

Students - Administrative Complaints Procedures

INTRODUCTION

The University is committed to providing a fair and transparent procedure through which students may seek to lodge a complaint regarding administrative action impacting on a student.

COMPLIANCE

This is a compliance requirement under the:

- [*Higher Education Standards Framework \(Threshold Standards\)*](#);
- [*Standards for Registered Training Organisations \(RTOs\)*](#); and
- [*National Code of Practice for Providers of Education and Training to Overseas Students*](#)

INTENT

The intent of this document is to clearly set out the steps that students should take to resolve a complaint in a timely, impartial and confidential way that is mindful of procedural fairness and protects against victimisation.

The document seeks to provide:

- Clear procedures to resolve student complaints regarding administrative matters;
- Easily accessible and available advice and support to complainants;
- Confidentiality of all parties is respected;
- A consistent and transparent procedure for resolving administrative complaints;
- A commitment to resolve concerns informally in the first instance; and
- A transparent, effective and consistent three-stage resolution process.

RELEVANT DEFINITIONS

In the context of this document

Appeal means a request to an Administrative Appeals Officer for a review of a decision;

Administrative Appeals Officer means a person appointed by the Vice-Chancellor to conduct administrative appeals. This person should be at the level of Executive Director or PVC but should not be the line manager for the Senior Manager dealing with the original complaint;

Complaint means a problem or issue which has not been resolved through discussion and progresses to a written complaint;

Complaints Management System means the database maintained by the University for the recording and tracking of complaints;

Complaints Officer means the person appointed by the University to assist in the resolution of complaints and grievances. The Complaints Officer works within Complaints Management Unit;

Concern means a problem or issue that may in the first instance be resolved by discussion with the person or people most directly involved;

Procedural Fairness (also called “natural justice”) means the basic principles considered central to fair decision making and which can be summarised as follows:

- The opportunity for all parties to be heard;
- The respondent having full knowledge of the nature and substance of the grievance;
- The right to an independent, unbiased decision maker; and
- A decision based solely on evidence provided;

PVC means Pro Vice-Chancellor;

Senior Manager means a staff member of the University holding the position of Director or Head of School or equivalent; and

Staff member means anyone employed by the University and includes all continuing, fixed-term, casual, adjunct or honorary staff or those holding University offices or who are a member of a University committee.

PROCEDURES

Identification

Students must follow these procedures in order to resolve concerns or complaints about administrative decisions and actions of the University. They may include but are not limited to:

- Admission and enrolment processes;
- Fees and refunds of fees;
- An administrative decision made by a staff member;
- Failure to take into account all the facts and circumstances relevant to the student in making an administrative decision;
- Failure of the University to make an administrative decision in a timely manner;
- Incorrect information or advice on administrative matters provided by a staff member;
- Inability to gain access to facilities and resources;
- Failure of a staff member to act fairly in relation to an administrative matter; and/or
- Failure of a staff member to follow due process in relation to an administrative matter.

Discussion

In the first instance, the student will contact the staff member/s involved to seek a mutually satisfactory resolution to the concern. This will be accomplished via an informal discussion between the student and the staff member/s directly involved. This discussion may be face-to-face, by telephone or via email or another mode of communication.

Every attempt should be made to resolve the concern through discussion at this level.

Either party may seek guidance from the Complaints Management Unit on how to express their concern. If the student is not comfortable in discussing their concern with the staff member/s involved, they may seek guidance from the Complaints Officer. While the Complaints Management Unit will provide the student with realistic and practical advice regarding the strength of the complaint and the appropriateness of pursuing investigation, the decision to proceed with the complaint remains with the student.

The University's internal processes related to student complaints is a no cost jurisdiction. This means that each party bears their own costs, if any, even if successful.

Written Complaint

The University recognises the right of students to seek a review of an administrative decision, free of charge. If, within twenty (20) days, the student cannot resolve their concern through discussion, they should contact the Complaints Management Unit to request investigation of the issue.

Complaints will be addressed within twenty (20) working days of initial identification of the concern. The Complaints Management Unit may extend the deadline for the submission of an administrative complaint in exceptional circumstances.

In order to allow a comprehensive assessment of the complaint, the student should provide all supporting documentation. While support, guidance and advice on this process may be sought from the Complaints Management Unit, students are expected to produce their own documentation relating to complaints and appeals.

The Complaints Management Unit will record the complaint and forward it to the appropriate Senior Manager for consideration and action. In cases where the complaint involves the Senior Manager, the complaint will be referred to the Senior Executive who is the line manager for the relevant Senior Manager.

Review of complaint

The Senior Manager will undertake a review of the complaint following the Principles for Addressing Student Grievances Guidelines. In the interests of procedural fairness, the student must be provided with an opportunity to be heard and due regard given to information provided by the student. Students may be accompanied or assisted by another person who is not a lawyer, at their own cost.

Relevant information from other sources may be included in the investigation.

Based on the evidence presented, the Senior Manager will determine if there is sufficient evidence to support investigation of the complaint.

Outcome of review

The Senior Manager will provide the student with a formal written decision on the complaint in the form of a review, including the basis for the decision, within ten (10) working days of having received the written complaint.

If a decision cannot be reached within ten (10) working days, the Senior Manager will provide the student with written notice of the steps being taken to investigate and resolve the complaint and an estimate of the time required until a decision can be provided.

Where additional time is required, the Senior Manager will monitor the investigation, ensuring that the student is apprised in writing of progress and provided with a formal written decision including the basis for the decision, as soon as possible.

