

STUDENT COMPLAINTS MANAGEMENT PROCEDURE

Transition from previous version of the Student Complaints and Grievance Policy: SEBS will investigate and determine faculty related complaints submitted on or after 11 January 2021 (except those outlined in section 2.4.3 and 2.24.1 of the Student Complaints Management Procedure). Faculty related complaints received before this date will be determined following the previous [version](#) of the procedure.

SCOPE

This procedure applies to:

- all students;
- former students who make complaints within the specified timeframe;
- prospective students whose complaint relates to administrative process(es) during application, selection or admission;
- all courses and units;
- all staff, including adjuncts with teaching or supervisory responsibilities.

PROCEDURE STATEMENT

This procedure outlines the responsibilities of all staff at the University, including adjuncts and staff with teaching or supervisory responsibilities when receiving, managing, investigating and responding to student complaints. The expectations of students when making a complaint are set out in the [Student Complaints Procedure](#).

This procedure does not apply to matters where Monash University (the University) has separate processes for how it handles complaints or appeals in relation to those matters. Without limiting the generality of the preceding sentence, this procedure may not be used to:

- notify, complain about, or report an incident or concern relating to academic, general or research misconduct under [Monash University \(Council\) Regulations](#) Part 7 – Student Discipline;
- complain about an outcome reached under the [Monash University \(Council\) Regulations](#) Part 7 – Student Discipline;
- notify, complain about, or report an incident or concern involving the interpersonal behaviour of students, such as sexual assault, assault, harassment or bullying, stalking. These matters should be [reported to the Safer Community Unit](#);
- initiate an action about discrimination or harassment, unprofessional or inappropriate conduct by a staff member or to complain about the outcome of a matter addressed under the [Integrity and Respect Policy](#);
- initiate a request for re-marking of an assessment task in a coursework unit. This process is governed by the [Marking and Feedback Procedure](#);
- initiate an action relating to intellectual property ownership or commercialisation revenue sharing or complain about a matter addressed under the [Intellectual Property: Dispute Resolution Procedure](#);
- complain about a student progress decision reached under the [Monash University \(Academic Board\) Regulations](#), Part 4 – Exclusion for Unsatisfactory Progress or Inability to Progress, or Part 6 – Student Progress Management;
- complain about a decision relating to employment at the University;
- complain about a financial assistance decision that is a reviewable decision under the Higher Education Support Act 2003;
- complain about an outcome reached under the [Monash University \(Council\) Regulations](#) Part 8 – Revocation of Degrees or Other Awards;
- complain about an outcome reached under the [Monash University \(Council\) Regulations](#) Part 13 – Exclusion for Safety Reasons;
- complain about a [Freedom of Information](#) decision; or
- complain about an election of members of Council or the Academic Board.

1. Staff management of student complaint stages 1 and 2: Informal complaints

- 1.1 Staff members must consider complaints fairly, reasonably and with integrity.
- 1.2 Staff may respond to a complaint orally or in writing. Where a complaint is essentially feedback and does not include a request for resolution, it is appropriate that staff acknowledge the feedback.

- 1.3 Staff dealing with complaints must respect the privacy of the student by only discussing details of the complaint with persons who are involved in the case or who can provide advice on the matter.

2. Staff management of student complaint stage 3: Formal investigation

Preliminary assessment of stage 3 complaints

- 2.1 After receiving a stage 3 complaint, the case officer:
- records the details of the complaint;
 - acknowledges receipt of the complaint, including an indication of timelines and information about relevant advocacy and support services, normally within five working days;
 - notifies the relevant Pro Vice-Chancellor (or equivalent) if the complaint is from a student enrolled at an international teaching location. This notification must be de-identified in order to maintain the privacy of students and staff; and
 - undertakes a preliminary assessment of the complaint.
- 2.2 For current students, the University will maintain their enrolment status throughout the complaints process, unless the Vice-Chancellor or delegate directs otherwise under another procedure of the University (see [Enrolment Procedures](#) section 8.12 Cancellation of enrolment).
- 2.3 The purpose of the preliminary assessment is to enable an effective and timely investigation. As a minimum, the preliminary assessment includes the steps set out in Table 1.

