Student Complaints Policy

1. Purpose
The Student Complaints Policy (the policy) outlines the framework for the identification, management and resolution of all student complaints. This is supported by the Student Complaints Management Procedures (the procedures).

2. Scope
2.1 This policy applies to all UTS staff, affiliates, contractors, students and visitors involved in managing a student complaint.

2.2 This policy should be used in the management of all student complaints relating to all aspects of a student’s educational experience and learning environment at UTS.

2.3 This policy does not apply to the following:

- allegations of student misconduct (see section 16, Student Rules)
- appeals in relation to refusal of application, withdrawal of offer of admission and cancellation of admission content (see section 5, Student Rules)
- breaches of research ethics or integrity (see Research Ethics and Integrity Policy)
- complaints in relation to a breach of privacy (see Privacy Policy)
- disclosures in relation to fraud or corruption (see Fraud and Corruption Prevention and Public Interest Disclosures Policy)
- queries about a mark, grade or final result (see Coursework Assessment Policy and Procedures)
- queries or appeals in relation to a misconduct process (see section 16, Student Rules).

2.4 Complaints of a serious nature may qualify as being disclosures to which legislative protections apply, including those under the Fraud and Corruption Prevention and Public Interest Disclosures Policy and the Code of Conduct. For complaints relating to fraud and corruption, maladministration or serious and substantial waste, refer to these policies in the first instance.

3. Principles
3.1 UTS is committed to providing a supportive learning and working environment and is committed to supporting students to make complaints.

3.2 UTS will seek to support all parties to a complaint and work towards a timely resolution, at the local level appropriate to the circumstance.
3.3 Complaints will be taken care of confidentially so far as it is practical. UTS will disclose information in connection with complaints on an as-needed basis only.

3.4 Student complaints and the complaint management process are an opportunity for continuous improvement.

3.5 All parties to a complaint must abide by the behavioural expectations outlined in this policy, the Student Rights and Responsibilities Policy and the Equity, Inclusion and Respect Policy.

3.6 Students who complain will be protected from reprisal.

4. Policy statements

Complaints management and support

4.1 Any UTS staff member can receive a complaint and may work towards complaint resolution.

4.2 The university may draft procedures to support this policy and, in particular, the resolution of complaints in a timely manner.

4.3 Students are encouraged to raise complaints at the earliest opportunity, directly with a UTS staff member proximate to the events and/or with the ability to resolve the complaint.

4.4 Where this is not possible or appropriate, students may contact the Student Complaints Resolution Office in the Governance Support Unit for guidance on next steps.

4.5 UTS Senior Executive staff will not generally be involved in the resolution of individual student complaints. Complaints received by the Senior Executive will be referred to the Student Complaints Resolution Office for allocation to a suitable staff member for resolution.

4.6 UTS aims to resolve complaints within 60 days of receipt. Where a complaint cannot be resolved in 60 days, the complainant will be advised of the delay, the reasons for the delay, and provided with a revised timeframe.

4.7 In making a complaint, students may access any of the university’s assistance, advocacy and advisory services. Students are also welcome to speak to any trusted staff member to seek advice regarding complaints.

4.8 Staff who are the subject of a complaint may seek advice from the university’s employee assistance program (EAP) provider (Staff Connect).

4.9 In some instances, including the management of complaints under the Crimes Act 1900 (NSW) or relating to fraud, the university may have to temporarily suspend internal resolution processes while external investigations are completed. This is decided on a case-by-case basis.

4.10 Where safety concerns arise, UTS may take any necessary action to protect staff, students or the wider community.

4.11 UTS seeks to finalise all complaints by offering the complainant a reasonable and appropriate resolution that addresses the issues raised.
Behavourial expectations

4.12 All parties involved in a complaint are expected to act in a cooperative, fair and respectful manner to achieve a reasonable resolution, and maintain regular, honest, open and unbiased communication.

4.13 Staff are bound by the behavioural expectations of the Code of Conduct. Students are bound by the behavioural expectations of the Student Rights and Responsibilities Policy. Further guidance on university values, rights, responsibilities and expectations of behaviour are outlined in the Equity, Inclusion and Respect Policy.

