



THE UNIVERSITY
of ADELAIDE

Student Complaint Resolution Policy

OVERVIEW

SCOPE AND APPLICATION

POLICY PRINCIPLES

PROCEDURES

1. Types of Complaints
2. Initial Complaint (Stage One) and Formal Review (Stage Two)
3. Internal University Appeal (Stage Three)
4. External Review
5. Record Keeping
6. Conduct
7. Enrolment
8. Follow Up Actions

AUTHORITIES

DEFINITIONS

OVERVIEW

The University is committed to providing services that deliver an excellent and rewarding student experience. This policy refers to the formal process by which a Student may pursue a Complaint about a decision or determination made by members of University staff or related parties who represent or act on behalf of the University, including Education Agents. This includes decisions or determinations which involve the exercise of academic judgement, administrative matters and the provision of services and facilities.

SCOPE AND APPLICATION

This policy applies to:

- prospective Students who have engaged in the application process with the University (including via an Education Agent); and
- current Students; and
- former Students provided that the decision or determination made which is the subject of the Complaint occurred within the previous 12 months.

Application of this policy may be limited or not apply to the extent another University policy provides specific review or appeal options, or expressly limits the opportunity to seek review.

The policy does not apply to:

- Complaints made anonymously;
- Allegations of misconduct by another University Student or group of University Students, which will be managed in accordance with the [Student Misconduct Policy](#);
- Allegations of misconduct by staff or Titleholders, which will be managed in accordance with the University of Adelaide Enterprise Agreement in force at the time;

- Reports of sexual misconduct, including sexual harassment and sexual assault, which will be managed in accordance with the [Sexual Misconduct Policy](#) and [Sexual Misconduct Response Procedures](#);
- Complaints regarding research misconduct, which will be managed in accordance with the [Responsible Conduct of Research Policy](#) and associated [Research Misconduct Procedure](#);
- Matters arising from a Student's failure to read and act upon a notice or correspondence sent to their University email account;
- Matters protected against a complaint or appeal, by bodies legitimately established for such purposes, such as Council and Academic Board.

Implementation of this Policy will be carried out in accordance with the University's [Code of Conduct](#) and the [Academic Board Statement on Undue Influence](#). Any attempts to improperly exert pressure or influence actions or decisions made pursuant to this Policy must be reported in accordance with the [Fraud and Corruption Control Policy](#).

POLICY PRINCIPLES

The University will:

1. Treat all parties fairly and with respect;
2. Respond to Complaints in a timely, supportive and transparent manner;
3. Apply principles of Procedural Fairness to any proceedings or decisions under the Student Complaint Resolution Procedures;
4. Maintain confidentiality, disclosing Complaint information only to those who have a right to information by virtue of their role in the Complaint or as required by law;
5. Support the parties involved to cooperate in good faith and make a genuine attempt to resolve the Complaint;
6. Maintain details of Complaints and decisions taken in accordance with the University's recordkeeping requirements, referred to in the [Information Management Policy](#);
7. Afford Students the opportunity to provide feedback on their experiences of the process of resolving their Complaint;
8. Evaluate the effectiveness and appropriateness of the management of Complaints and prepare an annual report to Academic Board and Risk Committee with recommendations for improvements to address underlying causes;
9. Comply with the University's obligations under the [Educational Services for Overseas Students Act 2000](#), the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) and the [Higher Education Standards Framework \(Threshold Standards\) 2021](#).

PROCEDURES

1. TYPES OF COMPLAINTS

- 1.1 The Complaints which are eligible for consideration under this Policy include but are not limited to:
 - a) A finding of academic misconduct or an outcome imposed pursuant to the [Academic Integrity Policy](#);
 - b) allocation of a mark or grade for an assessment item provided there are academic or procedural grounds for the Complaint;
 - c) administrative decisions including but not limited to award or administration of a scholarship or prize; completion of program; enrolment; administration of examinations;

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- d) exclusion in the circumstances described in the [Academic Progress by Coursework Students Policy](#) or termination of candidature pursuant to Academic Program Rules for Higher Degree by Research;
 - e) an Education Agent's performance and activities pursuant to the [Education Agent Engagement Policy](#);
 - f) a Higher Degree by Research thesis examination outcome on procedural grounds;
 - g) determinations made by the Student Misconduct Tribunal.

