

Complaints Management Procedure for Employees

Policy code:	HR2124
Policy owner:	Director, People and Culture
Approval authority:	Chief Operating Officer
Approval date:	21 July 2026
Next review date:	21 July 2029

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Purpose

This procedure outlines the informal and formal procedures for reporting and handling a complaint made by employees about workplace issues. It aims to:

- explain how complaints will typically be dealt with;
- encourage resolution as close to the source as possible, having regard to the nature and/or seriousness of the complaint;
- outline the roles and responsibilities of those involved; and

- d. provide a framework that ensure complaints are handled in a confidential (so far as is reasonably possible), sensitive and timely manner.

It also supports compliance with legislative obligations and meets the regulatory expectations of bodies such as TEQSA and ASQA by ensuring transparent, fair, and consistent management of staffing matters, thereby strengthening organisational self-assurance and accountability.

The University will be guided by the following principles in attempting to resolve issues:

- our [Living Values](#);
- the health and safety of all parties;
- fairness and equity;
- the Principles of Natural Justice;
- privacy and confidentiality (so far as reasonably practicable); and
- timeliness.

Employees are supported to raise complaints in good faith, and the University is committed to working with employees to resolve matters promptly. The University acknowledges that taking part in a complaints process can feel challenging or uncomfortable. The health, safety and wellbeing of everyone involved is a priority, and the University will approach the process in a way that aims to minimise any potential impacts.

NOTE: In some circumstances, the seriousness of allegations or information provided may place the University under a legal obligation to investigate beyond that which the employee intends or wishes, in which case the University may initiate a complaint or progress a complaint of its own volition.

Scope

This procedure applies to all employees of the University. For clarity, it does not apply to third party employees providing services to the University, or independent contractors/consultants.

Students, former employees or members of the public seeking to submit a complaint should do so via the [Complaints Management Procedure](#).

For sexual harassment / harm concerns, please refer to the Gender-based Violence Response Procedure.

Types of complaints typically dealt with under this procedure include:

- a. concerns about the conduct of another employee or employees;
- b. allegations of bullying, discrimination or harassment (excluding sexual harassment/harm);
- c. allegations of victimisation or vilification;
- d. allegations of criminal conduct (noting there may be a parallel criminal investigation running);
- e. other employment related matters that adversely affect an employee or group of employees where it is believed to be unfair, inequitable, discriminatory or unsafe.

It does not cover situations where an employee is dissatisfied with reasonable management actions taken by their people leader.

This procedure does not apply to the following:

- a. interpretation of the Enterprise Agreements;
- b. the content of approved policies or procedures of the University;
- c. matters that are, or have been, subject to a workers compensation application;

- d. matters that are, or have been, the subject of complaint and investigation by an external authority;
- e. complaints made by students or members of the public (refer to [Complaints Management Procedure](#));
- f. a matter covered by alternative internal formal review, appeal, or other dispute settling procedure, nor to the outcome of a merit-based selection process;
- g. a decision of the University Council;
- h. decisions of the Vice-Chancellor or any review or Appeal Committee which are stipulated as final in University policy or Enterprise Agreement clauses;
- i. improper conduct by staff or any other matters covered by the Protected Disclosures Act 2012 (whistleblowing).

For guidance on other forms of concerns of wrongdoing and misconduct, refer to the following:

- [Complaints Management Procedure](#) for complaints made by students and members of the public
- [Child Safe Procedure](#)
- [Fraud and Corruption Control Procedure](#)
- [Information Privacy Procedure](#)
- [Protected Disclosures Procedure](#) (whistleblowing)
- [Research Integrity and Misconduct Procedure](#)
- [Research and Research Training Policy](#)

Anonymous complaints

Employees can choose to make a complaint anonymously. These complaints are taken seriously and an assessment of the appropriate action in response is made, however, anonymity may limit actions, including the provision of support or updates.

If the University progresses a very serious or systemic matter, it is possible that in proceeding with putting allegations to a respondent, irrespective of it being anonymous, the complainant may inadvertently be identified.

Frivolous, malicious or vexatious complaints

Complaints must be made in good faith, and Complainants must be honest, cooperative and provide any requested assistance in working through this Procedure. This Procedure is not to be used for revenge, retribution or purely to cause trouble or annoyance.

Should a complaint be found to be vexatious, malicious or frivolous, the University may take disciplinary action against the Complainant.