4.14 Unreasonable, malicious or vexatious complaints are a waste of university resources and may be treated as a matter of misconduct, in line with section 16, Student Rules.

4.15 Staff members will not generally take care of a particular complaint or complaints where there is any actual, perceived or potential conflict of interest.

Informal complaint resolution

4.16 UTS staff resolve most student complaints informally, close to where the events giving rise to the complaint took place. Complainants should make a direct approach to the individual, unit or faculty who is the subject of the complaint or who has the tools and resources to deal with the complaint.

4.17 Informal complaint resolution may not be suitable where the student feels personally intimidated by the individual and/or the complaint relates to allegations of any unlawful behaviour or serious misconduct (including sexual assault or harassment, discrimination, any other type of harassment, corruption or other illegal activities). In this case, the student may seek guidance from the Student Services Unit for counselling services, the Equity and Diversity Unit or the Student Complaints Resolution Office (see contacts in this policy).

Formal complaint resolution

4.18 A small proportion of complaints to UTS will be resolved via a more formal resolution process.

4.19 The Student Complaints Resolution Office is responsible for assessing the complaint (working with the student(s) and any local or front-line staff members), to determine whether a formal process is warranted.

4.20 Formal complaints processes may involve:

- investigation by a faculty, unit, the Student Complaints Resolution Office or an independent investigator, or
- an internal or external dispute resolution process such as mediation or conciliation.

4.21 The Student Complaints Resolution Office, in consultation with relevant staff, units and the complainant, may make recommendations to the Deputy Vice-Chancellor (Education and Students) based on the results of an investigation resulting from a formal complaint process.
4.22 The Deputy Vice-Chancellor (Education and Students) is responsible for making final determinations resulting from a formal complaints investigation and is responsible for approving the standards and procedures for making determinations in relation to formal complaints.

**Internal review of decisions**

4.23 Students may request a review of the results or outcome of a complaint to the Student Ombud. The office of the Student Ombud operates under the delegated authority of Council (see Delegations), to investigate complaints from students who have a grievance related to administrative decisions of the university.

4.24 Students should only make a complaint to the Student Ombud within the scope of the Student Ombud’s work, following a formal complaints process as outlined in this policy, by any timelines published by the Student Ombud. International students should also discuss timelines with UTS International to address any potential visa impacts.

4.25 The terms of reference guiding the work of the Student Ombud are approved by Council and published on the Student Ombud website.

4.26 The outcome of the Student Ombud process is final and no further internal reviews are available.

**External appeals**

4.27 Where all internal processes have been exhausted and the student remains dissatisfied, students have the right to make an appeal via an external agency. UTS will advise complainants in writing of avenues of external appeal at the time the complaint is finalised.

4.28 International students should initiate external appeals as soon as possible, in line with guidance provided by UTS International, to minimise any potential student visa impacts.

4.29 Where external agencies are engaged, students should notify the Student Complaints Resolution Office so that the university can cooperate appropriately with the external agency or agencies.

**Withdrawal of a complaint**

4.30 Students may withdraw a complaint at any time during the process.

4.31 UTS will take action in respect of withdrawn complaints if appropriate or required by legislation.

**Recordkeeping and complaints management**

4.32 Staff involved in any complaints process are to ensure that full and accurate official records are kept in line with the requirements outlined in the procedures, Records Management Policy and Privacy Policy.

4.33 All documentation relating to a complaint will be confidential and will be accessible on an as-needed basis or as required by law. See the Privacy Policy in relation to confidentiality and Records Management Policy in relation to security classifications.
4.34 Where a student has withdrawn a complaint or a complaint has been judged as vexatious, the management of records should be carefully considered and managed with advice from UTS Legal Services and University Records (in the Governance Support Unit).

4.35 The Student Complaints Resolution Office will maintain a database to provide information to the Deputy Vice-Chancellor (Education and Students), the Planning and Quality Unit (as appropriate) and Academic Board as part of the university's improvement and review processes.

