



Procedure for dealing with concerns raised by members and others

Version	4.0
File number	07/704
Short description	A procedure for the management of complaints made to the University by external individuals and bodies. To be read in conjunction with the Complaints Policy.
Relevant to	Members of the public and of the University of University
Responsible officer	University Secretary
Responsible office	Office of Corporate Governance
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Date(s) modified	
Next scheduled review date	30 August 2010
Related University policies	Protocol for Responding to Letters of Demand Fraud, Corruption and Maladministration Policy and Reporting Procedure Charles Sturt University Enterprise Agreement 2005-2008 Charles Sturt University Handbook Academic Regulations Code of Conduct for Staff Code of Conduct for Users of Electronic Facilities Policy on Prevention of Harassment and Bullying Student General Misconduct Rule
Related legislation	<u>Charles Sturt University Act 1989</u> <u>Charles Sturt University By Laws 1995</u> <u>Education for Overseas Students Act 2001 (Clth)</u> <u>Higher Education (Amalgamations) Act 1989 (NSW)</u> <u>Privacy and Personal Information Protection Act 1998 No 133</u> <u>Protected Disclosures Act 1994 No 92</u> <u>Ombudsman Act 1974 (NSW)</u> <u>Ombudsman Regulations 1999 (NSW)</u> <u>Freedom of Information Act 1989 No 5 (NSW)</u> <u>Occupational Health and Safety Act 2000 (NSW)</u> <u>Occupational Health and Safety Regulation 2001 (NSW)</u> <u>Workplace Relations Act 1996 (Clth)</u> <u>Workplace Relations Regulations 2006 (Clth)</u> <u>Anti-Discrimination Act 1977 No 48 (NSW)</u> <u>Disability Discrimination Act 1992 (Clth)</u> <u>Racial Discrimination Act 1975 (Clth)</u> <u>Sex Discrimination Act 1984 (Clth)</u> <u>Age Discrimination Act 2004 (Clth)</u>

Employees Liability Act 1991 No 4 (NSW)
Employment Protection Act 1982 No 122 (NSW)
Workers Compensation Act 1987 No 70
Workplace Injury Management and Workers
Compensation Act 1998 No 86
Workplace Video Surveillance Act 1998 No 52

Key words

Regulations, staff, visitor, policy, procedure, legal, complaints, grievance, mediation, bullying, discrimination, misconduct, victimisation, vilification, natural justice

1. PURPOSE

The purpose of this Procedure is to establish a procedure for the handling of concerns and complaints made by University members and others.

2. SCOPE

2.1 This Procedure applies to anyone other than a staff member, student or member of the University community.

3. WHAT IS A WORKPLACE CONCERN OR COMPLAINT?

3.1 A **concern or complaint** is a clear communication by a member of the University or a member of the public (not being a member of staff or a student) of a concern, dispute or complaint.

3.2 Feedback (both positive and negative) about the administrative and academic programs and services offered by the University will not normally be viewed as a complaint.

4. ANONYMOUS COMPLAINTS

4.1 The University will generally not act on anonymous complaints unless the issues raised are serious and sufficient information is provided to warrant further inquiry into the allegations.

4.2 Where an anonymous complaint involves allegations of corruption, maladministration or serious waste of public money, the manager or supervisor receiving the complaint should immediately refer the matter to the University Auditor under the University's internal reporting policy.

4.3 Anonymous complaints alleging child abuse or other serious criminal conduct must be referred immediately to the University Ombudsman and be dealt with in accordance with the general legal obligations of the University.

5. GENERAL PROCEDURES

5.1 A concern or complaint from a University member (not including a member of staff or a student) or member of the public may be lodged in writing with:

- (a) the Head of Campus, if the matter relates to a campus of the University;
- (b) a Dean or Head of School, if the matter relates to the academic functions of the University;
- (c) an Executive Director or Director, if the matter relates to the administrative functions of the University; or
- (d) the Vice-Chancellor, if the matter relates to the University's policy or overall management.

5.2 The relevant officer should acknowledge receipt of the concern within three (3) days.

5.3 Where possible, the relevant manager should try to resolve the problem within two (2) weeks of receipt by:

- (a) contacting the complainant to discuss the concerns and seek a resolution; or
- (c) writing to the complainant with an explanation or response or acknowledging the concern (if an acknowledgement is all that is required); or

- (c) advising the person that an investigation will be conducted into the concerns (and the complainant advised of the outcome if this is requested); or
 - (d) some other approach suitable to the resolution of the concern.
- 5.4 Where the concern includes a threat of legal action, or a legal demand on the University, the matter must be referred to the University Solicitor immediately.
 - 5.5 Where an investigation is warranted by the allegations, the procedure should conform to the general procedure for investigation set out under the "Procedures for handling workplace concerns".
 - 5.6 Where the manager views it as appropriate, an offer to meet with the complainant should be advanced or a proposal for the complainant and the University to participate in mediation.
 - 5.7 Where the concerns have the potential to cause damage to the University's reputation, the matter should be referred to the Vice-Chancellor for response, and the complainant advised immediately of this action.
 - 5.8 All complaints lodged under this procedure, and any response, should be filed with the University Ombudsman.

Table of amendments

Version number	Date	Short description of amendment