



PROCEDURE

Student Complaints Grievances and Appeals

Date of approval	August 2018	Approved by	Senior Policy Officer
Date of effect	August 2018	Current to	August 2021
Relates to Policy	Student Complaints Grievances and Appeals	Version	v1.2018
Responsible Owner	Director, Student Experience		
Functional Manager	Manager, Student Services		

1. Introduction

- 1.1 Batchelor Institute (the Institute) has a student body drawn from markedly different locations and life experiences with quite diverse world views. In order to provide a safe and harmonious learning environment that ensures that values like respect, integrity and the process of accountability are reflected in everyday practice, it is essential to have a student complaints and grievance policy that provides clear pathways for voicing dissatisfaction and transparent mechanisms for resolution.
- 1.2 In addition to the above, a guiding philosophy of the Institute is the Both-Ways Philosophy. This is a philosophy that 'brings together Indigenous Australian traditions of knowledge and western academic disciplinary positions and cultural contexts, and embraces values of respect, tolerance and diversity'. This philosophy extends to the Institutes approach to academic, student and human relations practices; as the Both-Ways philosophy recognises that who we are is as important as what we know, and that relationships underpin all learning and that strengthening identity is integral to the Institute

2. Summary

- 2.1 This procedure outlines the processes, steps and responsibilities for student complaints, grievances and appeals. It covers the following:
- Information about complaint policy and procedures,

- Protecting Student Complainants,
- Procedural Fairness,
- Complaints Officers and Senior Complaints Officer,
- Satisfactory resolution of a complaint,
- Unresolved complaints/ registering of a Grievance,
- Right of appeal,
- Record keeping, and
- Responsibilities.

3. Context to the Procedure

Information about complaint policy and procedures

- 3.1 The complaints policy and procedures should be readily accessible to the public, students and staff via the Institute website.
- 3.2 Information about outside organisations that handle complaints should also be provided and prominently displayed with the complaints policy and procedures.
- 3.3 All students and staff should be directed to the policy, and procedures during orientation, and whenever a complaint or issue arises.

Protecting student complainants

- 3.4 When a complaint is lodged, measures should be taken to ensure that there is no breach of privacy for all parties involved and that the students will in no way be disadvantaged or subjected to discrimination and harassment in any form.
- 3.5 Throughout the complaints process students have the right to have a person to support or represent them present.

Procedural Fairness

- 3.6 The process and actions in relation to complaints or issues raised will display procedural fairness. This means that it is a process that displays fairness to all sides (both complainant(s) and respondent(s)) and includes the right to be heard, the right to be treated fairly, the right to adequate notice, the right to be informed of allegations made and by whom, and the right to respond to allegations or issues. It is also a process that is free of bias.

Complaints Officers and Senior Complaints Officer

- 3.6 The designated Complaints Officer shall be associated with a position and are:
 - 3.6.1 Alice Springs, Desert Peoples Centre (DPC) Student Enquiries and Support Officer, and
 - 3.6.2 Batchelor - Student Enquiries and Support Coordinator,
- 3.7 Students in remote areas who wish to make a complaint should contact the general free call number: 1800 677 095 and will be directed to the most appropriate Complaints Officer.

- 3.8 All members of staff who by their position take up the role of Complaints Officer shall undergo basic training that is culturally sensitive. Complaints Officers should continually improve their skills through participation in other relevant training.

Senior Complaints Officer

- 3.9 The Senior Complaints Officer is the Manager, Student Services. They will ensure that all complaints are dealt with according to the Student Complaints Grievances and Appeals policy and this procedure. They will:

- oversee the complaints processes,
- provide assistance to Complaint Officers and other staff, and
- maintain the Electronic Complaints Register.

- 3.9.1 In the event of a complaint being directed at the Senior Complaints Officer, then the Executive Director, Strategic and Shared Services will assume the role of Senior Complaints Officer.