A copy of all communications will be sent to the Complaints Management Unit for entry in the Complaints Management System, including documentation of actions or recommendations arising from the review. Should any of these actions or recommendations be outside the role of the Senior Manager (e.g. professional development, systems review), they will be referred to the Complaints Management Unit who will ensure that they are communicated to the responsible person/s.

Monitoring Progress of the Complaint

The Complaints Management Unit carries responsibility for monitoring progress of complaints. The Complaints Management Unit will provide Senior Managers with fortnightly reports listing progress on all active complaints.

The Complaints Management Unit will send the relevant Senior Executive a report on any complaints in respect of which there has been no recorded decision or other written notice to the complainant for twenty (20) or more days following submission of the complaint. The Senior Executive will ensure that any outstanding complaints are dealt with in a timely manner and according to the Principles for Addressing Student Grievances Guidelines.

Lodging of an Appeal

If the student believes that procedural fairness has not been followed in any inquiry related to the complaint and/or additional evidence is available and/or that the decision has been unjust given the circumstances in which the incident occurred, an appeal may be lodged.

Appeals must be lodged with the complaints Management Unit within twenty (20) working days of the student being notified of the determination. The Complaints Management Unit may extend the deadline for the submission of an administrative appeal in exceptional circumstances.

The Manager, Appeals and Review, will update the Complaints Management System with details of the appeal.

Review by Administrative Appeals Officer

If an appeal is lodged, the Complaints Management Unit will select an appropriate Administrative Appeals Officer to determine the matter.

The Administrative Appeals Officer will follow the Principles for Addressing Student Grievances Guidelines and may review documentation, seek clarification or request further information to support his or her deliberations.

Students may be accompanied or assisted by another person who is not a lawyer, at their own cost.

The Administrative Appeals Officer will make a determination as soon as possible and within twenty (20) working days of the Appeal being lodged.

The student may at any time withdraw the appeal by writing to the Complaints Management Unit which will then inform the Administrative Appeals Officer.

Outcome of Appeal

The Administrative Appeals Officer may uphold the original decision or recommendation, or uphold the appeal and undertake such action as he or she sees fit.

Decisions of the Administrative Appeals Officer are final. There are no further avenues of recourse within the University system.

Documentation of Appeal

The Administrative Appeals Officer will provide the student with a written decision on the appeal including the basis for the decision within twenty (20) working days of having received the appeal.

A copy of the decision and any associated recommendations will be sent to the appropriate Senior Manager.

If a decision cannot be reached within twenty (20) working days, the Administrative Appeals Officer will provide the student with written notice of the steps being taken to resolve the appeal and an estimate of the time required until a decision can be provided.

The Administrative Appeals Officer will ensure that the student is apprised in writing of the progress of the appeal and provided with a written decision including the basis for the decision as soon as possible.

A copy of all documentation will be submitted to the Complaints Management Unit for entry into the Complaints Management System database.

Retention of Documentation

Records related to student administrative complaints and/or appeals will be kept confidential and separate from academic or student Records. They may be accessed by the student if necessary and will be disposed of according to the relevant University Records Disposal Schedule.

External Avenues

If the student complainant is dissatisfied with the final outcome of the appeal, they may refer the matter, at their own cost, to an external organisation which, depending upon the nature of the complaint could include:

- The Northern Territory Ombudsman;
- The Administrative Appeals Tribunal (Commonwealth);
- VET Student Loans Ombudsman; or
- A lawyer.

ESSENTIAL SUPPORTING INFORMATION

Internal

[Code of Conduct](#)

[Equal Opportunity Policy](#)

[Principles for Addressing Student Grievances Guidelines](#)

[Student Policy](#)

Document History and Version Control

Last amendment:	22 Jan 2019	Next Review:	Jun 2013
Sponsor:	Director, Strategic Services and Governance		
Contact Officer:	Manager, Complaints Management Unit		

Version	Date Approved	Approved by	Brief Description
1.00	21 Oct 2004	Vice-Chancellor	Creation of original document and upload to CDU website.
2.00	8 Jun 2011	Vice-Chancellor	Major review of document including: <ul style="list-style-type: none"> • converting document from process to new procedure template • Changing name from Student Administrative Complaints and Appeals Process to Student Administrative Complaints Procedures Addition of hyperlinks, introduction, relevant definitions and essential supporting information
2.01	14 May 2013	Governance	<ul style="list-style-type: none"> • Added and updated definitions • Updated and added hyperlinks • Removed references to NT Manager
2.02	5 Aug 2013	Governance	<ul style="list-style-type: none"> • Assigned document number • Converted to current template • Updated and add hyperlinks • Minor changes to wording, grammar and formatting
2.03	15 Dec 2017	Governance	<ul style="list-style-type: none"> • Conversion to new template due to new University branding • Updated definitions • Updated hyperlinks • Amended Contact Officer from Director, Office of Leadership and Organisational Structure to Manager, Complaints Management Unit • Added Sponsor, Director, Strategic Services and Governance
2.04	22 Jan 2019	Governance	The following administrative updates were approved for ASQA compliance requirements <ul style="list-style-type: none"> • Complaint by a student may be lodged free of charge; • Students may be accompanied or assisted by another person who is not a lawyer, at their own cost; • Student records related to student administrative complaints and/or appeals will be kept confidential and separate from academic records and may be accessed by the student if necessary • External complaints to VET Student Loans Ombudsman