



Complaint: Student, Customer, Client and Stakeholder Procedure Version 4



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1 Document Control

Version	Date	Amended by	Changes Made
1	13/04/2017	Simone Spicer	Initial document
2	17/05/2017	Simone Spicer	HEBOS & VETBOS comments
3	12/12/2017	Sandra Walls	Minor changes to realign complaint reporting structure
	8/4/2019	Vicky Jorna	Minor administrative changes to remove reference to 'BHIG' and 'CAE'
4	25/06/2019	Simone Spicer	Minor administrative changes to position titles, inclusion of 'client' in the title and scope of the policy; remove reference to CAE, BHIG and Group

2 Purpose

To provide a framework for lodging and resolving complaints and grievances made by students, customers, clients and stakeholders. This procedure replaces the Student Grievance Procedure - Box Hill Institute.

3 Scope

A Complaint means an expression of dissatisfaction made to the organisation relating to an action/decision by BHI which is alleged to have an adverse impact on the complainant/s.

This Policy applies to:

Document: **Complaint: Student, Customer, Client and Stakeholder Procedure**
Document No.: **ACA-AA-PRO012**
Process Area: **Educational Delivery**



- All Box Hill Institute campuses and programs conducted by BHI. BHI includes Current, prospective and former students of BHI.
- Customers, clients and other stakeholders.

This Procedure sets out a process to ensure:

Objectivity and fairness

Complaints are managed with in an equitable, objective and unbiased manner and with regard to fairness and timeliness.

Access and transparency

Information about how and where to complain is well publicised and easily accessible to all stakeholders.

Responsiveness

Complaints are acknowledged in a timely manner, addressed promptly and according to order of urgency, and the Complainant is informed of the process.

Confidentiality and privacy

- Complaints are treated confidentially and the identity of Complainants kept confidential to the extent possible where requested, except where the law otherwise provides.
- In handling Complaints, the Institute will comply with the requirements of privacy legislation.

Accountability

- The Complaint response system is open to scrutiny and there is reporting of the process against performance standards.
- A Complaints Register is maintained.

Complaints from students, customers, clients or stakeholders relating to harassment are promptly referred to relevant management for urgent attention and response.

Complaints related to unlawful discrimination, sexual harassment, bullying or student conduct are responded to with reference to specific policy and procedures:

- Equal Employment Opportunity and Prevention of Workplace Discrimination Policy
- Prevention of Workplace Harassment Policy
- Prevention of Bullying Policy
- Student Conduct Management Policy
- Student Conduct Management Procedure
- Student Code of Conduct
- Students with a Disability Policy
- Students with a Disability Procedure

The Students with a Disability Policy and Students with a Disability Procedure apply to Complaints of Unlawful discrimination on the basis of disability or medical condition.

Complaints about unprofessional or inappropriate staff conduct or about student conduct

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Complaints about staff are addressed by the relevant Manager or Dean/Head and the Executive Manager Workplace Relations with reference to employment and personnel policy and procedures.

Complaints about a student(s)/client(s) must be addressed by the relevant Dean/Head and Operations Manager with reference to the Student Code of Conduct, the Student Conduct Management Policy and the Student Conduct Management Procedure.

Complaints about Academic Matters

These complaints include those related to academic results, academic process, academic conduct or withdrawal of awards or degrees.

- In the first instance a complaint on an academic matter is lodged within the Faculty: with the Teacher, Program Coordinator or Operations Manager.
- If a satisfactory resolution is not achieved or the Complainant believes the Operations Manager is a party to the Complaint, the Complaint is referred to the Dean/Head.
- The Dean/Head will consult with any relevant parties and investigate the circumstances to negotiate an acceptable outcome.
- If the Complainant or Dean/Head considers the Complaint has not been satisfactorily resolved the Complaint may be referred to the Executive Director, Educational Delivery. The referral will be in writing and include all supporting documentation related to the matter within 15 business days of receipt of the complaint.

The Executive Director, Educational Delivery will:

- Notify the Complainant within 15 days of receipt of the complaint that the matter has now been referred.
- Provide to the Complainant and respondent, within 30 business days of the receipt of the Complaint, a written decision in response to the matters raised and describing in writing the reasons for the decisions and the actions taken as part of the procedure.
- If no decision has been made within 30 business days of receiving the Complaint, ensure that the Institute writes to the Complainant, stating the reasons for the delay and further provide updates on the matter at regular intervals of no more than 30 days until a decision is made.

A Complainant may lodge an appeal on the grounds of procedural unfairness or that a judgement was harsh, unjust or unreasonable.

