

Student Complaints and Appeals Procedure

1. Purpose

Melbourne Polytechnic is committed to providing students with a supportive and inclusive learning environment. As part of this commitment, Melbourne Polytechnic acknowledges that student complaints may arise from time to time. Melbourne Polytechnic recognises that addressing student complaints in a respectful, timely and responsible manner at, and at no cost to students, benefits everyone involved and contributes to the continuous improvement of the institute as a whole.

The main purpose of this Procedure is to describe the process and assign responsibility for the management of student complaints and related appeals processes.

2. Definitions

For the purpose of this procedure the following definitions apply:

Complainant: Student making a complaint or lodging an appeal.

Complaint form: the form utilised for making Complaints under this Policy and available on the Melbourne Polytechnic website, the staff and student portals or in hardcopy.

Complaint: an expression of dissatisfaction with the quality of an action taken, decision made, or service provided by Melbourne Polytechnic, Contractors or Third Party Providers, or a delay or failure in providing a service, taking an action, or making a decision by an Melbourne Polytechnic, its contractors or a third party provider.

Contractors: third party contractors carrying out services on Melbourne Polytechnic's behalf.

Corrective Action: action taken to address an issue or resolve a complaint or appeal.

Decision/Written Response: the decision of the appropriate Head of School, Head of Department or Director following the investigation of a complaint or Internal Appeal. The decision is communicated to Complainant in writing.

De-identified: information that has been altered so that it is no longer possible to identify an individual, enabling information to be shared or published without jeopardising personal privacy.

External Review Report: a report setting out the findings and recommendations of an investigation in relation to an Internal Appeal.

External Review: if the student complainant is aggrieved with the process or outcome of the internal appeal, they can request an external review of the decision by an independent body, appointed by the CEO, and paid for by Melbourne Polytechnic.

External Reviewer: an appropriately qualified external agency appointed by the CEO or their delegate to conduct an independent investigation into an Internal Appeal.

Final Decision: the written decision of the CEO as to whether or not to accept and/or implement the recommendations made in an External Review Report, which includes the reasons for the decision.

Frivolous: a finding that a Complaint or appeal is not seriously made, or relies on trivialities that do not warrant a review of the matter concerned.

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Improvement Plan: a plan to address any policy and process issues identified during root cause analysis of complaints and appeals.

Internal Appeal: an escalation step where, if a student is aggrieved with the process or outcome of the frontline resolution/investigation, they can request an internal review of the decision. An investigation is conducted, when the Deputy CEO finds there is grounds for an Internal Appeal, by an assigned Internal Reviewer.

Internal Appeal Report: a written report prepared by Internal Reviewer into a Complaint which includes:

- A copy of the complaint
- Any written response provided by a respondent
- A summary of the evidence considered in the Internal Investigation
- Findings regarding the substantiation or otherwise of the complaint
- Any recommendations regarding appropriate resolution of the complaint.

Internal Reviewer: an appropriate Senior Manager assigned by the Deputy CEO to conduct an internal review of a complaint which has been deemed to have grounds for an Internal Appeal.

Investigator: an appropriate staff member assigned by relevant Manager, Head of School or Director to investigate the issues outlined in a Complaint.

Lacking in Substance: a finding that a Complaint or appeal lacks any merit. That is, on the merits there is no reasonable prospect the complaint or appeal will succeed.

Local Level: the area of Melbourne Polytechnic or the member(s) of staff responsible for delivering the service or conducting the process about which the Complaint is being made. For example, a member of teaching or administrative staff. No staff member is to investigate a complaint about themselves.

Respondent: a person or entity about whom a complaint is made or appeal is lodged. This can be a Melbourne Polytechnic staff member, Melbourne Polytechnic itself or any other person.

Sexual Harassment: where a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person, or engages in any other unwelcome conduct of a sexual nature in relation to the other person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Staff: persons who are employed by Melbourne Polytechnic, including teaching, academic and administrative staff, whether employed on a permanent, part-time or casual basis.

