

# COMPLAINTS POLICY AND PROCEDURE



## CONTENTS

1	PURPOSE.....	1
2	SCOPE.....	1
3	POLICY STATEMENT .....	2
4	PROCEDURE .....	2
	Anonymous complaints .....	2
	Unreasonable conduct .....	2
5	INFORMAL COMPLAINTS .....	3
6	OFFICIAL COMPLAINTS .....	3
	Complaint categories .....	4
	Timeframes .....	4
	Investigation .....	5
	Outcome.....	6
	Complaint reprisals .....	6
7	INTERNAL REVIEW .....	7
8	FURTHER OPTIONS.....	8
9	RESPONSIBILITIES .....	8
	Compliance, monitoring and review .....	8
	Reporting.....	9
	Records management.....	10
10	DEFINITIONS .....	10
11	RELATED LEGISLATION AND DOCUMENTS .....	10
12	FEEDBACK.....	11
13	APPROVAL AND REVIEW DETAILS.....	11
14	APPENDIX A: COMPLAINT PROCESS DIAGRAM.....	12

## 1 PURPOSE

- 1.1 CQUniversity is committed to ensuring transparent processes for complaints handling. This policy and procedure outlines how CQUniversity manages and ensures complaints are dealt with fairly, consistently, promptly, and respectfully.

## 2 SCOPE

- 2.1 This policy and procedure applies to all CQUniversity employees and students, community members, customers, and employees of the University's controlled entities.
- 2.2 This policy and procedure does not apply to students enrolled with the CQU Executive Business Training Centre. Those students should refer to the Centre's complaints policy.
- 2.3 Complaints which fall under the [Crime and Corruption Act 2001](#), the [Public Interest Disclosure Act 2010](#), or anti-discrimination legislation will be identified from the outset and referred to the appropriate position within the University delegated to handle such matters, and/or the Police and local community services if required.
- 2.4 This policy and procedure does not deal with human resources complaints from employees. These types of complaints will be managed by the University's People and Culture Directorate.

- 2.5 General feedback (which does not require a resolution) should be sent directly to the relevant School, Division or business area for consideration. This can be done through unit and teaching evaluations, emails to the lecturer, unit coordinator or head of course, or by contacting campus receptions. If a resolution is required, an informal or official complaint should be lodged. See Sections [5](#) and [6](#) for the difference between informal and official complaints.
- 2.6 This policy and procedure does not deal with appeals against University decisions. If a student wishes to appeal a decision that has been made, they should follow the appeals process specified in the policy that covers that matter. For example, if a student wishes to appeal the outcome of a Review of Grade they should follow the appeals process set out in the Review of Grade Procedure; an appeal against a placement-related decision should follow the appeals process set out in the Work-Integrated Learning Policy and Procedure.

### **3 POLICY STATEMENT**

- 3.1 Complaints are valuable indicators of service effectiveness and identify opportunities to improve and address unmet expectations.
- 3.2 The University's complaint management system is based on the following principles:
- a) **Equity:** Complaints are considered in a transparent, objective and unbiased manner, with procedural fairness.
  - b) **Accessibility:** Information about the complaints handling process and the means to lodge a complaint is readily accessible and available.
  - c) **Comprehensiveness:** Relevant circumstances and information surrounding a complaint are investigated to the level warranted by the severity of the complaint.
  - d) **Responsiveness:** Timeframes for investigating and resolving complaints are set and monitored.
  - e) **Accountability:** Appropriate monitoring of complaints occurs through regular reporting of complaints received and action taken. Errors and omissions are corrected, and business improvement opportunities are identified and implemented.
  - f) **Confidentiality:** Anonymity is preserved where requested. Complainants will be informed where this may limit the extent to which a complaint can be investigated. Complainants will not suffer any form of reprisal for making a complaint.

### **4 PROCEDURE**

- 4.1 Complaints can be informal or official, and submitted as outlined in sections 5 and 6 below.

