

COMPLAINTS ABOUT THE VICE-CHANCELLOR AND PRESIDENT POLICY



CONTENTS

1	PURPOSE.....	1
2	SCOPE.....	1
3	POLICY STATEMENT	1
	Nominated person.....	1
	Complaints about the Vice-Chancellor and President	2
	Resourcing	2
	Liaising with the Crime and Corruption Commission	3
	Consultation with the Crime and Corruption Commission	3
4	RESPONSIBILITIES	3
	Compliance, monitoring and review	3
	Reporting.....	3
	Records management.....	3
5	DEFINITIONS	3
	Terms and definitions.....	4
6	RELATED LEGISLATION AND DOCUMENTS.....	4
7	FEEDBACK.....	4
8	APPROVAL AND REVIEW DETAILS.....	4

1 PURPOSE

- 1.1 This policy outlines how CQUniversity will deal with a [complaint](#) that involves, or may involve, [corrupt conduct](#) of the Vice-Chancellor and President.
- 1.2 This policy meets the legislative requirements of section 48A of the [Crime and Corruption Act 2001](#) (Qld), and promotes accountability, integrity and transparency in the way that CQUniversity deals with a complaint that is suspected to involve, or may involve, corrupt conduct of the Vice-Chancellor and President.

2 SCOPE

- 2.1 This policy applies:
 - if there are grounds to suspect that a complaint may involve corrupt conduct of the Vice-Chancellor and President of CQUniversity, or
 - to all persons who hold an appointment in, or are employees of, CQUniversity.

3 POLICY STATEMENT

- 3.1 Under section 48A of the *Crime and Corruption Act* the University must have a policy about how the organisation will deal with a complaint that involves, or may involve, corrupt conduct by the Vice-Chancellor and President.

Nominated person

- 3.2 The Chancellor is the University's nominated person to deal with a complaint, including notifying the [Crime and Corruption Commission](#) (CCC) and University Council, in accordance with s48A(2) and (3) of the *Crime and Corruption Act*.

3.3 Complaints may be submitted to the Chancellor by:

- email: chancellor@cqu.edu.au
- phone: (07) 4923 2586
- mail: Chancellor
CQUniversity Australia
Chancellery, Building 1
554-700 Yaamba Road
Norman Gardens Qld 4701

Complaints about the Vice-Chancellor and President

- 3.4 If a complaint may involve an allegation of corrupt conduct of the Vice-Chancellor and President, the complaint must be reported to the Chancellor.
- 3.5 If there is uncertainty about whether or not a complaint should be reported, it is best to report it to the Chancellor.
- 3.6 If the Chancellor reasonably suspects a complaint may involve corrupt conduct of the Vice-Chancellor and President, the Chancellor will ensure:
- the CCC and University Council are notified of the complaint, and
 - the complaint is investigated, subject to the CCC's monitoring role, when pursuant to section 46 of the *Crime and Corruption Act*, the CCC refers the complaint to the Chancellor to deal with.
- 3.7 If the Vice-Chancellor and President reasonably suspects that a complaint may involve or allege corrupt conduct on their part, the Vice-Chancellor and President must:
- report the complaint to the Chancellor as soon as practicable, notify Council, and may also notify the CCC, and
 - take no further action to deal with the complaint unless requested to do so by the Chancellor in consultation with Council.
- 3.8 Should the Chancellor decide that a complaint about alleged corrupt conduct of the Vice-Chancellor and President is not required to be notified to the CCC under section 38 of the *Crime and Corruption Act*, the Chancellor must make a record of the decision that complies with section 40A of the *Crime and Corruption Act*.

Resourcing

- 3.9 If pursuant to sections 40 or 46 of the *Crime and Corruption Act*, the Chancellor has responsibility to deal with the complaint:
- the University will ensure that sufficient resources are available to the Chancellor to enable them to deal with the complaint appropriately; this may include engaging and instructing the University Secretary, or other relevant employee, to undertake or supervise the actions required to investigate the complaint, including notifying the CCC and Council, or any other assistance required
 - the Chancellor will ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and not disclosed, other than to the CCC, without:
 - authorisation under a Commonwealth or State law, or
 - the consent of the Chancellor
 - the Chancellor, and the University Secretary or other relevant employee assisting the Chancellor, must at all times use their best endeavours to act independently, impartially and fairly having regard to the:
 - purposes of the *Crime and Corruption Act*
 - the importance of promoting public confidence in the way suspected corrupt conduct in the University is dealt with (section 34(c) *Crime and Corruption Act*), and
 - the University's statutory and policy document framework.

3.10 In dealing with the complaint, the Chancellor:

- is delegated the same authority, functions and powers as the Vice-Chancellor and President to direct and control employees as if the Chancellor is the Vice-Chancellor and President of the University, for the sole purpose of dealing with the complaint
- is delegated the same authority, functions and powers as the Vice-Chancellor and President to enter into contracts on behalf of the University for the purpose of dealing with the complaint, and
- does not have any authority, function or power that cannot – under Commonwealth or State law – be delegated by either Council or the Vice-Chancellor and President to the Chancellor.

Liaising with the Crime and Corruption Commission

3.11 The University Secretary, as the Vice-Chancellor and President's nominee, will keep the CCC and the Chancellor informed of:

- the contact details for the Vice-Chancellor and President and the Chancellor, and
- any proposed changes to this policy.

Consultation with the Crime and Corruption Commission

3.12 The Vice-Chancellor and President will consult with the CCC when preparing any policy about how the University will deal with a complaint that involves or may involve corrupt conduct of the Vice-Chancellor and President.

4 RESPONSIBILITIES

Compliance, monitoring and review

- 4.1 The University Secretary is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy.
- 4.2 The Chancellor is responsible for ensuring a complaint is dealt with according to these policy requirements.

Reporting

- 4.3 Notifications made to the CCC will be reported to the Audit, Risk and Finance Committee via the Fraud and Misconduct Register.
- 4.4 Any notifications made to the CCC regarding an allegation of corrupt conduct of the Vice-Chancellor and President will be confidentially reported to the Audit, Risk and Finance Committee once the matter is finalised.

Records management

- 4.5 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). Full records of the receipt, investigation and determination of a complaint and notifications made to the CCC must be made and stored securely in Content Manager. This includes the recordkeeping requirement set out in section 3.8.
- 4.6 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).

5 DEFINITIONS

- 5.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Complaint: includes information or matter, as defined in section 48A(4) of the *Crime and Corruption Act*.

Contact details: a telephone number, email address and postal address to enable confidential communications. Refer to section 3.3 for the contact details for submitting a complaint.

Corruption: refer to Schedule 2 (Dictionary) of the *Crime and Corruption Act*.

Corrupt conduct: refer to section 15 of the *Crime and Corruption Act*.

Deal with: refer to Schedule 2 (Dictionary) of the *Crime and Corruption Act*.

6 RELATED LEGISLATION AND DOCUMENTS

[Crime and Corruption Act 2001](#) (Qld)

7 FEEDBACK

7.1 Feedback about this document can be emailed to policy@cqu.edu.au.

8 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Delegated Approval Authority	N/A
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Notes	

CQUniversity acknowledges the Crime and Corruption Commission's template on which this policy is based.