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# Complaint: Student, Customer, Client and Stakeholder Procedure      Version 7.1

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Document: **Complaint: Student, Customer, Client and Stakeholder Procedure**

Document No.: **ACA-AA-PRO012**

Process Area: **Student Experience**



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## 1 Document Control

Version	Date	Amended by	Changes Made
1	13/04/2017	Exec Manager Student Life	Initial document
2	17/05/2017	Exec Manager Student Life	HEBOS & VETBOS comments
3	12/12/2017	GM Academic Governance	Minor changes to realign complaint reporting structure
	8/4/2019	Academic Quality Coordinator	Minor administrative changes to remove reference to 'BHIG' and 'CAE'
4	25/06/2019	Exec Manager Student Life	Minor administrative changes to position titles, inclusion of 'client' in the title and scope of the policy; remove reference to CAE, BHIG and Group
5	28/01/2020	Director Academic Quality	Addition of minimum standards for acknowledging and resolving formal complaints, including communication with Complainant.
6	03/03/2020	Exec Manager Student Life	HEBOS & VETBOS feedback
7	26/03/2020	Exec Manager Student Life	Reference to international education agents, student representation, support persons, procedural fairness and transparency.

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Version	Date	Amended by	Changes Made
7.1	24/06/2020	Exec Manager Student Life	Minor administrative changes to title of Prevention of Workplace Discrimination, Bullying & Harassment Policy and Appeals process to include no cost for appeals process to non-senior secondary students

## 2 Purpose

To provide a framework for lodging and resolving complaints and grievances made by students, customers, clients and stakeholders.

## 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 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 via electronic noticeboards and easily accessible via the BHI student, staff and external web sites.

### Responsiveness

Complaints are acknowledged within 2 business days and addressed within 14 days according to order of urgency. The Complainant is informed of the process and provided with updates every 30 days until their complaint is resolved or referred.

### 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 by Student Life
- Students are provided the opportunity to formally present their case internally at no cost and invited to bring a support person to meetings
- Customer Relations are copied in all complaints communications including records of conversation, monthly updates, and communication of internal and external outcomes.

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**Complaints from students, customers, clients or stakeholders relating to harassment** are acknowledged within 2 business days and promptly referred to relevant management for urgent attention and response within 14 days.

**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 Discrimination, Bullying & Harassment 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**

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 Manager with reference to the Student Code of Conduct, the Student Conduct Management Policy and the Student Conduct Management Procedure.

### **Complaints about unprofessional conduct by international education agents**

Complaints about international education agents are addressed by the General Manager International with reference to the International Education Agent Agreement, ESOS Standards and employment and personnel policy and procedures.

### **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 Manager.
- If a satisfactory resolution is not achieved within 14 days or the Complainant believes the 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 within a further 14 days.
- If the Complainant or Dean/Head considers the Complaint has not been satisfactorily resolved the Complaint may be referred to the relevant Executive Director. The referral will be in writing and include all supporting documentation related to the matter within 30 days of receipt of the complaint.

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The relevant Executive Director will:

- Notify the Complainant within 14 days of receipt of the complaint that the matter has now been referred.
- Provide to the Complainant and Respondent, within 30 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 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.

### Appeals

A Complainant may lodge an appeal on the grounds of procedural unfairness or that a judgement was harsh, unjust or unreasonable. In order to ensure transparency and procedural fairness, all appeals are elevated to the relevant General Manager or Director. If the Director or General Manager are already involved the matter is escalated to the Complaint Appeals Committee.

## 4 Responsibilities

**All Staff** must:

- Take complaints seriously.
- Acknowledge receipt of a complaint within 2 business days with an assurance that it will be addressed as soon as possible.
- Confirm the outcome the Complainant is seeking
- Copy Customer Relations in all complaint communications
- 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.
- Monitor and maintain the central Complaints Register.
- 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 hard copy or email communications, determination, actions taken in response, dates of actions and outcome are recorded in the Complaints Register. The complaints register will include all records of conversation and any academic progress or student commitments.

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

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- Ensure that complaints received are identified and acknowledged within 2 business days, courteously and thoroughly with a view to achieve a response, satisfactory resolution or referral within 14 days;
- Ensure that there is clear, courteous communication with the Complainant on the progress of their Complaint at least every 30 days, and on their satisfaction with the resolution;
- Ensure that details of the Complaint, Complainant, any communications, determination, actions taken in response, dates of actions and outcome are reported for recording in the Complaints Register; and
- List Customer Service as a standing agenda item on training delivery team meetings in order to discuss the lessons learned from complaints and drive continuous improvement.

### 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 a meeting at a time that is mutually acceptable within 14 days of making a complaint.
- Are provided the opportunity to formally present their case internally at no cost
- Are invited to bring a support person to complaint meetings

A detailed response to a complaint may be delayed or discontinued if it is found that a Complainant is withholding or misrepresenting important relevant facts. Such Complainants will be informed in writing if this occurs and what information or action is required to progress their complaint. Box Hill Institute is not responsible for delays that occur when progression or resolution requires action by or decisions from external agencies.

## 5 Definitions

Term	Definition
<b>ASQA</b>	Australian Skills Quality Authority
<b>Students, Customers, clients and stakeholders</b>	a student includes current, prospective and former students of BHI. a customer is an individual or business that purchases BHI's 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.
<b>Complaint</b>	is 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
<b>Complainant</b>	is a person expressing dissatisfaction with an action or inaction associated with responsibilities of the organisation
<b>Complaints Group</b>	is 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.