Summary of Complaint Stages

Process	Approach	Person Responsible	Timeline
Informal self-managed resolution *	Employees are strongly encouraged to raise and try to settle any concern directly with the person(s) concerned, as quickly as possible, and informally and	• Complainant • Respondent Supported by People and Culture (where sought)	As soon as possible

	cordially – to the extent it is safe to do so		
Local resolution*	Where the people leader/manager of the Complainant is engaged to assist with resolution and where that people leader/manager becomes the Complaint Handler.	• People Leader • Complainant • Respondent	Normally within 2 weeks
Formal reporting and resolution	For escalations and suited to more serious and/or systemic issues requiring formal investigation and/or intervention Note: The National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 requires the University to undertake a risk assessment for all disclosures, and formally report data on incidents.	• Complainant • Respondent • People and Culture • External investigator (where applicable)	Preliminary enquiries will normally occur within 2 weeks. Investigations will normally be conducted within 6 weeks.

* Not suitable for Gender-based violence disclosures

Legislative context

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Equal Opportunity Act 2010
- Fair Work Act 2009 (Cth)
- Gender Equality Act 2020
- Occupational Health and Safety Act 2004 (Vic)
- Privacy Act 1988 (Cth)
- Racial Discrimination Act 1975
- Sexual Discrimination Act 1984 (Cth)
- Work Health and Safety Act 2011 (current 01-06-2018) (Cth)

Definitions

Term	Definition
Academic Freedom	Refer to the relevant Enterprise Agreement, or University statute or University regulations
Bullying	As defined by the Fair Work Act 2009 bullying is: <i>"repeated, unreasonable behaviours directed towards a worker or a group of workers that creates a risk to health and safety".</i> Examples of workplace bullying may include but are not limited to: • abusive, insulting or offensive language; • behaviour or language that frightens, humiliates, belittles or degrades; • teasing or regularly making someone the brunt of practical jokes; • spreading gossip, rumours and/ or innuendo. Workplace bullying may also take more subtle or covert behaviours including: • deliberately excluding or isolating a person from normal workplace activities; • tampering with personal effect or work equipment; • intimidating someone through inappropriate personal comments, belittling opinions or unjustified criticisms; • overloading a person with work; • setting timelines that are difficult to achieve or constantly changing deadlines; • setting tasks that are unreasonable or beyond a person's ability; • deliberately isolating a person or ignoring them; • deliberately denying access to information relevant to the person's duties.
Bystander	Is someone who sees or knows about what is happening to someone else. An 'Active Bystander' is someone who chooses to do something when they see wrong behaviour. A 'Passive Bystander' is someone who sees or knows that something wrong is happening but chooses not to act.
Complaint	Means an informal or formal complaint by a member of staff, in accordance with this procedure, of a work-related issue, concern or grievance, including but not limited a workplace communication or interpersonal conflict or an allegation of unacceptable conduct such as discrimination, harassment, bullying, sexual harm, victimisation and vilification.
Complainant	The person alleging the concern, complaint or grievance

Complaint Handler	The University staff member or officer who is responsible for managing the complaint process in relation to a complaint made under this Procedure. This will usually be the: In Stage 1 –Complainant In Stage 2 – People Leader/Manager to whom the complaint has been referred In Stage 3 –People and Culture team
Discrimination	Refers to unfavourable treatment based on actual or assumed protected attributes. In determining whether or not a person discriminates, the person's motive is irrelevant. Direct discrimination is when a person treats or proposes to treat a person unfavourably, because of a protected attribute. Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed that will disadvantage someone with a protected attribute, and it is not reasonable to have these conditions imposed. See also Protected Attributes, Racial and Religious Discrimination, and Racial and Religious Vilification definitions below.
Fair Work Commission (FWC)	The Fair Work Commission is the national workplace relations tribunal. It is an independent body with power to carry out a range of functions relating to: • the safety net of minimum wages and employment conditions; • enterprise bargaining; • industrial action; • dispute resolution; • termination of employment, and • other workplace matters.
Freedom of speech	The freedom of staff, students, and invited visitors to the University to express lawful opinions publicly, without undue restriction.
Grievance	Alleged behaviour or action of another member or members of staff, which has or is likely to have an unreasonable negative impact on the ability of a staff member to undertake their duties (e.g. dissatisfaction with the staff member's work environment).
Independent Third Party	An independent third party is: • a person employed within the University who is independent of the Institutes, Schools, Directorates or other organisational units and who has sufficient seniority and experience to facilitate a discussion between workers; or • a person external to the University who is suitably qualified and experienced to facilitate a discussion between workers.

