

Complaints Management Procedure

Section 1 - Purpose

(1) This procedure supports the [Complaints Management Policy](#) by describing detailed requirements for the receipt, assessment, addressing and determination of complaints and internal review processes.

Scope

(2) This procedure applies to all persons, whether or not they are current, prospective or former students or staff of Charles Sturt University (the University), whenever they are:

- a. in attendance at a University campus or facility, be it owned or leased and including facilities operated by a University partner
- b. using University or University partner's equipment, be it owned or leased (e.g. communications technologies, vehicles, facilities)
- c. in attendance at a University or University partner event, function or activity
- d. participating in any activity as a representative or student of the University (e.g. field trips, inter-university events, conferences, workplace learning, etc), and/or
- e. acting as an agent engaged by or a party related to the University in the delivery of services.

Section 2 - Policy

(3) This procedure supports the [Complaints Management Policy](#) and should be read alongside that policy.

Section 3 - Procedure

Part A - Informal complaints

(4) The University encourages its students and staff to be independent and effective problem solvers. With the exception of serious complaints, students and staff must attempt to resolve their concerns at the point of origin as an informal complaint before lodging a formal complaint.

(5) If a complainant is not comfortable raising their concerns directly with the person(s) who is/are the subject of the complaint, concerns should be raised with an appropriate manager or another person of authority within the relevant office/division/school/faculty.

(6) If a complaint is related to allegations of serious misconduct or unlawful behaviour (including sexual assault, discrimination, harassment, corruption) it may be appropriate for the complainant to discuss their concerns with or seek advice from the University Ombudsman in the first instance. In such cases, it may be more appropriate for complainants to follow the formal complaints management process under Part B.

(7) Students may raise an informal complaint with SX Service Centre. The complaint will be assigned to the appropriate area within the University for action, and a response will be provided to the student via SX Service Centre.

(8) Students may contact a Student Advocate for advice on how to raise their complaint effectively and appropriately. If necessary, a Student Advocate may make enquiries on behalf of the student to identify and explore available options.

(9) Staff should resolve informal complaints in compliance with the complaint management principles outlined in clause 6 of the [Complaints Management Policy](#). If a staff member is unsure of how to manage a matter or whether it should be handled as an informal or formal complaint, they should contact the University Ombudsman for advice.

Part B - Complaints management process

(10) The process for lodging a formal complaint is published on the [Complaints website](#).

(11) At all stages of the complaints management process, complainants and respondents are entitled to have a support person present to provide support or speak on their behalf.

(12) There are three stages in the formal complaints management process:

- a. receipt and assessment
- b. addressing the complaint, and
- c. determination of the outcome.

Stage 1 - Receipt and assessment

(13) Within 10 business days of receipt of the complaint, the University Ombudsman will acknowledge receipt of the complaint in writing and commence assessment of the complaint to determine whether the issues raised fall within the scope of the [Complaints Management Policy](#), including consideration of the matters set out in clause 12 of the [Complaints Management Policy](#).

(14) Where it is determined that the issues raised fall outside the scope of the [Complaints Management Policy](#) or the complaint is not accepted for one or more of the reasons set out in clause 12 of the [Complaints Management Policy](#), the University Ombudsman will write to the complainant as soon as practicable and provide reasons. The University Ombudsman's decision is final and not subject to internal review.

(15) When a complaint is accepted by the University Ombudsman for investigation under the policy, consideration will be given to:

- a. how serious or urgent the complaint is
- b. whether the complaint raises concerns about people's health and safety
- c. how the person making the complaint is being affected
- d. the risks involved if resolution of the complaint is delayed, and
- e. whether the complaint is to be managed by the University Ombudsman, referred to the Executive Director, People and Culture, referred to a complaints manager or referred to an external investigator.

Stage 2 - Addressing the complaint

Complaints referred to a complaints manager

(16) In the event that the University Ombudsman determines that the complaint is to be referred to a complaints manager, they shall nominate a senior University officer in the area of the University from which the complaint arose, to act as a complaint manager.

(17) When referring a complaint to a complaints manager, the University Ombudsman shall write to the complainant:

- a. setting out the roles and responsibilities of the complainant and the University Ombudsman during the complaints management process
- b. setting out the process to be followed and a reasonable estimate of timelines for resolution of the complaint, and
- c. setting out the support services available to the complainant.

