

Complaints Management and Grievance Resolution Framework

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1. Purpose

This framework identifies the University's industrial and policy and procedures framework to address conduct, manage complaints and resolve grievances about matters that are inconsistent with the [Code of Conduct](#) and/or the requirements for student conduct specified in [Statute 6.4: Student Conduct](#), or complaints made by a student relating to the performance of administrative, academic, teaching, higher degree by research, or service functions of the University, or complaints made by a student concerning any third party involved in the delivery of services on behalf of the University. Such complaints are managed through the University's:

- [Bullying Prevention and Management Policy](#) and [Bullying Prevention and Management Guidelines](#)
- [Close Personal Relationships Policy](#)
- [Conflict of Interest Policy](#)
- [Disability Policy](#)
- [Equal Opportunity Policy](#)
- [Flinders University Enterprise Agreement 2023](#), or its successor agreements
- [Fraud and Corruption Prevention and Control Policy](#)
- [Statute 6.4: Student Conduct](#)
- Policy and Procedures for [Handling a Matter under Statute 6.4: Student Conduct](#)
- [Privacy Policy](#), [Personal Information Protection Procedures](#) and [Student Information Management Procedures](#)
- [Public Interest Disclosure Policy](#) and the [Public Interest Disclosure Procedures](#)
- [Research Integrity Policy](#) and [Breach of Research Integrity Procedures](#)
- [Sexual Harassment and Sexual Assault Prevention & Response Policy](#) and [Sexual Harassment and Sexual Assault Response Procedures](#)
- [Students Complaints Policy](#) and [Student Complaints Procedures](#)
- [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedures](#)

- [Student Academic Integrity Policy](#) and [Student Academic Integrity Procedures](#)
- [Work Health and Safety Policy](#) and the [Accident, Incident and Hazard Reporting and Investigation Procedures](#).

2. Scope

This framework applies to all members of the University community when they are engaged in work- or study-related activities at any location or online.

3. Definitions

Centre	has the meaning set out for the term 'A research Centre' in the University's Research Institutes and Centres Policy .
Complaint	<p>An expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.</p> <p>For students, this may also include complaints relating to the performance of administrative, academic, teaching, higher degree by research, or service functions of the University, the behaviours and/or actions of a staff member or another student, or any third party involved in the delivery of services on behalf of the University.</p>
Contractor	any person, business, corporation or other entity contracted to provide goods and/or services to the University (whether directly or indirectly through a third party) including educational and research partners, contractors, subcontractors, consultants and labour hire workers, and any of their employees.
Council	has the meaning set out for the term 'Council' in the Flinders University Act 1966 (SA) .
Enterprise Agreement	the Flinders University Enterprise Agreement 2023 (or its successor, where applicable).
Grievance	a complaint by a University staff member which arises as the result of a behaviour or action of another University staff member(s) or matters that adversely affect a staff member's ability to undertake their duties and may include complaints relating to unlawful discrimination, harassment, victimisation or bullying.
Institute	has the meaning set out for the term 'A research Institute' in the University's Research Institutes and Centres Policy .
Misconduct	<p>For staff this has the meaning set out for the term 'misconduct' under the University's Enterprise Agreement.</p> <p>For students this has the meaning set out in Statute 6.4: Student Conduct and the Student Academic Integrity Policy and Research Integrity Policy.</p>

Serious Misconduct	<p>For staff this has the meaning set out for the term 'serious misconduct' under the University's Enterprise Agreement.</p> <p>For students this has the meaning set out in Statute 6.4: Student Conduct and the Student Academic Integrity Policy and Research Integrity Policy.</p>
Staff member	a person employed by the University, sometimes referred to as 'employee' or 'staff'.
University community	<p>Includes:</p> <ul style="list-style-type: none"> • enrolled University students, including cross-institutional students and students on exchange from another institution • employees and exchange staff • employees of controlled entities, Centres and Institutes, and affiliated clubs and associations • contractors and consultants performing work on University sites or on behalf of the University • visiting academics or persons with academic status (as appointed in accordance with the Academic Status Policy) • the Council and its committees • any volunteer in the workplace and study environment.
Unsatisfactory performance	has the meaning set out for the term 'unsatisfactory performance' under the University's Enterprise Agreement.
Work- and study-related activities	Any activities that relate to a person's employment / work commitment, involvement with or status as a student or other connection with the University, including being a resident in student accommodation owned, managed or utilised by Flinders University. This includes activities that take place away from University sites, such as field trips, conferences, Work-Integrated Learning placements, work placements, work-and study- related social events, University clubs and societies, and online activities including email, online learning and social media activities.

4. General Principles

- a. The University expects members of the University community to act in a manner that is consistent with the University's [Code of Conduct](#) and/or the requirements for student conduct specified in Statute 6.4: [Student Conduct](#) and does not tolerate conduct that is inconsistent with those expectations.
- b. The University will:
 - i. address conduct that is inconsistent with the University's Code of Conduct and/or or the requirements for student conduct specified in Statute 6.4: Student Conduct, and
 - ii. manage complaints and grievances about matters that are inconsistent with the Code of Conduct and/or the requirements for student conduct specified in Statute 6.4: Student Conduct through the University' industrial, policy and procedures framework set out in section 1 above (as applicable), and

- iii. manage complaints lodged by students about the performance of administrative, academic, teaching, higher degree by research, or service functions of the University, or concerning any third party involved in the delivery of services on behalf of the University through relevant policies and procedures specified in section 1 above (as applicable).
- c. Nothing in this framework prevents the University from referring a matter to an applicable law enforcement or regulatory body (as applicable).

