

Grievance

Policy and Procedure

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SECTION 1 – INTRODUCTION

PURPOSE

The Australasian College of Health and Wellness (ACHW) aims to provide a fair, equitable and productive learning environment for all its students. This policy seeks to support the achievement of this goal by providing a transparent and consistent process for resolving academic and non-academic grievances.

SCOPE

This policy applies to complaints made by students (of all ACHW campuses).

SECTION 2 – POLICY AND PROCEDURE

PRINCIPLES

ACHW welcomes all forms of feedback and students, staff and any other stakeholders are openly invited to offer feedback on any matter at any time. This document provides details on the steps that students can take to have any grievance addressed. In the interests of providing high quality services the following principles apply:

- Grievance and review procedures will be transparent to ensure that all students understand their rights and responsibilities.
- ACHW will respond to any grievance or appeal raised by students quickly and objectively in order to reach satisfactory outcomes for all parties.
- The Head of School will acknowledge the receipt of formal complaints in writing within 5 business days.
- This ACHW Grievance Policy and Procedure will be followed when a grievance or appeal is raised by any ACHW student.
- In the event that a grievance or appeal cannot be resolved informally, the aggrieved student will be encouraged to formally lodge a complaint with the Head of School using the Grievance Form.
- In the event that a grievance or appeal cannot be resolved by ACHW, the aggrieved student will be encouraged to seek assistance from the relevant independent external agencies outlined in this Grievance Policy and Procedure to finally resolve the dispute.
- Students involved in the grievance resolution process will not be disadvantaged as a result of lodging the grievance.
- At all times, ACHW will respect the rights of all students to use any avenue available to them to address their grievance and/or appeal.

The Grievance Policy and Procedure is communicated:

- ï to academic and support staff via the Facilitator Handbook; and
- ï to students via the Learning Management System, Unit Guide and the ACHW website.

OVERVIEW

All students are entitled to access an efficient mechanism to raise and settle grievances efficiently. ACHW is committed to identifying and responding to any issue or grievance relating to any aspect of its business operations. ACHW has established a complaint and grievance resolution system to resolve:

- ï academic appeals and grievances, including in relation to student progress, assessment, facilitators, plagiarism, course materials, curriculum or awards in a course of study;
- ï non-academic appeals and grievances, including in relation to personal information held and any other administrative matters including course fees; and
- ï grievances between students and staff and between students.

To achieve this, ACHW will respond to any grievance raised by students promptly and objectively regardless of the location of the teaching site, the place of residence of the student or the model or course of study.

REGISTERS

ACHW maintains a Grievances and Complaints Register that records details of all grievances and complaints, actions taken and their resolution (including any appeals). The Grievances and Complaints Register records both academic and non-academic grievances and complaints. ACHW's Quality and Compliance Risk Management Committee is responsible for preparing a report on the Grievances and Complaints Register. This Grievances and Complaints Register is reviewed by ACHW's Academic Board quarterly.

ACHW maintains a Remissions Register of complaints that concern student fees. The Remissions Committee is responsible for monitoring the Remissions Register, which is reviewed by ACHW's Corporate Board.

CONFIDENTIALITY

The grievances and complaints recorded on the Grievances and Complaints Register and the Remissions Register will be kept for 7 years on a strictly confidential basis. Parties to the grievances will be allowed supervised access to the Grievances and Complaints Register and the Remissions Register on request.

Management of and access to any grievance records (including the Grievances and Complaints Register and the Remissions Register) will be restricted to the Head of Quality Assurance, the Head of School and Director of Education (as well as the Remissions Committee, Student Complaints and Grievances Panel, the ACHW Academic Board and the ACHW Quality and Compliance Risk Management Committee).

All parties who are involved with grievances and their resolution shall at all times treat the grievance as confidential and shall not reveal the names of any other party who is the subject of or involved in the grievance or its resolution without express permission.

COMPLAINTS

Resolution of grievances in accordance with this policy is free of charge.

Students and respondents will not be victimised or discriminated against at any stage of (or because of) using this procedure.

The student and respondent have the right to be represented by a third party (such as a family member, friend, counsellor, advocate, or support person) at all times.

SECTION 3 – PROCEDURE

INFORMAL RESOLUTION

In the ordinary course, grievances will be discussed with the Head of School (or its delegate) or Student Services for informal resolution.

All grievances are recorded in the Grievances and Complaints Register or Remissions Register (whether the matter is resolved by informal resolution or further escalated).

Where the matter is not resolved by informal resolution, the student will be advised of the formal process to lodge a complaint and referred to this Grievance Policy.

