

# Complaints Students and Community Members Procedures

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## Associated Policy

These procedures are to be read in conjunction with the Complaints Students and Community Members Policy.

1. All staff have an obligation to act on complaints raised by students or members of the community or refer to your supervisor, at no cost to the complainant.
2. Advice and/or support may be sought by all parties from an impartial person at any stage of the process. This may be obtained from a number of different sources.

### For students this could be:

- immediate teacher and/or staff member;
- a CIT manager;
- CIT Student Support including Counsellors
- CITSA; and
- friend or family member.

### For staff this could be:

- a CIT supervisor or manager;
- a RED contact officer;
- Senior Director, Human Resources and Organisational Development;
- CIT Human Resources;
- Employment Assistance Program; and
- a union representative.

3. All complaints raised at the office of the Executive Director, Corporate Services should use the on-line complaint form, if possible.
4. CIT staff must provide assistance to the complainant to complete the form, if required.
5. Complaints assessed by the Executive Director as potential misconduct by a staff member will be referred to the CIT Safety and Employee Relations team for a preliminary assessment under the terms of the enterprise agreement.
6. If the complaint involves criminal behaviour such as theft, corruption or assault CIT will refer the matter to ACT Policing.
7. The Executive Director will acknowledge the complaint in writing within five working days of receipt, identifying the complaint manager.

8. The complaint is to be logged by the complaint manager on the CIT Complaints Handling System and a TRIM file created. Anonymous complaints are also to be logged.
9. All records pertaining to the complaint are to be held electronically via TRIM file. Written records of meetings held, including interviewees and who was present together with resolutions and actions are to be held for all complaints, including emails, and file notes of any phone calls.
10. The complaint manager is to schedule a meeting with the complainant within 10 working days from receipt of the complaint, subject to availability of all parties.
11. Information relevant to the complaint resolution process such as policies, previous correspondence and expert advice is to be gathered and reviewed by the complaint manager before any meetings take place. Potential risks should also be identified and mitigated.
12. Prior to any meeting, the complainant is to be advised they can invite a support person of their choice to the meeting.
13. The Complaint Manager can utilise a support person to take notes and assist with this process, subject to the person understanding their responsibility under the CIT Privacy Policy.
14. At the meeting the complainant is to be advised of the role and responsibilities of all relevant parties, the process that will ensue, and confirm the allegations, any witnesses and/or supporting evidence.
15. The complaint manager is to confirm the accuracy of the allegations with the complainant, following the initial meeting.
16. A summary of all interviews should be provided to the interviewee and confirmed as an accurate summary of the conversation following the initial meeting.
17. The complaint manager is to notify the respondent(s) of the allegations against them within three working days of receiving confirmation of the allegations from the complainant. This should be done sensitively and at an appropriate time, preferably in a meeting where a summary of the allegations is provided.
18. A written response is to be obtained from the respondent within 5 working days from the meeting, addressing all allegations. This response should include their version of events, any witnesses to the event and/or supporting evidence and any mitigating circumstances.
19. If required, the complaints manager will contact relevant witnesses identified by the complainant and respondent for interview and to confirm statements received as necessary within five working days.
20. If necessary the complaint manager can meet with the complainant and/or respondent again in order to finalise the complaint.
21. The complaint manager is to provide the Executive Director with an executive summary which includes:
  - a. the allegations based on the information provided by the complainant;
  - b. a summary of the respondent's response to each allegation;
  - c. an analysis of the assessment of the evidence against all allegations and whether the allegations were sustained or not and the reasons why; and
  - d. any recommendations.
22. The Executive Director will review and discuss the report with the complaint manager and may amend the draft recommendations at their discretion.
23. The Executive Director is to provide written notification to the complainant and respondent when the complaint has been finalised. Feedback on the complaint resolution is to be provided

in general terms to the complainant and not include specifics on sanctions or outcomes of the internal assessment. Where appropriate the Executive Director should meet with the complainant and/or respondent to provide this written advice.

24. Typical outcomes for complaints could include:

- a. implementation of specific actions to address the concerns;
- b. provide explanation or clarification relating to the concerns raised but advise that no further action is warranted; and
- c. CIT to take appropriate action as a result of the concerns raised.

### Timeframe for the management of the complaint

CIT is committed to providing a timely resolution to all complaints. The timeframes below provide guidance, but may vary based on the nature, complexity and scope of the issues. If timeframes vary, all parties are to be advised.