Investigator	A person employed within the University who is independent and who has sufficient seniority and experience to undertake an investigation and make an impartial determination of the facts of the matter based on the balance of probabilities; or A person external to the University who is suitably qualified and experienced to undertake workplace investigations.
Other Members of the University	Members of the Council; members of any board, committee or other body established by or constituted under the University Statutes and Regulations; members of the Professoriate, visiting teaching or research staff and academic associates appointed under the University Statutes and Regulations.
People Leader	A worker who has designated responsibility for managing and/ or overseeing the performance and workplace behaviour of other workers.
Prima Facie	The term prima facie is used to describe the apparent nature of something upon initial observation. The term generally is used to describe two things: the presentation of sufficient evidence to support the claim (a prima facie case), or a piece of evidence itself (prima facie evidence).
Principles of Natural Justice	Involves all of the following elements: • the right to a fair and prompt hearing; • the right to attend hearings with a friend or support person, if required; • the opportunity to be heard; • the Respondent having full knowledge of the nature and substance of the complaint; • the Complainant not determining the outcome, but may be a party to it; • the right to an independent, unbiased decision-maker, and • a final decision that is based solely on the relevant evidence.
Protected attributes	Protected attributes are drawn from anti-discrimination legislation in Australia. These attributes include, but are not limited to: • Age • Breastfeeding • Employment activity • Gender identity and expression • Disability • Industrial activity • Sexual activity • Marital or relationship status • Parental or carer status (carer responsibilities) • Physical features • Political belief or activity • Pregnancy • Profession, trade or occupation • Race (including colour, nationality, ethnicity or social origin) • Religious belief or activity

	• Sex or intersex status • Sexual orientation • An expunged homosexual conviction • A spent conviction • Personal association with a person who is identified by reference to any of the above attributes
Racial and Religious Discrimination	Discrimination based on race, ethnicity or religious belief or activity includes, but is not limited to, antisemitism, Islamophobia, anti-Indigenous discrimination, and xenophobia. Antisemitism: The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism states that: “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.” This definition is used as a guide to understanding antisemitism. The Working Definition on Combatting Antisemitism endorsed by Universities Australia provides further guidance to understanding antisemitism. Islamophobia: According to Australia’s Special Envoy to Combat Islamophobia, there is no universally accepted definition of Islamophobia. It is an umbrella term that means a number of things. Some define it as anti-Muslim hatred, anti-Muslim sentiment and anti-Muslim prejudice. Increasingly, many academics, activists and community leaders define it as anti-Muslim racism. Institutionalised and systemic Islamophobia involves policies, practices, and norms within organisations and systems that unfairly disadvantage Muslims, reinforce stereotypes, and perpetuate discrimination. Anti-Indigenous discrimination (also referred to as anti-Indigenous racism) is recognised as a distinct form of racism targeting Aboriginal and Torres Strait Islander peoples. It stems from historical injustices of colonisation, dispossession, and assimilation, and continues to manifest in prejudice, unequal treatment, and systemic inequities faced by Indigenous communities. Xenophobia is commonly defined by international human rights bodies as the irrational fear, hatred, or mistrust of individuals perceived as foreign or outside one’s own community. It frequently manifests in hostility toward immigrants or people from different cultural backgrounds, leading to social exclusion and discrimination.
Racial and Religious Vilification	Occurs where a person engages in conduct that incites hatred, serious contempt, revulsion or severe ridicule against another person or group of people, because of their race or religious belief or activity.
Reasonable Management Action	Reasonable management action can include: • disciplinary action; • setting reasonable performance goals, standards and dealing in consultation with workers and after considering their respective skills and experience;