Support Person: a (non-legal) person who provides support to or acts as an observer for any party to a Complaint or appeal under this policy. The Support Person does not advocate for the Complainant. The Support Person may not be a person was involved in or associated with events giving rise to the Complaint.

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Note: While Melbourne Polytechnic's student counselling service can provide emotional support for any student involved in Complaint processes, Melbourne Polytechnic counsellors may not act as a Support Person.

Third Party Providers: third party providers who deliver higher education, vocational education training (VET) or other courses under Melbourne Polytechnic's auspices.

Vexatious or Malicious Complaints or Appeals: Complaints or appeals deliberately intended to annoy or bring distress or suffering to other parties.

Witness: any person, other than a Complainant or Respondent, who is questioned as part of an investigation of a complaint or appeal.

3. Responsibility and Accountability

Managing Complaints and Appeals

PLEASE NOTE:

Appeals Regarding Academic Policies and Procedures

Many academic policies and procedures have a review and/or appeals process embedded within them, and students should follow these processes in the first instance (see "Related Documents" in Section 4 of this procedure).

Off-Shore Students:

Where a complaint or appeal is made by an off-shore student a modified procedure will be used which reflects the intent of the Student Complaints and Appeals Policy, while taking into account the different circumstances. The procedure will be overseen by the Melbourne Polytechnic's Deputy CEO, and will take all reasonable steps to ensure natural justice and procedural fairness are adopted at every stage of the process.

Third Party Arrangements:

Where a complaint or appeal is made by a student at a third party provider (partner institution) Melbourne Polytechnic will be responsible for ensuring that the matter is appropriately investigated and resolved.

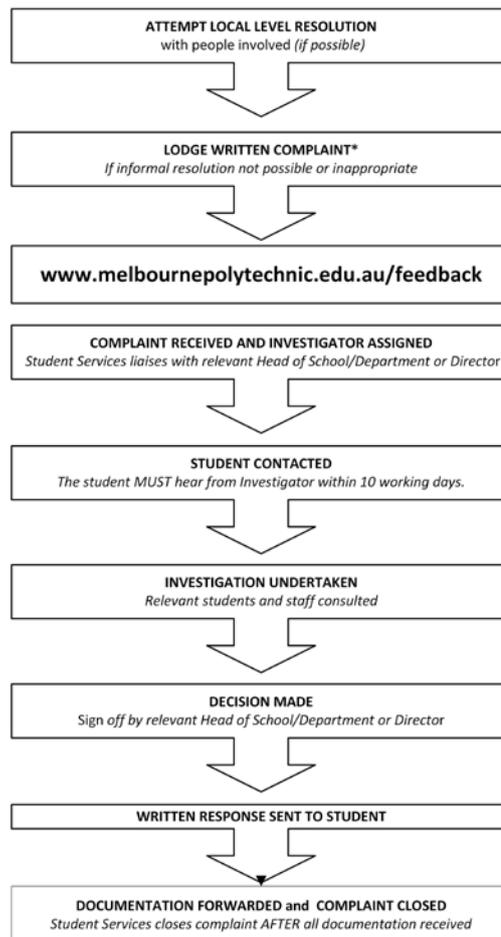
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A. Processes for Managing Complaints

Please note: This chart is a summary. Full procedure starts on page 5.

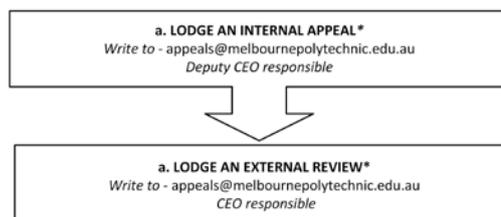
Further guidance relating to the management of complaints can be found in: *Student Complaints and Appeals Management Guidelines*

STUDENT COMPLAINTS MANAGEMENT PROCESSES



ESCALATION PROCESSES

A student can appeal a decision relating to a complaint or an Internal appeal **within 10 working days** of receiving written response.



**Complaints, Internal Appeals or External Reviews that are found to be frivolous, vexatious or lacking in substance will not be investigated.*

Please Note: This policy does not affect a student's rights under relevant legislation or to make a complaint to an external or regulatory authority (for example, the Victorian Equal Opportunity and Human Rights Commission).

