THE UNIVERSITY OF WESTERN AUSTRALIA

Student Complaint Resolution Policy

Policy UP 07/98 (F45568-02)

Approver	Academic Board
Sponsor	Deputy Vice-Chancellor (Education and Student Experience)
Owner	Director, Student Life and Wellbeing
Secretary	Academic Secretary
Policy Type	Academic
Policy Category	Academic Governance

1 Purpose

1.1 This policy provides for students to make a complaint to the University and to appeal a complaint outcome. It sets out the possible stages of the complaint process and explains a student's right to appeal the outcome of a complaint.

1.2 This policy applies where a student makes a complaint about any matter in relation to their student experience, unless another process for resolution is prescribed in a specific Statute, regulation, rule or policy pertaining to the matter in question.

2 Definitions

Term	Definition
complainant	means a person, group or body who makes a complaint under this policy.
complaint	means an expression of dissatisfaction where a response is explicitly or implicitly expected.
conflict of interest	means a situation that has the potential to undermine the impartiality of a person due to a possible clash between their personal, professional or public interests.
dismiss	means to deny any further consideration of a complaint within the University, including the right to appeal.
frivolous complaint	means one that is trivial, superficial or senseless.
good faith	means a sincere intention to deal fairly with others and participate appropriately with the process.
local procedure or schedule	means a University-approved procedure, schedule or other instrument that supports the application of this policy to an offshore campus, transnational education arrangement or other approved delivery location, including where required to comply with applicable local laws or regulatory requirements.
respondent	means a person, group or body who is the subject of a complaint made under this policy.
Responsible Officer	is a role undertaken by an officer of the University, either by virtue of their position or by appointment by the Deputy Vice-Chancellor (Education and Student Experience) or delegate, that involves considering and responding to a complaint.
Senior Management Representative	means the Deputy Vice-Chancellor (Education and Student Experience), Chair of Academic Board, Deputy Vice-Chancellors, Pro Vice-Chancellors, Heads of Schools or members of the senior management group as determined by the Vice-Chancellor.
serious matter	is one which impacts, or has the potential to impact, on the health and safety of any person, the University's reputation or University operations.
student	means a person who is enrolled at the University in a higher education course or an enabling course, or undertaking units through University Extension, other than on an audit-only basis.
SCRC	means the Student Complaints and Resolutions Centre.
student representative	means a person, group or body that is nominated by a student(s) or former student(s) to act as their representative or that makes a complaint under this policy in their capacity as a representative body.

support person	means a person who provides practical or emotional assistance to a person involved in a complaint process.
The University	Is The University of Western Australia,
vexatious complaint	means one that is made or pursued without reasonable grounds or made to harass or annoy, to cause delay or detriment, or for any other wrongful purpose.

3 Scope

3.1 The scope of this policy applies to all students.

3.2 This policy applies to students undertaking study through an offshore campus, transnational education arrangement or other approved delivery location, subject to any applicable local laws, regulatory requirements and University-approved local procedures or schedules.

3.3 This policy operates in conjunction with other governing instruments including, but not limited to, legislation, by-laws; and University Statutes, regulations, rules and policies. As such, the University may be required to:

(a) alter its management of a complaint;
(b) constrain the outcomes provided for a complaint; or
(c) refer a complaint to another process for resolution.

3.4 The University accepts complaints under this policy:

(a) from a:
    i. student(s) or former student(s); or
    ii. student representative; and
(b) in relation to the student experience which may extend to incidents, situations or activities that are not conducted on University premises or sites.

3.5 The Deputy Vice-Chancellor (Education and Student Experience) or their delegate may accept a complaint more than twelve (12) months following the incident, situation or activity that led to the complaint, if:

(a) the complaint can, despite the delay, be reasonably considered; and
(b) one of the following applies:
    i. the complainant can provide reasonable grounds for the delay; or
    ii. the complaint raises a serious matter.

3.6 A complaint made more than twelve (12) months following the incident, situation or activity that led to the complaint must be submitted to the SCRC.

3.7 The Deputy Vice-Chancellor (Education and Student Experience) or delegate may consider an anonymous complaint if:

(a) it raises a serious matter; and
(b) it can be reasonably considered.

3.8 Prior to submitting a complaint, potential complainants should consider the University's guidance on anonymous complaints.

3.9 Complaints are to be made in writing and submitted through the complaint lodgement mechanism approved by the University. Where a complaint relates to an offshore campus or other approved delivery location, the University may specify additional or alternative lodgement channels in an approved local procedure or schedule.

