

Student Complaints Resolution Policy

Purpose

1. The University of South Australia is committed to providing a positive study and work experience for all its students, staff and other members of the University community. This Policy sets out the principles for the management and resolution of student complaints about the student experience at the University.
2. This Policy is to be read in conjunction with the [Student Complaints Resolution Procedure](#) (the Procedure).

Scope

3. This Policy applies to all current students and applicants for University programs¹ who, in the course of their interactions with and experience of the University (or a service provider of the University) have cause to raise a complaint. Where a complainant is both a staff member and a student, PTC will be contacted for the appropriate advice.

Exclusions

4. This Policy does **not** apply to:
 - a. outcomes of decision-making processes for which the University has specified review or appeal options
 - b. disclosures or reports of sexual assault or sexual harassment
 - c. requests for information, including Freedom of Information
 - d. matters under the jurisdiction of external regulators, e.g. State and Commonwealth Ombudsman

Responsibilities

5. Council is the approving authority for this Policy.
6. The Chief Academic Services Officer is the officer responsible for organisation-wide adherence to this Policy.
7. The procedural responsibilities of this Policy are provided in the [Student Complaints Resolution Procedure](#).

Policy Principles

8. The University considers complaints as an opportunity to address students' concerns and to receive valuable feedback that allows it to continuously improve its services and processes.

¹ For the purpose of this Policy, and its associated Procedure, the term 'student' should be taken to also refer to applicants

9. The University seeks to provide a student complaints resolution process that is accessible for all students and enables resolution of the complaint at the local level where possible.
10. Complaints will be assessed and managed in a manner that is appropriate to the nature of the complaint and in accordance with the principles of natural justice.
11. UniSA will respond to student complaints in a timely manner and will aim to finalise outcomes as soon as is practicable.
12. The University expects all parties involved in a complaint to engage in good faith with the complaints resolution process.
13. All parties involved in a complaint resolution process will receive the necessary information to enable procedural fairness, support and assistance in resolving a complaint.
14. Where a complaint relates to a service provider, the resolution process will be determined by both the nature of the complaint and the contractual arrangements that exist between UniSA and the service provider.
15. The University respects confidentiality and information privacy and will maintain records of complaints processes in accordance with the University's privacy policy.
16. A student making a complaint will not be disadvantaged by virtue of having made a complaint.
17. Students may choose to remain anonymous when making a complaint. In many circumstances anonymity may limit the University's ability to provide information or support, and the full extent of options that may be available to resolve the complaint.
18. A student making a complaint has the right to withdraw the complaint in writing at any stage. However, the University reserves the right to continue to investigate a withdrawn complaint, and to take action in response to the outcome of investigations, if it considers it appropriate to do so in accordance with its wider duty of care and responsibilities.
19. The University may determine not to progress a complaint resolution process if:
 - a. the complaint is considered to be vexatious or frivolous;
 - b. the complaint is lacking in sufficient detail;
 - c. matters that are the subject of the complaint have previously been resolved to the satisfaction of the University;
 - d. an alternative response is considered more appropriate.
20. The University will not tolerate victimisation in any form. It may take appropriate action against a student or staff member if it has determined that the person has victimised another member of the University community due to them raising, providing information about, or otherwise being involved in a complaint resolution process.

Definitions

Complainant is the individual who is, or each of the persons who are, submitting the complaint.

Complaint is an expression of dissatisfaction with an aspect of a student's experience in relation to the operations of, and services provided by the University. It does not refer to the outcomes of decision-making processes for which the University has specified review or appeal options.

Frivolous complaint is a complaint that is lacking in substance or merit. Frivolous complaints do not imply an improper motive on behalf of the student but concern matters that a reasonable person in the circumstances would not have raised a complaint.

Natural Justice (also called 'Procedural Fairness') means acting fairly in administrative decision making and relates to the fairness of the procedure by which a decision is made, not whether the outcome is fair. This includes the following principles:

1. All parties must be given an opportunity to present their case.
2. The Respondents must be provided with notice and information about allegations made against them, as well as information about their right to have a support person.
3. The Respondent must be given a reasonable timeframe within which to respond.
4. The decision maker must:
 - a. act fairly and without bias;
 - b. declare any conflict of interest;
 - c. consider all relevant evidence before them; and
 - d. base any decision on evidence that supports it.
5. All parties must be informed of the decision in relation to the complaint, and the reasons for that decision.

Resolution means that the complaint has been investigated and has been resolved or has resulted in a reasonable outcome given the available evidence.

Respondent is the individual who is, or each of the persons who are, alleged to have done the act(s) to which the complaint relates.

Senior manager for the purposes of this Policy and Procedure, refers to the Director of a central unit or the Executive Dean of an Academic Unit.

Service provider means any party that UniSA has an arrangement with to deliver services as part of, or relating to, a student's program or studies.

Student Ombud is a UniSA staff member who is authorised to respond to complaints lodged by students after all internal grievance procedures have been exhausted. The Student Ombud operates within UniSA under terms of reference approved by the University Council. The Ombud has been appointed by the University with specific duties to review whether the process followed by the University staff in considering a complaint is consistent with the University's policies and procedures.

Support person means any individual who is providing support and assistance to a student who is making a complaint and is not a legal practitioner.

University Community refers to all students and staff members of the University including honorary title holders, adjuncts, visiting academics, guest lecturers, University Council members, and volunteers who are contributing the work of the University but who are not staff members.

Vexatious complaint – a complaint will be considered vexatious if an individual makes it:

- a. knowing it to be false; or

- b. based upon the same facts which the University has previously considered; or
- c. with the intent to be retaliatory in nature and/or intended to annoy or to damage the reputation of the Respondent.

Victimise/victimisation is subjecting or threatening to subject an individual to any disadvantage or harm because that individual has made a complaint, or supported someone in making a complaint, or provided information in relation to the progress and/or resolution of a complaint.

Associated Documentation

[Code of Conduct for Students](#)

[Student Complaint Resolution Procedure](#)

[C-12.5 Sexual Assault and Sexual Harassment](#)

[UniSA Tell Us](#)

Officer Responsible for Update and Review: Chief Academic Services Officer

Approval Authority: Academic Board (under delegation from Council)

Commencement Date: 25 November 2021

Review Date: November 2026

History: This Policy supersedes Policy C-17.5 Student complaints resolution