

Student Complaints

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1.0 Purpose

This Policy provides a framework for responding to Issues and Complaints raised by students in a manner that fosters a supportive and fair learning environment.

2.0 Scope

This Policy applies to Complaints raised by students of the University in all career levels, modes of study and locations, physical or digital, participating in activities organised by or under the auspices of the University.

For the purpose of this policy, the term “student” includes:

- all enrolled students and HDR candidates at the University; and
- students with Active Enrolment Status, including those who are not ‘carrying load’ and students on approved Leave of Absence, Deferment or between enrolment periods.

The Policy is also applicable to:

- a person whose enrolment is suspended or cancelled by the University and who does not have access to an appeals process, who may access this process to raise a Complaint about the decision to suspend or cancel their enrolment;
- a former student whose enrolment ended not more than six (6) months previously, who may access this process to complain about a matter that occurred during their time as a student.

Complaints may be about:

- an administrative error or an administrative decision that is not addressed through the Review and Appeals Policy;
- a problem or Issue raised by a student regarding their treatment as a student;
- the quality or delivery of a service or advice provided by the University;
- the conduct of employees, other students, or other members of the University community, including behaviour that may amount to misconduct under the relevant student or employee policy and procedure.

Disclosures and formal reports of matters that constitute serious misconduct such as bullying, discrimination, harassment and sexual harm are managed under the Student Reports of Bullying Harassment Discrimination and Sexual Harm Procedure.

Complaints made by individuals who are not current students of the University are directed to the Complaints and Grievances web page. This includes former students who no longer have an active student account.

3.0 Policy Statement

3.1 General principles

1. The University affirms its commitment to provide an environment in which all students are treated fairly and with respect.
2. The University will maintain an organisational culture in which a student's right to seek resolution of a Complaint is recognised and supported.
3. If appropriate and possible, students are encouraged to try to resolve their problem quickly with the relevant person or area.
4. Griffith recognises that students, in raising Complaints, are typically seeking:
 - a. an apology
 - b. correction of an error in information the University holds about the student or the student's record
 - c. a change in behaviour by others
 - d. a change in circumstances associated with their studies, including supports or accommodations they require
 - e. reconsideration of fees and charges
 - f. improvement of existing services and processes.

3.2 Complaint Handling Principles

The University handles Complaints using the following principles:

1. **Good faith:** The Complaints process assumes all parties are engaging in good faith, with an open approach to considering reasonable options.
2. **Proximity:** Every reasonable effort will be made to resolve the Complaint at the lowest level possible.
3. **Confidentiality, Privacy and Anonymity:**
 - a. a Complaint will be treated by all parties with appropriate confidentiality;
 - b. unless required otherwise by law, information arising in the course of a Complaint will be shared only with the parties and other people involved on a need-to-know basis;
 - c. information will only be used for the purpose of resolving the Complaint in accordance with this policy, with the provision that de-identified data can be used to support the University's monitoring, reporting and continuous improvement processes;
 - d. students who have a Complaint may wish to lodge their Complaint anonymously, however, it should be noted that anonymous Complaints may be difficult to investigate because of inadequate information, and while Griffith will accept anonymous Complaints, it cannot guarantee the ongoing anonymity of complainants.
4. **Procedural Fairness:** Students have the right to a procedurally fair process. This means they have the right to:
 - a. have a Complaint dealt with as promptly as possible and be kept updated on any delays in the process;
 - b. receive a copy of, or an opportunity to inspect, all relevant and disclosable information held by the Decision-maker;
 - c. have the opportunity to present their Complaint fully and to respond to any matters;