CDU Students

- 3.10 This procedure does not cover complaints by CDU students who must abide by the relevant CDU policies, guidelines and procedures. If a CDU student has a complaint regarding Institute staff an attempt should first of all be made to resolve the issue informally. If this is not successful then a complaint should be submitted on an External Complaints Form which is available on the Institute website at <http://www.batchelor.edu.au/contact/> and can be sent to the Institute's External Complaints Officer **by email to** complaints@batchelor.edu.au.

Procedure

- 3.11 The complaints officers shall record all complaints and issues on the Electronic Complaints Register.
- 3.12 After recording the complaint on the relevant site, the Complaints Officer should take the following actions:
- 3.12.1 Identify in a plan how to collect facts relevant to the complaint, and the personnel who should be involved; This may include:
- refer for special consideration to the Academic Board
 - refer Any complaint at is about a staff member or involves a staff member to the Director Human Resources; or
 - arrange for culturally appropriate support or services eg. language support
 - Reporting an incident to an external agency. In some situations eg domestic violence, there may be mandatory reporting or a duty of care that requires reporting to an external agency. If this is the case then the complainant must be informed.
- 3.12.2 Send the information on the complaint and plan to the Senior Complaints Officer and the Head of Division, who may provide further input;
- 3.12.3 Initiate action to resolve the matter within seven (7) working days wherever possible;
- 3.12.4 If unable to initiate a plan because of conflict of interest or other difficulties, pass the complaint to the Senior Complaints Manager who should seek to resolve the matter within ten (10) working days; or

- 3.12.5 Advise the student to write a formal grievance letter.
- 3.12.6 If the action is to advise the complainant to write a formal grievance letter then this will be recorded as the action taken, and the complainant will be directed by the Complaints Officer in regard to the steps in the grievance procedure.

Appeals relating to awards and scholarships

3.13 Students who wish to seek an appeal regarding an Institute decision relating to awards or scholarships are to make this appeal via the existing complaints process outlined in the Complaints Procedures. The process will be driven with the following principles and variations to the complaints procedures:

3.13.1 Principles:

- a. Appeals relating to awards or scholarships are to be handled by the Chairperson of the Academic Board. The Chairperson may delegate this responsibility to another appropriate person who has specific expertise in the field as long as there is no conflict of interest.
- b. An Appeal Committee must have three persons appointed, one of which must be a student representative.
- c. Appeals relating to award or scholarship decisions are to be investigated in a clear and transparent approach.
- d. Findings of the Appeal Committee must be ratified by the Chairperson of the Academic Board and the outcome is to be provided to the applicant in writing.

3.13.2 Variations to procedures in relation to Awards and Scholarships:

- a. The applicant for appeal is responsible of providing grounds for the appeal and the outcome sought. This must be in writing and forwarded through the manager Student Services.
- b. The Manager Student Services will forward the appeal to the Chairperson of the Academic Board with any additional evidence that might be considered in relation to the appeal.
- c. An appeal decision of the Appeals committee will be final.

Satisfactory resolution of a complaint

3.14 If a matter is resolved to the satisfaction of the student then:

- It should be recorded on the complaints-database and filed electronically, and
- Be collated into a report by the Senior Complaints Officer and forwarded to the next Senior Management Committee (SMC) meeting identifying the issue(s) and how they were resolved. It is critical that privacy and confidentiality is maintained and it would be normal for reports to be de-identified in regard to individuals involved.

3.15 When complaints and/or grievances are received by SMC they should analyse the nature of the complaint against present policy and procedures and, if necessary, recommend any changes.

Unresolved complaints/ registering of a grievance

3.16 When a student is not satisfied with the resolution of a formal complaint or a Complaints Officer feels that the matter is of such a serious nature that it is more appropriately dealt

with by the grievance procedures and rules, then a formal grievance letter should be lodged with the Senior Complaints Officer.

3.17 The contents of the grievance letter should include:

- A clear date of lodgement;
- An address, email and telephone number [contact details] of the person lodging the grievance;
- A description of the issue at the centre of the grievance, including times, places and names of others involved;
- A description of any steps taken by the complainant to try and resolve the matter;
- Contact details of any witnesses;
- Availability of the person for further information; and
- The signature of the person lodging the grievance.

