

## Policy Title

### Complaints Policy

#### Preamble

This Policy is consistent with:

- The Higher Education Support Act (HESA) 2003
- The Higher Education Standards Framework (Threshold Standards) 2021, Standard 2.4 Student Grievances and Complaints
- The Education Services for Overseas Students Act (ESOS) 2000
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)

#### Purpose

This Policy has been developed to affirm Deakin College's commitment to a supportive, fair and equitable learning environment by ensuring that students have access to a complaint process which is independent, free, effective and, resolved in an efficient and timely manner.

#### Scope

This policy applies to all current, former and prospective students at all campuses of Deakin College who has a concern, grievance or complaint in relation to:

- a process, action or service, either academic or administrative in nature, provided or performed by Deakin College or any entity operating on its behalf;
- a conduct of a staff member, another student or other person acting or operating on behalf of Deakin College.

This Policy also applies to grievances or complaints received from the parents, education agents and the general public.

Matters, either academic or non-academic in nature covered by another Deakin College policy are to be dealt with in accordance with that policy.

#### Policy

1. This Policy is underpinned by the following principles:
  - 1.1. Deakin College recognises the right of students to express their concerns, grievances or complaints and, is committed to resolving complaints in an equitable and efficient way which reaffirms its commitment to the provision of a supportive and positive learning environment and student experience;
  - 1.2. All complaints are taken seriously and treated objectively, with courtesy, sensitivity and with an open mind;

- 1.3. All complaints will be considered and dealt with according to the principles of natural justice and procedural fairness;
- 1.4. All complaints will be dealt with in a supportive environment and the complainant will not be subjected to victimisation, intimidation, discrimination or harassment;
- 1.5. All complaints will be resolved as close to the source as possible;
- 1.6. There is no cost to the complainant in accessing Deakin College's internal avenues of complaints or appeals set out in this policy, however, an external agency may choose to charge a fee for their services;
- 1.7. Students are encouraged in the first instance to access Deakin College's informal grievance or complaints processes prior to lodging a formal complaint;
- 1.8. A complaint does not restrict a student's right to access Australia's consumer protection laws or to pursue other legal remedies;
- 1.9. All complaints will be submitted, assessed and resolved within the time-frames specified in this policy and its associated procedures;
- 1.10. Deakin College will take all reasonable steps to ensure that information and communication regarding any complaints remain confidential and will only be disclosed to a person who have a right to the information by virtue of their role in the process;
- 1.11. Complainants have the right to present his or her case and, be accompanied by a support person providing that the person is not a qualified and practising lawyer;
- 1.12. Deakin College's complaint process allows for the outcome of only one external complaint.

## 2. Complaints

- 2.1. Complaints of an academic nature are those related to admissions, assessment, enrolment, attendance and academic progress;
- 2.2. Complaints of a non-academic nature are all other matters and include behaviour that the complainant perceives as victimisation, intimidation, discrimination, harassment, sexual harassment or bullying, or complaints about Deakin College's services and support;
- 2.3. Complaints must be lodged as soon as practicable, at the very least, as soon as the complainant becomes aware of the matter which forms the basis of the grievance or complaint;
- 2.4. Anonymous complaints will be accepted however, investigation may be restricted and remedies limited.
- 2.5. **Informal resolution of student grievances or complaints**
  - In the first instance, students are encouraged to raise and discuss their concern directly with the person(s) or area whose action or decision caused the concern and attempt to reach a satisfactory resolution;

- If the student's concern is informally resolved and, the student is satisfied with the resolution and any actions or decisions resulting from this process, the matter is considered closed and will not be recorded in Deakin College's Complaint Register;
- If the student's concern is not resolved or the student is not satisfied with the resolution or outcome, the student may lodge a formal complaint to Deakin College Complaints.

## **2.6. Formal resolution of student grievances or complaints**

- A *Complaint Application* must be submitted online via the [Online Form](#) to commence the formal complaint process, refer to complaints procedures for details. A link to the online form is also available from the Student Hub in the Student Portal;
- The written complaint outcome will be sent by email to the complainant's Deakin College email address and personal email address recorded in the student management system. It is the student's responsibility to ensure that his or her correspondence details (postal address, phone/mobile number and personal email address) are provided to Deakin College and updated regularly;
- In the event that the complainant is dissatisfied with the outcome of the formal complaint resolution, the complainant may appeal the outcome to the Deakin College Appeals Committee;
- Deakin College will make all reasonable attempts to advise the outcome of complaints as soon as practicable so not to disadvantage the complainant.

## **3. Appeals**

- 3.1.** An appeal against the outcome of a formal complaint must be submitted within twenty (20) working days from the date the written outcome grievance or complaint outcome to the Deakin College Appeals Committee as per the Appeals Policy.

## **4. External Complaints**

- 4.1.** If a complainant is not satisfied with the appeal outcome, the complainant may pursue the matter externally through an independent complaint agency within ten (10) working days following the written notification of the outcome by the Deakin College Appeals Committee. Examples of an external complaint agency include, but are not limited to:

- **Commonwealth Ombudsman**

Website: <https://www.ombudsman.gov.au/making-a-complaint/overseas-students>

- **Independent Higher Education Australia (IHEA)**

Website: <https://iheau.edu.au/>

- 4.2.** Deakin College students who are on an Australian student visa may contact the Commonwealth Ombudsman. Domestic students or non-student visa holders may contact IHEA.

- 4.3.** If the external complaints agency makes a recommendation in relation to a complaint, Deakin College will ensure that the recommendations are implemented immediately and advise the complainant of the outcome.

## 5. Record Keeping

- 5.1.** Deakin College will keep records of a complaint for five (5) years after the complainant ceases to be an accepted student.

### Related Policies

Equity and Diversity Policy

Admissions Policy

Appeals Policy

Assessment Policy

Enrolments, Fees and Charges Policy

Privacy Policy

Refund Policy

Student Code of Conduct Policy

Student Support Policy

### Procedure

Complaints Procedure

Appeals Procedure

### Definitions

Key Term or Acronym	Definition
Complaint	A formal process to request for an action or grievance to be investigated
Complainant	A student who submits a complaint
Course	A program of instruction that leads to an award of the institution.
Overseas Student	A student who holds an Australian student visa.
Student Portal	Deakin College Intranet providing academic and administrative information and internal communication.
Working Day	Excludes Victorian and Australian public holidays and weekends.

### Status and Details

<b>Identification</b>	Complaints Policy
<b>Initial Issue Date</b>	19/04/2018
<b>Status</b>	Current
<b>Domain</b>	Student and Academic Services
<b>Effective date</b>	28/11/2022

<b>Review date</b>	31/12/2024
<b>Approval Authority</b>	Senior Management Group
<b>Implementation Officer</b>	Director Quality & Student Services
<b>Enquiries Contact</b>	Robert Close