	• allocating work to a worker in a transparent way; • fairly rostering and allocating working hours; • transferring a worker for legitimate and explained operational reasons; • deciding not to select a worker for promotion, following a fair and documented process; • informing a worker about inappropriate behaviour in an objective and confidential way; • implementing organisational changes or restructuring; and • performance management processes.
Repetition	Refers to the persistent nature of the behaviour, not the specific form the behaviour takes. Behaviour is considered "repeated" if an established and consistent pattern can be identified over a period of time.
Respondent	The staff member or staff members against whom the concern, complaint or grievance has been alleged.
Senior Management	The Vice-Chancellor, Deputy Vice-Chancellors, Pro Vice-Chancellors or the Chief Operating Officer
Support Person	A person of the staff member's choice who is there to provide emotional support but who is not a practising solicitor or barrister.
Unreasonable Behaviour	Refers to behaviour that a reasonable person, having regard to all the circumstances, would expect to humiliate, intimidate, undermine or threaten. In this context, the hypothetical reasonable person does not require total knowledge of every aspect of the situation - rather this person knows as much as the alleged bully could reasonably be expected to know.
Victimisation	Means to threaten or punish someone or to treat them less-favourable, in response to an actual or possible allegation or complaint.
Violence or threats of violence	Violence and aggression is defined as any incident where a member of the University is abused, threatened or assaulted in circumstances arising out of, or in the course of, their employment or other activities at the University. Within this definition: • threat means a statement or behaviour that causes a person or a third party to believe they are in danger of being physically attacked. It may involved an actual or implied threat to safety, health or wellbeing; and • physical attack means the direct or indirect application of force by a person to the body of, or clothing or equipment worn by, another person, where that application creates a risk to health and safety. Neither intent nor ability to carry out the threat is relevant. The key issue is that the behaviour creates a risk to health and safety. Examples of occupational violence and aggression include, but are not limited to verbal, physical or psychological abuse, punching, scratching, biting, grabbing, pushing, threats, stalking, attack with a weapon, throwing

	objects/ furniture, sexual harassment or assault, and any form of indecent physical contact. Occupational violence need only be a single incident or circumstance.
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Overview of how we deal with complaints

The University generally adopts a three-stage process for complaints, aligned with our Living Values and with a particular emphasis on Inclusion, Collaboration, and Empowerment, and encourages individuals to attempt genuine resolution during each stage without the need for higher authority intervention where possible:

1. *Informal self-managed resolution* – employees are strongly encouraged to raise and try to settle any concern directly with the person(s) concerned, as quickly as possible, and informally and cordially – to the extent it is safe to do so.
2. *Local resolution* – where the people leader/manager of the Complainant is engaged to assist with resolution and where that people leader/manager becomes the Complaint Handler.
3. *Formal reporting and resolution* – for escalations and suited to more serious and/or systemic issues requiring formal investigation and/or intervention.

Options for resolving a complaint

There are many ways that a complaint may be resolved. While the outcome sought by the Complainant will be taken into account, the University cannot guarantee any particular outcome will be achieved. Outcomes often rely on parties resolving issues and concerns between themselves.

Some possible outcomes of a complaint may include (but are not limited to):

- i. the parties gaining a better understanding of the views and perspectives of the other person / people involved;
- ii. the parties developing agreed options for working through issues, concerns and/or problems in the future;
- iii. an apology by one or more parties;
- iv. a change in working arrangements (which may be temporary or ongoing);
- v. a commitment by one or more parties to change behaviour;
- vi. one or more parties taking part in further training; and/or guidance or counselling.

Serious cases may require:

- i. the University to conduct a formal process under this Procedure, which may include an investigation; and/or
- ii. the University to commence an unsatisfactory performance, misconduct or serious misconduct process.

How to make a complaint

There are a range of options and pathways available to staff to seek advice and support, or formally report a complaint. These include:

- Engaging directly with the other party concerned Respondent
- Engaging with the Business Partners from the People and Culture team for advice/support
- Raising with your immediate People Leader
- Lodging in the [Complaints portal](#)

A guide for [how to make a complaint](#) is available to assist you.

Withdrawing a Complaint

A Complainant may withdraw or seek to discontinue their complaint at any stage of the process. This should be put in writing to the Complaint Handler. In some circumstances, the University may be legally obliged or consider it appropriate and/or necessary to take further steps in relation to a complaint even if it has been withdrawn or discontinued by the Complainant. However, in these circumstances, the University respects the wishes of the Complainant to withdraw from participating in the process noting the University may need to proceed with putting the allegations to a respondent, irrespective of what the complainant would prefer.

Timelines

A complaint under this procedure will ideally be lodged immediately or within three (3) months of the Complainant becoming aware of the issue and not later than twelve (12) months.

