strategic priorities. Feedback from students provides a means by which the University can analyse and improve its services as part of its broader commitment to continual improvement.

4.2.2 **Accessibility** – Information on how and where to complain should be readily available to staff and students; and the process of making a Complaint should be free of charge, flexible and easy to understand for staff and students.

4.2.3 **Responsiveness** – Complaints should be acknowledged and acted on promptly and parties to a complaint should be kept informed about the progress of a Complaint.
4.2.4 **Procedural Fairness** – principles of procedural fairness will be observed appropriate to the circumstances, allowing for:

a) parties to a Complaint reasonable opportunity to explain their position in relation to the dispute;

b) objective assessment of the information provided by both parties by a person or persons other than the original decision-maker; and

c) the provision of reasons for any decisions made, or conclusions reached, sufficient to enable a party to decide if they wish to challenge a decision or conclusion.

4.2.5 **Supportive** – The University's complaint handling process should demonstrate to individuals who are involved in a Complaint that the personal and professional needs and expectations of students and staff are important.

4.2.6 **Confidentiality** - Principles of confidentiality will be observed in the course of handling a Complaint and associated record keeping; notwithstanding that the disclosure of identifying or personal information to relevant staff will often be necessary in the course of Complaint resolution.

4.2.7 **Individual Autonomy** – The role of Support Persons under this policy shall be to support parties to a Complaint. Normally, Support Persons shall not be taken to mean persons acting on the behalf of parties to a Complaint, as an agent or representative of a party to a Complaint.

4.2.8 **Accountability** – The University will be accountable for its actions and decisions.

**COMPLAINT MANAGEMENT LEVELS**

4.3 Wherever possible the University aims to resolve Complaints at the earliest opportunity and most local level thereby reducing the potential for costs, delay or anxiety for all parties. The University therefore has a three stage process in Complaint resolution:

**Informal Complaint**

4.4 In the course of staff members' day-to-day provision of a responsive service student concerns are often negotiated and resolved as and when they arise through, clear, reasonable and responsive communication between staff and students.

4.5 Students with a Complaint should in the first instance attempt to resolve their concerns through discussions with a member of staff directly involved in the matter which has given rise to the Complaint.

4.6 Where this is not possible, or where the student feels unable to contact the person most directly concerned, the student may elect to contact the Senior Officer of the area, for instance, a Head of School, or non-academic Manager.

4.7 A response to an Informal Complaint should be provided as quickly as possible, with students given advice as to when they should expect a response.

**Formal Complaint**

4.8 Where a Complaint is not able to be resolved by the process described in sections 4.4 -4.7, students may lodge a Formal Complaint with the Student Complaints Officer.

4.9 The Student Complaints Officer will be responsible for the administration of Formal Complaints lodged under this policy, in accordance with the Student Complaint Management Guidelines.
4.10 Complaints will be acknowledged by the Student Complaints Officer as soon as practicable, but no later than three Days after the lodgement of a Complaint.

4.11 The University’s response to a Formal Complaint will be issued within 30 Days of the lodgement of that Complaint. The response issued to a Complainant will provide reasons for any decision made in relation to a Formal Complaint. In consultation with the Complainant, the Student Complaints Officer may record an extension of time at the request of a Senior Officer investigating a Complaint, on the grounds of operational need (taking into account such factors as the availability of key staff).

4.12 Expiration of periods for the acknowledgement or issuance of a Formal Complaint response will not invalidate a decision reached, but instead shall be used to benchmark the timeliness of the University’s responses to student complaints.

4.13 A comprehensive record of each Complaint will be kept by the Student Complaints Officer documenting the Complaint management process and documents associated with the response to a student Complaint. These records will be retained in a confidential University file, in accordance with the University’s Record Management Policy.

**Student Complaint Reference Group**

4.14.1 Before providing a response to a formal complaint, the Student Complaints Officer may seek the advice of a Student Complaint Reference Group.

4.15.2 The role and operation of the Student Complaint Reference Group will be as outlined in the Student Complaint Reference Group Procedures.