3.10 For UWA India, complaints may be referred to, or considered by, a local student grievance body where required by applicable law, regulation or an approved UWA India procedure. The University may approve local procedures or schedules to support the application of this policy at offshore campuses, transnational education locations or other approved delivery locations. Any local procedure or schedule must be consistent with this policy, unless a variation is required to comply with applicable local law or regulatory requirements.

4 General principles

4.1 The University is committed to conducting complaint resolution that is:
(a) visible – information about the process is easy to access;
(b) simple – the process is easy to understand and use;
(c) timely – complaints are managed efficiently with consideration of urgency;
(d) objective –complaints are considered and managed without bias;
(e) fair – procedural fairness is afforded to all;
(f) confidential – information is kept confidential, as appropriate;
(g) effective – appropriate complaint outcomes are reached; and
(h) informative – complaint information is used for the continuous improvement of University operations.

4.2 The University encourages the informal and early resolution of complaints.

4.3 The University determines the complaint process.

4.4 Parties to a complaint process must:
(a) cooperate in good faith;
(b) act in accordance with the UWA Code of Conduct;
(c) respect the confidentiality of the complaint process; and
(d) immediately disclose any actual, perceived or potential conflict of interest.

4.5 Parties to a complaint process must not be subjected to reprisals, discrimination or victimisation due to their involvement in the process. Any concerns regarding process or the conduct of a person(s) involved in a complaint process should be directed to the SCRC as soon as possible. In addition, staff must comply with their responsibilities under the Conflicts of Interest Policy.

4.6 Parties to a complaint process are advised of the support and representation options available to them. Students may seek support and representation from relevant University student support services or other approved student representative or support services. Staff who are the subject of a complaint, or who are involved in the handling of a complaint, may seek advice and support from relevant University staff support services, their Human Resources Business Partner, wellbeing support, or other applicable representative bodies. For offshore campuses or other approved delivery locations, local procedures may identify additional support services available to students and staff.

5 Complaint resolution stages

5.1 A person(s) should attempt, where possible and appropriate, to resolve their concerns directly with the respondent prior to making a complaint to a Responsible Officer under this policy.

5.2 A complaint process may comprise the following two stages, which must be conducted in accordance with the requirements in **Appendix A**.
(a) Stage 1 – Informal Resolution; and
(b) Stage 2 – Formal Resolution.

5.3 Stage 1 must precede Stage 2 unless the Stage 2 Responsible Officer is satisfied that:
(a) the complaint raises a serious matter; or
(b) there are valid reasons for not attempting Stage 1.

5.4 A Responsible Officer at Stage 1 and/or 2 may make or initiate inquiries, collect relevant information and exercise their own judgement, as appropriate, in an attempt to resolve a complaint.

5.5 All parties involved in a complaint process must comply with the procedural requirements in Appendix A, as applicable.

6 Right of Appeal

6.1 Formal complaint resolution under Stage 2 precedes a complainant’s right to appeal.

6.2 An appeal must be conducted in accordance with the requirements specified in Appendix A.

6.3 An appeal may be summarily dismissed by the Deputy Vice-Chancellor (Education and Student Experience) or delegate if the:
(a) appeal is made on grounds other than those specified in Appendix A;
(b) the complaint resolution process specified in this policy has not taken place; or
(c) the appeal is considered to be frivolous or vexatious.

6.4 Subject to 6.3, the Deputy Vice-Chancellor (Education and Student Experience) or delegate appoints a Responsible Officer, who is typically a Senior Management Representative, to an appeal.

6.5 A Responsible Officer appointed to an appeal may make or initiate inquiries, collect relevant information and exercise their own judgement, as appropriate, to determine an appeal outcome.

6.6 The decision of the Responsible Officer under 6.5 is final within the University.

6.7 All parties involved in a complaint process must comply with the procedural requirements in Appendix A, as applicable.

7 Withdrawing a complaint

7.1 A complainant may withdraw their complaint or appeal at any time; however, the University may continue to consider any of the matters raised.

7.2 The complainant must notify the Responsible Officer of their decision to withdraw their complaint or appeal in writing.

7.3 The Responsible Officer must confirm receipt of the decision and advise the complainant if the University will take any further action.