TABLE 1: PRELIMINARY ASSESSMENT

<p>2.3.1 Determine which administrative area is best placed to investigate the complaint.</p>	<p>If the complaint should be handled by another area, the case officer will forward the complaint to that area.</p> <p>Stage 3 complaints relating to the research component of a graduate research course that are academic in nature will be forwarded to the case officer of the Monash Graduate Research Office (MGRO).</p>
<p>2.3.2 Determine if the complaint falls within the scope of the Student Complaints Policy.</p>	<p>If the complaint falls outside the scope of the policy, the case officer will consult with the complaints officer or the Chair of the Graduate Research Committee (GRC) or delegate about how to proceed.</p> <p>Refer to sections 2.7-2.9.</p>
<p>2.3.3 Determine if the complaint has been lodged within the prescribed timeframe.</p>	<p>If the complaint was lodged late, and no request for extension has been approved, the case officer will send a written notice to the student within 10 working days of the complaint being lodged, advising that the complaint cannot be investigated for this reason and their right to seek an extension.</p> <p>Extensions can be granted by the Senior Director of SEBS (or delegate), the Chair of the Graduate Research Committee (or delegate) or the director/manager of the relevant administrative area. Extensions should not be granted if it would significantly impact the availability of information required for the investigation, or the ability to offer an appropriate resolution to the student. In case the complaint is later referred to a different area for investigation, this does not invalidate the decision to grant an extension.</p>
<p>2.3.4 Consider whether the student has attempted informal resolution through stage 1 and/or 2.</p>	<p>Where a student has not attempted informal resolution through stages 1 and/or 2, the case officer can direct the student to stage 1 or 2 before proceeding further, unless there is a compelling reason for the student not to attempt informal resolution. The case officer will provide the student with information about where to direct the informal complaint, or in other ways facilitate an informal resolution. The student will also be directed to the relevant advocacy and support services.</p>
<p>2.3.5 Consider whether additional information or evidence is needed for the investigation.</p>	<p>If the case officer is unable to assess the complaint due to insufficient information or clarity, the student will be contacted within 10 working days of the complaint being lodged. The case officer will outline what the student must do or provide for their complaint to be investigated, and will also direct the student to the relevant advocacy and support services. The case officer may set a date by which the information must be submitted for the complaint to proceed. The date that the student provides the requested information will be considered the lodgement date for the purpose of the investigation.</p>

<p>2.3.6 Consider other processes that must be concluded prior to commencing the investigation.</p>	<p>Situations when the investigation must be delayed are set out in sections 2.10-2.15.</p> <p>If the investigation is delayed, the case officer will notify the student, normally via email, of any changes to the anticipated timeline for resolution of the complaint.</p>
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Commencing the investigation

- 2.4 The case officer will normally commence the investigation within 10 working days of the complaint being lodged, unless there is a reason to delay the investigation. See also section 4.7.2 in the [Student Complaints Procedure](#).
- 2.4.1 For academic complaints related to the research component of a graduate research course, the MGRO case officer will direct the matter to the Chair of the GRC, or delegate, who will appoint an associate dean (graduate research) or a staff member with suitable experience as the complaints officer.
- 2.4.2 Non-faculty complaints will be directed to the director or equivalent senior manager of the relevant administrative area or, in Monash University Malaysia, the Registrar, or delegate, who will act as the complaints officer.
- 2.4.3 All faculty related complaints related to the merits of decisions or actions of the University involving academic judgement (including, but not restricted to, complaints relating to learning outcomes, teaching quality or standards, academic content, or the merits of assessment grades), will be directed to the complaints officer appointed by the dean of the relevant faculty. The case officer in Student and Education Business Services (SEBS) will support the complaints officer with the investigation.
- 2.4.4 All other complaints will be directed to a complaints officer appointed by the Senior Director of SEBS.
- 2.5 If there is a reasonable apprehension of bias on the part of the complaints officer, the case officer will direct the complaint to a different complaints officer.
- 2.5.1 In the case of a complaint about the research component of a graduate research course, the Chair of GRC or delegate, will appoint an alternative person as the complaints officer for the particular case.
- 2.5.2 In the case of non-faculty related complaints, the case officer will direct the request to a staff member of a similar or higher level of seniority to the complaints officer, who will appoint a person to undertake the responsibilities of the complaints officer for the particular case.
- 2.6 If the case officer is of the opinion that the complaint is frivolous, vexatious or lacking in substance, they can recommend to the complaints officer, or the Chair of the GRC or delegate for academic complaints related to the research component of a graduate research course, that the process be discontinued. The complaints officer, or the Chair of the GRC or delegate, can determine whether they will investigate the matter further. The case officer will advise the student in writing and provide reasons for the decision.

