

PROCEDURE S3.4-P3.6

STUDENT GRIEVANCE AND COMPLAINTS

1.0 INTRODUCTION

1.1 Related Policy

Student Grievances and Complaints Policy.

1.2 Purpose

This procedure should be read in conjunction with the Student Grievances and Complaints policy and outlines the responsibility and processes involved in the resolution and management of student grievances and complaints at the Australasian College of Health and Wellness (ACHW).

1.3 Scope

This procedure applies to grievances, complaints and appeals made by students of ACHW and ACHW's third party partners.

1.4 Scope Exceptions

This procedure does not apply to complaints made by staff.

2.0 RESPONSIBILITIES

1. Students are responsible to comply with this procedure, including timelines, when lodging a grievance, complaint, or appeal.
2. Students who are party to a grievance or complaint must comply with requests from the Head of School, ACHW and the Student Complaints and Grievances Panel for attendance at meetings or to provide information.
3. The Head of School, ACHW or delegate is responsible to investigate grievances and complaints, and to record these on the appropriate Register.
4. The Head of Compliance is responsible to receive appeals from the student, respond to the student, and notify the Student Complaints and Grievances Panel of the appeal.
5. The Student Complaints and Grievances Panel is responsible to consider the appeal and notify the Head of Compliance of the outcome.
6. The Head of School, ACHW and Head of Compliance are responsible to ensure timely communication to the student, as outlined in this procedure.

3.0 PROCEDURE

3.1 Informal Resolution

- a. In any grievance, students should always attempt, where possible, to resolve the issue with the relevant person(s) (e.g., a facilitator, another student) or section/department (e.g., Student Support) involved.
- b. If resolution cannot be achieved through discussion with the persons or department involved, grievances will normally be taken to the Head of School, ACHW (or delegate) or Student Support for informal resolution.
- c. All grievances and complaints, irrespective of whether the matter is resolved by informal resolution or further escalated, are recorded in the Grievances and Complaints Register.
- d. Where the matter is not resolved by informal resolution, the student will be advised of the formal process to lodge a complaint.

3.2 Lodging a Complaint

- a. If the grievance is not resolved informally and the student wishes to lodge a formal complaint, they should submit their grievance in writing, including providing their name, contact details, details of the grievance or complaint and the steps already taken to resolve the grievance.
- b. Lodging a formal complaint is a serious matter that will be investigated (as distinct from informal processes and the provision of feedback). Other parties who are the subject of a grievance, including in particular those about who a complaint is made, will be informed that they are the subject of a grievance.
- c. The receipt of a formal complaint from a student will be acknowledged in writing by the Head of School, ACHW within five (5) business days. The acknowledgement will:
 - outline the investigation process and advise that a decision will normally be made by the Head of School, ACHW within twenty-one (21) business days of receiving notice of the grievance in writing;
 - advise that the complaint will be kept confidential and will not disadvantage the student in any way; and
 - identify any foreseeable delays.
- d. The Head of School, ACHW will ensure the complaint has been recorded in the Grievances and Complaints Register (as applicable).

3.3 The Investigation Process

The Head of School, ACHW will:

- a. Arrange a meeting with the student and provide a reasonable opportunity for the student to explain the grievance or complaint and to provide any relevant documentation.

- b. Arrange a meeting with the other parties involved to gather relevant information.
- c. Record outcomes of any meetings as a formal record.
- d. Make every effort to advise the student and other parties of the outcome of any investigation, including any final decision made in respect of the complaint (and provide reasons), within twenty-one (21) business days of receiving written notice of the complaint.
- e. Enter formal resolutions, reasons for decisions and actions to be taken on the Grievances and Complaints Register.
- f. Advise affected parties that the decision may be appealed if they are not satisfied with the process or outcome and that appeals may be made as outlined in the Student Grievances and Complaints Procedure.

3.4 Formal Resolution by Head of School, ACHW

- a. Following an investigation, a Formal Resolution decision is made by the Head of School, ACHW. The decision may be:
 - That further investigation is required.
 - To provide more information about the situation or reasons for the decision.
 - To remedy a mistake.
 - To revoke a decision.
 - To change a policy or procedure.
 - To retrain/discipline a student.
 - To retrain/discipline a staff member.
- b. The Head of School, ACHW advises the student that they must provide notice of any intention to lodge an appeal of the Formal Resolution, in writing, to the Student Complaints and Grievances Panel via the Head of Compliance within twenty-one (21) business days of receiving notice of the decision.

3.5 Internal Appeals Procedure

Where the student is dissatisfied with the formal resolution, the student can lodge an appeal to the Student Complaints and Grievances Panel via the Head of Compliance. The Head of Compliance will:

- a. Acknowledge the appeal in writing within five (5) business days of the appeal being lodged.
- b. Where the complaint concerns the refund of fees, arrange for the Remissions Committee to investigate the complaint fairly and impartially. The Remissions Committee must make a decision in respect of any appeal within twenty-one

(21) business days. The resolution of the complaint must be provided by the Remissions Committee to the Head of School, ACHW to be entered in the Grievances and Complaints Register.