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Task	Responsibility	Notes
<p>Decide which department is best placed to investigate complaint and liaise with relevant Manager, Head of School or Director to assign an Investigator.</p> <p>Forward Complaint from student to the investigator.</p> <p>Please note: Complaints found to be frivolous, vexatious or lacking in substance will not be investigated.</p>	<p>Student Services with Relevant Manager, Head of School or Director (or their delegate)</p> <p>Student Services</p>	<p>Usually within five (5) working days of receipt</p> <p>Please note: If the complaint concerns allegations of bullying or harassment by a staff member, the Executive Director, People and Culture will be consulted.</p> <p>To avoid any conflict of interest, a staff member cannot oversee the investigation of a complaint which involves them.</p>
<p>d. Investigate Complaint</p> <p>Contact relevant staff and student/s (as required) and gather information.</p> <p>An investigation may include:</p> <ul style="list-style-type: none"> • Review of written complaint • Interview/s with complainant • Interview/s with respondent • Interviews with relevant witness/es • Review of relevant policies and documents <p>Please note: A student MUST be contacted by investigator within ten (10) working days of receipt of a written Complaint.</p> <p>If the Complaint is still under investigation, then an update is to be provided to the student.</p>	<p>Investigator</p>	<ul style="list-style-type: none"> • Any Respondent is to be informed that a complaint has been lodged against them and given the opportunity to respond • Any Respondent, Complainant or Witness is allowed to have a Support Person attend meetings with them. • Confidentiality is to be maintained, with details of a feedback to be known only to those directly involved in its resolution. • Student Services will provide a Support Person for any Student if requested. • Director Student Experience can provide consultation and advice to Investigator.
<p>e. Make Decision</p> <p>Based on results of investigation, make a</p>	<p>Investigator</p>	<p>A template for written response to a Complaint is</p>

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Task	Responsibility	Notes
decision and forward to relevant Manager, Head of School or Director. Decision to include: <ol style="list-style-type: none"> 1. The outcome of the investigation 2. Attempts to resolve the issue 3. Any action to be undertaken. 		available on the Staff Portal.
f. Review/Approve a Decision Review results of investigation, and approve, or if required revise, the decision made by Investigator regarding the complaint.	Relevant Manager, Head of School or Director	
g. Send Complaint Response Send written response/decision to student and Respondent. Forward copy of findings and written response to Student Services for saving in Online Complaints Management System.	Relevant Manager, Head of School or Director	To be sent ASAP, usually within ten (10) working days of receipt
h. Close Complaint Close complaint in Online Complaints Management System.	Student Services	
Step 3: Lodge an Internal Appeal		
a. Request an Internal Appeal A student has the right to appeal a decision made in relation to a complaint. To lodge an appeal, the student makes a written request, to the Deputy CEO via appeals@melbournepolytechnic.edu.au . Student is to outline reason for appeal. Reasons may include: <ul style="list-style-type: none"> • Procedural irregularity • New information available • Decision is manifestly wrong • Evidence of prejudice or bias in decision of complaint 	Student/ Complainant	To be lodged within ten (10) working days after receipt of the written decision.
b. Receive and Acknowledge Request for Appeal	Deputy CEO, or their delegate	Within five (5) working days of receipt of appeal

