



**IHM**<sup>®</sup>  
*Institute of Health and Management*

# **Student Complaints and Appeals Policy and Procedure**

### Purpose

To ensure that IHM responds to all student complaints and grievances in a timely, appropriate, fair and equitable manner.

### Scope

This policy applies to all staff, employees, academics, prospective and current students, Education Agents, management, corporate governance representatives of IHM as each of these categories of person may be involved in its implementation and the handling of complaints and grievances, or be a respondent to them. The complaints and grievances to which this policy applies are those initiated by students, past or present, or their authorised representatives.

### Definitions

**Complainant:** Person who is making a complaint

### Complaint

**Academic Complaint:** A complaint that relates directly to teaching, learning and assessment. Examples may include complaints about the effectiveness of teaching, the quality of teaching materials.

**Non Academic Complaint:** A complaint that is not directly related to teaching and learning, such as a complaint about finance or advertising.

**Informal Resolution:** Direct action or discussion to resolve a complaint by the staff member who has received it.

### Principles

#### Informal resolution preferred

Where a complaint is made to an IHM staff member, any such course of action as is available to remedy the cause of the complaint, or to provide a satisfactory explanation to the complainant, will be undertaken by that staff member, provided that doing so is within their delegated authority.

#### Complaints valued as a contribution to continual improvement

In seeking excellence as an institution, IHM acknowledges the valuable contribution students make by raising complaints and grievances. Where a problem or issue exists, it is only through awareness and acknowledgement that we may begin to address it. Any problem that affects a student adversely is also detrimental to IHM's reputation and to our ability to achieve our goals as a provider of high-quality education. Though we seek at every opportunity to identify and pre-empt or address such problems, complaints and grievances are a valuable secondary means by which we receive feedback.

#### Confidentiality

Those who raise complaints and grievances have the right to do so in confidence. Information about the matters raised may be passed only with the prior consent of the complainant. In cases where it is necessary to escalate the complaint beyond the person who initially addressed it, the complainant will first be informed of this necessity and has the right to decide whether to proceed. Where a complaint is escalated to a committee or board, it will be listed as a confidential item, to be disclosed only to the members of that committee or board and it will be heard and voted upon prior to the admission of observers to the meeting.

### **Ethical and fair treatment**

Complainants must be treated equally, without discrimination on any basis such as race, gender or sexuality. The complaint or grievance raised will to be resolved in a manner that is consistent, legal and ethical.

### **Right of appeal**

Where a complainant believes that the decision of a staff member or governing body is incorrect or is not sufficient to address their complaint or grievance, they have the right, but not the obligation, to escalate the matter to the next level of authority as outlined in the Escalation Procedure.

### **Timely resolution**

IHM will take all reasonable measures to ensure that complaints are resolved as soon as possible. In the case of more serious complaints, this may include measures such as calling upon members of a board or committee to bring forward the date of their next scheduled meeting or to attend an irregular meeting.

### **Provision of information to Complainants**

Complainants have the right to know what is being done to address their complaint and what progress has been made.

Complainants will be notified in writing:

- When their complaint has been received
- When a board or committee meets to discuss their complaint
- When a decision is announced regarding their complaint
- When any action is taken to resolve their complaint by IHM or its employees

### **Alternate complaint resolution process**

Where the complaint directly involves, or where there is a clear conflict of interest with the staff who are a member of the panel, an alternative resolution process handled by a panel comprising other suitable members from IHM will be organised. In such circumstances, the CEO has the authority to appoint an alternative delegation/ panel.

### **Natural justice: no one can be a judge in their own case**

A person directly implicated in a complaint or grievance will not be involved in any decision-making process regarding either the validity of the complaint or the action to be taken in response. They may, however, be asked by decision makers to explain or defend their actions or to provide evidence.

Where a committee or board includes one or more representatives of the student body, those students will refrain from voting if they have had any contact or association with the complainant or the respondent. Where a member of a committee or board has a direct association with a respondent or person implicated in the complaint or grievance, they must also refrain from voting.

### **Natural justice: rights to a hearing**

Those involved in making decisions with regard to the resolution of a complaint must, wherever possible, hear statements from both the complainant and any respondent who is being implicated. Employees or governing bodies making decisions about a complaint must take all reasonable steps to inform themselves, provided that doing so will not breach the complainant's right to confidentiality.

### Dismissal of complaints

Any employee or governing body to whom a complaint is lodged may dismiss the complaint if they deem that:

- a) The complaint is vexatious
- b) The complaint is frivolous
- c) The complaint is trivial
- d) The complaint is false

The reasons for the dismissal of the complaint must be appropriately documented and communicated to the complainant, who has the right to appeal against the dismissal by submitting the complaint to the next level of escalation.

Complainants who make repeated vexatious, false or frivolous complaints may be subject to disciplinary action and such instances will be referred to the student misconduct committee.

### Procedure

- The Institute of Health and Management (IHM) is committed to provide an effective, efficient, timely, fair and confidential complaints and appeals procedure for all students based on principles of natural justice and procedural fairness.
- Students will be provided with details of external authorities they may approach, if required.

All students are encouraged to resolve complaints informally with the Lecturer/ Student Support Staff before making a formal complaint.

All students will be provided with Student Handbook which contains information on complaints and appeals, prior to enrolment and explained again during orientation. The student can also submit complaint/ appeal through the IHM Student Hub.