Referral to another process or third party

- 2.7 If the complaint, in full or in part, falls outside the scope of the [Student Complaints Policy](#), the case officer will consult with the complaints officer or the Chair of GRC or delegate, as appropriate, who will determine how to proceed. The options are:
- 2.7.1 That no further action will be taken. In this case, the case officer will notify the student within 10 working days of the stage 3 complaint being lodged, and provide the reasons why the matter cannot be investigated. If the matter falls within the scope of another university policy, regulation or statute, the student will be directed to the relevant information.
- 2.7.2 That the matter, in full or in part, be referred directly to another process within the University, or a third party (i.e. an entity that is not Monash University), as appropriate. The matter can only be referred with written consent from the student and if the other process or third party allows it.
- 2.8 If part of the complaint falls within the scope of another Monash University policy, regulation or statute and the complaints officer, or the Chair of GRC or delegate, believe there is merit in undertaking concurrent investigations or a combined investigation, they will seek advice from relevant stakeholders to establish if concurrent investigations or a combined investigation can be undertaken.
- 2.9 Where the complaint relates to a third party and is referred to the third party for investigation and resolution, the complaints officer will request that the third party inform the University on the outcome of its investigation.

Situations where an investigation may be delayed

- 2.10 Where a stage 3 complaint is relevant to a student's academic progress or milestone review, the order of proceedings must be determined according to the [Monash University \(Academic Board\) Regulations](#) 28, 48 and 51.
- 2.11 Where a student has been notified of the commencement of a disciplinary proceeding under the [Monash University \(Council\) Regulations](#) Part 7 – Student Discipline or received notice of a possible decision affecting enrolment for safety reasons under the [Monash University \(Council\) Regulations](#) Part 13 – Exclusion for Safety Reasons, at the time the stage 3 complaint is lodged, the other proceeding must be determined before the complaint is investigated.

- 2.12 Subject to any specific powers set out in [University Statute or Regulations](#), where the order of proceedings is unclear, a final determination of the ordering shall be made by
- for a coursework student, the Senior Director of SEBS or delegate or the director or senior manager of the relevant administrative area; or
 - for a graduate research student, the Chair of the GRC or delegate.
- 2.13 In the case of 2.11-2.13, the Senior Director of SEBS, director or senior manager of the relevant area or the Chair of the GRC, or their delegates, must consult with any other area responsible for the other proceeding.
- 2.14 A complaint that is lodged for the purpose of delaying another proceeding may be dismissed on the ground that it is an abuse of process.
- 2.15 If the complaints officer deems that commencing an investigation may influence, or be perceived to influence, the marking of assessment or examination of a thesis, the investigation must be delayed until marking or thesis examination has been completed.

Investigation of complaints

- 2.16 The complaints officer can be assisted in the investigation by another person/s.
- 2.17 A complaint will only be discussed with persons who:
- are assisting in the investigation;
 - can provide information or advice relevant to the investigation;
 - are involved in implementing the decision, or;
 - are involved in correcting any systemic issues found during the investigation.
- 2.18 Where a complaint concerns a staff member, the complaints officer must consult with that staff member prior to concluding the investigation, unless there is a compelling reason not to do so.
- 2.19 The complaints officer can call a meeting with the parties concerned, for the purpose of discussing and, if possible, reaching an agreed resolution. Prior to the meeting, an agenda stating the purpose of the meeting, the names of the participants, their rights to be accompanied by a support person and any other information that will help them prepare for the meeting will be given to the student and any staff member party to the complaint. The findings of the investigation to date can be presented at this meeting. Meeting participants must not record sound or images from the meeting without permission from the complaints officer and all participants being notified.
- 2.20 A student or staff member who is a party to a complaint may be accompanied at any meeting or consultation by one support person, as set out in the Student Complaints Procedure section 1.3 and in section 3.1 of this procedure.
- 2.21 The University must take reasonable steps to finalise the investigation process as soon as practicable. Where reasonable, the investigation should be completed within 20 working days of the student lodging the stage 3 complaint and providing any additional information or evidence as requested. If the investigation cannot be concluded within 20 working days, the case officer will notify the student of the status of the matter and the estimated timeframe for concluding the investigation, normally via email.
- 2.22 The complaints officer can conclude that the complaint is frivolous, vexatious, or lacking in substance and, in the case of a graduate research course, recommend it be dismissed, and in all other cases determine that it is dismissed.
- 2.23 A complaint that concerns an admission decision may be dismissed as lacking in substance if the admission decision is consistent with the [published selection criteria](#), or if the complainant meets the published selection criteria but was declined entry in favour of better qualified applicants.