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Task	Responsibility	Notes
<p>Review request for an appeal and decide whether there is grounds for an appeal.</p> <p>Please note: Requests found to be frivolous, vexatious or lacking in substance will not be investigated.</p> <p>Inform student in writing if there is/is not grounds for appeal and explain next steps.</p>		
<p>b. Deputy CEO Review Complaint</p> <p>Assign an appropriate Senior Manager to conduct an Internal Review and notify Student Services and the Internal Reviewer.</p> <p>Send copies of relevant documents to Internal Reviewer.</p>	<p>Deputy CEO, or their delegate</p> <p>Student Services</p>	
<p>c. Investigate Internal Appeal</p> <p>Conduct Internal Review, which may include:</p> <ul style="list-style-type: none"> • Review of written complaint and request for appeal • Review of complaint decision and related documents • Further interview/s with complainant, respondent/s or witness/es as required • Review of relevant policies and documents • 	Internal Reviewer	To commence within five (5) working days of receipt of appeal
<p>d. Make Recommendation/s</p> <p>Draft an Internal Review Report, making recommendation/s about any action Melbourne Polytechnic could take.</p> <p>Forward Internal Review Report to Deputy CEO.</p>	Internal Reviewer	Complete as soon as reasonably practicable (usually within 10 working days)
<p>e. Review/Approve Recommendation/s</p> <p>Review recommendations outlined in Internal Review Report and make decision regarding outcome of Internal Appeal.</p>	Deputy CEO	

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Task	Responsibility	Notes
<p>g. Response to Complainant</p> <p>Send written response to student.</p> <p>Forward copy of Internal Review Report and written response to Student Services for saving in Online Complaints Management System.</p>	Deputy CEO, or their delegate	Complete as soon as reasonably practicable (usually within 5 working days)
<p>h. Close Internal Appeal</p> <p>Forward copy of findings and written response to Student Services for saving in Online Complaints Management System.</p>	Deputy CEO, or their delegate	
Step 4: Request an External Review		
<p>a. Request a External Review</p> <p>A student has the right to request an External Review if they are not satisfied with the outcome of an Internal Appeal.</p> <p>To request an External Review the student makes a written request, to the CEO via appeals@melbournepolytechnic.edu.au.</p> <p>Student is to outline reason for an External Review.</p>	Student / Complainant	Within ten (10) working days of receiving the Internal Review results.
<p>b. Receive and Acknowledge Request for External Review</p> <p>Review request for a External Review and decide whether there is grounds for an external review.</p> <p>Please note: Requests found to be frivolous, vexatious or lacking in substance will not be investigated.</p> <p>Inform student in writing if there is/is not grounds for External Review and explain next steps.</p>	CEO, or their delegate	Within five (5) working days of receipt of appeal
<p>c. CEO Assigns External Reviewer</p> <p>Select an External Agency to complete an External Review and notify Student Services and External Reviewer.</p> <p>Send copies of relevant documents to</p>	<p>CEO, or their delegate</p> <p>Student Services</p>	<p>The cost for the External Review and the preparation of the External Report will be borne by Melbourne Polytechnic</p> <p>As soon as reasonably</p>

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Task	Responsibility	Notes
External Reviewer.		practicable. (usually within 5 working days).
d. Investigate External Review Conduct External Review, which may include: <ul style="list-style-type: none"> • Review of written complaint and request for Internal Appeal and External Review • Review of complaint decision, appeal decision and related documents • Further interview/s with complainant, respondent/s or witness/es as required • Review of relevant policies and documents 	External Reviewer	To commence as soon as possible usually within 10 working days of receipt of request for External Review.
e. Make Recommendation Draft an External Review Report, making recommendation/s about any action Melbourne Polytechnic could take. Forward External Review Report to CEO.	External Reviewer	Complete as soon as reasonably practicable (usually within 10 working days)
f. Consider External Review Recommendation Consider the recommendations in the External Review Report and make a Final Decision.	CEO, or their delegate	Within thirty (30) days of the CEO receiving the External Report.
g. Notify Complainants & Respondents Send Final Decision to the student and Respondent/s.	CEO, or their delegate	As soon as is reasonably practicable after Final Decision is made.
h. Close External Review Forward copy of External Review Report and written response to Student Services for saving in Online Complaints Management System	CEO, or their delegate	
DOCUMENTATION		
Ensure all documentation and correspondence relating to a complaint or appeal is forwarded to Student Services for archiving in Online Complaints Management System.	Relevant Manager, Head of School or Director or Executive Member (or their delegate)	As soon as is reasonably practicable after the Decision/Final Decision is made.