#### **Anonymous complaints**

- 4.2 Anonymous complaints will be accepted by the University. The fact that the complaint is anonymous does not prevent corrective actions or decisions being implemented, however it may be difficult to pursue matters without the cooperation of the individual making the complaint.
- 4.3 Complaints lodged through eForm cannot be submitted without completing mandatory information. If the complainant wishes to remain anonymous, they may enter "anonymous" in the name field on this form.
- 4.4 Where requested, Governance can provide an anonymised version of a complaint to the Designated Officer for investigation. In these circumstances, although best efforts will be made to keep all details anonymous, the University cannot guarantee the complaint will remain anonymous.

#### **Unreasonable conduct**

- 4.5 The University may not action complaints where the complainant exhibits unreasonable conduct. This includes during the submission, investigation or determination of a complaint. Unreasonable conduct includes unreasonable persistence, unreasonable demands, unreasonable lack of cooperation, unreasonable arguments, or unreasonable behaviour.

- 4.6 Warning signs for unreasonable conduct may appear from multiple sources, including:
- the complainant's history, including frequent contact and complaints, previous displays of unreasonable conduct, or known substance abuse or mental health issues
  - the complainant's style and content of communication, such as the use of bolding, highlighting, differing colours and fonts, inappropriate language, dramatic language, or lengthy or excessive submissions
  - the complainant's previous interactions with the University, where there has been rudeness, anger, aggression, manipulation or a refusal to cooperate
  - the complainant's requested outcomes are disproportionate or unlinked to the issues raised
  - the complainant's reaction to advice or outcomes, such as a refusal to accept decisions, reframing and resubmitting issues, and escalating complaints without reasonable grounds.
- 4.7 The substance of a complaint will determine its category and priority and the investigative actions taken, not a complainant's demands or behaviour.

## 5 INFORMAL COMPLAINTS

- 5.1 If a person feels dissatisfied about a CQUniversity-related experience or feels they have been treated unfairly or adversely affected in some way, the University recommends that they raise the matter directly with the person or area most concerned, or with the appropriate supervisor of that person.
- 5.2 If a student is unsure who to contact or how to deal directly with a person to resolve an informal complaint, they can seek assistance from the [Student Advice Team](#), [Student Advocacy Officers](#), Academic Liaison Officers, [Governance](#), or any Campus Reception.
- 5.3 The University expects that in most cases, the discussion of the concern with the relevant employee will result in a prompt resolution.
- 5.4 If these measures fail to resolve the issue, an official complaint can be submitted.
- 5.5 The employee will ensure full and accurate records of the informal complaint process are kept. These records will not be used for reporting but will be utilised if an official complaint is made.

## 6 OFFICIAL COMPLAINTS

- 6.1 Official complaints can be submitted:
- using the [Official Complaints eForm](#)
  - by email to [complaints@cqu.edu.au](mailto:complaints@cqu.edu.au)
  - in writing to Governance, CQUniversity Australia, 554-700 Yaamba Road, Norman Gardens Qld 4701
  - phoning 13 27 86, or
  - in person at Campus Reception on any CQUniversity location.
- 6.2 If a person has attempted to resolve a complaint informally and is not satisfied with the outcome, or if the complainant is not able or unwilling to approach the person or area most concerned, then they may pursue a more formal process by lodging an official complaint.
- 6.3 Official complaints submitted in writing are preferred to ensure all relevant information and evidence is captured. All written and verbal official complaints will be accepted and reviewed by the University.
- 6.4 The following should be included in an official complaint submission:
- name/s and contact details
  - date of the complaint
  - student number and student email address (if applicable)
  - course/unit code/s (if relevant)

- the campus to which the complaint relates (if relevant)
  - the nature of the complaint, including full details of what occurred and when it occurred
  - a summary of any action previously taken to resolve the complaint
  - any supporting documentation such as emails, screen shots, etc, and
  - an indication of what outcome is being sought.
- 6.5 If a complaint does not include enough information, it may not be possible for the University to pursue the matter. The complainant will be contacted and further information sought. If no further information is provided within 25 working days, the complaint will be dismissed and the complainant advised.
- 6.6 A complaint must be lodged within 12 months of the adverse experience occurring. It is advisable that a complaint be lodged as soon as possible as the sooner a complaint is lodged, the better the opportunity for resolution. A complaint about an adverse experience which occurred more than 12 months ago may be considered if there are exceptional circumstances which prevented the complaint from being lodged within 12 months. Details of the exceptional circumstances must be included in a complaint lodged outside the 12 month timeframe.