ACTION	ESTIMATED TIMELINES
Acknowledgement of Complaint	Within 5 working days of receipt
Complaint manager meeting with Complainant	Within 10 working days of receipt
Notify respondent of Complaint	Within 3 working days of confirmation of allegations
Respondent submits a written response	Within 5 working days of notification
Report submitted to delegate	Within 10 working days of response
Delegate finalises response	Within 5 working days receipt of report
Delegate notifies all parties of the outcome	Within 10 working days of receipt of report

### Review by the Chief Executive Officer

- Students and community members who believe the decision or outcome is unreasonable can submit a written request for a review to the Chief Executive within 10 working days of their notification of the outcome or decision.
- The Chief Executive Officer is to nominate an independent senior manager to conduct an internal review. The senior manager may re-interview the parties, if considered necessary, and complete the review within 20 working days.
- The Chief Executive Officer is to make a determination within five working days of receiving the recommendation from the senior manager.
- Where a decision is made that supports the Complainant, the decision is to be implemented and/or any remedy or systems improvement taken. All parties are to be advised of the outcome and provided with an explanation for the decision and action(s) taken.

- Any determination by the Chief Executive Officer is final, apart from the complainant's right to independently seek an external review.

## Contact Details

Correspondence should be addressed to:

The Chief Executive Officer  
Canberra Institute of Technology  
GPO Box 826  
Canberra ACT 2601  
Email: [CITOfficeoftheChiefExecutive@cit.edu.au](mailto:CITOfficeoftheChiefExecutive@cit.edu.au)

## External Review

If a party is not satisfied with the decision of the internal review, the party can apply for an external review of the complaint by an agency, appropriate for that purpose.

### External Review Agencies include:

#### The ACT Ombudsman

Contact details are:

Street Address: Level 5, Childers Square, 14 Childers Street, Canberra City

Complaints Ph: 1300 362 072

Fax: (02) 6276 0123

Postal Address: GPO Box 442 Canberra ACT 2601

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Web: <http://www.ombudsman.act.gov.au>

(A Complaint form is available on the website)

#### ACT Human Rights Commission

Street Address: Level 4, 12 Moore St. Canberra 2601

Ph: (02) 6205 2222

Fax: (02) 6207 1034

Postal address: GPO Box 158 Canberra ACT 2601

Email: [human.rights@act.gov.au](mailto:human.rights@act.gov.au)

Web: <http://www.hrc.act.gov.au>

(A Complaint form is available on the website)

#### The ACT Civil and Administrative Tribunal (ACAT)

GPO Box 370

CANBERRA ACT 2601

Phone: 6207 1740

<b>Responsibilities of all parties</b>	
<b>Complainant</b>	<ul style="list-style-type: none"> <li>• Complaints should be made in a reasonable manner free from threats or reprisal to any individual.</li> <li>• Act respectfully.</li> <li>• Recognise that the respondent has the right to be made aware of the complaint and the right to respond in a fair process.</li> <li>• The complaint should only be discussed with the parties involved in its resolution, including those who are assisting.</li> <li>• Work constructively towards resolution and participate in the resolution process and with good will.</li> </ul>
<b>Respondent</b>	<ul style="list-style-type: none"> <li>• Recognise the complainant's right to raise their concerns.</li> <li>• Work constructively towards resolution and participate in the resolution process.</li> <li>• Avoid behaviour such as to victimise, harass or give adverse treatment to the complainant or others involved in resolving the complaint.</li> <li>• Only discuss complaint with the parties involved in its resolution, or those who are assisting.</li> </ul>
<b>Complaint Manager(s)</b>	<ul style="list-style-type: none"> <li>• Address all complaints professionally.</li> <li>• Treat all parties with sensitivity, respect and courtesy.</li> <li>• Model behaviour that promotes high standards of behaviour and keeps all parties informed throughout the process.</li> <li>• Treat complaints quickly, courteously, fairly and within the CIT timelines.</li> <li>• Advise all parties of how long it will take to deal with the issue and keep them informed of the progress.</li> <li>• Advise all parties of support mechanisms available.</li> <li>• Advise parties of their right to have a support person present at interviews.</li> <li>• Handle complaints according to the principles of natural justice and procedural fairness.</li> <li>• Avoid any potential bias or conflict of interest.</li> </ul>
<b>Delegate and delegate support staff</b>	<ul style="list-style-type: none"> <li>• Complete appropriate training in the handling of complaints.</li> <li>• Identify the Complaint Manager to handle complaint.</li> <li>• Identify support required for all parties.</li> <li>• Avoid any potential bias or conflict of interest.</li> </ul>