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<b>Complaint Appeals Committee</b>	consisting of: <ul style="list-style-type: none"><li>• The Executive Director Corporate Governance (Chair).</li><li>• A member of the BHI Leadership Team who has not been involved in the matter.</li><li>• 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 Director Academic Quality for academic matters if they have not been involved in the matter.</li></ul>
<b>Grounds of Appeal</b>	a Complainant may lodge an appeal on the grounds of procedural unfairness or that a judgement was harsh, unjust or unreasonable.
<b>Support Person</b>	is a person who attends a meeting to support a Complainant or relevant party. Students who lodge a complaint may bring a support person, who may be a person from Student Life. If the support person is a legal practitioner, the Complainant should notify BHI in advance.
<b>Non-school senior secondary students</b>	Students studying VCE and VCAL courses
<b>Victimisation</b>	occurs, in relation to this policy and procedure, when a person receives less favourable treatment because they: <ul style="list-style-type: none"><li>• have made or propose to make a complaint or submit a grievance against any person; or</li><li>• are associated with another person who has made a complaint; or</li><li>• have participated in processes associated with the investigation or resolution of a complaint/grievance</li></ul>
<b>VRQA</b>	Victorian Regulations and Qualifications Authority

## 6 Procedure

BHI Complaints management procedure consists of the following steps:

### Step 1

A communication which may be a Complaint is received. Communication may be in the form of a telephone call to BHI staff, in person, by letter, email or website.

BHI staff must acknowledge the communication promptly, courteously and helpfully, within 2 business days. A first acknowledgement by telephone is preferred, with the staff member taking a note of the call and confirming the desired outcome with the Complainant. The complaint is then acknowledged in a confidential email summarising the complaint and explaining the next steps towards resolution. Customer Relations are copied into this email in order to facilitate review by the Student Life Complaints Group and entry into the Complaints Register.

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. Where the complaint raises issues that put BHI staff or

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students at risk this is immediately escalated to the Executive Manager Student Life and / or relevant Executive Director.

**Step 2**

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

- logged on the Complaints Register; and
- acted on immediately and the matter addressed, referred or resolved within 14 days; 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 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 every 30 days 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 responsible Leadership Team Member and manager respond in writing to the Complainant. The response is then emailed to the Complaints group to ensure that all relevant information on the Complaint is reported on the Complaints Register.

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

- the relevant Dean/Head or manager 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 with email updates every 30 days.

**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;
- ensure all parties are provided with an opportunity to present their case and they are able to bring a support person, and
- analyse the information gathered and formulate options to resolve the Complaint.

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

### Step 7

A formal response to the Complaint will be communicated to the Complainant and Respondent via email or in writing. It will provide the reason/s 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 to the Complainant within the initial timeframe and updates provided every 30 days until completion of the remediating actions unless a future date is provided for implementation.

Where a complaint identifies any systemic issues in educational delivery, services or systems, BHI will take action to address these issues and communicate the intended outcome and timeline to the Complainant/s within 30 days.

The response will be provided to the student via email or written correspondence, whichever is deemed more appropriate for the circumstances.

Information about the appeals process will be provided to any party not satisfied with BHI's response to the Complaint.

### Step 8

Training delivery and support services will discuss complaints anonymously in relevant team meetings to identify the lessons learned and use this information to drive continuous improvement and mitigate the likelihood of reoccurrence.

Student Life will concurrently monitor, analyse and report on the number and type of complaints in each program area. This information will be reviewed by faculties, the Executive and the Educational Quality Subcommittee of the Board to ensure compliance with the Standards for Registered Training Organisations 2015 and improve the Student Experience.

### Appeal (Internal)

Complainants may lodge an appeal to an Executive Director 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 14 days of receipt of the decision of the previous stage.
- b) Letters and emails should be marked for the attention of the "Complaint Appeals Committee".
- c) Within five (5) business days of receiving the appeal, the Executive Director Corporate Governance will convene the Complaint Appeals Committee consisting of:
  - The Executive Director Corporate Governance (Chair).
  - A member of the BHI Leadership Team who has not been involved in the matter.

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- 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 Director Academic Quality 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, the Complaint Appeals Committee will review relevant records and may re-interview the Complainant and the Respondent if considered necessary.
- g) The Executive Director Corporate Governance notifies the Chief Executive Officer of its recommendation/s within 14 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 reason/s for the decision and actions taken as part of the procedure.
- i) If it is considered that more than 30 days will be required to finalise the appeal, the Institute will write to the Complainant, indicating why more time will be required, and will update the Complainant every 30 days.

### Appeals (External)

The Complainant may, if not satisfied with the decision of the 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) There is no cost for non-school senior secondary students to lodge an external appeal with the VRQA, or a complaint about their VET component of the VCAL or VCE with ASQA, the Victorian Ombudsman, or Overseas Students – Commonwealth Ombudsman
- e) 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 within 30 days.

### Withdrawal of Complaint

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

- The withdrawal must be in writing to the relevant staff member who is handling the matter.
- Withdrawal of the complaint will stop the process and the matter will be deemed concluded.
- Customer Relations must be informed if a complaint is withdrawn and / or if the Complainant decides to exit the course.

### 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

## 10 Procedure Owner

Owner	Author
Executive Director Student Experience	Executive Manager Student Life

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## 11 Approval Body

The CEO is the approval body.

CEO Signature	Approval Date
Vivienne King	7 May 2020

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