## **Complaint categories**

- 6.7 Complaints will be categorised into one of the following:
- course/unit/teaching (Higher Education)
  - course/unit/teaching (Vocational Education and Training (VET))
  - fees and Student Service Amenities Fee (SSAF)
  - admission/enrolment
  - general and student services
  - website/app/IT support/Moodle
  - library
  - residential schools/placements
  - international
  - campus, grounds or facilities
  - credit transfer and recognition of prior learning (RPL)
  - timetable
  - bookshop
  - examination
  - discrimination
  - other.

## **Timeframes**

- 6.8 All timeframes for official complaints will be monitored and managed by Governance.
- 6.9 Within five working days of the complaint being received, the complaint will be categorised, assessed for seriousness to determine if it should be a high priority complaint, assigned to a Designated Officer, and the complainant provided with acknowledgement of the complaint and a link to this policy and procedure.
- 6.10 A complaint regarding a breach of legislation, potential harm to a student, others or property, or a matter in which time is of the essence will be categorised as a high priority complaint. These types of complaints will be brought to the attention of a senior employee and actioned as quickly as possible, with the Designated Officer to investigate the complaint and provide a resolution or outcome to the complainant within 15 working days.

- 6.11 For all other complaints, the Designated Officer will investigate the complaint and provide a resolution or outcome to the complainant within 25 working days from the lodgement of the complaint.
- 6.12 These timeframes are the maximum expected for a complaint. It is anticipated that the majority of complaints will be dealt with well within these timeframes. However, some complaints may be complex or complicated and unable to be resolved within these standard timeframes.
- 6.13 If the complaint cannot be resolved within the designated timeframes (15 working days for a high priority complaint and 25 working days for all other complaints), the Designated Officer will advise the complainant that additional time is required, what action has been taken to date, and the estimated resolution timeframe.

## **Investigation**

- 6.14 All official complaints will be forwarded to the relevant Designated Officer for investigation.
- 6.15 Designated officers in Divisions, Schools, Directorates and Campuses of the University are responsible for investigating official complaints. These Designated Officers will be appropriately trained to investigate and act on a complaint, and will handle the complaint in a fair and objective manner.
- 6.16 The investigative process will typically involve:
- confirming the facts indicated in the complaint
  - identifying the issues
  - identifying who is going to be interviewed and the sources of evidence required to sustain or not sustain the allegation
  - discussing and interviewing all parties involved, including the complainant, University personnel and third parties (where relevant), and examining relevant laws, policies and procedures
  - analysing all relevant information obtained
  - formulating findings and any recommendations, and
  - preparing a report on the results of the investigation or the outcome of the complaint, including if it was resolved during the process or withdrawn by the complainant (refer to section 6.23 for reporting requirements).
- 6.17 The Designated Officer will make and keep full and accurate records of the complaint process, including but not limited to:
- the complainant's name
  - meeting notes
  - the issue/s
  - discussions with relevant stakeholders
  - the investigative process
  - the finding of fact
  - the analysis process
  - the outcome, and
  - whether or not the complaint was resolved to the complainant's satisfaction.
- 6.18 In circumstances where facilitated discussion between parties to a complaint is considered the most practical and effective form of resolution, the complainant may be accompanied and assisted by a support person. A support person may be another student or a University employee. A support person may not be a legal representative.
- 6.19 When University functions are outsourced, the contract or terms of engagement will stipulate how complaints will be dealt with by the external organisation/party.

- 6.20 Where a complaint is made against a student regarding any conduct which has interfered with the rights of others on campus or is a breach of requirements set out in the [Student Behavioural Misconduct Procedure](#), the matter will be actioned under the Student Behavioural Misconduct Procedure.
- 6.21 Where a complaint is made against a student regarding any academic integrity matter, the [Student Academic Integrity Procedure](#) will also apply.
- 6.22 Where a complaint is made against an employee regarding actions or behaviours which could be considered to be misconduct or serious misconduct, the University's [Enterprise Agreement](#) outlines the procedures for investigation and disciplinary action.

