

Policy and Procedure

Name:	Complaints, Grievances and Appeals Policy and Procedure
Approved by:	Director Customer Success
Date Approved:	21/06/2016
Approved by:	Head of Compliance VET
Date Approved:	21/06/2016
Implementation Owner	Head of Student Engagement
Maintenance Owner	Head of Compliance
Review Date	01/06/2017

Contents

Policy and Procedure	
SECTION 1 – INTRODUCTION.....	2
PURPOSE.....	2
SCOPE.....	2
SECTION 2 – POLICY.....	3
PRINCIPLES.....	3
LEGISLATION.....	4
SECTION 3 - PROCEDURES.....	5
Stage 1 – Informal Notification.....	5
Stage 2 – Written Notification and Internal Review.....	5
Stage 3 – Escalated Review.....	5
Stage 4 – External Dispute Resolution.....	6
CONFIDENTIALITY.....	7
SECTION 4 – REFERENCE AND SUPPORTING INFORMATION.....	9
DEFINITIONS.....	9
SUPPORTING DOCUMENTATION.....	9
SECTION 5 – GOVERNANCE.....	10
CHANGE HISTORY.....	10

Section 1 – Introduction

Purpose

This policy and procedure covers the Australian Institute of Management Education and Training (AIMET) for student complaints, grievances and appeals.

Scope

This policy encompasses:

- Academic matters from students including matters related to student progress, curriculum and awards in a course (Note: Assessment issues are dealt with through our Assessment Appeals Policy located here <http://www.aim.com.au/training/student-information>)
- Non-academic matters from students and can cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.
- Non-academic matters from persons seeking processes relating to enrol with AIMET in a course or unit of study

This policy applies to all AIMET interactions regardless of the location at which the grievance has arisen, the person's place of residence or mode of study. It covers current students, previous students as well as those people who are seeking to enrol with AIMET.

Section 2 – Policy

Principles

The Australian Institute of Management Education and Training (AIMET) welcomes and respects all forms of feedback as it is central to the notion and maintenance of an effective continuous improvement regime. AIMET employees, consultants, students, candidates and clients are openly invited to offer feedback on any matter, at any time. AIMET has allocated specific employees to handle a compliment, an issue, a concern or a complaint should it not be resolved in the first instance.

To achieve this, AIMET will respond to any grievances and appeals raised by students, candidates, employees, facilitators, students, and any other stakeholders quickly and objectively regardless of the location of the training site, the place of residence of the complainant or the mode of study.

The most important elements to consider during the application of this policy are:

- Timely – complaints and grievances should be dealt with as soon as they are received
- Sensitive – the feelings and perspectives of all involved are respected throughout the process
- Fair and impartial – all parties must be afforded substantive and procedural fairness in any investigation. Both sides of the story must be heard. An external investigator can be contracted to undertake the investigation to ensure a fair process where required. The complainant and respondent will not be victimised or discriminated against at any stage of this procedure.
- Privacy and record keeping – only parties directly involved in the investigation of the complaint or those involved in making decisions about outcomes should have access to information about the grievance
- Supportive - If so desired, the aggrieved party may be accompanied and assisted by a third party during any stage of the grievance process
- Accessible – All internal stages of the grievance process can be accessed without any financial expense. Any costs for external appeals will be of a reasonable amount a determined by the third party. Options of third parties are given to ensure equal access.
- Continuous improvement – AIMET is always seeking opportunities to improve their services to better meet the needs of clients. This may include but is not limited to reviewing policies, procedures or documentation to ensure clarity, efficiency and fairness.

All complaints, grievances and Appeals are guided by the principles of access, equity, fairness and timeliness.

AIMET is committed to:

- ensuring students that request to withdrawal from a course and/or receive refunds are not victimised or discriminated against
- considering course withdrawal and refund requests in a consistent, transparent, objective and unbiased manner
- making all details of the procedures publicly available
- informing students of the policy pre-enrolment and advising students to read it at the commencement of a course
- specifying reasonable timelines for responses and reimbursement of monies at each stage of the process and monitoring of these timelines
- providing reasons and full explanation in writing for decisions and actions taken as part of the procedures
- keeping appropriate records of withdrawal and refund requests, including brief written outcome, within student files and allowing students access to their records

- ensuring that such records are treated as confidential
- reviewing the Withdrawals, Deferrals and Refunds process regularly
- AIMET does not have financial, administrative or other barriers to a student withdrawing from the unit before the unit's census date.

Legislation

All requests to Withdraw, Defer and/or obtain a Refund are actioned in accordance with the following Australian Government legislation:

- National Vocational Education and Training Regulator Act 2011
- Age Discrimination Competition and Consumer Act 2004 (Cwth) 2010
- Anti-Discrimination Act 1977 (NSW only)
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Disability Services Act 1993 & Disability Services Regulation 2003
- Fair Trading Act 1987 (NSW, WA, SA)
- Fair Trading Act 1999 (VIC)
- Fair Trading Act 1989 (QLD)
- Fair Trading Act 1992 (ACT)
- Fair Trading Act 1990 (TAS)
- Consumer Affairs and Fair Trading Act 2013 (NT)

Section 3 - Procedures

Stage 1 – Informal Notification

Where the aggrieved party raises a complaint or grievance directly with an AIM employee or consultant, it is expected that the employee or consultant make every effort (within their role jurisdiction) to resolve the issue directly and in a timely manner.

The majority of matters or issues of concern are resolved with open dialogue at this stage. Where the complainant is satisfied at this stage, the appropriate steps will be taken to implement the action that will produce the agreed outcome.