- d. have their Complaint considered on its merits, on the basis of information relevant to the Complaint and any mitigating circumstances;
 - e. have their Complaint addressed by an unbiased decision-maker who has no personal or professional interest in the matter of the Complaint.
- 5. **No disadvantage:** A student who makes a Complaint will not be disadvantaged because of their Complaint.
 - a. Where alternative study or class arrangements are necessary as an interim action or to resolve a Complaint, any alternative arrangements will not act to disadvantage the student who made the Complaint.
 - b. In particular, the student will not be hindered from using University facilities and attending lectures, classes, laboratories and tutorials or submitting assessments simply because they have made the Complaint.
 - c. Griffith will not tolerate victimisation in any form of:
 - o a student who lodges a Complaint;
 - o a person who provides information about a Complaint matter; or
 - o any other person involved in investigating or adjudicating the Complaint.
 - d. Disciplinary action will be taken against anyone who retaliates against or victimises a person as outlined above.
- 6. **Right to withdraw:** A student making a Complaint has the right to withdraw the Complaint at any stage of the process. However, Griffith retains the right to address Complaint matters, even in cases where a Complaint has been withdrawn, in order to meet its obligations. The University also retains the right to not investigate a withdrawn Complaint, particularly where another process is more appropriate or where there is insufficient connection with Griffith.
- 7. **Vexatious and Frivolous Complaints:** The University reserves the right to take appropriate disciplinary action in the event of a Complaint that is demonstrated to be vexatious or frivolous.
- 8. **Support:** A student who makes a Complaint or is the subject of a Complaint has the right to have a support person with them at any discussions, meetings or hearings related to the Complaint and to access the support services provided by the University. A student may nominate their own support person but may not be legally represented in the matter.
- 9. **Age of Complaint:** A Complaint will be investigated if the student has made it within 12 months or less from the event that is the subject of the Complaint. Where a Complaint is older than 12 months, in acknowledging its receipt, the student will be advised that the University is unable to investigate it unless there are extenuating circumstances that have impacted the student's ability to engage with the Complaints process.
- 10. **Timeliness:** All relevant levels of authority will make every reasonable effort to resolve Complaints as quickly as possible and in accordance with the timelines set out in the Student Complaints Procedure.
 - a. In resolving Complaints, employees must be mindful of internal and/or external timelines, processes and requirements that are relevant to the subject of the Complaint (e.g. census date, visa requirements, professional registration).
- 11. **Recordkeeping and reporting:** Full and accurate records will be kept of all Complaint and review matters, their investigation (if relevant) and their resolution. Complaints data will be reported on in a regular and systematic manner.

12. **Continuous improvement:** The University will make a record of and follow up on the causes of the Complaint and, where appropriate, put in place remediation to mitigate against a recurrence.

3.3 Complaint Handling Approach

Complaints will be addressed via:

1. **Step 1 Self-guided resolution:** Students are encouraged, if appropriate and possible, to try to resolve their Complaint informally with the relevant person or area if they are comfortable to do so.
2. **Step 2 Formal Complaint:** The responsible officer will engage in the most appropriate process for addressing the Complaint, which may include investigation, facilitated discussions, internal rectification of errors, or referral to another University process. Formal student Complaints will be received and facilitated via a University-wide lodgement and triage process managed by the Registrar's Office, as specified in the *Student Complaints Procedure*.
 - a. **Misconduct:** Where a Complaint involves a potentially serious conduct matter, the University may refer an allegation to the relevant Misconduct processes for employees or students (based on the identity of the person alleged to have engaged in the conduct) and cease to treat it as a Complaint once the misconduct process commences.
3. **Step 3 Referral to the Griffith Student Ombudsman:** A student who is dissatisfied with a Step 2 Complaint decision can request a referral to the Griffith Student Ombudsman. The Ombudsman re-examines the Complaint process and decision and investigates as far as possible whether the University has acted fairly and reasonably. The Griffith Student Ombudsman then recommends action that will assist in the resolution of the Complaint.
4. The Griffith Student Ombudsman cannot consider Complaints related to:
 - a. matters considered under the student or employee misconduct process;
 - b. review or appeal decisions of the University (made under the *Student Review and Appeals Policy and Procedure*).

Note: The Griffith Student Ombudsman is **not** a Decision-maker but may make recommendations to the responsible officer of the University Executive to resolve a Complaint or to address systemic issues. The responsible officer then has the capacity to amend, reverse or add to the decision made in the Step 2 process to more fully resolve the Complaint.

4.0 Roles, responsibilities and delegations

4.1 Decision-makers

The responsible officers for handling student Complaints are set out in the *Student Complaints Procedure*.