- c. For all other complaints, arrange for the Student Complaints and Grievances Panel to conduct an independent investigation that is fair and impartial. The Student Complaints and Grievances Panel must make a decision in respect of any appeal within twenty-one (21) business days.
- d. Make every effort to arrange for the outcome of the appeal to be communicated to the student and other involved parties in writing within twenty-one (21) business days, outlining the reasons for the decision and any actions to be taken.
- e. Provide the student with information on ACHW's external grievance procedure that is available if a student is not satisfied with the outcome of the internal appeals procedure.
- f. Advise the student that they must provide notice of any intention to lodge an external appeal of the decision on the internal appeal, in writing, to the Student Complaints and Grievances Panel via the Head of Compliance within twenty-one (21) business days of receiving the outcome of the internal appeal.

3.6 External Appeals Procedure

- a. In the event that the internal appeal process does not resolve a complaint (for example, where the student remains dissatisfied with the outcome of the internal appeal) the student may provide written notice to the Student Complaints and Grievances Panel via the Head of Compliance that they request independent external review of the grievance. Notice must be provided within twenty-one (21) business days of receiving the outcome of the internal appeal.
- b. ACHW has appointed the following to conduct the external appeal procedure:
 - Negocio Resolutions, an external qualified dispute resolver, will identify the issues and provide the parties advice about appropriate methods to resolve the grievance.
 - Negocio Resolutions may:
 - at the election of the student, conduct mediation between the complainant and respondent in the first instance to try to reach a negotiated outcome;
 - if the student elects, or if an acceptable final resolution is not reached by mediation within ten (10) business days, Negocio Resolutions will appoint an independent arbitrator (at ACHW's cost) to conduct arbitration proceedings between the parties in accordance with the Resolution Institute Arbitration Rules 2020 and the arbitrator will make a final and binding decision in respect of the grievance.

- The external appeals procedure, including the dispute resolution services provided by Negocio Resolution, is available to the student at no cost.
- Further details in respect of Negocio Resolution can be found at www.negocio.com.au. Contact details:

Mr Stephen Lancken
0418 272 449
mediator@negocio.com.au

- c. The student may also elect to contact:
 - The Equal Opportunity Commissioner - this will be state based with information on the relevant website.
 - Legal Advice/Assistance- this may be at the student's expense depending upon State provided legal assistance services.
- d. Any agreed resolution or decision (where applicable) in relation to a grievance that is made under an external appeal procedure will be implemented, wherever practicable, by ACHW within twenty-one (21) business days of the resolution/decision.
- e. All students shall be referred to appropriate external support groups for assistance as needed to help them cope with their studies or work commitments.

3.7 Review

The Student Complaints and Grievances Panel, and an external appeals entity may identify issues arising during investigations and resolution processes that warrant improvement by ACHW. Those issues (and any recommendations or actions) are incorporated into the ACHW Quality Improvement Register (on an anonymized basis) to inform continuous improvement. The Quality and Compliance Risk Management Committee is responsible for maintaining the ACHW Quality Improvement Register.

4.0 DEFINITIONS

- **Appeal** - A formal application in writing to a higher authoritative figure or court to have a decision reversed.
- **Arbitration / Mediation** - The intervention of a third party in a dispute in order to resolve it in a fair and equitable manner.
- **Complaint** - A formal statement made in writing that something is unsatisfactory or unacceptable, which then leads to an investigation.
- **Grievance** - An official statement by a person that they believe something to be wrong or unfair. A grievance may initiate an investigation, or the person may be requested to lodge a formal complaint to initiate the investigation.

5.0 REFERENCES AND ASSOCIATED INFORMATION

- Student Grievances and Complaints Policy
- Grievance Form
- Grievance and Complaints Register

6.0 POLICY/PROCEDURE OWNERSHIP

Policy Owner	Executive Director/ Head of School ACHW
Status	Reviewed in January 2021 and May 2021
Approval Authority	ACHW Academic Board
Date of Approval	June 2021
Effective Date	June 2021
Implementation Owner	Head of School, ACHW
Maintenance Owner	Head of Compliance
Review Due	May 2024
Content Enquiries	Candice Heskey - Head of School, ACHW Email: cheskey@achw.edu.au

7.0 AMENDMENTS

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
S3.0-P3.0	10 July 2017	Head of Compliance / Director of Education	Initial document review after purchase of MHMHE
S3.1-P3.1	10 March 2020	Academic Board	General review
S3.2-P3.2	18 January 2021	Academic Board	Differentiating between Grievances and Remissions, process for managing complaints and remissions, addition of independent advice at no cost to the student, review process to inform changes and continuous improvement.
S3.3-P3.3	22 January 2021	Academic Board	Further changes to Grievances and Remissions Procedure. Change of name to Grievances and Complaints.
S3.4-P3.4	1 June 2021	Head of School, ACHW	‘Student’ added to title which is now Student Grievances and Complaints. Definitions of Grievance and Complaint clarified.

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
S3.4-P3.5	04 March 2022	Executive Director/ Head of School ACHW	Update to reflect change in organisation chart. Appeals to be addressed to Student and Grievance Panel, coordinated via the Senior Policy and Compliance Officer.
S3.4-P3.6	30 May 2023	Head of Compliance	Minor administrative change: Removal of reference to State Ombudsman replaced with external Legal Service. Update of staffing titles