4 Responsibilities

Staff must:

- Take complaints seriously.
- Acknowledge receipt of a complaint promptly and courteously with an assurance that it will be addressed as soon as possible.
- Act on the Complaint as soon as practicable.
- Show courtesy and respect to the Complainant, respondent and other parties.
- Ensure their actions in response are timely and helpful.

The Executive Manager, Student Life must:



- Ensure that there are communications, arrangements and resources to support the implementation of the Complaint Policy and Procedure.
- Ensure that arrangements made include maintaining a Complaints Group made up of senior Student Life staff members with high-level communication skills.
- Ensure that details of the Complaint, Complainant, any determination, actions taken in response, dates of actions and outcome are recorded in the Complaints Register.

Leadership Team Members, Dean/Heads of Faculties, Managers, Coordinators and Staff, for any Complaint within their area of responsibility, must:

- Ensure that complaints received are identified and responded to promptly, courteously and thoroughly to achieve a satisfactory resolution wherever practically possible;
- Ensure that there is clear and timely communication with the Complainant on the progress and resolution of their Complaint and on their satisfaction with the resolution; and
- Ensure that details of the Complaint, Complainant, any determination, actions taken in response, dates of actions and outcome are reported for recording in the Complaints Register.

Students, Customers, Clients and Stakeholders

- Are encouraged to raise a Complaint they may have.
- Are asked to provide information which will assist with the Complaint's investigation and resolution.
- May be asked to attend an interview at a time that is mutually acceptable.

A detailed response to a complaint may be discontinued if it is found that a Complainant is withholding or misrepresenting important relevant facts.

5 Definitions

Term	Definition
Students, Customers, clients and stakeholders	A student includes current, prospective and former students of BHI. A customer is an individual or business that purchases BHIs goods or services. A client is the receiving end of a BHI service or the requestor of a service. A stakeholder is a party that has an interest in BHI and can either affect or be affected by the business.
Complaint	an expression of dissatisfaction made to the organisation relating to an action/decision by BHI which is alleged to have an adverse impact on the complainant/s
Complainant	person expressing dissatisfaction with an action or inaction associated with responsibilities of the organisation
Support Person	is a person who attends a meeting to support a Complainant or relevant party. Students who lodge a complaint may bring an approved support person to an interview. Where they wish to have a Support Person present the option of a Student Life Team member may be offered. If a Complainant wishes to involve a legal representative BHI should be advised in advance.

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Complaints Group	The Executive Manager, Student Life and staff team designated to receive and report complaints, maintain a Complaints Register and facilitate timely and satisfactory resolution of Complaints.
Victimisation	occurs, in relation to this policy and procedure, when a person receives less favourable treatment because they: <ul style="list-style-type: none">• have made or propose to make a complaint or submit a grievance against any person; or• are associated with another person who has made a complaint; or• have participated in processes associated with the investigation or resolution of a complaint/grievance
Grounds of Appeal	A Complainant may lodge an appeal on the grounds of procedural unfairness or that a judgement was harsh, unjust or unreasonable

6 Procedure

BHI Complaints management procedure consists of the following steps:

Step 1

A communication which may be a Complaint is received. The communication may be in any form and may be by telephone to customer service or other staff members, in person, or by letter, email or website.

BHI staff must acknowledge the communication promptly, courteously and helpfully, preferably within two business days. A first acknowledgement by telephone is preferred, with the staff member taking a note of the call. A confirmation email of the initial discussion and in acknowledgement of the Complaint is desirable.

Where a matter is not within BHI's responsibility, the person who raised the matter is so advised and provided with information on any alternative complaint channels.

Step 2

The communication is provided to and assessed by a member of the Complaints Group and, if it is determined to be a Complaint, is:

- logged on the Complaints Register ; and
- acted on immediately and the matter resolved; or
- quickly assessed and assigned a priority based on urgency and seriousness of the issue.

Step 3

A member of the Complaints Group, consulting as necessary, assesses scope and the area of responsibility and sends the Complaint to the Leadership Team member and operational manager with primary responsibility, along with a request to:

- communicate promptly with the Complainant about the process for response to their Complaint;
- initiate prompt action and/or investigation in response;
- continue to communicate in a timely way with the Complainant and the Complaints Group; and
- seek support from or consult with the Complaints Group as needed.



Step 4

If the Complaint can be resolved by an early response and without further investigation:

- the Leadership Team member and operational manager arrange the actions and communication with the Complainant and report actions and outcome to Complaints Group to ensure that information on the Complaint is reported on the Complaints Register.

Where the Complaint warrants further investigation and/or support for response or resolution:

- the Institute will determine the approach to be undertaken including how the Complaint will be investigated or a further response implemented.

The parties involved in the Complaint (Complainant and respondent) will be kept informed on the progress and process of the response.