The Timeline for resolution is contingent upon the seriousness and complexity of matter and the resolution stage adopted but typically 2 –12 weeks.

Support

All parties have the right to a support person at any stage of the complaints process. The support person may be internal or external to the University – they may be a colleague, family member, friend, or union representative; however, it may not be a practicing solicitor or barrister. A support person is primarily present to provide moral support during the meeting and witness the process, take notes, and be available to discuss the meeting afterwards. They cannot speak on behalf of, or act as an advocate. The support person must not be involved in the process, or be someone that has been interviewed or is likely to be interviewed in relation to the matter.

Confidential individual coaching and advice and support can be sought via the University's EAP program for employees to assist them in resolving the matter independently. Alternatively, your dedicated People and Culture Business Partner can assist you with explaining this procedure, exploring possible strategies to resolve the concern, advising of other support available.

An employee may seek professional support from the [Employee Assistance Program](#) EAP.

A People Leader/Executive Dean/Dean/Director/Executive Director who has been asked to assist with a Local Resolution must seek advice from People and Culture. Additional support can also be given through the EAP's Manager Assist (refer above link).

Interim measures

Upon receiving a complaint, the Complaint Handler or People and Culture will determine the need for any measures to protect the safety and wellbeing of all parties, and where relevant, protect the integrity of any investigation. Such interim measures may include a change in reporting lines, an alternative work location or work arrangement or suspension from the workplace.

Actions

Stage 1: Informal self-managed resolution

This is not a compulsory process. A Complainant can move immediately to the Local Resolution, or Formal process.

As quickly as possible following an incident and if safe and appropriate to do so, a Complainant should seek to resolve the issue directly with the other party concerned. Any meeting with the person(s) who is/are allegedly behaving in an unreasonable manner should be a private discussion that is respectful, civil and where possible objective. In doing so, the employee should:

- clearly outline the specific concerns/conduct and why it is considered inappropriate, unwelcome and/or offensive;
- request that the person stop such conduct;
- clarify outcomes being sought;
- reach agreement on actions to resolve the concerns; and
- document how it was resolved and share this via email with the Respondent.

Remember, the person may not be aware that their behaviour or conduct was causing offence or was unwelcome.

In some situations, it may not be appropriate for a Complainant to use the informal self-managed stage to try to resolve a complaint, for example, matters involving physical and/or sexual assault or other criminal or unlawful activity; or where there is a serious and imminent risk to the health and safety of the employee or another person.

Alternative Resolution

If requested, and with the agreement of the other party to the issue, the assistance of the People and Culture team can be arranged.

Stage 2: Local resolution

Where the informal self-managed resolution has been unsuccessful, or the matter is such that the Complainant does not feel safe to raise it directly with the individual, an employee should seek the assistance of their immediate people leader or with the support of People and Culture, as soon as reasonably possible.

If the complaint is about their people leader, or in circumstances where the people leader is unable to support the employee, the complaint should be made to the people leader's immediate manager or another manager at the same level. The People and Culture team are available for support via your dedicated Business Partner in the first instance.

Reporting approach:

To enable the complaint to be appropriately dealt with, the Complainant will ideally provide the details of their complaint in writing to their people leader. It should include:

- a. any action already taken under informal self-managed step to resolve the matter (if applicable);
- b. clear and specific details of the issue or incident, including:
 - i. the name of the person(s) involved and their position;
 - ii. when it occurred (the relevant date(s));
 - iii. where it occurred location;
 - iv. the name and position of any witnesses; and
 - v. what happened (providing as much detail as possible).
- c. the outcome the Complainant is seeking to resolve the complaint; and
- d. a proposed process for trying to settle the complaint.

People Leader actions:

The People Leader or Alternate People Leader/Manager must first consider whether the complaint should be handled in accordance with this stage or whether it should be referred to the formal resolution stage or another

applicable University procedure applies. In doing so, they must seek the advice of the People and Culture team and make any such referral within 5 working days (where applicable).

Where the complaint is complex or serious, for example, where there is a serious risk to the health and safety of any person, where the conduct complained of is unlawful or where there is evidence of serious prolonged or systemic issues, the Complaint Handler or People and Culture may escalate to Stage 3. In doing so, the Complaint Handler must disclose this to the Complainant. Refer [people leader guide for assessing and managing complaints](#).