**External Complaint**

4.16 Following the provision of a response to a Complaint lodged with the Student Complaints Officer, students may choose to lodge a Complaint with an external agency, notwithstanding that in some circumstances Complainants are able to approach an external organisation prior to the conclusion of a formal, internal review of a Complaint.

4.17 Most external agencies involved in the review of such Complaints require Complainants to have exhausted avenues for the internal review of their Complaint. When closing a Complaint, the Student Complaints Officer will provide complainants with details of external avenues of Complaint that may be available, for instance, the WA Ombudsman, Worksafe, the Human Rights and Equal Opportunity Commission, the State Administrative Tribunal, or other external agencies that may be relevant depending on the nature of the Complaint.

**CENTRAL LODGEMENT, REFERRAL AND RESPONSE**

4.18 Governance Services will maintain a visible and accessible Complaint handling process, allowing for students to lodge Complaints about the services or administrative practices of the University.

4.19 Where requested, Governance Services will make this point of lodgement available to academic or service areas which currently maintain processes for the hearing of student grievances. Accordingly, procedures consistent with relevant Rules, By-Laws, or University policy providing for the referral of such matters will be attached to this policy.

4.20 Matters of Complaint which fall outside the Student Complaint Management Guidelines or attached procedures will be referred by the Student Complaints Officer to the most appropriate office or offices of the University to consider these. A record will be retained by the Student Complaints Officer of the Complaint, the reasons for the referral, and the outcome of the referral.

4.21 Complaints about staff which involve corrupt conduct should be directed to the Risk and Assurance Service Centre.
4.22 Complaints which are determined by the Student Complaints Officer to be frivolous, vexatious or malicious will be recommended to the Director, Governance Services for dismissal. A record of each Complaint so dismissed, along with the reasons for the dismissal, will be made on the Complaint file and provided to the student. Dismissal of a Complaint will not preclude the student from seeking an external avenue of Complaint.

5. RESPONSIBILITIES

5.1 Consistent with the Quality@ECU model, all staff members will be responsible for ensuring that student Informal Complaints about the administrative practices or services of the University, as may be brought to their attention, are treated with due consideration, are dealt with in a timely manner and in accordance with the principles outlined in this policy and acted upon or referred to the appropriate area of the University for resolution.

5.2 The Student Complaints Officer will be responsible for the design and delivery of resources aimed at strengthening Complaint management in the University and the implementation of this policy and the Student Complaint Management Guidelines.

5.3 Senior Officers will be responsible for ensuring that Complaints referred to them for investigation or resolution will be dealt with in a timely manner and in accordance with the principles outlined in this policy.

5.4 The Director, Governance Services will be responsible for the implementation and review of the Student Complaints Policy and the Student Complaint Management Guidelines made under this policy.

6. RELATED DOCUMENTS:

6.1 The policy is supported by the following Guidelines:

- Student Complaint Management Guidelines

6.1 Other documents which are relevant to the operation of this policy are as follows:

- Specific forms of Complaint may be governed by provisions under Statutes, Rules or By-Laws, and these would take precedence over the Student Complaints Policy when applicable. Refer to the Student Complaint Management Guidelines for further detail.

7. CONTACT INFORMATION

For queries relating to this document please contact:

<table>
<thead>
<tr>
<th>Policy Owner</th>
<th>Director, Governance Services</th>
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<tbody>
<tr>
<td>All Enquiries Contact:</td>
<td>Student Complaints Officer</td>
</tr>
<tr>
<td>Email address:</td>
<td><a href="mailto:l.graham@ecu.edu.au">l.graham@ecu.edu.au</a></td>
</tr>
<tr>
<td>Telephone:</td>
<td>6304 2627</td>
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8. APPROVAL HISTORY

<table>
<thead>
<tr>
<th>Policy Approved by:</th>
<th>Vice-Chancellor</th>
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<tr>
<td>Date Policy First Approved:</td>
<td>September 2001</td>
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<tr>
<td>Date last modified:</td>
<td>September 2012</td>
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| Revision History: | • Approved 5 Sept 2001,  
• Revised 2002  
• Revised 2007 (minor amendments in light of ESOS requirements)  
• August 2009 (major revision)  
• September 2012 – addition of the Student Complaint Reference Group |
| Next Revision Due: | September 2015 |
| TRIM File Reference | SUB/7408 |
STUDENT COMPLAINT MANAGEMENT GUIDELINES