8 Dismissing a complaint

8.1 The Deputy Vice-Chancellor (Education and Student Experience) or delegate may dismiss a complaint that they determine to be:
(a) frivolous;
(b) vexatious;
(c) lacking in substance; or
(d) unable to be reasonably considered by the University.

8.2 A request to dismiss a complaint must be submitted to the SCRC.

8.3 The University does not normally dismiss a complaint solely because of minor procedural deficiencies.

9 Implications of complaint outcomes for other students

9.1 Where a complaint brings to light an error which may affect other students, the University will action all necessary changes to ensure that these students are not unduly advantaged or disadvantaged.

10 External resolution

10.1 Nothing in this policy precludes a person or the University from reporting an alleged criminal action to the police or another relevant authority.

10.2 A complainant may seek resolution of their complaint through an external statutory, regulatory, law enforcement or other competent authority at any time.

10.3 Where a complaint relates to an offshore campus or other approved delivery location, the relevant local procedure or schedule may identify applicable external complaint, reporting or regulatory pathways.

10.4 The University reserves the right to suspend, defer or modify any internal complaint or appeal process where the matter has been referred to an external authority, where appropriate and consistent with applicable law.

11 Record keeping

11.1 University staff must ensure that records in relation to a complaint are administered in accordance with the Information Retention Policy. Responsible Officers must also meet any applicable record keeping requirements specified in **Appendix A.**

Legislative Context

Relevant Legislation or Regulations
UWA Code of Conduct
Regulations for Student Conduct and Discipline
Managing Employee Misconduct Policy
Fraud and Corruption Policy
Sexual Misconduct Policy
Diversity, Equity and Inclusion Policy

End

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APPENDIX A

Student complaint resolution stage requirements

This appendix should be read in conjunction with the Student Complaint Resolution Policy. Advice is available from the Student Complaints and Resolutions Centre or another University-approved complaint handling area.

For students undertaking study through an offshore campus, transnational education arrangement or other approved delivery location, the stages and appeal requirements in this appendix apply subject to any applicable local laws, regulatory requirements and University-approved local procedures or schedules.

	Grounds for complaint:	**Complaint must be made within:**	**Complaint must be made to the:**	**Complainant must be provided with a:**
Stage 1 – Informal resolution	Any complaint in relation to the student experience (unless another process for resolution is prescribed in a specific Statute, regulation, rule or policy pertaining to the matter in question).	12 months of the incident, situation or activity, unless: (i) the complaint can, despite the delay, be reasonably considered; and (ii) one of the following applies: a) the complainant can provide reasonable grounds for the delay; or b) the complaint raises a serious matter.	(i) respondent directly where possible and appropriate; and/or (ii) Stage 1 Responsible Officer, unless: a) the complaint raises a serious matter; or b) there are valid reasons for not attempting Stage 1.	(i) complaint acknowledgement within 5 University working days of receipt of complaint (if not provided at the time the complaint was made); (ii) progress update every 10 University working days; and (iii) complaint outcome within a reasonable period of time.
Stage 2 – Formal resolution	**For a complaint previously submitted at Stage 1:** The complaint is unable to be informally resolved at Stage 1.	**For a complaint previously submitted at Stage 1:** 20 University working days of the Stage 1 outcome.	SCRC on referral from Stage 1 Responsible Officer; or by submission through the complaint lodgement mechanism approved by the University	The following must be recorded in the University's approved records management and case management systems: (i) acknowledgement in writing within 5 University working days (UWD) of lodgement; and (ii) outcome in writing within 30 UWD of receipt of complaint or provided with progress updates every 10 UWD where not resolved in 30 UWD.
	For a complaint submitted directly to Stage 2: Complaint not suitable for informal resolution or there are valid reasons for not doing so.	**For a complaint submitted directly to Stage 2:** As per Stage 1 requirements.		
Appeal	Grounds for appeal: (i) complaint process was procedurally irregular or unfair; (ii) new information is available that could not reasonably have been provided at the time of the complaint process and, that in all likelihood, would have affected the complaint outcome; or (iii) Stage 2 complaint outcome was not fair or reasonable.	Appeal must be submitted within 20 University working days of the Stage 2 outcome.	Appeal must be submitted to the SCRC via the appeal link provided or in email.	Appellant must be provided with a/an: (i) written notice as to if appeal is dismissed or to be heard within 10 UWD of receipt of appeal. (ii) outcome in writing within 30 UWD of receipt of complaint or provided with progress updates every 10 UWD where not resolved in 30 UWD.