Complaints, Appeals and Grievance Policy and Procedure

PURPOSE
This policy and procedure is to provide clear and practical guidelines to ensure that complaints and appeals of students can be resolved in accordance with the principles of natural justice, equitably and efficiently.

SCOPE
This complaints and appeals policy applies to all students enrolled with AIHM.

DEFINITIONS
Complaints and Appeals include but are not restricted to matters of concern to a student relating to training delivery and assessment; the quality of the training; student support and materials; discrimination; and sexual harassment.

Natural Justice is concerned with ensuring procedural fairness:
- Decisions and processes should be free from bias.
- All parties have the right to be heard.
- The respondent has a right to know of what s/he is accused
- All parties are told the decision and the reasons for the decision.

POLICY
RTO believes that a student, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.

The student has the right to present the complaint or appeal formally as well as in writing.

AIHM will manage all complaints and appeals fairly, equitably and efficiently as possible. AIHM will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, AIHM acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints. AIHM seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to all students and staff via AIHM Office and is available in the Student Handbook. The information will also contain details of external authorities that they may approach.
Procedure:

Internal Process

Staff members

On receiving a complaint all AIHM staff and or the Registrar shall advice the complainant that their written complaint will be reported to the next management meeting or dealt with within 10 days of lodgment, regardless of the staff member’s perception of the importance of their complaint. The student shall also be informed that their enrolment and access to course lessons will be maintained during the complaints and appeal process.

The staff member must advise the student that they may choose a student support person to be present and with them at all meetings associated with the complaints and appeals process.

The staff member must also advise the complainant, that if their complaint is not satisfactorily answered by the management meeting and its representative, they may request an ‘independent adjudicator’, and that they may formally present the complaint themselves.

The staff member shall raise a client feedback form to identify the complainants’ grievance in an accurate manner, providing the same to the next scheduled management meeting or at least within 10 days of lodgment.

The staff member shall inform that student that all records (in any form) of the Complaints and Appeals process shall be maintained on the students file within AIHM’s student records.

CEO / Management meeting

On receiving a client feedback form detailing a grievance, the CEO or management meeting shall discuss the nature of the grievance and identify the cause of the grievance and the appropriate cause of action to satisfy the complainant’s grievance and if requested by the student provide an appropriate time for the student to present their complaint personally.

The CEO shall complete the client feedback form recording the proposed solution and reason for the outcome and advice the complainant of the proposed solution in writing.

The written advice to the complainant shall detail the proposed solution and reason for the outcome and include information and procedures concerning the complainant’s right to appeal the proposed solution and their right to request for an independent adjudicator which be at no or little cost to the complainant.

External Process – Local Students

Independent Adjudicator Requests (ACPET)

On the receipt of advice of a decision appeal and the request for an independent adjudicator from a student, the Registrar shall provide the complainant with the required ACPET External Review form, advising the student that once lodged, they
will need to support their appeal in writing within 14 days. The complainant should also be advised that the fee for the External Review process will need to be paid directly to ACPET by the complainant, and that any external review outcomes in favor of the student will result in AIHM reimbursing the student for the External Review fee.

The Registrar shall also prepare any documents supporting AIHM’s position within the dispute and provide the same with 14 days of notice provided by ACPET. All records of the external review will be maintained on the students enrolment records.

The student complainant should also be advised that they are entitled to attend any convened independent adjudication meeting with a preferred support person.

The outcome of the arranged meeting between the complainant and the independent adjudicator shall be communicated in writing by the independent adjudicator to AIHM Management. The CEO shall raise the Independent Adjudicator outcomes at the next scheduled meeting of AIHM management. Corrective and preventative actions or appeal decisions granted in favour of the student should be implemented by AIHM management immediately.

The student should also be advised that following the External Review, any ongoing support, interventions or counsel may attract a service fee.

External Process – International Students

Overseas Students Ombudsman

If International student wants to complain or appeal the decision, they can contact the Overseas Students Ombudsman. The Overseas students Ombudsman is free and independent. To find out more students can log in to www.oso.gov.au or phone 1300 362 072.

The Overseas Students Ombudsman investigates complaints about problems that International students or intending International students may have with private education and training in Australia.

The legal basis for the Ombudsman role is the Education Services for International Students (ESOS) Legislation Amendment Act 2011, passed by the Australian Parliament on 21 March 2011.

The Ombudsman also provides information about best practice complaints handling to help private education providers manage internal complaints effectively and publishes reports on problems and broader issues in international education identified through investigations.

The Ombudsman:

- provides a free service
- is independent and impartial, and does not represent either International students or private education providers
- can make recommendations arising out of investigations
- is a function of the Commonwealth Ombudsman.
If the student is still not happy with external mediation, he/she may take his/her complaint to the Australian Skills Quality Authority (ASQA)

Complaints Team
Australian Skills Quality Authority
GPO Box 9928
SYDNEY NSW 2001
Tel: 1300 701 801
Email: TO.complaints@asqa.gov.au

All documentation relating to complaints or appeals should be archived for audit purposes.

AIHM Directors will be person responsible for the implementation and maintenance of the policy.