LODGING A COMPLAINT

If the grievance is not resolved informally and the student wishes to lodge a formal complaint, they should complete the Grievance Form, including providing their name, contact details, details of the grievance and the steps already taken to resolve the grievance.

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.

The formal complaint will be acknowledged in writing within 5 business days. The acknowledgement will:

- Outline the investigation process and advise that a decision will normally be made by the Head of School

within 14 days of receiving notice of the grievance in writing.

- Identify any foreseeable delays.
- Ensure the grievance has been recorded in the Grievances and Complaints Register or Remissions Register (as applicable) which is maintained by the Head of Quality Assurance.

THE INVESTIGATION PROCESS

The Head of School will:

- Arrange a meeting with the student and provide a reasonable opportunity for the student to explain the grievance.
- Arrange a meeting with the respondent (and other relevant parties where necessary) to gather relevant information.
- Record minutes of any meetings as a formal record.
- Make every effort to advise the parties of the outcome of any investigation, including any final decision made in respect of the complaint (and provide reasons), within 14 business days of receiving written notice of the complaint.
- Enter formal resolutions, reasons for decisions and actions to be taken onto the Grievances and Complaints Register or Remissions register.
- Advise affected parties that the decision may be appealed if they are unsatisfied with the process or outcome and that appeals may be made in writing to the Director of Education.

FORMAL RESOLUTION BY HEAD OF SCHOOL

Following an investigation, a decision will be made by the Head of School. 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 provide compensation.
- To retrain/discipline a student.
- To retrain/discipline a staff member.

The Head of School must advise the student that they must provide notice of any intention to lodge an appeal of the Formal Resolution, in writing, to the Director of Education within 20 days of receiving notice of the decision.

INTERNAL APPEALS PROCEDURE

Where the student is dissatisfied with the formal resolution, the student can lodge an appeal to the Director of Education. The Director of Education will:

- Acknowledge the appeal in writing within 5 business days of the appeal being lodged.
- 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 14 business days.
- 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 14 business days.
- Make every effort to arrange for the outcome of the appeal to be communicated to the student and the respondent in writing within 14 business days, outlining the reasons for the decision and any actions to be taken.
- 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.
- Advise the student that they must provide notice of any intention to lodge an appeal of the decision on

the internal appeal, in writing, to the Director of Education within 20 days of receiving the outcome of the internal appeal.

EXTERNAL APPEALS PROCEDURE

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 Director of Education that they request independent external review of the grievance. Notice must be provided within 20 days of receiving the outcome of the internal appeal.

The external appeal procedure is as follows:

- (a) Negocio Resolutions, an external qualified dispute resolver, will identify the issues and provide the parties advice about appropriate methods to resolve the grievance.
- (b) Negocio Resolutions may:
 - i. at the election of the student, conduct mediation between the complainant and respondent in the first instance to try to reach a negotiated outcome;
 - ii. if the student elects, or if an acceptable final resolution is not reached by mediation within 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 cost of the external appeal procedure will be born wholly by ACHW.

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

Any agreed resolution or decision (where applicable) in relation to a grievance that is made under this external appeal procedure will be implemented, wherever practicable, by ACHW within 14 business days of the resolution/decision.

All students shall be referred to appropriate external support groups for assistance as needed to help them cope with their studies or work commitments.

REVIEW

Both the Student Complaints and Grievances Panel and Remissions Committee 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.

SECTION 4 – REFERENCE AND SUPPORTING INFORMATION

DEFINITIONS

Word/Term	Definition
Grievance	An official statement of a complaint or appeal over something believed to be wrong or unfair.
Complaint	A formal statement made in writing that something is unsatisfactory or unacceptable.
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.

SUPPORTING DOCUMENTATION

Document name	Document type	Location
Grievance Form	Form	<i>G:\Compliance\Policies & Procedures</i>
Grievance and Complaints Register	Register	<i>G:\Compliance\Policies & Procedures</i>
Remissions Register	Register	<i>G:\Compliance\Policies & Procedures</i>

SECTION 5 – DOCUMENT DETAILS

POLICY OWNER

Name	Grievance Policy and Procedure
Endorsed by	Director of Education
Approved by	Head of Compliance
Date Approved	10/07/2017
Implementation Owner	Head of Quality Assurance
Maintenance Owner	Head of Quality Assurance
Review Date	15/01/2021

CHANGE HISTORY

Version	Approval date	Approved by	Approved by	Change
V1.0	10/07/2017	Head of Compliance	Director of Education	Initial document review after purchase of MHMHE
V2.0		Approved by Academic Board on 10/03/2020		General review
V3.0		Approved by Academic Board 18.01.21		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.
V4.0		Approved by Academic Board 22.01.21		Further changes to Grievances and Remissions Procedure. Change of name to Grievances and Complaints.