2. INITIAL COMPLAINT (STAGE ONE) AND FORMAL REVIEW (STAGE TWO)

- 2.1 There are three stages to the University complaints resolution process:
 - a) Initial Complaint, also known as Stage One;
 - b) Formal Review, also known as Stage Two; and
 - c) Internal University Appeal, also known as Stage Three.
- 2.2 Complaints relating to determinations made by the Student Misconduct Tribunal will proceed directly to Internal University Appeal (Stage Three).
- 2.3 A Student may withdraw a Complaint at any stage. Withdrawal will not preclude the Student from submitting a Complaint regarding the same matter at a later date subject to the timelines specified in Table 1.
- 2.4 A Student is encouraged, if appropriate and possible, in the first instance, to attempt to resolve their Complaint with the staff member responsible for making the decision or determination that has given rise to the Complaint (Stage One). In doing so, the Student will provide details of the Complaint and the resolution they are seeking.
- 2.5 If the Initial Complaint is not resolved to the Student's satisfaction, they may submit the Complaint for Formal Review (Stage Two) within the timelines from notification of decision or determination that gave rise to the Complaint, as specified in Table 1. When circumstances beyond the Student's control prevent submission within the required timeline, the University will give due consideration to a submission made at the first available opportunity.
- 2.6 A Student may lodge a request for Formal Review by submitting the following information to the supervisor of the staff member who dealt with the Initial Complaint:
 - a) a written explanation of the Complaint;
 - b) information on the steps already taken to seek resolution;
 - c) the resolution being sought;
 - d) copies of all relevant supporting documentation and evidence;
 - e) any related concurrent Complaints.
- 2.7 The supervisor may refer the undertaking of a Formal Review to an appropriate, alternative staff member.
- 2.8 The Student will be informed of the outcome of the Formal Review in writing to their University email account within the timelines specified in Table 1.
- 2.9 The University will advise parties to a Complaint of the [support services](#) and [advocacy options](#) available to them.

Table 1: Time limits for a Formal Review

Nature of Complaint	Time limit to submit, measured from the date of notification of the decision that gave rise to the complaint	Time limit to provide outcome or determination, measured from date of complaint
Complaint about an assessment result other than online Teaching Periods (listed below)	Within 10 business days	Within 10 business days
Complaint about an assessment result within online Teaching Periods 1 – 6	Within 5 business days	Within 5 business days
Complaint about denial of an additional assessment	Within 10 business days	Within 10 business days
Complaint about denial of a replacement examination	Within 10 business days	Within 10 business days
Complaint about Academic Integrity outcome	Within 10 business days	Within 10 business days
Refusal of refunds/remissions/re-credits of Commonwealth assistance – Domestic Students	Within 20 business days	Within 20 business days
Refusal of refund of Tuition Fees – Domestic and International Students	Within 20 business days	Within 20 business days
Request for review of the decision not to award scholarship	Within 20 business days	Within 20 business days
All other types of Complaints not listed above	Within 20 business days	Within 20 business days

* timelines may be impacted if there are concurrent complaints

3. INTERNAL UNIVERSITY APPEAL (STAGE THREE)

- 3.1 A Student may lodge an Internal University Appeal if:
- a Formal Review has not resolved the Complaint to the Student's satisfaction; or
 - the Student believes they have had a penalty imposed incorrectly or unfairly under a University Statute, Rule or Policy.
- 3.2 A Student must submit a completed [student appeal application](#) form together with all supporting documentation within twenty business days of the date of notification of the outcome of the Formal Review, or the notification of a penalty imposed under a Statute, Rule or Policy.
- 3.3 A Student will receive acknowledgement of receipt of their appeal application by the University to their University email account within two business days.
- 3.4 The University will conduct a preliminary assessment of the appeal application to determine if it has grounds. An appeal application will not have grounds, and will be dismissed, if the University believes the Complaint is:
- unsubstantiated or unverifiable; or
 - misconceived; or
 - not made in good faith; or
 - frivolous, vexatious or unreasonable; or
 - demonstrably false or contains misleading information.

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- 3.5 If the appeal application is found to have grounds, the University will attempt to negotiate a mutually agreeable resolution between the Student and the respondent. When there is a mutually agreeable resolution, the appeal comes to an end.
- 3.6 If a mutually agreeable resolution cannot be achieved, the appeal is referred to the Student Complaint Appeals Committee for determination.
- 3.7 The Student may attend the Student Complaint Appeals Committee's meeting and be accompanied by a Support Person.
- 3.8 The Student Complaint Appeals Committee's determination may include one or more of the following outcomes:
- a) grant the appeal;
 - b) endorse any previous decision or determination relevant to the Complaint;
 - c) recommend a review of procedures;
 - d) recommend changes to program rules, academic or administrative policies or procedures;
 - e) dismiss the appeal;
 - f) determine an alternative resolution.
- 3.9 The Student will be advised in writing of the outcome of the appeal and the reasons for the decision to their University email account in a timely fashion.
- 3.10 A Student dissatisfied with the outcome of an appeal may pursue an external review. There are no further review processes within the University.

