

Non Academic Complaints & Grievances Policy & Procedure

1 POLICY STATEMENT

Blue Mountains International Hotel Management School Pty Limited ABN 91 004 004 317 (incorporating Australian International Hotel School and Blue Mountains International Hotel Management School to be known collectively as 'the School') is committed to the continuous improvement of its services for potential students, staff and enrolled students, and aims to provide adequate and easily activated procedures to deal with complaints/grievances.

The School will treat complaints/grievances seriously ensuring that all processes are clear, confidential and fair to all parties. A strong focus for this policy is efficient and positive resolutions for complaints/grievances and a restoration of positive and cooperative working relationships.

2 PURPOSE

Students and staff of the School or those seeking to enrol in a course of study with the School are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of the School at which the complaint/grievance has arisen, the student's place of residence or the mode in which they study.

This policy is available on the School's websites (www.hotelschool.com.au and www.aihs.edu.au) and on the Staff and Student Information System (SSIS).

3 PROCEDURE

The complainant and respondent will not be victimised or discriminated against in any of the four (4) stages set out in this policy.

The Deans are responsible for the training of academic staff in the application of this policy. The Campus Directors are responsible for the training of support staff in the application of this policy.

When making a complaint/grievance, respondents, students, staff or those seeking to enrol in a course of study with the School have the right to:

- Be present or make a written presentation to any committee convened to hear the complaint/grievance
- Be accompanied and assisted by a third party (such as a family member, friend, counsellor or other professional support person) at any or each stage of the process, if so desired;
- Receive and respond to any documentation, as appropriate, that is submitted in connection with a complaint;
- Have a complaint/grievance treated confidentially with details only disclosed with the staff's permission, unless the School has reasonable grounds for believing the use of the information will be a threat to the life or health of any person, or the use is authorised by law.
- At all stages of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures must be given if so requested by the complainant and/or respondent.
- Records of all complaints/grievances and applications for review of decisions must be kept and be accessible to all interested parties for a period of five (5) years.
- Records of complaints/grievances and their outcomes will be kept strictly confidential and filed in a separate file (not kept on the student or staff file) and stored in the office of the Executive Assistant for a period of five (5) years. Parties to the complaints/grievances will be allowed supervised access to these records.

Possible Outcomes from Making A Complaint/Grievance

A complaint/grievance is heard on all matters relating to the School, so there will be many different resolutions, each offered on the merits of the case. Possible resolutions include the following:

- A written undertaking or apology;
- Written agreements in regard to future behaviours or actions;
- Remedial action, for example, the correction of records or improved practices;
- The issuing of new internal procedures or guidelines;
- Conciliation/mediation between the two parties under the guidance of a mutually accepted impartial third party (internal or external);
- Independent external mediation.

Definitions

- **Complaint/Grievance:** a clear statement expressing dissatisfaction with an act, decision or omission which the grievant considers to be unjust, wrongful or discriminatory and which is within the control of the school;
- **Complainant/Grievant:** the person making a complaint/grievance;
- **Respondent:** the person against whom a complaint is brought;
- **Staff:** any person currently employed by the School. Complaint/grievance from former staff must be made within 10 days of their leaving the school;
- **Student:** any person currently enrolled by the School. Complaint/grievance from former students must be made within 10 days of their leaving the School;
- **Harassment:** any action that is uninvited or unwelcome and interfered with an individual's right to work in a non-threatening environment;
- **Discrimination:** a discriminatory action is one which results in less favourable treatment of an individual or a group in comparison with another individual or group in the same or similar circumstances;
- **Duty of Care:** if a complaint/grievance is of a serious nature eg: unlawful behaviour, the School will take formal action to protect individuals in their care;
- **Natural Justice:** the following principles have been identified by the Human Rights and Equal Opportunity Commission.

3.1 Submission and Evidence of a Complaint/Grievance

The person who is the subject of concern must know all the allegations in relation to their behaviour; they must have a full opportunity to put their case; all parties to the complaint/grievance have the right to be heard. All relevant submissions and evidence must be considered; matters which are not relevant must not be taken into account; the person who lays the charge must not determine the charge; the decision maker must be disinterested and unbiased. A decision must be based upon evidence.

