Complaint Management Policy

Version	Approved by	Approval date	Effective date	Next review
1.1	Director of Governance	25 February 2021	25 February 2021	July 2021

Policy Statement

Purpose	This policy sets out the principles which UNSW will apply in managing the complaints it receives.
Scope	The policy applies to complaints made about UNSW people, activities, services, actions or processes including: • using UNSW equipment or resources • attending UNSW events • representing UNSW • performing duties on behalf of UNSW • using any form of communications device or application relevant to UNSW.

Policy Provisions

UNSW expects its staff, students and affiliates to behave lawfully and in accordance with the applicable codes of conduct.

This policy reflects the UNSW commitment to addressing complaints in a fair and transparent way. It recognises that feedback and complaints provide opportunities for continuous improvement.

1. What is a 'Complaint'?

UNSW defines a complaint as an expression of dissatisfaction about UNSW people, activities, services, actions or processes for which a response or resolution is sought.

Where an explicit response or resolution is not sought by a complainant, the University will treat the matter as feedback to be handled at its discretion.

A complaint is distinct from an appeal against an action or decision, which follows a documented appeals process under the applicable procedure.

2. Types of Complaints

Complaints at UNSW are generally categorised based on the level of seriousness or complexity, as:

1) Local level complaints;

   These are straightforward, less serious in nature and may be resolved quickly and close to the source of the complaint through an informal process; and

2) Formal complaints;

   These are unresolved local level complaints, complex complaints or complaints of a serious nature.

3. Key principles

The UNSW response and resolution of complaints is underpinned by the principles of:

Accessibility – The process is easily accessible to all complainants.

Transparency – Accurate records will be maintained and interested parties will be provided with clear information about the process and options for resolution.

Courtesy and respect – All participants in a complaints handling process will behave with courtesy and respect.

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Fairness – Complaints will be handled fairly, objectively and with due consideration for individual rights to privacy and procedural fairness.

Accountability – Ensuring compliance with UNSW policies and procedures pertaining to investigations and resolutions.

Timeliness – The process for managing complaints is efficient and timely.

4. Complaints management

Complaints will be managed according to the following UNSW policy and procedures:

- Complaints Management Procedure (External)
- Staff Complaint Procedure
- Student Complaint Procedure
- Sexual Misconduct Prevention and Response Policy
- Privacy Policy
- Research Misconduct Procedure
- Report Wrongdoing Policy and Procedure
- Health and Safety Policy and Procedures
- Unreasonable Complainant Conduct Procedure.

4.1. Accepting and declining Complaints

UNSW will not accept complaints which are:

- vexatious or malicious
- trivial in nature
- lacking sufficient information to enable a proper investigation
- too dated or outside of the time limits specified in the applicable UNSW policy or procedure.

Where it is more appropriate to do so, UNSW may deal with a complaint under an alternate UNSW policy or procedure. UNSW may refer complaints to other organisations or agencies where a complaint falls outside of its scope of responsibility and/or control or where it is lawfully required to do so. UNSW may inform the complainant of any referral.

4.2. Responsibilities

UNSW expects that complainants will follow the applicable process when expressing their concerns or making a complaint. Complainants are expected to show complaint handlers respect and courtesy and observe confidentiality.

In providing an accessible and responsive complaint management process the University strives to:

- perform its functions effectively, efficiently and in a timely manner
- ensure the health, safety and security of its staff and students
- allocate its resources fairly and responsibly.

Unreasonable behaviour by complainants can significantly affect the University's ability to achieve these outcomes.

Where a complainant's conduct or behaviour, because of its nature or frequency, has or is likely to have adverse health, safety or resources implications for the University, the UNSW *Unreasonable Complainant Conduct Procedure* may apply.

4.3. Anonymous complaints

UNSW respects the wishes of complainants to remain anonymous. However, the University's ability to investigate an anonymous complaint may be limited.

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4.4. Records

UNSW will maintain a record of all formal complaints on the complaints management system, at all stages of the complaints handling process. Records may also be kept of local level complaints.

The content of the UNSW Complaints Management System is held subject to the operation of the *State Records Act 1998 (NSW).*

4.5. Privacy

4.5.1 Confidentiality

Information and records collected during the complaints process will be kept confidential and will be handled according to the provisions of the *Privacy and Personal Information Protection Act*, 1998 (*NSW*) and UNSW's *Privacy Policy*.

Access to and use of complaint information will be restricted to staff and affiliates of the University with direct involvement in the process (in accordance with this policy and applicable procedures) and those for whom access, and use is necessary to enable proper investigation and resolution of the matter.

4.5.2 Disclosure of Information to third parties

UNSW will not disclose to third parties the personal information of complainants collected during the complaints handling process, except in circumstances where the complainant has given their consent, or it is required or authorised to do so by law.

In certain circumstances, UNSW will be under a legal obligation to report information provided by a complainant, or in connection with a complaint, to the police, a government department or agency or another public body (such as the Independent Commission Against Corruption).

Accountabilities	
Responsible Officer	Deputy Vice-Chancellor Equity Diversity and Inclusion
Contact Officer	Director, Conduct and Integrity
Supporting Information	
Legislative Compliance	This Policy supports the University's compliance with the following legislation in particular: *University of New South Wales Act 1989* (NSW) *Crimes Act (NSW) 1900* (NSW) *Public Interest Disclosures Act, 1994* (NSW) *State Records Act, 1998* (NSW) *Privacy and Personal Information Protection Act, 1998* (NSW) *Government Information (Public Access) Act, 2009* (NSW) *Workplace Health and Safety Act, 2011* (Cth) *Child Protection (Working with Children) Act, 2012* (NSW) *Tertiary Education Quality and Standards Agency Act 2011* (Cth) *Education Services for Overseas Students Act 2000* (Cth) All relevant legislation related to discrimination.
Supporting Documents	NSW Ombudsman's *'Complaint Handling at Universities: Australasian best practices guidelines'* Student Complaint Procedure Staff Complaint Procedure Unreasonable Complainant Conduct Procedure

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Related Documents	Health and Safety Policy Research Misconduct Procedure HS731 External Complaints Procedure (Health and Safety Complaints by members of the public) Report Wrongdoing Policy Report Wrongdoing Procedure Sexual Misconduct Prevention and Response Policy
Superseded Documents	Complaint Management Policy, v1.0
File Number	2018/18363

Definitions and Acronyms

Affiliates	Means conjoint and visiting appointees; consultants and contractors; agency staff; *emeriti*; members of University committees; and any other person appointed or engaged by the University to perform duties or functions for the University
Complaint	An expression of dissatisfaction about the service or actions of the University for which a response or resolution is sought.
Complainant	Person or organisation making a complaint.
Formal Complaints	Unresolved local level complaints, complex complaints or complaints of a serious nature.
Local level Complaints	Complaints which are straightforward and less serious in nature.
UNSW Complaints Management System	Repository of complaints and complaints management information at UNSW.
UNSW people	Includes staff, students and affiliates.

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1.0	President and Vice-Chancellor	25 July 2018	25 July 2018	This is a new policy
1.1	Director of Governance	25 February 2021	25 February 2021	Responsible Officer changed to DVCEDI and administrative update to document titles in section 4; 4.5.1 and Related Documents

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