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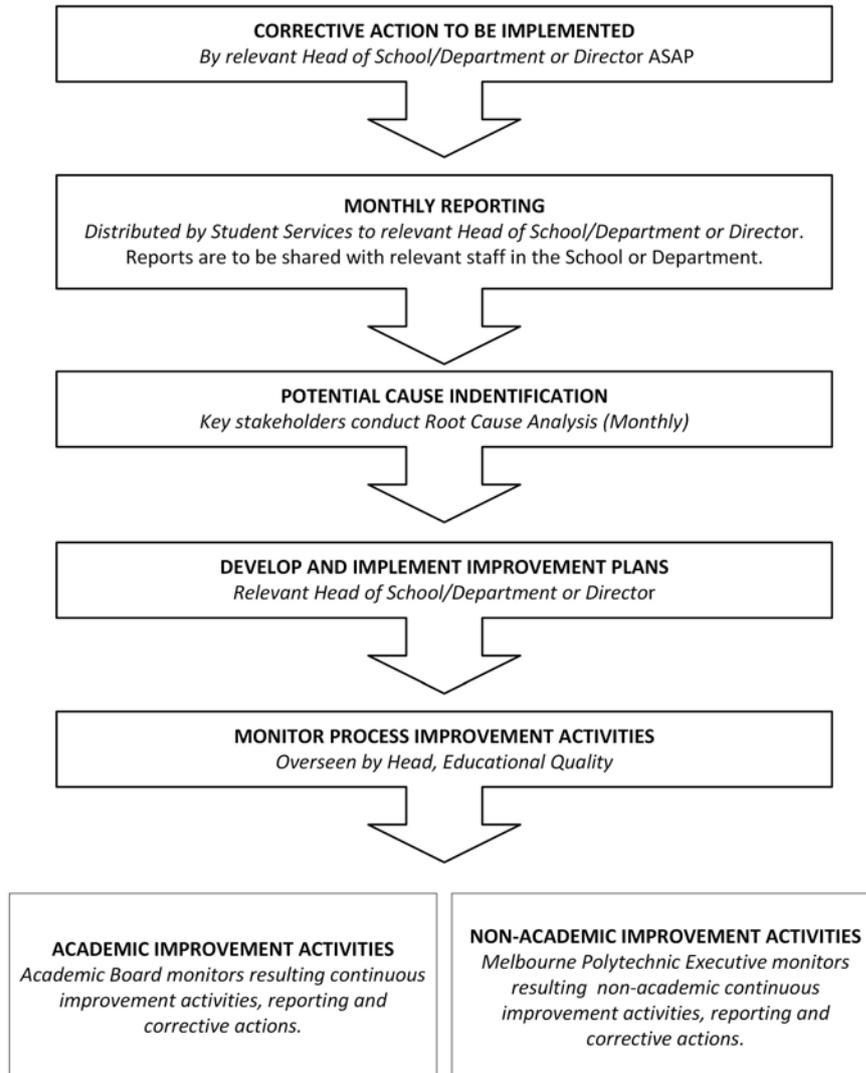
Task	Responsibility	Notes
		Please note: A complaint or appeal is not considered closed until all documentation has been received by Student Services.

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B. Corrective Actions and Process Improvements

Please note: This chart is a summary. Full procedure starts on page 13.

CORRECTIVE ACTIONS AND PROCESS IMPROVEMENTS



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This table outlines the detailed steps and responsibilities in the management of Corrective Actions and Process Improvements.