**Breaches**

4.36 Breaches of this policy by a staff member will be managed via the [Code of Conduct](#).

4.37 Breaches of this policy by a student (including any malicious or vexatious complaints) will be managed under [section 16, Student Rules](#).

5. **Policy ownership and support**

5.1 **Policy owner:** The Deputy Vice-Chancellor (Education and Students) is responsible for the enforcement of and compliance with this policy, ensuring that its principles and statements are observed and decision-making functions are in line with this policy. The Deputy Vice-Chancellor (Education and Students) is also responsible for approval of any associated university-level procedures and may approve training programs and support to facilitate front-line staff in undertaking any complaint handling roles or processes.

5.2 **Policy contact:** The Student Complaints Officer in the Student Complaints Resolution Office is responsible for the implementation of this policy and acts as a primary point of contact for advice on managing its provisions. The Student Complaints Officer undertakes investigations, acts as a point of triage, provides support or guidance and makes recommendations to the Deputy Vice-Chancellor (Education and Students) in line with this policy.

5.3 **Others:** The Student Ombud is responsible for the management of student internal reviews as outlined in this policy, the [procedures](#) and the [Delegations](#).

6. **Definitions**

These definitions apply for this policy and all associated procedures. These are presented in addition to the definitions outlined in [Schedule 1, Student Rules](#).

**Affiliates** are defined in the [Code of Conduct](#).

**Complaint** means a statement of dissatisfaction made by a student about the educational environment or learning experience under the direct control of the university where a response or resolution is explicitly or implicitly expected or legally required. Complaints processes may be informal or formal:

- A complaint is managed informally where students raise a grievance, normally with the individual, faculty or unit that is the subject of the complaint, and this is managed and/or resolved locally.
A complaint is managed formally when it either originates with or is escalated to the Student Complaints Officer, and is investigated by or under the guidance of the Student Complaints Officer. A proposal is put forward for decision by the Deputy Vice-Chancellor (Education and Students) at the conclusion of the investigation.

**Complainant** means the individual who is making a complaint. For the purposes of this policy, the complainant is the student.

**Conflicts of interest** are outlined in the [Code of Conduct (section 4.4)](https://example.com) and the [Student Rights and Responsibilities Policy](https://example.com).

**Reprisal** means any intentional retaliation as a result of making a complaint in line with the policy.

**Resolution** means a formal decision or agreement. Resolutions do not necessarily require the complete satisfaction of all parties to a complaint, but rather an agreement that the complaint or issue has been reasonably investigated and/or resolved, or has provided a reasonable outcome given the available evidence. Resolutions are normally, but not always, a result of basic agreements allowing for some compromises by the complainant, the respondent and/or the university.

**Student** is defined in [Schedule 1, Student Rules](https://example.com). For the purposes of this policy, a student also includes a person who has:

- recently completed the requirements of the course
- withdrawn from the course
- withdrawn temporarily from the course for a period of at least one semester through approved leave of absence
- no active enrolment in subjects or in time-based study in a particular semester, or
- been excluded from the course or from the university, in accordance with the [UTS General Rules](https://example.com) and [Student Rules](https://example.com), in the last semester.

**Approval information**

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**Version history**

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Web version

Student Complaints Policy

References

Student Complaints Management Procedures

Appeals and complaints

Code of Conduct: section 4.4 (conflicts)

Coursework Assessment Policy and Procedures

Crimes Act 1900 (NSW)

Delegations

Equity, Inclusion and Respect Policy

Fraud and Corruption Prevention and Public Interest Disclosures Policy

New South Wales Ombudsman: Managing unreasonable complainant conduct manual

Privacy Policy

Records Management Policy

Research Ethics and Integrity Policy

Student Rights and Responsibilities Policy

Student Rules: section 5, section 16, Schedule 1

UTS General Rules

Contacts

Student Complaints Resolution Office: student.complaints@uts.edu.au

Others

Assistance, advocacy and advisory services

Equity and Diversity Unit

Employee assistance program (EAP) provider (Staff Connect)

Student Ombud

UTS Counselling Service