(18) If deemed necessary by the complaints manager, the complaints manager may meet with the complainant. If a meeting is required, the meeting may be held in any form that the complaints manager deems most appropriate, such as telephone, face-to-face or video conference.

(19) If the complaint makes allegations against an individual (the respondent), the complaints manager shall write to the respondent as soon as practicable after the initial conversation with the complainant and provide them with a copy of the complaint and setting out:

- a. a summary of the issues of concern
- b. the respondent's obligations and responsibilities under the policy, and
- c. the support services available to the respondent.

(20) The complaints manager will make reasonable enquiries to find out what happened. These enquiries may include:

- a. reviewing the University's policies and procedures to determine what should have occurred or what should not have occurred
- b. reviewing correspondence and talking to those involved to determine what occurred, and
- c. reviewing whether procedural fairness was afforded to the complainant where the complaint is in relation to a decision of the University.

Stage 3 - Determination of outcome

(21) If, after making reasonable enquiries, the University appears to have been at fault, the complaints manager shall try to reach a solution that is mutually acceptable to the University and to the complainant. This may involve alternative dispute resolution such as mediation. Any remedy to the complainant must be actioned immediately by the University.

(22) At the conclusion of the enquiry or investigation process and subject to any privacy considerations, the complaints manager will provide a written response to the University Ombudsman and advise them of:

- a. the outcome of the complaint
- b. a summary of the enquiries made, including listing and providing copies of all material information considered by the complaints manager
- c. the reason(s) for the outcome, and
- d. any remedy for the complainant and what action is to be taken to implement the decision.

(23) The University Ombudsman will provide the complainant with a written notice of outcome based on the written response provided by the complaints manager, setting out:

- a. the outcome of the formal complaint
- b. a summary of the enquiries made, including listing and providing copies of all material considered by the complaints manager
- c. the reason(s) for the outcome
- d. any remedy for the complainant and what action is to be taken to implement the decision

- e. the support services available to the complainant, and
- f. details of the complainant's right to external review and contact details of an appropriate external handling body.

(24) The University Ombudsman will provide a copy of the written notice of outcome to the complaints manager and the executive member of the faculty, office or division.

(25) The University Ombudsman will maintain accurate records of all formal complaints in accordance with the University's [Records Management Procedure](#).

(26) Where the outcome of a formal complaint identifies an opportunity for process or quality improvement, the University Ombudsman will oversee a root cause analysis and implementation of corrective actions by a senior University officer from the area where the formal complaint originated. Recommendations for improvement of University processes shall include:

- a. steps required to implement the remedy and/or recommendations (including the University officer responsible for actioning the step), and
- b. time frames for implementing the remedy and/or recommendations.

Complaints managed by the University Ombudsman

(27) In the event that the University Ombudsman decides to manage the complaint, they shall follow the process described in clauses 16-26.

(28) The determination made by the University Ombudsman shall be the final decision of the University and shall not be subject to internal review. However, the complainant shall be notified, within 10 business days of the final decision being made, of their right to external review and provided contact details of an appropriate external handling body.

(29) Subject to authorisation by the Vice-Chancellor, the University Ombudsman may appoint an external person to conduct part or all of the enquiry. The University is not required to provide a copy of the report to the parties of the complaint and may, at the discretion of the University Ombudsman, provide a summary or extract of the report.

Complaints referred to the Executive Director, People and Culture

(30) Complaints referred to the Executive Director, People and Culture shall be managed in accordance with the [Complaints Procedure - Workplace](#).

Part C - Internal review process

(31) The purpose of an internal review is to examine the formal complaints management process and either affirm the outcome or take corrective action. It is not to re-conduct the formal complaints management process.

Applying for an internal review

(32) Any party involved in a complaint may request an internal review of the determination and outcome of a formal complaint.

(33) An internal review is not available where the complaint has been declined under clause 12 or discontinued under clause 13 of the [Complaints Management Policy](#), or a determination was made under clause 28 of this procedure.