People Leaders have a responsibility to assist their staff to resolve concerns, where appropriate, in a timely manner which should not be more than 2 weeks. In doing so, they may:

- take steps to gather relevant information about the complaint, if appropriate. This may include engaging with the Respondent;
- assessing the [safety](#) of the Complainant and the Respondent;
- supporting the Complainant to speak with the Respondent;
- meeting with the Complainant and the Respondent (either together and/or separately) to discuss the issues and explore possible resolutions (assisted/facilitated discussion); and/or
- mediation.

Where resolution is achieved, the People Leader must keep a record of any discussion(s) held, matters raised, and actions taken including through lodging this in the Complaints Portal. Details on how to do this are to be obtained from the People and Culture team.

Where resolution at this stage is unsuccessful, it should be progressed to formal reporting (stage 3), via the Complaints Portal and in discussion with the People and Culture team, with both the Complainant and Respondent advised of this in writing. Details on how to do this are to be obtained from the People and Culture team.

Stage 3: Formal reporting and resolution

Where resolution at either Stage One or Stage Two has not been successful, or is not possible or appropriate, a formal report can be made via the [Complaints portal](#). This stage is typically for serious and/or systemic issues requiring formal investigation and/or intervention or where an issue is unable to be resolved at the alternative levels. Where a complaint relates to conduct involving children under 18 years of age, complaints will be handled under this stage of the procedure.

Where the concern affects the health, safety or wellbeing of an individual, the Health, Safety and Wellbeing Team may be notified either directly or via the reporting system.

The People and Culture team will treat all reports sensitively, respectfully and confidentially (so far as is reasonably possible), and will, following preliminary considerations, determine how the complaint is to proceed. This may include undertaking initial inquiries with identified parties. Preliminary considerations include but are not limited to:

- the safety and wellbeing of the parties;
- the seriousness of the allegations;
- legislative obligations or external reporting requirements
- steps taken to date in the complaint process (where relevant);
- the wishes of the Complainant, and Respondent (where applicable);
- the outcome sought by the Complainant;
- the level of factual information/evidence available;
- any legislative obligations; and
- any previous or related issues

Ways in which a complaint might proceed include but are not limited to:

- deciding that no action is to be taken and that the complaint is concluded;
- appointing an internal or external independent person to mediate;
- appointing an internal or external independent person to conduct an investigation;
- taking action under relevant Misconduct/Serious Misconduct clauses or procedures;
- referring the complaint back to Stage 1 or Stage 2 of this procedure;
- undertaking further inquiries;
- interviewing, or seeking written statements from, the Complainant, Respondent and any witnesses (if applicable);
- referring the complaint to another process or procedure;
- referral to external regulator or law enforcement authority

Staff are required to participate in inquiries and investigations into alleged unacceptable conduct. Such participation shall include maintaining confidentiality, responding to questions, providing truthful accounts of relevant events or circumstances, and/or promptly providing any documents as requested during the investigation.

Except for matters referred for disciplinary action or as serious misconduct, proposed recommendations and directives may be discussed with the Complainant, Respondents, and other involved parties with view to supporting resolution of the matter.

If agreement on the resolution of a matter is reached through a process other than that involving an investigation, the agreement will be documented, provided to the Complainant and Respondent in writing, and will constitute the final resolution of the matter.

Where a complaint is referred to an investigator, the scope of the investigation will be determined by the People and Culture team. The investigator will investigate the formal complaint as expeditiously as practicable; declare any actual, perceived or potential conflicts of interest; conduct the investigation fairly and impartially; and have access to relevant documents and material. The investigator will provide a confidential report to the People and Culture team on their findings and, if requested, any recommendations in a separate report to resolve the formal complaint. The report(s) will be provided within 20 working days of receipt of the formal complaint by the investigator unless delayed on reasonable grounds, in which case the report will be provided as soon as is practicable. The People and Culture may provide the Complainant and Respondent with a summary of the findings.

When it is determined that an investigation is to take place, People and Culture will communicate the steps involved in the process to all parties and advise the anticipated timeframes. Reasonable updates will be provided throughout the process, including any delays.