Step 5

Where the need for an investigation has been determined the aim of the investigation is to:

- establish what has happened and what information needs to be gathered from the parties involved and other relevant sources;
- obtain the facts about the issue; and
- analyse the information gathered and formulate options to resolve the Complaint.

Step 6

At the conclusion of an investigation, the findings will be documented and options for resolution considered. The relevant Manager or Dean/Head will use this information to decide what action is appropriate to resolve the Complaint.

Step 7

The formal response to the Complaint will be communicated to the Complainant and respondent. It will provide the reasons for the response and information on which the response is based.

Where the Complaint is determined to be justified, any action decided to remedy the Complaint will be clearly communicated along with an expected timeframe.

BHI will make every effort to ensure that the remediating actions decided will be undertaken within the expected timeframe. If that is not possible, an update, including an extended timeframe, will be provided within the initial timeframe and regular updates provided until completion of the remediating actions.

Information about review procedures available will be provided to any party not satisfied with BHI's response to the Complaint.

Where a complaint identifies any systemic issues in educational delivery, services or systems, BHI will take action to address these issues.

Appeal (Internal)

Complainants may lodge an appeal to the Deputy Chief Executive Officer for their case to be considered by the Complaint Appeals Committee. A complainant may lodge an appeal on the grounds of procedural unfairness or that a judgement was harsh, unjust or unreasonable.

- a) The appeal and grounds for the appeal should be lodged within ten (10) business days of receipt of the decision of the previous stage.
- b) Letters should be marked "Complaint Appeals Committee".



- c) Within five (5) business days of receiving the appeal, the Deputy Chief Executive Officer will convene the Complaint Appeals Committee consisting of:
 - The Deputy Chief Executive Officer (Chair).
 - A member of the BHI Leadership Team who has not been involved in the matter.
 - The Executive Manager Student Life if they have not been involved in the matter for a non-academic matter or the Executive General Manager Adult Learning or the General Manager, Educational Governance for academic matters if they have not been involved in the matter.
- d) The Complaint Appeals Committee will determine whether there are grounds for the appeal. This may involve interviewing relevant Institute staff and students.
- e) The Complaint Appeals Committee will notify the complainant and respondent and the relevant Executive Directors and or General Managers equivalent indicating whether there are grounds for the appeal to proceed.
- f) If the appeal proceeds, may re-interview the complainant and the respondent if considered necessary.
- g) Notifies the Chief Executive Officer of its recommendation/s within ten (10) business days of notification that the appeal is proceeding.
- h) After receiving the recommendations of the Complaint Appeals Committee, the Chief Executive Officer will: -
 - Make a determination within five (5) business days of receiving the recommendation.
 - Notify the complainant and respondent (if any) in writing of the reasons for the decision and actions taken as part of the procedure.
- i) If it is considered that more than 60 business days will be required to finalise the appeal the Institute will write to the complainant, indicating why more time will be required, and will regularly update the complainant on the matters.

Appeals (External)

The complainant may, if not satisfied with the decision of the Deputy Chief Executive Officer request that the matter be dealt with through an external dispute resolution process by the body appointed for that purpose.

- a) Complainants have the right to lodge an appeal or complaint with appropriate external organisations. These include the Human Rights and Equal Opportunity Commission, the State Equal Opportunity Commission or the State and Commonwealth Ombudsman's Office. Higher Education students may also ask the organisation to request an external mediator be provided by the Australian Council for Private Education and Training.
- b) International students also have the right to contact the Commonwealth Department of Education and Training in relation to complaints under the Education Services for Overseas Students Act 2000 (ESOS).
- c) Students have a right to access an external appeals process at minimal or no cost. The BHI will not impose any fee related to external appeals.
- d) Where a decision is made that supports the complainant the decision will be implemented and/or any corrective or preventative action required and the complainant will be advised of the outcome.

Withdrawal of Complaint

The complainant may withdraw a complaint at any time during the process.

- a) The withdrawal must be in writing to the relevant staff member who is handling the matter.
- b) Withdrawal of the complaint will stop the process and the matter will be deemed concluded.

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External Reference for Complaint Resolution

- [Victorian Ombudsmen](#)
- [Overseas Students Ombudsman](#)
- [Consumer Affairs Victoria](#)
- [Australian Skills Quality Authority](#)
- [Tertiary Education Quality and Standards Agency](#)
- [Victorian Registration & Qualifications Authority](#)

7 Related Documents

Documents, Standards and reference material associated with this document include:

- Complaints Policy

8 Risk/Opportunity Assessment

Risk/Opportunity	Likelihood	Severity	Assessment Method (if applicable)	Mitigation
Student, customer, client and stakeholder complaint may go unreported and unattended.	Low	Moderate		Staff and student awareness of complaint policy and procedure.

9 Process Flowcharts

Nil