## Outcome

- 6.23 While it may not always be possible for complainants to receive the outcome they seek, the University is committed to ensuring that substantiated complaints are upheld and corrective actions and decisions implemented. Possible outcomes by the University may include:
- an apology
  - change of decision
  - change of policy, procedure or practice, or
  - correction of misleading or incorrect records.
- 6.24 Upon completion of the complaint investigation, the Designated Officer will prepare a report on the results of the investigation or outcome of the complaint, including if it was resolved during the process or withdrawn by the complainant. The report should typically address the following matters to the extent each matter is relevant in a particular case:
- the complainant's issue/s
  - a concise summary of the material facts and circumstances of the matter, and relevant legislation, policy or procedures
  - persons interviewed and/or consulted and relevant information obtained
  - results of any relevant research and finding of facts
  - analysis of the complainant's issues to the extent necessary
  - the outcome of the investigation, and
  - if the complaint is sustained, any recommendation/s to the University to redress the complainant's grievance, whether by way of benefit to the complainant and other affected persons (if any) and/or systemic improvements to the University's administrative practice.
- 6.25 The Designated Officer will advise the complainant in writing of the following:
- the outcome of the complaint investigation, or notification that the complaint will not be pursued
  - the reason/s for the decision made
  - how the decision and/or corrective and preventative actions will be implemented (if applicable)
  - invitation to provide feedback on the complaint management process, and
  - the review mechanism if the complainant was not satisfied with the outcome.
- 6.26 If any complaint results in a decision that supports the complainant, the University will implement the decision and/or corrective and preventative action required, as soon as administratively practicable and will advise the complainant of the outcome.

## Complaint reprisals

- 6.27 The University's complaints management system includes the principle that complainants will not suffer any form of reprisal for making a complaint.

- 6.28 If, following the lodging and/or outcome of a complaint, a complainant believes they are subject to any form of reprisal as a result of their complaint, the complainant should notify the Director Governance by sending an email to [complaints@cqu.edu.au](mailto:complaints@cqu.edu.au) and providing details of the reprisal they believe they are experiencing.
- 6.29 The Director Governance will assign a Designated Officer to investigate the reported reprisal. If a reprisal is found to have occurred, the University will take all possible steps to address the impacts of the reprisal and deal with the instigator/s of the reprisal.

## 7 INTERNAL REVIEW

- 7.1 If the complainant is not satisfied that the official complaint management process has led to a satisfactory resolution, they may request a review of the complaint outcome. The complainant should tell us why they think the decision or outcome is incorrect.
- 7.2 An internal review request should clearly set out the grounds why the complainant believes a decision was incorrect, unreasonable or wrong. The internal review request should refer to any documents or other evidence relied upon to support the review request, a concise summary of the reasons for requesting an internal review – why the decision was wrong or why/how the assessment, investigation or decision was deficient. Requests for an internal review should include:
- the complainant's name and contact details
  - previous case reference number, if known
  - any new information that should be considered in reviewing the matter
  - copies of any relevant letters or other documents that have not previously been provided
  - the outcome you are seeking.
- 7.3 A request for a review of the outcome must be lodged by the complainant within 20 working days of the date of the written outcome of their complaint. If there are exceptional circumstances that prevented the review request being not lodged within 20 working days, the request for a review should provide details and evidence of the exceptional circumstances. The Director Governance may apply discretion in accepting the request.
- 7.4 A request for a review of a complaint outcome can be submitted:
- using the [Official Complaints eForm](#)
  - by email to [complaints@cqu.edu.au](mailto:complaints@cqu.edu.au)
  - in writing to the Governance Unit, CQUniversity Australia, Bruce Highway, North Rockhampton Qld 4701
  - phoning 13 27 86, or
  - in person at Campus Reception on any CQUniversity location.
- 7.5 Within five working days of the request for an internal review being received, the request will be assigned to a Review Officer, and the complainant provided with acknowledgement of the review request and a link to this policy and procedure.
- 7.6 The Review Officer will be determined by the Director Governance. The assigned Review Officer will have had no prior involvement in the complaint under review, and will have the appropriate knowledge, skill and experience to conduct the review.
- 7.7 The Review Officer will consider whether the Designated Officer:
- identified and addressed all relevant issues
  - sought and considered appropriate evidence
  - made the correct decision
  - adequately explained their decision to the complainant.
- 7.8 An internal review is not a re-investigation of a complaint (although this is an outcome that may be recommended by a Review Officer).