Concluding the investigation

- 2.24 The Chair of the GRC or delegate (for academic complaints related to a research component of a graduate research course) or the complaints officer (for all other complaints), can determine that the complaint is dismissed or recommend that action be taken in relation to the complaint.
- 2.24.1 In the case of a complaint by a coursework student, if the proposed resolution requires the application of academic judgment and the complaint was not initially referred to the complaints officer appointed by the dean of the relevant faculty (section 2.4.3), the complaints officer in SEBS will direct the complaint to the complaints officer appointed by the dean of the relevant faculty, together with any recommendations for resolution. The faculty complaints officer will determine the outcome of the complaint.
- 2.24.2 In the case of an academic complaint related to a research component of a graduate research course, the complaints officer will present their advice about the findings of their investigation and reasons, and any recommendations, to the Chair of the GRC or delegate. The complaints officer can recommend that the complaint is dismissed or that action be taken in relation to the complaint. The Chair of the GRC or delegate will consider the advice and recommendations, and determine the outcome of the complaint. The decision of the Chair of the GRC or delegate and the findings of the investigation and reasons, will be

presented to the student in writing. Where it is considered appropriate to resolve the matter, the outcome can be presented to the student for response in advance of the written notice.

- 2.24.3 Where the outcome of a complaint is likely to have an impact on the enrolment status or academic progression of a graduate research student, the complaints officer must liaise with the Chair of the GRC or the MGRO case officer before communicating the decision to the student.
- 2.24.4 In the case of a complaint by a student at Monash University Malaysia managed by staff in Australia, if knowledge of local circumstances are important for determining the outcome or implementing the decision, the complaints officer will consult with the relevant deputy head of school (education), or in the case of a graduate research student, with the head of school.
- 2.25 The case officer will advise the student of the findings of the investigations, the reasons and any actions arising, within five working days of the conclusion of the investigation, normally via email.
 - 2.25.1 If the complaint is dismissed or an investigation is discontinued on account of a student's conduct (refer to sections 2.2 and 3.1 of the [policy](#)), the notice must include the reasons for the decision and explain the student's right to request a review by the University Student Ombudsman. A [stage 3 complaints outcome letter template](#) is provided for this purpose.
 - 2.25.2 If the decision is to recommend that action be taken, the student must accept or decline the recommendations within 10 working days of the decision being sent to them. If accepted, the recommendations will be implemented as soon as possible.
- 2.26 If the complaint was from a student enrolled at an international teaching location, the case officer will notify the relevant Pro Vice-Chancellor (or equivalent) of the outcome. The notification must be de-identified in order to maintain the privacy of students and staff.

3. Support for staff who are the subject of a complaint

- 3.1 A staff member subject to a complaint under this procedure may be accompanied and assisted, but not represented, by one support person.
- 3.2 Staff may seek advice or assistance in this process from their supervisor, the [Employee Assistance Program](#) or their HR Business Partner. The University cannot provide legal advice or represent an individual staff member.

4. Managing anonymous complaints

- 4.1 Anonymous complaints are managed differently compared to complaints by identified students. The principles and rules in the Student Complaints Policy and the associated procedures do not automatically apply to anonymous complaints. This is due to the complainant's wish to be anonymous and the limitations this places on the University's ability to verify claims made, investigate the matter and offer a resolution.
- 4.2 The University can only investigate an anonymous complaint if:
 - it relates to University operations or policy in a general way;
 - there is documentary evidence to support the complaint that can be independently verified; and
 - it is not necessary for a staff member or area who is subject to the complaint to be aware of the complainant's identity in order for them to respond.
- 4.3 A staff member or area subject to an anonymous complaint must be provided an opportunity to respond in accordance with principles of procedural fairness. If this cannot occur without disclosing the identity of an anonymous complainant, the complaint will not be investigated.
- 4.4 Anonymous complaints must be pursued, or referred on to an appropriate staff member or area, if they contain prima facie evidence of misconduct or significant institutional level issues.