On receipt of the confidential report from the investigator, People and Culture will consider the findings and liaise with the relevant decision maker to determine the appropriate actions and outcomes or next steps. Where an investigation identifies conduct or performance concerns that may warrant consideration under the misconduct or unsatisfactory performance provisions of the relevant enterprise agreement or University procedure, and the investigation was not initially commenced under those provisions, the University may initiate the appropriate process.

Even if the Complaint is not resolved to the satisfaction of one or more parties at this stage, the complaint procedure will conclude.

Role and Responsibilities

Employees involved in a complaint process (Complainant, Respondent, Witnesses)

- a. **Confidentiality:** Confidentiality must be adhered in relation to a complaint. You must not discuss the complaint with other employees, students or persons outside the University other than where necessary for the proper conduct of this procedure. Confidentiality is particularly important in maximising the likelihood of a successful resolution.
- b. Breaches of the requirement of confidentiality, may result in the commencement of disciplinary proceedings against them. In addition, anyone who engages in gossip or spreads rumours, may face victimisation claims or more serious legal action such as a claim of defamation.
- c. **Work:** Employees are generally expected to work as normal during a complaint process. In some cases, it may be appropriate for a people leader or other manager to temporarily vary working arrangements, for either the Complainant or Respondent, provided that such decision is consistent with the enterprise agreement and/or contractual obligations. Normally, a people leader will consult with the employee before varying working arrangements. Consultation with other employees may also be required.
- d. **Good faith:** Responsible for raising issue(s) as soon as possible with the other party/parties, and agree to be involved in settling the issue(s) by acting in good faith.
- e. **Respect:** Expected to conduct themselves in a manner which respects the rights and welfare of other members of the University and to show competence, care, good faith and compliance with instructions, policies and procedures in the performance of their duties.
- f. **No Victimisation:** Individuals must not be victimised or retaliated against because of their involvement in a complaint. If any employee believes they are being victimised, they should immediately contact their People Leader, or the People and Culture team. Similarly, individuals must not victimise others. If any person engages in victimisation, disciplinary action may be taken against them.

Compliant Handler

- a. **Confidentiality:** The Complaint Handler must maintain confidentiality. However, they can disclose the complaint to internal experts and/or their manager to obtain advice, to the respondent to afford procedural fairness, to other employees to properly deal with the complaint (e.g. witnesses) and to monitor the complaint process.
- b. **Timeliness:** Endeavour to comply with the timelines in this procedure. In circumstances where this is not possible, ensuring timely communication with the participants in the process is paramount.
- c. **Impartiality:** Being impartial and avoiding any conflicts of interest is important to successfully handling a complaint. Where this is not possible, the complaint should be referred to your manager.
- d. **Record keeping:** must keep records of the complaint process even if informal. These are to be lodged in the [Complaints Portal](#).
- e. **Seeking advice from P&C:** Where a complaint is received in accordance with this procedure, the Complaint Handler should seek advice from the People and Culture team.

Representative or Support Person

The primary role of the representative or support person is to provide moral support during the meeting and witness the process, take notes, and be available to discuss the meeting afterwards. Representatives and support persons must not advocate, intervene or be obstructive in the process, and they must not unreasonably delay the process due to unavailability.

The University maintains its right to directly communicate with and obtain information from an individual (for example, obtaining an account of what happened from the individual in their own words).

Confidentiality must be adhered in relation to a complaint.

People and Culture

Responsible for promulgation of this procedure; for procedural advice and support; managing stage 3 (formal report and resolution); record keeping; and making recommendations to the Vice-Chancellor (or nominee) on outcomes and actions.

Supporting documents

- [Visual diagram for ease of navigation](#)
- [Enterprise Agreement](#)
- [Staff Code of Conduct](#)
- [People and Culture Policy](#)
- [Equal Opportunity and Valuing Diversity Guidelines](#)
- [Federation University Living Values](#)

Responsibility

- The Chief Operating Officer (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- The Director, People and Culture (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Approval Authority.

Promulgation

The [Complaints Management Procedure for Employees](#) will be communicated throughout the University community via:

1. A FedNews announcement
2. On the 'Recently Approved Documents' page on the University's Policy Central website
3. Notification to Institutes/Portfolios/Federation TAFE.

Implementation

The [Complaints Management Procedure for Employees](#) will be implemented throughout the University via:

1. A FedNews announcement
2. On the 'Recently Approved Documents' page on the University's Policy Central website
3. People Leader training sessions
4. Vice-Chancellors Senior Team briefing