- 7.9 Possible outcomes of an internal review may include:
- returning the matter to the relevant area for further investigation
  - upholding the original decision and providing a detailed explanation to the complainant, or
  - issuing a new decision.
- 7.10 The Review Officer will ensure full and accurate records of the internal review process are kept.
- 7.11 The internal review process will follow the same process as formal complaints, including timeframes and outcome communications with the complainant. If the internal review cannot be completed within the standard time frame (25 working days) the complainant will be informed and provided a new estimated timeframe.

## 8 FURTHER OPTIONS

- 8.1 The University's Student Ombudsman has the authority to conduct inquiries relating to specific areas of complaints from current or former students relating to a failure to follow due process by the University or those acting under the authority or auspices of the University, as detailed in the [Student Ombudsman Procedure](#). Students may request the Student Ombudsman review the matter if they reasonably believe that the University has not followed due process or provided procedural fairness when handling the complaint or the internal review of the complaint. The timeframe to lodge a request with the Student Ombudsman is set out in the Student Ombudsman Procedure.
- 8.2 If all internal procedures have been followed, but the complainant does not feel the problem has been resolved or does not feel they have been dealt with fairly, they may lodge an external complaint with the Queensland Ombudsman or other external body. Time limits for the lodging of external complaints may apply. The complainant should contact the relevant external body (hyperlinks provided below) to determine any complaint submission time limits.
- 8.3 The complainant has a right to access an external complaints process at minimal or no cost. The following external bodies provide these processes. Further details about the types of complaints these bodies deal with are provided on their websites.
- Queensland Ombudsman – [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)
  - Australian Human Rights Commission – [www.humanrights.gov.au](http://www.humanrights.gov.au)
  - Queensland Human Rights Commission – <https://www.qhrc.qld.gov.au/>
  - Commonwealth Department of Education, Skills and Employment – [www.education.gov.au](http://www.education.gov.au) (Higher Education students)
  - State Department of Education – [education.qld.gov.au](http://education.qld.gov.au) (VET students)
  - Training Ombudsman – <https://trainingombudsman.qld.gov.au/> (VET students)
  - Australian Skills Quality Authority – [www.asqa.gov.au](http://www.asqa.gov.au) (VET students).

## 9 RESPONSIBILITIES

### Compliance, monitoring and review

#### Responsibilities

- 9.1 Responsibility for the effectiveness of the official complaint handling process resides with the Director Governance who ensures that the system is planned, designed, maintained and continually improved. The Director Governance is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.
- 9.2 Employees are expected to be able to advise students of the complaints process, how to lodge a complaint, and refer them to appropriate support services within the University where appropriate.

- 9.3 All employees who receive an informal complaint should attempt to resolve the issue in an informal manner. However, if this is not possible the complainant should be directed to follow the official complaint process and lodge an official complaint.
- 9.4 Designated officers are responsible for:
- completing complaint handling training and investigating, managing and acting upon complaints in a timely and sensitive manner
  - reporting to Governance on investigations, actions taken and decisions made when dealing with a complaint
  - monitoring the implementation of any remedial actions, and
  - communicating outcomes of an investigation directly to the complainant.
- 9.5 All employees involved in the complaint management process must ensure they act in a manner that is reasonable, fair and impartial. Any conflicts of interest with a complaint, must be disclosed to Governance, in accordance with the [Conflict of Interest Policy and Procedure](#), to be recorded in the Conflict of Interest Register.

