

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, students and visitors involved in managing a student complaint. References to 'staff' should be understood to include staff and affiliates.
- 2.2 This policy should be used for managing 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 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 This policy applies to international students, however issues or complaints relating specifically to student visas must be directed to UTS International (UTSI) for management and/or resolution.
- 2.5 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.
- 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 The provisions of this policy and its procedures are in line with [Standard 10, National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), including specific processes and requirements that must be adhered to when managing complaints received from international students.
- 3.7 Students who complain will be protected from reprisal.
- 3.8 This policy has been developed to align with the requirements under the [Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cwlth\)](#) to provide access to a student complaints process.

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 Students are encouraged to raise complaints at the earliest opportunity, directly with a UTS staff member in closest proximity to the events and/or with the ability to resolve the complaint.
- 4.3 Where this is not possible or appropriate, students may contact the Student Complaints Resolution Office (SCRO) in the Governance Support Unit.
- 4.4 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 SCRO for appropriate management and resolution.
- 4.5 UTS aims to resolve complaints within 60 working days of receipt of the complaint. Where a complaint cannot be resolved in 60 working days, the complainant will be advised of the delay, the reasons for the delay, and provided with a revised timeframe.
- 4.6 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.
- 4.7 Staff who are the subject of a complaint may seek advice from the university's [employee assistance program \(EAP\)](#) (Staff Connect).

- 4.8 The university reserves the right to suspend internal resolution processes while any external investigations (managed by external agencies) are completed. This is decided on a case-by-case basis.
- 4.9 Where safety concerns arise, UTS may take any necessary action to protect staff, students or the wider community.
- 4.10 UTS seeks to finalise all complaints by offering the complainant a reasonable and appropriate resolution that addresses the issues raised.
- 4.11 Following the conclusion of an internal or external reviews process, notification of the outcome of an international student's complaint will be provided to UTSI.

Behavioural expectations

- 4.12 All parties involved in a complaint must act in a cooperative, fair and respectful manner to achieve a 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 Complaints that adversely impact on staff and/or university resources due to the conduct of the complainant 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 bias or 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 knowledge, 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 [Centre for Social Justice and Inclusion](#) or the SCRO (see [contacts](#) in this policy).

Formal complaint resolution

- 4.18 A small proportion of complaints to UTS will warrant a more formal resolution process. The SCRO is responsible for assessing whether a formal process is warranted in consultation with the relevant faculty or business unit.

4.19 Formal complaints processes may involve:

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

4.20 The SCRO may make recommendations to the Deputy Vice-Chancellor (Education and Students) based on the results of an investigation resulting from a formal complaint process.

4.21 The principle of procedural fairness will be applied to any recommendations, particularly where such recommendations may have an adverse outcome for either the complainant or the person who is the subject of the complaint.

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 the complaints process as outlined in this policy, by any timelines published by the Student Ombud. International students must also discuss timelines with both the Student Ombud and UTSI 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 reviews

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

4.28 International students should notify the SCRO and initiate external reviews or appeals as soon as possible, in line with guidance provided by UTSI, to minimise any potential student visa impacts.

4.29 Where external agencies are engaged, students should notify the SCRO 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. Students who wish to withdraw a complaint should advise the SCRO or relevant staff member in writing.
- 4.31 UTS will act 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 it has been determined that no further assistance can be provided to the complainant, SCRO will manage records in line with advice from UTS Legal Services and University Records (in the Governance Support Unit).
- 4.35 The SCRO 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 Senior Advisor, Student Complaints in the Student Complaints Resolution Office (SCRO) 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 Advisor, Student Complaints reports to the Senior Advisor, Student Complaints and is the primary point of contact for general enquiries and the triage of student complaints at UTS.
- 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 in addition to the definitions outlined in [Schedule 1, Student Rules](#). Definitions in the singular also include the plural meaning of the word.

Affiliate is 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 SCRO, and is investigated by or under the guidance of the SCRO. 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.

Conflict of interest is defined in the [Code of Conduct](#) and outlined for students in the [Student Rights and Responsibilities Policy](#).

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.

Respondent means a person(s) subject to a complaint.

Review refers to a review of a decision relating to a student complaint or an appeal against a decision. When referring to international students' review means an appeal as described in the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#).

Student is defined in [Schedule 1, Student Rules](#). 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 session through approved leave of absence
- no active enrolment in subjects or in time-based study in a particular session, or
- been excluded from the course or from the university, in accordance with the [UTS General Rules](#) and [Student Rules](#), in the last session.

Approval information

Policy contact	Senior Advisor, Student Complaints
Approval authority	Vice-Chancellor
Review date	2023
File number	UR19/1510
Superseded documents	Policy on Handling Student Complaints (2002)

Version history

Version	Approved by	Approval date	Effective date	Sections modified
1.0	Vice-Chancellor	24/06/2019	22/07/2019	New policy
1.1	Director, Governance Support Unit (Delegation 3.14.1)	10/10/2019	28/11/2019	Additional clarification of policy requirements including for overseas (international) students.
1.2	Director, Governance Support Unit (Delegation 3.14.1)	20/10/2020	27/11/2020	Minor amendments to reflect changes following a one-year post-implementation review.
1.3	Deputy Director, Corporate Governance (Delegation 3.14.2)	22/01/2021	05/03/2021	Minor amendment to clarify resolution timeline.
1.4	Director, Governance Support Unit (Delegation 3.14.1)	19/05/2021	17/06/2021	Minor changes to reflect new organisational structure of the

				Centre for Social Justice and Inclusion.
1.5	Director, Governance Support Unit (Delegation 3.14.1)	25/07/2022	25/07/2022	Minor changes to clarify existing statements in response to the ESOS external compliance audit.

Web version

[Student Complaints Policy](#)

References

[Appeals and complaints](#)

[Code of Conduct](#)

[Coursework Assessment Policy and Procedures](#)

[Delegations](#)

[Equity, Inclusion and Respect Policy](#)

[Fraud and Corruption Prevention and Public Interest Disclosures Policy](#)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

[Privacy Policy](#)

[Records Management Policy](#)

[Research Policy](#)

[Student complaints form](#) (UTS Student Portal)

[Student Complaints Management Procedures](#)

[Student Rights and Responsibilities Policy](#)

[Student Rules: section 5, section 16, Schedule 1](#)

[UTS General Rules](#)

Contacts

[Assistance, advocacy and advisory services](#)

[Centre for Social Justice and Inclusion](#)

[Employee assistance program \(EAP\)](#) (Staff Connect)

[Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cwlt\)](#)

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

[Student Ombud](#)

[UTS Counselling Service](#)

[UTS International](#)