Linked to: Student Complaints Policy

Code:

1. RECEIPT
2. ACKNOWLEDGEMENT
3. REFERRAL
4. INVESTIGATION
5. RESPONSE
6. DATA TRACKING
7. TRAINING AND REVIEW
8. REFERENCES
9. CONTACT INFORMATION

1. RECEIPT

1.1 The Student Complaints Officer will make available Complaint forms and supporting information allowing for the submission of Complaints concerning University services or administrative practices:

- Through the Student Complaints website; and
- Through the provision of envelopes and Complaint forms to Student Central.

1.2 Complaints will be submitted in writing, and preferably on the prescribed form.

- By post
- By fax
- By email.
- By hand to Student Central

1.3 Complaints not submitted on the prescribed form, will be evaluated by the Student Complaints Officer, and actioned if possible:

- Being mindful of customer service considerations, and the access and equity considerations relating to students with disabilities, or those students who are studying offshore; and

- Provided that sufficient information is available to allow for a Complaint to be documented and considered i.e.

  **Personal Information**
  a) Name
  b) Student Number
  c) Student email address
  d) Residential and Postal Address
  e) Telephone Number

  **Complaint Information**
  a) Description of the Complaint
  b) Description of the Steps Taken to Resolve Complaint
  c) Description of the Desired Outcome
1.4 Complaints will be evaluated to determine whether attempts to resolve the Complaint have been made by the Complainant; and whether the Complaint describes matters which fall outside the Student Complaints Policy, i.e.

- General Misconduct Rules (Students); refer to http://www.ecu.edu.au/GPPS/governance_services/resources_file/general_misconduct_rules(students)_approved_08.12.2011.pdf

2. **ACKNOWLEDGEMENT**

2.1 Complaints will be acknowledged by the Student Complaints Officer within three working days

- By email, to promptly acknowledge receipt; and/or
- By telephone, to listen to the student’s concerns; and/or
- By post, to provide a formal acknowledgement and a copy of the Student Complaints Policy and Guidelines.

2.2 When acknowledging international students’ Complaints, the Student Complaints Officer will provide information about ECU’s obligation to maintain student enrolment while Complaints are ongoing.

3. **REFERRAL**

3.1 If there has been no apparent attempt to resolve the Complaint informally, in the first instance, the Student Complaints Officer will request the student to approach the staff member directly to attempt to resolve the Complaint informally.

If, after consultation with the complainant, the Student Complaints Officer is of the view that it is unreasonable to ask the student to attempt to resolve the matter, the Student Complaint Officer may use his or her discretion and refer the concerns to a School, Faculty, or Service Centre Officer identified as being in a position to advise on or progress Complaint resolution.

- The aim of this referral is to seek a positive outcome for the University and student, through prompt assistance by the Student Complaints Officer, towards identifying the most appropriate person(s) to respond to the concerns.
- A record of the Informal Complaint contact will be retained in the University’s official record-keeping system by the Student Complaints Officer.

3.2 Where the University has established mechanisms to deal with issues of student administration, for instance, matters relating to academic appeals, student misconduct – the Student Complaints Officer will advise the student to refer these concerns to the appropriate area for information on initiating the necessary processes.

- The aim of this referral is to seek a positive outcome for the University and student, through prompt assistance by Governance Services towards identifying the most appropriate process to resolve or address the student’s concerns.
• A record of the Complaint and referral will be retained in the University's official record-keeping system by the Student Complaints Officer.

3.3 Where an Informal Complaint has been attempted by a complainant, and a Complaint describes concerns about services or administrative practices of the University, the Student Complaints Officer will refer the Complaint for investigation and response to a Senior Officer or Senior Officers.

• The aim of this referral is to designate the review of a student Complaint to the person or persons responsible for overseeing the relevant aspect of service or administration in the University. The response can be provided directly to the complainant by the Senior Officer, or a report can be produced for the Student Complaints Officer, who would then compile a response for the complainant.

• A confidential University file will be created for the keeping of records relating to the Complaint, and a Complaint summary added to an annual Complaint Register.