4 EXTERNAL REVIEW

- 4.1 A Student may pursue their Complaint with an external agency (including, for example, the [Commonwealth Ombudsman](#), [Ombudsman SA](#), the [Equal Opportunity SA](#); (limited to complaints of unlawful discrimination, sexual harassment or Vilification under the Equal Opportunity Act 1984); [Australian Human Rights Commission](#)) at any time.
- 4.2 If a Student pursues their Complaint with an external agency, or takes legal action, the University's complaints resolution process may be suspended while this is in progress.
- 4.3 The University will implement any decision or action required as a result of an external review as soon as practicable.

5 RECORD KEEPING

- 5.1 A record of each Complaint will be created and retained in accordance with the [Information Management Policy](#). The record will include the details of the Complaint, the outcome and the reasons for the outcome.

6 CONDUCT

- 6.1 All parties to a Complaint are required to cooperate in good faith and immediately disclose any actual, perceived or potential conflict of interest.
- 6.2 The University may refer a Complaint which it determines to be unreasonable or vexatious for investigation under the University's [Student Misconduct Policy](#) and [Student Misconduct Rules](#).

7 ENROLMENT

- 7.1 The University will maintain a Student's enrolment in their program while a complaint resolution process is ongoing.
- 7.2 The University will maintain an International Students Confirmation of Enrolment (CoE) while the internal complaint resolution process is ongoing.

- 7.3 An International Student who pursues an external review for a Complaint related to the [Academic Progress by Coursework Students Policy](#) or Academic Program Rules must inform a Student Grievance and Conduct Advisor within ten business days of receiving the outcome of their external review. Failure to do so may result in the cancellation of the Student's CoE.
- 7.4 An International Student who has a Complaint about an action taken that might affect their student visa (e.g. deferral, suspension, or cancellation) will be informed by the University that they may seek advice from the Department of Home Affairs on the potential impact on their student visa.

8 FOLLOW UP ACTIONS

- 8.1 The University will invite students to provide feedback on their experience of the complaint resolution process.
- 8.2 An annual report will be submitted to Academic Board and the Risk Committee. The report will identify any recurring patterns and make recommendations for improvement.

AUTHORITIES

Key	Authority Category	Authority	Delegation Holder	Limits
Academic	Complaint Resolution	Preliminary assessment of the grounds of an appeal (Procedure 3.4)	Student Grievance and Conduct Advisors	
Academic	Complaint Resolution	Approve negotiated outcome (Procedure 3.5)	Manager, Student Affairs	
Academic	Complaint Resolution	Determine the outcome of an appeal that is referred to a Student Complaint and Appeals Committee hearing (Procedures 3.6, 3.7)	Student Complaint and Appeals Committee	
Academic	Complaint Resolution	Refer Complaint for investigation (Procedure 6.2)	Manager Student Affairs	

DEFINITIONS

Complaint – an expression of dissatisfaction lodged by a Student according to this policy in relation to an academic or administrative decision or determination by the University, its Education Agents, or any third party the University has an arrangement with to deliver a program or related services.

Grievance – for the purposes of this policy, Grievance has the same meaning as Complaint.

Support Person - a friend, family member, Peer Support Program volunteer or an Education Welfare Officer (EWO) accompanying a student. A support person is only allowed to communicate with the committee with permission from the chair except for EWOs who are permitted to answer and advocate at the meeting (by prior, documented, arrangement a support person may communicate on behalf of students with a disability). The role of a support person is not that of a legal representative and the person cannot act as a legal practitioner.

Other definitions are as contained in the University [Glossary of Terms](#).

RMO File No.	2022/7506
Policy Custodian	Deputy Vice-Chancellor and Vice-President (Academic)
Responsible policy officer	Director, Student Life, Division of Academic and Student Engagement
Endorsed by	Academic Board on 1 November 2023
Approved by	Vice-Chancellor and President on 13 November 2023
Related Documents and Policies	Information Management Policy Student Misconduct Policy Student Misconduct Rules Privacy Policy Privacy Management Plan Responsible Conduct of Research Policy Research Misconduct Procedure
Related Legislation	Educational Services for Overseas Students Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Higher Education Support Act 2003 Higher Education Standards Framework (Threshold Standards) 2021
Superseded Policies	Student Grievance Resolution Policy
Effective from	1 January 2024
Review Date	31 December 2026
Contact for queries about the policy	Student Life, Mr Michael Physick, tel. 33191 or michael.physick@adelaide.edu.au Division of Academic and Student Engagement