3.18 A grievance letter should be received within 14 working days of the matter first occurring, however as per grievance procedures exceptions can be made according to the nature of the issue initiating the grievance.

3.19 The Senior Complaints Officer should acknowledge receipt of the grievance letter by telephone or email within a day of receiving it.

3.20 A formal letter will then be sent within seven (7) working days of receiving the grievance letter, indicating what steps will be taken to address the grievance. Prior to this time the Senior Complaints Officer or their delegated officer may have contacted the writer and any others involved, for further information.

3.21 The Senior Complaints Officer may then:

- Inform the Executive Director, Strategic and Shared Services about the issue and request direction;
- Take action to resolve the matter him or herself, or
- Set up a Grievance Review Committee.

Grievance Review Committee

3.22 The principles of fairness and efficiency shall direct the membership of the Grievance Review Committee.

3.23 The Chair of the Grievance Review Committee shall be the Executive Director, Strategic and Shared Services, or delegate. There should not be any conflict of interest with the Chair of the Grievance Review Committee.

3.24 The Chair shall be responsible for contacting possible members of the grievance committee. This committee should have as minimum membership:

- Two staff members of the Institute who are not involved in the complaint,
- An Aboriginal and Torres Strait Islander representative, and
- A student member, if appropriate.

If specialised assistance is required to resolve the grievance then this can be co-opted.

3.25 The complainant shall be informed of the membership and has the right to request alternative members, who again should not be involved in any way with the complaint.

- 3.26 The committee may have as many meetings as required to review the evidence, but at least one should involve input from the complainant and if the complaint is specifically about another person, staff or student, then that person should also have the right to address the committee.
- 3.27 Under normal circumstances the committee should seek to hear all evidence and resolve the matter within 30 days of receiving the request.
- 3.28 Minutes of all meetings should be taken, a file created, and the complainant should be informed of the final resolution of the committee in writing, with an explanation of their right to appeal.

Right of appeal

- 3.29 The complainant has the right to appeal the decision of the Grievance Review Committee, by writing to the Chief Executive Officer within 14 working days of receiving correspondence from the committee.
- 3.30 After reviewing the grounds for appeal the Chief Executive Officer shall then:
- Decide whether or not further action is required;
 - If it is decided further internal action is required to resolve the matter, initiate that action, or
 - Seek external assistance to resolve the matter.
- 3.31 The complainant shall be advised of the Chief Executive Officer's decision on appeal, in writing 14 days after receiving the appeals letter.

External Avenues

- 3.32 If a student complainant is dissatisfied with the final outcome of an appeal, he or she may refer the matter to an external organisation which, depending upon the nature of the complaint could include:
- The Northern Territory Ombudsman;
 - Overseas Student Ombudsman, or
 - Regulatory authority.

Record keeping

- 3.33 All complaints are to be recorded on the Electronic Complaints Register. This should ensure that it is in a manner that protects the complainant. Minor complaints eg complaints about the food, do not require the details of the complainant to be recorded.
- 3.34 It is the responsibility of the Senior Complaints Officer to maintain all records of complaints and grievances in both electronic and paper form, where applicable, and to present regular reports on complaints to the Chief Executive Officer.

4. Responsibilities

Staff responsibilities

- 4.1 Responsibilities for members of staff in relation to a complaint or grievance by a student are:

- If receiving a complaint, in the first instance take the time to listen and decide whether it can be solved quickly, or requires further investigation. Advice of a senior staff member or counsellor may be sought on how to progress.
- If it is considered that a complaint can be readily and satisfactorily resolved through discussion with the complainant, then this should be attempted.
- If the matter requires further action, rather than discussion, to resolve, and the actions are within the ability of the staff member who receives the complaint to undertake with minimal disruption to their main duties, to the satisfaction of the complainant, then this should be attempted. A record should be kept of the complaint and the action. This record should then be sent to the relevant complaints officer.
- Where it is considered that a matter is so serious that it should be brought to the attention of senior staff, and/or is not within their ability to resolve, they should:
 - Direct the complainant to the relevant complaints officers; with details of the complaint and any discussions, and
 - Explain to the complainant how the matter will be dealt with and where the information about the policy and procedures can be found on the Institute homepage.