### **Training**

- 9.6 All employees who will be required to investigate, manage and act upon complaints, will be required to complete mandatory training on the University's complaint handling process.
- 9.7 Training on this policy and procedure will be provided to all employees during the corporate induction. Information will also be available on [StaffNet](#).
- 9.8 Governance will be responsible for facilitating and updating training material for Designated Officers and employees.

### **Review**

- 9.9 The University is committed to ensuring an effective, transparent and fair process is used for complaint management.
- 9.10 The University encourages feedback from all parties involved during the investigation of a complaint, and will include an invitation to provide comments on the process in the complaint outcome sent to the complainant.
- 9.11 Governance will monitor the ongoing effectiveness of the University's complaints management processes by reviewing trends or deficiencies occurring throughout the process and provide any recommendations for improvements to the senior management.

### **Reporting**

- 9.12 An annual report of all official complaints received will be considered by the University Council. These reports will detail:
- the number and category of official complaints received
  - complaint decisions/outcomes and the timeframe for resolution
  - the number of complaints not resolved within the standard timeframe and the reasons for this
  - any identified trends
  - recommendations for process improvements
  - the number of complaint reviews requested
  - review decisions/outcomes and the timeframe for resolution, and
  - the number of reviews not resolved within the standard timeframe and the reasons for this.

## Records management

- 9.13 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 9.14 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](mailto:records@cqu.edu.au)).
- 9.15 In accordance with the Retention and Disposal Schedule, informal complaints records will be kept for a minimum of two years, and formal complaint and interval review records will be kept for a minimum of seven years.
- 9.16 Information provided by students is protected under CQUniversity privacy guidelines and will only accessed by those involved in the receipt and resolution of each complaint.

## 10 DEFINITIONS

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

**Designated officer:** an employee trained in complaints handling who is responsible for investigating and acting on official complaints.

**Review officer:** an employee trained in complaints handling who has had no prior involvement in the complaint under review, and has the appropriate knowledge, skill and experience to conduct the assigned review.

## 11 RELATED LEGISLATION AND DOCUMENTS

[Anti-Discrimination Act 1991](#) (Qld)

[Age Discrimination Act 2004](#) (Cwlth)

AS/NZS 10002-2014 Guidelines for Complaints Management in Organisations

[Australian Human Rights Commission Act 1986](#) (Cwlth)

[Conflict of Interest Policy and Procedure](#)

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

[Disability Discrimination Act 1992](#) (Cwlth)

[Education Services for Overseas Students Act 2000](#) (Cwlth)

[Equal Employment Opportunity \(Commonwealth Authorities\) Act 1987](#) (Cwlth)

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

[Human Rights Act 2019](#) (Qld)

[Human Rights \(Sexual Conduct\) Act 1994](#) (Cwlth)

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

[Public Interest Disclosure Act 2010](#) (Qld)

[Public Interest Disclosure Policy and Procedure](#)

[Racial Discrimination Act 1975](#) (Cwlth)

[Racial Hatred Act 1995](#) (Cwlth)

[Sex Discrimination Act 1984](#) (Cwlth)

[Standards for Registered Training Organisations \(RTOs\) 2015](#) (Cwlth)

[Student Ombudsman Procedure](#)

[Workplace Gender Equality Act 2012](#) (Cwlth)

## 12 FEEDBACK

12.1 Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 13 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
Delegated Approval Authority	Vice-President (Student and Corporate Services)
Advisory Committee	N/A
Required Consultation	N/A
Administrator	Director Governance
Next Review Date	14/10/2023

Approval and Amendment History	Details
Original Approval Authority and Date	Vice-Chancellor and President 05/02/2020
Amendment Authority and Date	Director Governance 14/10/2020; Director Governance 20/07/2021; Editorial amendment 15/09/2021.
Notes	This document replaced the Student Feedback – Compliments and Complaints Policy and Procedure (approved on 14/10/2020).

### Acknowledgement

CQUniversity gratefully acknowledges its use or adaptation of information and ideas from the Queensland Ombudsman's complaints management system and internal review policy ([www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)).

## 14 APPENDIX A: COMPLAINT PROCESS DIAGRAM