Where the matter cannot be resolved at this stage, or where the matter concerned is beyond the jurisdiction of the employee or consultant it is appropriate for the complaint or grievance to be escalated.

Stage 2 – Written Notification and Internal Review

The aggrieved party is encouraged to put their grievance in writing using a Feedback Report available at <http://www.aim.com.au/training/student-information>. Upon receipt of this form, all AIM employees and consultants will welcome the opportunity to respond to the matter and commence the resolution process by seeking an immediate response from the appropriate manager.

The manager will commence an investigation of the matter and identify the expected outcome of the aggrieved party. The investigation will conclude with a recommended course of action that specifically addresses the grievance within twenty one (21) working days of receipt of the complaint.

Where a complaint is made about or involves allegations about another person, AIMET is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. AIMET must maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.

If the aggrieved party is satisfied with the proposed outcome, appropriate steps need to be taken to implement that outcome. Depending on the type of action to be taken, the outcome will be completed to the complainant's and AIM's satisfaction within five (5) working days of the resolution being determined or as agreed to between both parties.

A written statement documenting the outcome of the complaint including the details of the reasons for the outcome will be provided to the complainant and kept on record for continuous improvement processes. Documented records are maintained for a minimum of five (5) years.

Stage 3 – Escalated Review

If the aggrieved party is dissatisfied with the proposed outcome, they have the right, in the first instance, to appeal the original decision. This appeal should contain further supporting information or outline information not previously considered in the initial complaint. The appeal should be emailed to compliance@aim.com.au and clearly indicated as an appeal.

The Head of Customer Success, will review the evidence and provide the outcome of the reviewed decision. This will be completed within fourteen (14) working days of the appeal being received and the response will be emailed to the student.

Stage 4 – External Dispute Resolution

If the matter remains unresolved after being addressed by both the appropriate Manager and the Director Customer Success, the complainant may request that the matter be dealt with through an external dispute resolution process. This stage of the process will be dealt with in a reasonable period of time depending on all parties, normally 21 days. There may be nominal cost to the applicant for this service depending on their choice of third party.

The Director Customer Success will provide the complainant with information about the referral of the matter to an external agency for resolution.

Upon resolution, appropriate steps need to be taken to implement the decided and agreed outcome. Depending on the type of action to be taken, the outcome will be completed to the complainants and AIMET's satisfaction within five (5) working days of the resolution being determined or as agreed to between both parties.

A written statement documenting the outcome of the complaint, including the details of the reasons for the outcome will be provided to the complainant and kept on record for continuous improvement. Documented records are maintained for a minimum period of five (5) years.

The senior manager will provide the complainant with information about the referral of the matter to external agencies such as:

Queensland Ombudsman

Level 17, 53 Albert Street

Brisbane QLD 4000

GPO Box 3314, Brisbane QLD 4001

07 3005 7000

1800 068 908

NSW Ombudsman:

Level 24, 580 George Street

Sydney NSW 2000

Phone: 02 9286 1000

1800 451 524

Victorian Ombudsman

Level 1 North Tower

459 Collins Street

Melbourne VIC 3000

DX210174 Melbourne

03 9613 6222

1800 806 314 (Regional)

Ombudsman SA

Level 5 East Wing

50 Grenfell Street

Adelaide SA 5000

Telephone: (08) 8226 8699

1800 182 150 (outside metro SA only)

Confidentiality

Records of complaints, grievances and appeals and their outcomes and the Complaints Register will be kept for a minimum period of five (5) years in strict confidence. Parties to the complaint will be allowed supervised access to these records upon request, while ensuring that the records are treated as confidential.

Management of, and access to, any records (including the Complaints Register) will be restricted as per privacy guidelines.

All parties, subject to the complaints, grievance and appeals process, shall at all times treat grievances and appeals as confidential and shall not reveal the names of complainants or where applicable those referred to in the grievance to any third party without the express permission of those concerned.

The complainant and respondent have the right to be represented by a third person (such as a family member, friend, counsellor or other professional support person) at any stage throughout this process.

If a student is unhappy with their institution/provider's decision, the student must apply to their institution/provider within 28 days (or the period allowed by the institution/provider) requesting a review of that decision.

Following the internal review, if the student is still unhappy with their institution/provider's decision, the student has 28 days from the date of that reviewed decision (by their institution/provider), to apply to the AAT requesting an independent review of their institution/provider's decision. More information regarding this process is available from the Administrative Appeals Tribunal website (<http://www.aat.gov.au>).

Section 4 – reference and supporting information

Definitions

Word/Term	Definition
Informal complaint	The assertion of a grievance in an informal way i.e. speaking with a staff member.
Formal complaint	The assertion of a grievance in a formal way i.e. it is written down for official processing.
Complainant	The student or prospective student lodging the complaint.
Appeal Course commencement date	If a student is dissatisfied with a decision made by AIMAIMET, he/she has 21 days from the date stated within the written notification in which to lodge an appeal to have the case reviewed. This includes decisions relating to complaints outcomes and assessment appeals, as well as notifications of unsatisfactory academic progress, misbehaviour, refusals of transfer applications, and/or pending cancellation of enrolment. The date that is agreed between AIMET and the student to be the first date for online course access of a particular student enrolment

Supporting documentation

Document name	Document type	Location
Complaints log	Register	Internal folder

Section 5 – Governance

Change history

Version	Approval date	Approved by	Approved by	Change
1.2	22/06/2016	Director Customer Success	Head of Compliance VET	Updated policy into new template Updated to reflect RTO and AQF standards

Please note:

- Printing this document may make it obsolete
- For the latest version of this policy always check the Policy site located here <http://www.aim.com.au/training/student-information>