

## Student Complaints and Appeals Policy

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### 1. Purpose

The main purpose of this Policy is to provide a framework within which:

- students may lodge Complaints and Appeals with Melbourne Polytechnic; and
- Melbourne Polytechnic handles student Complaints and Appeals.

### 2. Policy Statement

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.

### 3. Principles

In handling student Complaints and Appeals, Melbourne Polytechnic is guided by the following principles:

1. **Access:** students may lodge a Complaint or Appeal with Melbourne Polytechnic, with active assistance about the process provided by Melbourne Polytechnic staff.
- **Transparency:** Melbourne Polytechnic provides clear information about the Complaint and Appeals process.
- **Fairness:** the Complaints and Appeals process will be fair and impartial and assessed on merit.
- **Confidentiality and Privacy:** details of a Complaint or Appeal to be known only to those involved in the resolution of the Complaint or the hearing of an Appeal. Information is handled according to privacy laws and other relevant legislation and reported on a de-identified basis.
- **Continuous improvement:** analysis of student Complaints and Appeals will contribute to continuous improvement of Melbourne Polytechnic policies and practices.

### 4. Scope

This policy applies to Complaints:

- Complaints lodged by:
  - current and prospective students of Melbourne Polytechnic; or
  - former students of Melbourne Polytechnic whose enrolment ended no more than 12 months before the date a Complaint is lodged; and
- that relate to their period of enrolment or prospective enrolment with Melbourne Polytechnic in the preceding 12 month period, including but not limited to Complaints in relation to:
  - Melbourne Polytechnic;
  - Staff;
  - Contractors;
  - Third Party Providers;
  - products or services provided by any one of the above; and
  - other students.

The Chief Executive Officer or their delegate have absolute discretion to extend the scope of this policy to include Complaints:

- that relate to a period more than 12 month period; and/or
- made by students whose enrolment ended longer than 12 months before the Complaint was lodged.

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This policy does not apply to complaints made by Staff in relation to their employment with Melbourne Polytechnic or complaints brought under the *Protected Disclosures Act 2012* (Vic) or any other applicable legislation.

### 5. Complaints and Appeals framework

- The four key steps Melbourne Polytechnic to address student Complaints or Appeals are as follows:

#### 1. Local level resolution

Wherever appropriate and applicable, student Complaints should be received, assessed and resolved as soon as practical locally through:

- the department, school or area of Melbourne Polytechnic; or
- the Contractor or Third Party Provider, responsible for delivering the product or service or administering the policy, procedure or process about which the Complaint is made.

*Note: Melbourne Polytechnic acknowledges that there may be instances where this step is not appropriate or applicable, for example, if a student does not feel comfortable doing so.*

#### 2. Written Complaint

If resolution at a local level does not occur or is not appropriate or applicable, the student may lodge a written Complaint with Melbourne Polytechnic for investigation.

*Note: If a complaint is submitted anonymously, it will impact Melbourne Polytechnic's ability to seek further information and to progress the complaint.*

#### 3. Access to Internal Appeal

If the student complainant is aggrieved with the process or outcome of the frontline resolution/investigation, they can request an internal review of the decision.

#### 4. Access to 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.

*Note: Melbourne Polytechnic has a number of academic policies and procedures (see "Related Documents" in Section 12 of this policy) which have review and/or appeals process embedded within them. The processes in the appropriate academic policy or procedure should be followed in the first instance. If after following the appropriate academic process a student is aggrieved with the process followed, they can lodge a written Complaint requesting the process be investigated.*

- A student complainant can access advice and support services through Student Services.
- All parties to a Complaint or appeal may bring a Support Person with them to any discussions, meetings or interviews.
- If a complaint or appeal is found to be lacking in substance, the processes under this policy will be discontinued.
- Any complainant found to have lodged a malicious, vexatious or frivolous complaint or appeal will be dealt with under the Student Discipline Policy.