4. INVESTIGATION

4.1 Commensurate with the nature of a Complaint referred to a Senior Officer, the Student Complaints Officer may highlight when referring that Complaint, relevant principles, such as:

• Making reasonable effort to communicate with the complainant (which may be by telephone, in-person or via e-mail), to ensure the matters of a Complaint are understood;

• Providing a respondent or respondents to a Complaint with the substance of the allegations / concerns which have been raised in a Formal Complaint;

• Determining whether formal conciliation between parties to a Complaint may be productive, in consultation with the Student Complaints Officer, and taking into account external services, for instance, the WA Department of Education Services Independent Conciliator.

• Conducting the Complaint management process in accordance with any other relevant principles of procedural fairness.

• Seeking guidance from a Student Complaint Reference Group, membership of which will be determined by the Student Complaints Officer in consultation with the Director Governance Services (See Schedule 1).

• WA Department of Education Services Independent Conciliator

The Student Complaints Officer will provide information to staff and students about the role of the Conciliator when acknowledging Complaints made by International students, and when referring Complaints for review, noting the Conciliator web address, http://www.des.wa.gov.au/international_education/Disputes and that the Conciliator will deal with issues relating to:

  o institutions’ services and facilities;
  o content and standard of Education Services; 
  o amount of refunds paid to students;
  o quality of instruction;
  o academic progress of students;
  o the conduct of international students;
  o welfare services;
  o information concerning part-time employment opportunities;
  o accommodation provided by or advertised by an institution;
  o suspension and expulsion of overseas students; and
  o any other matters deemed appropriate by the Conciliator.
5. RESPONSE

5.1 A response will be provided to a complainant within 30 days. The response issued to a Complainant will provide written reasons for any decision made in relation to a Formal Complaint.

- The University will aim to conduct a prompt and authoritative review of concerns lodged under the Student Complaints Policy, addressing a student’s concerns through corrective action when determined to be necessary, and contributing to continuous improvement in the organisation where possible.
- This response would usually be issued by the relevant investigating Senior Officer, especially in circumstances where a Complaint falls within the activities of just one area of the University.
- Where a Complaint crosses a number of areas of responsibility within the University, the Governance Services Complaint Officer will in consultation with Senior Officers responsible for these areas determine whether a compiled response may be issued by the Student Complaints Officer on the basis of reports provided by the relevant Senior Officers.
- Reasons must be recorded for all significant decisions taken during the Complaint management process.

5.2 Complainants will be advised of external avenues of Complaint that may be accessed either at the conclusion of the University’s review of the Complaint (i.e. the WA Ombudsman), or at any stage (i.e., the Human Rights and Equal Opportunity Commission) where relevant or as required under legislation, for instance, Standard 8 of the Education Services for Overseas Students Act.

6. DATA TRACKING

6.1 Formal Complaints will be recorded.

- The establishment of a central database will assist the University to analyse Complaints to identify opportunities to improve service, identify areas of risk and/or identify policy issues within the University.
- The Student Complaints Officer will keep a record of basic Complaint information, such as:
  - The complainant’s student number;
  - A brief summary of the issues raised in the Complaint;
  - The subject of the Complaint;
  - The remedy/outcome sought;
  - The action (attempts to resolve/conciliate/determination or referral/ dismissed) taken or proposed;
  - A brief statement for the above action.
- Reports on Complaints received (de-personalised to protect both students and staff) will be provided on a regular basis by the Student Complaints Officer.

7. TRAINING & REVIEW

7.1 Guidelines for the management of student Complaints will be reviewed regularly, to ensure ongoing conformity with relevant legislation, including the requirements of ESOS Standard 8: Complaints and Appeals, the Higher Education Support Act (2003) and consistency with contemporary University practice and staff will be trained in the implementation of these Guidelines.
• The Director, Governance Service will be responsible for the provision of training and awareness raising activities for staff involved in student Complaint management.
• The Director, Governance Service will review these Guidelines no less than every three years.