4.1. Staff

- a. To avoid doubt, matters pertaining to Unsatisfactory Performance, Misconduct or Serious Misconduct by a staff member covered by the University's Enterprise Agreement will be managed in accordance with the applicable provisions of the Enterprise Agreement and any applicable University policy or procedures.
- b. Where a complaints management or grievance resolution process is in progress, whether under the University's Enterprise Agreement or otherwise, the University:
 - i. requires all staff members involved to conduct themselves in a respectful manner and in accordance with the University's Code of Conduct, and
 - ii. encourages the staff member(s) raising the grievance and the staff member(s) who are the subject of the grievance to participate in the grievance resolution process, so far as reasonably possible, in a cooperative manner with a view to resolution of the complaint or grievance.

4.2. Students

- a. Complaints concerning the behaviour or conduct of students will be managed in accordance with the following: Statute 6.4: Student Conduct, the Policy and Procedures for Handling a Matter under Statute 6.4: Student Conduct, the Student Academic Integrity Policy, Student Academic Integrity Procedures, Research Integrity Policy and Breach of Research Integrity Procedures, and in the case of student complaints regarding the behaviour and conduct of the students the Student Complaints Policy and Student Complaints Procedures.
- b. Complaints made by students about the performance of administrative, academic, teaching, higher degree by research, or service functions of the University, or concerning any third party involved in the delivery of services on behalf of the University, and student requests for reviews of University decisions will be managed according to the Student Complaints Policy and Student Complaints Procedures and/or Student Review and Appeals Policy and Student Review and Appeal Procedures.

4.3. Other members of the University community (inclusive of visiting academics, persons with academic status, and contractors and consultants)

Grievances or complaints concerning other members of the University community where they do not fall within the University's industrial, policy and procedures framework set out in section 1 above may be referred to an applicable third-party employer.

5. Information Management

Records of grievances and complaints, and information provided to the University for the purpose of any complaints management or grievance resolution process will be handled in accordance with relevant laws and the University's [Privacy Policy](#).

6. Responsibilities

<p>The University</p>	<p>a. Act in accordance with the University’s industrial and policy and procedures framework to address conduct, manage complaints and resolve grievances about matters that are inconsistent with the Code of Conduct and/or the requirements for student conduct specified in Statute 6.4: Student Conduct.</p> <p>b. Ensure that complaints lodged by students about the performance of administrative, academic, teaching, higher degree by research, or service functions of the University, or concerning any third party involved in the delivery of services on behalf of the University are investigated in good faith, with due regard to procedural fairness, and in a timely manner.</p>
<p>All members of the University community (including a staff member)</p>	<p>c. Conduct themselves in a manner consistent with the Code of Conduct and/or in the case of students the student conduct requirements set out in Statute 6.4: Student Conduct.</p> <p>d. Where raising a complaint or grievance:</p> <ol style="list-style-type: none"> i. provide a statement of the complaint or grievance with sufficient information for the University and any respondent to properly understand the nature of the complaint or grievance ii. refrain from raising a vexatious complaint or grievance, namely a complaint or grievance that has no merit, which is specifically being pursued to harass, annoy or cause financial cost to the University or another person and may include allegations of actions or behaviour that did not occur (e.g. alleged bullying by another person). <p>e. Co-operate with any complaints management or grievance resolution process (including any investigation process) in progress.</p> <p>f. Maintain confidentiality of all parties involved in any complaints management or grievance resolution process (including any investigation process) in progress.</p>
<p>Managers / supervisors</p>	<p>g. Act in accordance with the University’s industrial and policy and procedures framework to address conduct, manage complaints and resolve grievances about matters that are inconsistent with the Code of Conduct and/or Student Conduct.</p> <p>h. Ensure that the principles of natural justice and procedural fairness are upheld throughout any complaints management or grievance resolution process (including any investigation process).</p>

People & Culture	<p>i. Act in accordance with the University’s industrial and policy and procedures framework to address conduct, manage complaints and resolve grievances about matters that are inconsistent with the Code of Conduct and/or Student Conduct (as applicable).</p> <p>j. Ensure that the principles of natural justice and procedural fairness are upheld throughout any complaints management or grievance resolution process (including any investigation process).</p>
Student complaint handlers and decision-making bodies	<p>k. Act in accordance with:</p> <ul style="list-style-type: none"> • Student Complaints Policy • Student Complaints Procedures • Student Review and Appeal Policy • Student Review and Appeal Procedures • Statute 6.4: Student Conduct • Policy and Procedures for Handling a Matter under Statute 6.4: Student Conduct • Student Academic Integrity Policy • Student Academic Integrity Procedures • Research Integrity Policy • Breach of Research Integrity Procedures

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