(34) An application for internal review must meet one or more of the following grounds:

- a. there is evidence that there has been a failure to address all or part of the complaint, or

- b. there is new evidence to support the complaint that the complainant could not have reasonably known of, or that was not available before the date of the notice of outcome described in clause 23 of this procedure and which would have been a significant factor in the original determination of the complaint.

(35) A request for internal review must:

- a. be in writing
- b. state the grounds under clause 34 of this procedure on which the application is lodged
- c. contain all the documentary information and arguments the applicant intends to rely upon in support of their application, and
- d. be made within 20 business days of the date of the notice of outcome of the formal complaint.

(36) An application for internal review received by the University Ombudsman will be recorded and acknowledged in writing within five business days.

(37) The University Ombudsman will commence assessment of the application within 10 business days of receipt of the application for internal review, and determine whether the issues raised meet the acceptance criteria set out in clauses 33-35 of this procedure.

(38) Where it is determined that the issues do not meet the acceptance criteria, the University Ombudsman will write to the applicant as soon as practicable and provide reasons, inform them of their right to seek an external review, and provide the contact details of an appropriate external complaint handling body.

(39) The University Ombudsman's determination that the application for internal review does not meet the acceptance criteria is final and not subject to internal review.

Conducting and determining an internal review

(40) Where the University Ombudsman accepts the application for internal review, they shall undertake a review of the materials supplied by the applicant.

(41) After considering the material relied on during the internal review, the University Ombudsman shall make a determination to either:

- a. refer the matter to the Vice-Chancellor with recommendations that an external body or agency be appointed to conduct the internal review and report their findings in writing to the Vice-Chancellor and University Ombudsman
- b. confirm all or part of the decision made and the action taken in the initial conduct of the complaint
- c. send all or part of the decision back to the original decision-maker for re-consideration outlining the reasons why, or
- d. refer the matter to the Vice-Chancellor with recommendations.

(42) The University Ombudsman shall write to the applicant as soon as practicable, but not later than 10 business days following the conclusion of the review or receipt of the external body's or agency's written report described in clause 41a., informing them of:

- a. the outcome of the internal review
- b. a summary of the enquiries made, including listing and providing copies of all information considered
- c. the reason(s) for the outcome
- d. any remedy for the complainant and what action is taken to implement the decision, and
- e. the right to apply for an external review and the process for doing so, including the contact details of the

appropriate external complaints handling body.

(43) Once the University Ombudsman completes their review there are no further options for appeal or review internally.

Referral to the Vice-Chancellor with recommendations

(44) Where the University Ombudsman forms the view under clause 41d. that the matter should be referred to the Vice-Chancellor with recommendations for improvement of University processes, a report shall be forwarded to the Vice-Chancellor setting out the following:

- a. a summary of the complaint and actions taken by the University to resolve the complaint
- b. findings of the internal review, and
- c. recommendations that may include remedial or follow-up action to be taken as a result of the issues raised during the review.

(45) The Vice-Chancellor shall consider the report from the University Ombudsman and may:

- a. decline to act on any or all of the recommendations
- b. approve any or all of the recommendations
- c. make a different recommendation(s) or
- d. any combination of the above.

(46) In the event of clause 45(b)-(d), the Vice-Chancellor shall either action or direct a suitable University staff member to action the recommendations and report to the Vice-Chancellor on the progress and outcomes of such actions.

Part D - External review

(47) A complainant may seek an external review of a decision of the University at any time, however, they are encouraged to exhaust all internal complaints management processes first.

(48) Complainants are able to seek review of the University's decisions from relevant external bodies such as the National Student Ombudsman. Contact details for the National Student Ombudsman are published on the [Complaints, grievances and whistleblowing website](#).

Section 4 - Guidelines

(49) Nil.

Section 5 - Glossary

(50) The glossary section of the [Complaints Management Policy](#) defines the terms used in this procedure.

Status and Details

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Glossary Terms and Definitions

"Student" - means a person who is or was enrolled in, or seeking admission to, a course or subject offered by the University or a partner institution or organisation, or who is given permission to audit a course or subject offered by the University or a partner institution or organisation; it includes a candidate for a higher degree by research award, as well as students enrolled in online or on-campus study modes. A student remains a student while on approved leave of absence.