5. Managing unreasonable complainant conduct

- 5.1 Unreasonable complainant conduct is behaviour that, because of its nature and frequency, raises substantial health, safety, resource or equity issues for those involved. Unreasonable complainant conduct includes:
 - unreasonable persistence;
 - unreasonable demands;
 - unreasonable lack of cooperation;
 - unreasonable arguments; and
 - unreasonable behaviours such as extreme anger, aggression and threats.
- 5.2 Staff who encounter unreasonable complainant conduct should contact the [Safer Community Unit](#) as soon as the behaviour is identified. The Safer Community Unit can put in place management strategies that are appropriate to the circumstances. In the event that the student does not follow the management strategies and the unreasonable conduct continues, the complaint process may be discontinued.

- 5.3 [At Monash University Malaysia, a nominated staff member in Student Advisory and Support](#) [Malaysia staff only link] acts as the first point of contact for staff who encounter unreasonable complainant conduct. The nominated staff member can provide advice and support and make referrals to appropriate services.

6. Recordkeeping, monitoring and reporting of student complaints at stage 3

- 6.1 Case officers must ensure that files are maintained of all correspondence and communication and other relevant documents arising from stage 3 complaints in accordance with the [Recordkeeping policy](#). Files must be accessible upon request by the Deputy Vice-Chancellor (Education), or delegate, and the University Student Ombudsman.
- 6.2 If a case officer finds any indication of systemic issues, they must notify the appropriate dean/director/manager of the faculty or administrative area who is responsible for taking action.
- 6.3 Details of individual complaints will be de-identified as far as possible in order to maintain the privacy of individuals when reporting on systemic issues.
- 6.4 The Senior Director of SEBS (or delegate) or the director/manager of the relevant administrative area must collate and analyse information about the type, causes and numbers of all stage 3 complaints and report the findings to the relevant dean/director/manager on an annual basis. A yearly report will also be provided to the Portfolio of the Deputy Vice-Chancellor (Education) who will present an annual report to the University Education Committee, the Graduate Research Committee and the Academic Board about the volume and trends of stage 3 complaints and any areas they wish to draw attention to.

DEFINITIONS

Case officer	Staff member responsible for receiving and managing a stage 3 complaint. A case officer may conduct all or part of the investigation and report findings to the complaints officer for the area, or to the Chair of the GRC or delegate for academic complaints related to the research component of a graduate research course.
Complaints officer	Staff member responsible for overseeing the investigation of a stage 3 complaint. For stage 3 complaints relating to the research component of a graduate research course, the complaints officer makes recommendations to the Chair of the Graduate Research Committee, or delegate, on the outcome of a stage 3 complaint. For all other stage 3 complaints, the complaints officer will determine the outcome of the complaint. A complaints officer can also undertake the role of a case officer.
Frivolous	Not serious, relies on trivialities, does not warrant a review of the matter concerned.
Lacking in substance	Superficial, having no basis for making the claim.
Staff	For the purposes of this procedure, staff includes all Monash staff and adjuncts with teaching or supervisory responsibilities.
University Student Ombudsman	A person appointed by the University Council who provides an independent review of the University's handling of student complaints.
Vexatious	Done to cause unjustified trouble or for a purpose other than genuine.
Working day	A day other than a Saturday or Sunday, a public holiday under the Public Holidays Act 1993 (Vic), or a university holiday. In Malaysia, working day means a day other than a Saturday, Sunday or a public holiday in the relevant state in Malaysia.

GOVERNANCE

Parent policy	Student Complaints Policy
Supporting schedules	
Associated procedures	Student Complaints Procedure Intellectual Property: Dispute Resolution Procedure Resolution of Unacceptable Behaviour and Discrimination Procedure Staff/Student Personal Relationships Procedure University Student Ombudsman Procedure
Legislation mandating	Australian Code for the Responsible Conduct of Research, 2018

compliance	Higher Education Standards Framework (Threshold Standards) 2015 Higher Education Support Act 2003 National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth) Retention and Disposal Authority for Records of the Higher and Further Education Functions	
Category	Academic	
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