Task	Responsibility	Notes
Step 1: Implementation of Corrective Action		
a. Implement Corrective Actions Implement any agreed corrective action in order to resolve a complaint or appeal as soon as practical.	Relevant Manager, Head of School or Director or their delegate or other appropriate senior manager	It is recognised that some complaints or appeals may be symptoms of more complex, systemic issues which will be addressed through process improvement steps.
Step 2: Reporting on Complaints and Appeals Data		
a. Distribute Monthly Reporting Create and distribute (de-identified) monthly reports to any School or Department which has received complaints or appeals in the previous month, or has any outstanding open complaints or appeals. Report will be copied to College Director, Deputy CEO and Head, Quality Unit. Reports are to be shared with relevant staff in the School or Department.	Student Services Relevant Manager, Head of School or Director or their delegate	Reports to include: <ul style="list-style-type: none"> • Overview of numbers of complaints and appeals and the themes/topics • Completion deadlines met/not met • Overview of Correction Actions to be Implemented
Step 3: Continuous Improvement Analysis and Monitoring		
a. Oversee Resulting Continuous Improvement Activities Analyse complaints and appeals trends and report on implementation of appropriate corrective actions and resulting business improvements across the organisation.	Head, Educational Quality	
b. Potential Cause Identification Involve key stakeholders in root cause analysis of the issue/s identified in complaints or appeals.	Relevant Manager, Head of School or Director	Analysis required on a monthly basis (if School/Department has closed complaints and appeals.)
c. Develop & Implement Improvement Plans Develop improvement plan to address policy and process issues identified by the	Relevant Manager, Head of School or Director	

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Task	Responsibility	Notes
root cause analysis		
d. Monitor Process Improvement Activities Monitor all continuous improvement activities, reporting and corrective actions	Academic Board has oversight of academic complaints and appeals. <i>(Reports reviewed on a half yearly basis.)</i> Melbourne Polytechnic Executive has oversight of all non-academic complaints and appeals. <i>(Reports reviewed on a quarterly basis.)</i>	Reports to include: <ul style="list-style-type: none"> • Improvement Plans • Corrective Actions • Summary of complaints and appeals data

4. Supporting Documents and Templates

Legislative Context

- Commonwealth [Age Discrimination Act 2004](#)
- Commonwealth [Disability Discrimination Act 1992](#)
- Commonwealth [Education Services for Overseas Students Act 2000](#)
- Commonwealth [Higher Education Standards Framework 2015](#)
- Commonwealth [National Vocational Education and Training Regulator Act 2011](#)
- Commonwealth [Privacy Act 1988](#)
- Commonwealth [Racial Discrimination Act 1975](#)
- Commonwealth [Sex Discrimination Act 1984](#)
- Commonwealth [Standards for VET Accredited Courses 2012](#)
- Commonwealth [Tertiary Education Quality and Standards Agency Act 2011](#)
- Victorian [Charter of Human Rights and Responsibilities Act 2006](#)
- Victorian [Equal Opportunity Act 2010](#)
- Victorian [Freedom of Information Act 1982](#)
- Victorian [Occupational Health and Safety Act 2004](#)
- Victorian [Ombudsman Act 1973](#)
- Victorian [Privacy and Data Protection Act 2014](#)
- Victorian [Protected Disclosure Act 2012](#)
- Victorian [Public Records Act 1973](#)

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Related Documents

- [Academic Credit \(HE\) Policy](#)
- [Academic Progress \(HE\) Policy](#)
- [Assessment \(HE\) Policy](#)
- [Quality Policy](#)
- [Selection and Admissions \(HE\) Policy](#)
- [Student Academic Integrity \(HE\) Policy](#)
- [Student Academic Integrity \(HE\) Procedure](#)
- [Student Complaints and Appeals Policy](#)
- [Student Complaints and Appeals Management Guidelines](#)
- [Student Discipline Policy](#)
- [Student Enrolment, Fees and Charges Policy](#)
- [Student Equal Opportunity and Valuing Diversity Policy](#)
- [Student Use of the Melbourne Polytechnic ICT network](#)
- [Assessment \(VET\) Policy and Procedure](#)

Contacts for External Agencies

The Student Suggestions and Complaints Policy does not affect a student's rights under relevant legislation to make a complaint to an external or regulatory authority. Contact details for some relevant external agencies can be accessed via the Melbourne Polytechnic website.

- <https://www.melbournepolytechnic.edu.au/current-students/student-services/complaints/>

5. Procedure Control

Approving authority	<i>Director, Student Experience</i>
Date approved	<i>23 May 2017</i>
Date effective	<i>23 May 2017</i>
Procedure category	<i>Student Support</i>
Edition	<i>1</i>
Review date	<i>May 2020</i>