UAC COMPLAINTS MANAGEMENT PROCEDURE

1. Purpose

The purpose of this Procedure is to provide the procedures applicable to the Complaints Management Policy.

2. Initial Complaint principle

a. Complaints made by Applicants or members of the Public can be received by any staff member and if not capable of solution at the initial stage should be dealt with under the Complaints Management Process in Clause 3.

2.1. Form of Complaints

a. Complaints may be made anonymously.

b. Complaints may be made orally or in writing, including by email.

c. A Complainant who makes an oral Complaint may have their identity withheld through the balance of the process.

d. A Complaint may be initiated by an application for a refund of fees.

e. A Complaint may be initiated by way of legal process or by a referral to a regulatory body ‘an External Complaint’.

2.2. Actioning a Complaint

a. Subject to having received relevant Complaint handling training and having appropriate expertise to remedy a Complaint, customer service staff who receive a Complaint shall attempt to resolve the Complaint, or refer the Complaint to a trained staff member as appropriate.

b. If it is assessed that a Complaint cannot be resolved at its first receipt, then the Complaint is to be referred to the Complaints Management Officer.

c. An External Complaint will be reviewed by the Managing Director to determine whether attempts are made to resolve the Complaint or formally defend the Complaint or both.

2.3. Procedural fairness

a. All parties to a Complaint must be treated with procedural fairness which includes ensuring that a respondent is given sufficient information and opportunity to properly respond to a Complaint.

b. The Complaints Officer (CMO) is not to have contributed to or been involved with

the subject of the alleged complaint.

2.4. Complainant rights

Complainants will be:

- listened to and treated with respect by staff involved in the Complaint process;
- provided with information about the Complaints Management Process;
- provided with information on external agencies that may review their Complaint;
- provided with written advice of the outcome of their Complaint, including reasons, and subject to any restrictions imposed by legislation;
- protected, to the extent possible, from any detrimental action related to them having made a Complaint;
- allowed to have a support person accompany them to any meeting or interview required under this Policy and/or to be included in any correspondence relating to their Complaint;
- allowed to appoint an advocate or independent advisor to act on their behalf;
- be provided with information on any support services available via UAC;
- be provided with information on external agencies that may review the Complaint outcome, once determined.

2.5. Withdrawing a Complaint

A complainant may choose to withdraw their Complaint at any time by notifying the CMO or Managing Director in writing. In some instances, no further action will be taken, however, UAC retains the discretion to act on, or continue its investigation of, a complaint.

3. Complaint management process

There are five stages in the UAC Complaint Management Process. A possible External Appeal stage follows the five stages.

3.1. Stage 1 – Receipt and acknowledgement

Complainants may lodge their Complaints in person or by email, phone or mail. Whichever method is used their Complaint, whether later acknowledged as a Complaint or not, will be acknowledged in writing if capable of being acknowledged. When possible, the recipient Staff member is empowered to attempt to resolve the Complaint in the first instance should the Complaint be of a form capable of immediate resolution.

3.2. Stage 2 – Assessment

The Complaint will be assessed by the CMO to determine whether the issues raised in it are within UAC's control and/or meet the criteria set out in the Complaints Management Policy.

Where it is determined the issues are not within UAC's control and/or the Complaint does not meet the acceptance criteria, the CMO will inform the complainant and provide reasons.

When a complaint has been received in the form of an initiating process of a legal or regulatory nature this will be referred immediately to the Managing Director, the General Counsel, the CMO, the Company Secretary, and if appropriate the Head of the Unit to which the complaint relates. Should the Complaint relate to the action or inaction of any of the foregoing then they will not be included in the distribution at the initial stage.

3.3. Stage 3 – Dealing with the Complaint

Following receipt and initial assessment of a Complaint which has not been resolved at first instance, the CMO will decide on the most appropriate way to deal with the Complaint.

Any investigation of the facts will be undertaken as promptly (as circumstances allow and warrant) by qualified impartial personnel (internal or external) as appropriate. This may be undertaken by the CMO and may include the relevant Executive.

3.4. Stage 4 – Resolution and outcomes

The CMO will work with the relevant UAC business unit or staff member(s) and/or third parties to investigate the Complaint and identify possible options for resolving or further dealing with the complaint.

If UAC appears to be at fault or UAC systems or processes are shown to not be best practice, UAC will attempt to resolve the matter in a way that is mutually acceptable to UAC and to the complainant.

Any agreed resolution is to be implemented in a timely manner.

UAC may waive or refund fees if it is considered to be in the interest of settlement and UAC determines that it is appropriate in all the circumstances. All such payments are on a “without prejudice” basis.

Subject only to law or third-party contractual restrictions, (which have not been agreed to in order to subvert Transparency under this Policy) the results of the Investigation and implementation of the findings of the investigation shall be made available to the claimant.

3.5. Stage 5 – Record keeping

All complaints or unsuccessful attempts to lodge a complaint must be notified to the Company Secretary (CoSec) (email CoSec@uac.edu.au).

The CoSec will maintain a register of Complaints and a comprehensive record including:

- a copy of the Complaint;
- a copy of the acknowledgement;
- correspondence relevant to the assessment, remedy and outcome;
- any recommendations for systemic or Policy change arising from the Complaint; and
- a copy of the letter of outcome to the complainant.

The Register and Records will be maintained in such a way as to comply with Privacy requirements.

3.6. Appealing a Complaint decision - Internal

A complainant may appeal against a decision in writing addressed to the CMO or the Managing Director. The appeal should contain adequate reasoning and/or supporting data as grounds for the appeal. The appeal will be undertaken by the Managing Director or by an Officer of UAC. The complainant shall be informed of the outcome within 21 days.

3.7. External Appeal

A complainant may refer the complaint to a relevant external body for review of the Complaint or UAC Complaint processes. UAC will at the request of a complainant advise the complainant as to potential appropriate forums for the external appeal, and if appropriate consent to the jurisdiction of the external appeal body. Each Party shall bear its own costs of appeal.

3.8. Confidentiality and privacy

a) Complainants and respondents should only discuss the matter with their nominated support person, union or legal representative, counsellor or medical practitioner, immediate family or household member, who are also bound by confidentiality.
b) Generally, material relating to a Complaint will only be disclosed to persons that are involved in the Complaint and/or where UAC considers disclosure is required to manage the Complaint or required by law.
c) Some incidents may need to be reported to external authorities and information including the identity of the complainant, respondent and nature of the incident may need to be disclosed. Where possible, consent from the complainant or relevant party will be sought, however UAC reserves the right to refer any matter it considers appropriate to an external agency (such as the NSW Police, the Federal Police and/or the Independent Commission Against Corruption) and has an obligation to report certain incidents irrespective of consent. There will also be some serious matters where UAC will have an obligation to take urgent action to ensure the safety of individuals

d) Information and records collected during the Complaints Management Process will be kept confidential and handled according to the provisions of the Personal Information Security Policy and record keeping requirements. These will only be made available to authorised people in the Complaints Management Process or as required by law.

4. Administration

4.1. Definitions

Definitions are the definitions contained in the Complaints Management Policy.

4.2. Conflict

In the event of a conflict of interpretation between these procedures and the Policy the Policy shall take precedence.

4.3. Related legislation

- Independent Commission Against Corruption 1988
- Privacy and Personal Information Protection Act, 1998 (NSW)
- Fair Work Act 2009 (Cth)
- Anti-Discrimination Act 1977 (NSW)
- Discrimination Act 1991 (ACT)
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984

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Governance

Owner	Company Secretary
Approved By	Managing Director
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Document history

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May 2025	1	Managing Director	Initial Procedure