3.2 Process Guidelines

- The School recognises the right of students, staff or people seeking to enrol in any accredited course of the provider to make complaints/grievances as part of its continual improvement process;
- Following is an outline of the options available when a problem or issue arises and the different stages for proceeding with a complaint.
- The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other the School's policies or under statute or any other law.

3.3 Internal Informal Resolution

Students, staff or people seeking to enrol in any accredited course of the provider have four stages at which a complaint may be addressed.

Stage 1

In the first instance, complaints should be discussed with the person/s involved. However, if this is impracticable, complainants should communicate with one of the staff listed below. This arrangement is free of charge and every effort will be made to make a decision within fourteen (14) days.

Prospective Students

- Marketing and Sales Director
- Student Services Director

Staff and Students of the School

- Campus Director
- Director of Academic Affairs
- Dean

Staff/students then have three (3) options for proceeding:

- Take no further action;
- Make comments or suggestions;
- Make a complaint. (*Grievance Form*)

Stage 2

If unsatisfied with the response to the complaint/grievance or the time taken to resolve the matter, the complainant may submit the complaint/grievance in writing to one of the staff listed below. The written complaint/grievance must be dealt with within a reasonable time, normally within fourteen (14) days of receipt of the complaint/grievance.

Prospective Students

- Marketing and Sales Director
- Student Services Director

Staff and Students of the School

- Campus Director
- Director of Academic Affairs
- Dean

Staff handling the complaint/grievance will ensure that they:

- Listen and understand the nature of the complaint/grievance;
- Explore all the options and possible implications for resolving the issue with the complainant;
- Avoid any behaviour which might reasonably be interpreted as interrogative or judgemental.

Staff will endeavour to find a resolution. The issue may be resolved at the local level with the least amount of disruption for all parties. The majority of complaints/grievances are resolved successfully at this stage.

Stage 3

If unsatisfied with the response to the written complaint/grievance or the time taken to resolve the matter, the complainant may request a review by a panel of 3 staff made up of one member from the Executive Group, a Campus Department Head and the Campus Services Coordinator. The complainant must receive a response within thirty (30) days.

- The complainant lodges a formal written complaint with a member of the Executive Group using form *Grievance Form*. The complainant may outline the incident/issue in writing or initial that the notes taken were accurate. The complainant's desired outcome should be noted. The formal complaint/grievance is to be lodged in *Complaints and Grievance Register* located in the office of the Executive Assistant;
- If the above attempts fail the complainant may wish to go directly to the Formal Process.
- The panel may choose to either review the written evidence and/or interview the parties concerned to clarify all matters prior to making a resolution.

Stage 4

If not satisfied with the decision in Stage 3, the complainant may request that the matter be dealt with through an external dispute resolution process by an independent panel appointed by the School and accessed via the Australian Council for Private Education & Training (ACPET) for this purpose. This panel is totally independent of ACPET and all members are appropriately qualified legal practitioners. ACPET only acts as a clearinghouse and administrative centre for the purpose of this process. This process only considers paper based appeals.

The process is as follows:

1. Students/Staff must lodge their complaint/grievance via email to ACPET and are required to complete the revised appeals form which includes payment details. This form is available from http://www.acpet.edu.au/index.php?option=com_content&task=view&id=4947&Itemid=348.
2. Once the student/staff has lodged their complaint/grievance, the School will be contacted via email by ACPET and a request made for all documentation to be forwarded.
3. There is a \$400 fee to lodge an appeal. The School pays \$200 and the Student/staff pays \$200.
4. The School will maintain the student's enrolment/staff employment whilst the appeals process is ongoing.

Stages 1 – 4: If either the internal or external complaint/grievance process results in a decision that supports the complainant, the School will immediately implement any decision and/or corrective and preventative action required and advise the student/staff of the outcome.

All Stages of the process will commence within ten (10) working days of the formal lodgement of the complaint/grievance and supporting material and all reasonable measures are taken to finalise the process as soon as practicable.

4 DOCUMENTATION

Complaints & Grievance Register
Grievance Form