8. REFERENCES

Policy Code: SA004  File No: SUB/7408
Procedure Owner: Director, Governance Services
Approved by: Originally by the Executive Director, Governance and Planning with subsequent amendments approved by the Vice-President (Corporate Services)
Date Approved: August 2009
Revision Date: September 2015
Amendments: February 2010, Information added to Guidelines, Section 4 describing the role of the Conciliator
April 2010, Information about ESOS Standard 8 added to Guidelines
September 2012 Guidelines revised and addition of Terms of Reference and procedures for the Student Complaints Reference Group.

Related Policies/Documents:
- Student Complaints Policy
- For more information about student Complaints handling; see also NSW Ombudsman (2006) Complaint Management in Universities: Best Practice Guidelines, Available at http://www.ombo.nsw.gov.au
- Terms of Reference and Procedures for the Student Complaints Reference Group

9. CONTACT INFORMATION

For information about Complaint handling, or lodging a Complaint at ECU:

<table>
<thead>
<tr>
<th>Contact Person</th>
<th>Ms Lyn Graham, Policy and Project Officer, Governance Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone</td>
<td>6304 2627</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:l.graham@ecu.edu.au">l.graham@ecu.edu.au</a></td>
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Schedule 1

Terms of Reference and Procedures for the Student Complaints Reference Group

Description: A procedure for operation of the Student Complaints Reference Group. To be read in conjunction with the Edith Cowan University Student Complaints Policy.

Relevant to: The Student Complaints Officer.

1. Intent:

The purpose of this Procedure is to set out the processes for the Student Complaints Reference Group in respect to student Complaints made to the University.

The major focus of the Student Complaints Reference Group is to promote fair and equitable decisions in relation to students who have submitted Complaints under the Student Complaint Policy and to confirm that proper process, procedures and policies have been followed in decisions that affect student Complaints.

2. Scope:

This Procedure applies to the operation of the Student Complaints Reference Group with respect to Complaints that have been submitted under the Edith Cowan University Student Complaints Policy.

The Student Complaints Reference Group processes will not include matters which are subject to University Rules.

3. Terms of Reference:

3.1 The Terms of Reference for the Student Complaints Reference Group are to:

- Review outcomes of an investigation into a student Complaint
- Review the draft response to a student Complaint;
- Recommend any changes to the proposed response;
- Identify any options for the resolution of the Complaint;
- Identify any opportunities for quality improvements at the University;
- Provide feedback to the University respondents to Complaints, as necessary;
- Provide feedback and guidance to the Student Complaints Officer, as necessary.

4. Student Complaint Reference Group Process

4.1 Decisions in relation the Student Complaints Reference Group Process are made by the Student Complaints Officer, in consultation with the Director, Governance Services.

4.2 As part of the student Complaint investigation process, the Student Complaints Officer may chose to seek the advice of members of a Student Complaints Reference Group.
5. **Appointment and duties of the Student Complaints Reference Group**

5.1 The Student Complaints Officer will approach three senior members of the University (such as: a Deputy Vice-Chancellor, a Pro-Vice-Chancellor, a Centre Director, a Head of School) to form the Student Complaints Reference Group.

5.2 The members of the Student Complaints Reference Group will not have any conflicts of interest in the matter under consideration. Should, at any time, one of the members declare a conflict of interest or there is a perceived conflict of interest with respect to the member considering the Complaint, the member will be replaced.

5.3 The Student Complaints Reference Group will only be appointed for the purpose of assisting the Student Complaints Officer to finalise the response to a Complaint.

5.4 The Student Complaints Officer will ensure that all members of Student Complaints Reference Group receive a thorough briefing on the Complaint process.

5.5 The Student Complaints Reference Group will review all documents supplied by the parties and shall make all enquiries it considers necessary to assist the Student Complaints Officer in the drafting of a response to the student.

6. **Review**

The University will monitor the operation of the Student Complaints Reference Group Procedure, and evaluate and review it every three years.

7. **Related Policy**

Edith Cowan University *Student Complaints Policy*

8. **Contacts**

8.1 Director of Governance Services, Mrs Janice Tracey, Telephone: 6304 2453. Email: j.tracey@ecu.edu.au

Student Complaints Officer, Ms Lyn Graham, Telephone: 6304 2627. Email: l.graham@ecu.edu.au