Complaints Officer

4.2 The responsibilities of a Complaints Officer are:

- To provide advice to staff on the handling and processing of student complaints and grievances;
- To undertake investigations and resolution of student complaints and grievances;
- Record details of the complaint and complainant in the complaints database;
- Ensure that each complaint is entered into the Student Complaints Register; and
- Send an acknowledgement within 2 working days to the complainant that the complaint has been received.

Senior Complaints Officer

4.3 The responsibilities of the Senior Complaints Officer are:

- Oversee the complaints process;
- To provide advice to staff and Complaints Officers on the handling and processing of student complaints and grievances;
- Maintain the complaints register;
- Notify the Executive Director, Strategic & Shared Services of each complaint entered on the Student Complaints Register; and
- To undertake investigations and resolution of student complaints and grievances.

Executive Director, Strategic and Shared Services

4.4 The responsibilities of the Executive Director, Strategic and Shared Services are:

- Chair the Grievance Review Committee;
- Oversee the system for student complaints; and
- Assume the role of Senior Complaints Officer in the situation where there is a complaint against the Senior Complaints Officer.

5. Acronyms & Terms

Acronym/Term	Definition/Description
Appeal	Any complainant has the right to appeal a decision made regarding a decision on a complaint. It is the Director's responsibility to act on any appeal.
Complaint	The identification by a student of a matter that they feel requires the attention of the Institute.
Formal complaint:	A complaint becomes formal when it is recorded by the relevant officers identified in this policy and a plan is formulated to address it.
Grievance	A matter becomes a grievance when it is identified in writing by a student and/or staff member as warranting a formal independent review and/or resolution.
Informal complaint	If a complaint is brought to a staff member's attention and can be solved quickly through discussion, mediation or an action that is acceptable to the complainant without a plan, it is classed as informal. The nature of the complaint and action taken, however, should still be recorded, to enable reflection and changes to practice as appropriate.

6. Supporting Documents

- Student Complaints Form
- Student Complaints Grievances and Appeals Policy
- External Complaints Policy.
- Privacy Policy.

7. Related documents

- *Standards for Registered Training Organisations (RTOs) 2015,*
- *Higher Education Standards Framework (Threshold Standards) 2015,*
- NSW Ombudsman, March 2016, *Complaint Handling at Universities: Australasian Best Practice Guidelines,*
- Commonwealth Ombudsman, 2009, *Better Practice Guide to Complaint Handling,*
- Australia – New Zealand Standard (AS/NZS 10002:2014), *Guidelines for complaint management in organizations.*

8. Modification history

<i>Date</i>	<i>Version</i>	<i>Authority</i>	<i>Sections Modified & Details</i>
Oct 2014	1	Manager Student Services	New procedure Procedural material; extracted from the previous policy
Nov 2016	2	Senior Policy Officer	Amendments due to changes in organisational titles and logo
August 2018	v1.2018	Senior Policy Officer	Amended Procedure resulted from a review of the policy & procedure & approval of the amended policy by the ELT. The new Policy Owner - Director Student Experience was not recruited at the time of review. Title information S3.5- Make explicit that the Senior Complaints Officer is the Manager Student Services S3.10- Any direction required on complaints is first obtained from the Policy Owner S3.13 - Add section relating to complaints by CDU students S3.14-Add section relating to appeals for awards & scholarships S3.24 Add that complaints are confidential S3.33 The Chair of the Grievance Review Committee is the Executive Director Strategic & Shared Services S4.4 Add section outlining avenues for external complaint Update references 2.1 – add protecting complainant and procedural fairness 3.6 – add section on procedural fairness 3.8 – revise wording 3.9 – add requirements for the Senior Complaints Officer 3.11 require mandatory recording of all complaints on electronic complaints register 3.12.1 – add requirements for Complaints Officer

9. Feedback

If you have any comments or feedback about this procedure please contact the Manager, Student Services.