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- If legal proceedings are commenced by a student which relate to the same or similar matters complained of in a complaint or appeal, the processes under this policy will automatically cease (unless deemed otherwise by the CEO or their delegate).

### 6. Lodging External Complaints

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

### 7. Privacy and Recordkeeping

- Records will be kept of all Complaints and Appeals in Melbourne Polytechnic's Online Complaints Management System
- Records will be maintained in accordance *Public Records Act 1973 (Vic)* and any other applicable legislation.

### 8. Outcomes and decisions

- The outcome of student Complaints and Appeals will be monitored to ensure completion of any resulting actions.
- Analysis of student complaints and appeals shall contribute to continuous improvement of Melbourne Polytechnic policies and practices.

### 9. Timelines

- Where possible, all complaints and appeals processes are to commence within 10 working days and are to be finalised within 60 calendar days. If this is not possible, the student is to be informed in writing as to the reasons for the delay.
- The student will be contacted by an investigator within 10 working days after they lodge a written Complaint.
- Outcomes and decisions in relation to a complaint or appeal will be communicated in writing to all relevant parties within 10 working days of the decision being reached.

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### 10. Definitions

In this Policy, the following definitions apply:

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

**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.

**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.

**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.

**Fivolous**: 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.

**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.

**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.

*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.

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### 11. Responsibility and Accountability

| Task   | Responsibility                                     |
|--|--|
| <ul style="list-style-type: none"> <li>Provide an environment where a student can raise a concern, lodge a complaint or appeal a decision and have it addressed in a responsible and respectful manner.</li> </ul>   | All Melbourne Polytechnic staff and subcontractors |
| <ul style="list-style-type: none"> <li>Oversee Melbourne Polytechnic's complaints and appeals processes.</li> <li>Oversee secure register of complaints and appeals and resulting corrective actions.</li> <li>Responsible for Internal Appeal process.</li> </ul>                                   | Deputy CEO   |
| <ul style="list-style-type: none"> <li>Ensure all students have access to lodge complaints and appeals.</li> <li>Ensure provision of training and advice to staff managing a complaint or appeal.</li> </ul>   | Director Student Experience                        |
| <ul style="list-style-type: none"> <li>Oversee investigation of and response to complaints and appeals.</li> <li>Ensure relevant complaint or appeal documentation is forwarded to be stored on complaints system.</li> <li>Ensure corrective actions are implemented in a timely manner.</li> </ul> | Relevant Head of School or Director.               |
| <ul style="list-style-type: none"> <li>If requested, provide impartial guidance for complainant and monitor fairness of the process on the student's behalf.</li> </ul>  | Student Services                                   |
| <ul style="list-style-type: none"> <li>Responsible for External Review process.</li> <li>Use discretion to reinstate or escalate complaints and grant requests for complaints that are more than 12 months old to be addressed.</li> </ul>   | CEO  |
| <ul style="list-style-type: none"> <li>Analyse complaints and appeals trends.</li> <li>Report on implementation of appropriate corrective actions and resulting business improvements.</li> <li>Report, as appropriate, to Melbourne Polytechnic Boards and Committees.</li> </ul>                   | Head, Quality Unit                                 |
| <ul style="list-style-type: none"> <li><b>Academic complaints and appeals:</b> Monitor all continuous improvement activities, reporting and corrective actions.</li> </ul>   | Academic Board                                     |
| <ul style="list-style-type: none"> <li><b>Non-academic complaints and appeals:</b> Monitor all continuous improvement activities, reporting and corrective actions.</li> </ul>   | Melbourne Polytechnic Executive                    |

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### 12. 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](#)

#### 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 Procedure](#)
- [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](#)

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### 13. Policy Control

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|----------------------------|--|
| <b>Approving authority</b> | <i>Melbourne Polytechnic Executive</i> |
| <b>Date approved</b>       | <i>19 May 2017</i>                     |
| <b>Date effective</b>      | <i>19 May 2017</i>                     |
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