A Complaint may be assigned to another University officer where the responsible officer has a conflict of interest, does not have sufficient seniority, or the Complaint relates to a University-wide policy, decision or matter.

5.0 Definitions

For the purposes of this policy and related policy documents, the following definitions apply:

Active Enrolment Status refers to a student who has:

- accepted an offer of admission to a program or course (subject) and shall have completed the enrolment procedures prescribed by the University and

- paid such fees and charges as the University may require to be paid as a condition of enrolment and
- fulfilled the conditions prescribed for Commonwealth supported students, in the case of a student admitted to a program as a Commonwealth supported student and
- completed any other procedures which may be required as a condition of enrolment.

Bullying is any repeated unreasonable behaviour that causes a risk to the health or safety of another person.

Complaint is an expression of dissatisfaction requiring formal resolution.

Discrimination can be either direct or indirect. Direct Discrimination occurs when someone is treated unfavourably because they have one or more protected attributes. Indirect Discrimination is when someone is disadvantaged by an unreasonable requirement, condition or practice because of a protected attribute. Protected personal attributes cover:

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| • age | • pregnancy |
| • breastfeeding | • race |
| • employment activity | • religious belief or activity |
| • gender identity | • sex |
| • disability | • sexual orientation |
| • industrial activity | • an expunged homosexual conviction |
| • lawful sexual activity | • intersex status |
| • marital status or relationship status | • personal association whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes. |
| • parental status or status as a carer | |
| • physical features | |
| • political belief or activity | |

Frivolous Complaint may be one that:

- is trivial in nature or
- has no serious purpose or value or
- is sufficiently meritless that further action would be a waste of time or cost or
- the extent of the complaint is out of proportion to the significance of the matter.

General Misconduct means conduct that:

- breaches expectations outlined in the *Student Conduct, Safety and Wellbeing Policy* that are not related to Academic or Research Misconduct or
- impairs the reasonable freedom of others to pursue their studies, research, duties and other lawful activities in the University or
- amounts to improper access to and use of University facilities or access to, collection and use of information or improper use of the property of others in relation to University activities.

The Student General Conduct Procedure and Resolution of Breaches of Residential Community Standards and other Grievances within the Griffith University Residential Colleges Policy detail further examples of General Misconduct.

Misconduct of a sexual nature is conduct that breaches the expectations outlined in the Sexual Harm Prevention and Response Policy.

Issue is an expression of dissatisfaction by a student that can be resolved directly with the person or area involved without the need for formal action.

Sexual Harm is any unwanted behaviour of a sexual nature. Sexual Harm includes sexual assault, rape, sexual harassment, sex-based harassment, and any other unwanted sexual behaviour, whether online or in person. The behaviour may result in a person feeling uncomfortable, frightened, distressed, intimidated, or harmed either physically or psychologically.

Vexatious Complaint is one that is falsely made in bad faith and without evidence.

6.0 Information

Title	Student Complaints Policy
Document number	2024/0000013
Purpose	This Policy provides a framework for responding to Issues and Complaints raised by students in a manner that fosters a supportive and fair learning environment.
Audience	Students
Category	Academic
Subcategory	Student Services
UN Sustainable Development Goals (SDGs)	This document aligns with Sustainable Development Goal/s: 4: Quality Education 10: Reduced Inequalities 16: Peace, Justice and Strong Institutions
Approval date	29 February 2024
Effective date	Trimester 1 2024
Review date	2029
Policy advisor	Registrar
Approving authority	Academic Committee

7.0 Related Policy Documents and Supporting Documents

Legislation	Higher Education Support Act 2003 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Student (ESOS) Act 2000
Policy	Student Charter Framework

Sexual Harm Prevention and Response Policy
Student Conduct, Safety and Wellbeing Policy
Student Review and Appeal Policy

Procedure

Student Complaints Procedure
Student General Conduct Procedure
Student Reports of Bullying, Harassment, Discrimination and Sexual Harm Procedure
Student Review and Appeal Procedure

Local Protocol

Complaints and Grievances
Student Complaints

Form

Student Complaints form
Student Ombudsman Referral form