- IHM relevant staff members have been inducted about Student Complaints and the Appeals Policy at induction and can access the policy from the IHM Knowledge Hub.
- All parties will have a clear understanding of the steps involved in the procedures.
- At any stage in the complaints or appeals process students are entitled to have their own nominee included in the resolution process. If the students are using a paid nominee, it will be at their own expense. The nominee must present their photo ID while accompanying the student at any of the meetings held at IHM campus.
- IHM will respond to any complaint or appeal within 5 working days and will attempt to resolve any complaint or appeal fairly and equitably within 30 working days. If the matter is particularly complex and it is going to take longer to resolve, the complainant/appellant is to be advised in writing along with the reasons for the extra time. There will also be given regular updates for the progress of the complaint /appeal.
- Students may raise any matters of concern relating to course delivery and assessment, the quality of the teaching, learning resources and educational support, student amenities, discrimination, sexual harassment and other issues that may arise.
- Students may also lodge complaints or appeals regarding his or her dealings with IHM's education agents or any related party that IHM may have an arrangement with to deliver the overseas student's course or related services.
- Students are entitled to resolve any dispute by exercising their rights to pursue other legal remedies

### Informal Process

- Students are encouraged to resolve issues informally by speaking to the Lecturer or Student Support staff with which they have a complaint.
- If not satisfied, students are further encouraged to speak to the Course Coordinator of their enrolled course and present their complaint. The Course Coordinator will try and resolve the issue and come to a satisfactory solution. If not satisfied, the student can follow the formal complaints process.

### Formal Complaints Process:

- Students should complete 'Complaints and Grievances Form' below. A paper form is available at IHM campus.
- The Complaint is recorded in the Student Complaints in the Student management system and Student Profile.
- IHM will convene a panel who will investigate the complaint and make a decision. This decision is recorded and will be reviewed by the Quality Assurance team for opportunities for continuous improvement.
- During the investigation, the complainant will be given an opportunity to formally present their case and have the option of being accompanied/ assisted by a nominee (such as a family member, friend or counsellor) if they so desire. If the students are using a paid nominee it will be at their own cost. The nominee must present their photo ID while accompanying the student at any of the appointments at IHM.
- The students are informed of the outcome of the complaint and will be recorded in the student portal.
- Students may use the Formal Appeals Process if they are not satisfied with the outcome of the complaint resolution process.
- If the student is dissatisfied with the resolution proposed by IHM, IHM can refer students to an independent mediator; Student Mediation Scheme provided by Resolution Institute.

### Formal Appeals Process:

- Students should complete 'Complaints and Grievances Form' below. A paper form is available at IHM campus.
- The Appeal is recorded in the Student Complaints and Appeal in the Student management system and Student Profile.
- IHM will convene a panel (someone more senior and not previously involved in the case added to the panel for appeals) who will investigate the appeal and make a decision.
- The appellant will be given an opportunity to formally present their case to the panel and have the option of being accompanied/assisted by a nominee (such as a family member, friend or counsellor) if they so desire.
- The students are informed by email of the outcome of the appeal and will be recorded in the student portal.
- If the student is dissatisfied with the appeals process by IHM, they can access the provision of an independent mediator; Student Mediation Scheme provided by Resolution Institute.
- For international students, if not satisfied, students may take up the complaint with OMBUDSMAN.

### Ombudsman

Complaints about IHM administrative actions and decisions can be made to the Commonwealth Ombudsman at no cost. If students have not followed the steps in these guidelines, the Ombudsman may ask that they do so before accepting their complaints.

<https://www.ombudsman.gov.au/How-we-can-help/overseas-students>

### Timeframes

Timeframes may apply and vary based on individual circumstances.

All complaints must be submitted within a reasonable timeframe of the event occurring.

### Record Management

IHM will maintain records of all complaints and appeals from the students and the assessment of, and decision, for 2 years.

### Anonymous or Unidentified Complainants

Anonymous or unidentified complaints will be investigated at IHM's discretion. This is dependent upon the nature of the complaint and there is sufficient information for the investigation.

IHM is not required to send a response to an anonymous or unidentified complainant.

### Managing and Recording of Complaints, Appeals and External Review Outcomes

1. The summary of the complaints appeals, and external review procedures followed, recommendations and outcomes are recorded in the KH and the student profile.
2. If the complaint or appeal is against a staff member then it is to be recorded in the staff's HR files. The Course Coordinator will inform HR about the details of the complaint and/or appeal and the outcome(s).
3. Complaints and Appeals are opportunities for improvement. All outcomes of complaints and appeals and the tasks generated consequently will be logged in the continuous improvement Register.
4. The outcomes and details of the appeals will be saved for record keeping purposes in the IHM Student Complaints and Appeals section in the IHM Knowledge Hub for at least 7 years and in the student profile.
5. IHM will maintain the enrolment of the student until the complaints and appeals process is completed.
6. IHM will maintain the student's enrolment through the internal appeals processes for all types of complaints or appeals.
7. If the appeal is against IHM's decision to report the student for Unsatisfactory Course Progress, IHM will maintain the student's enrolment until the external process is complete and has supported IHM's decision.
8. If the internal or any external complaint handling or appeal process results in a decision that supports the student, IHM will immediately implement any decision and / or corrective and preventative action required and advise the student of the outcome.
9. If a student is still not satisfied after third party mediation, they can contact higher regulatory bodies.

### Supplementary Information

#### Related Policies/Procedures

- Fees, Charges and Refunds Policy
- Assessment policy and Procedure
- Overseas Student progression Policy and Procedure
- Credit Transfer and Recognition of Prior Learning Policy and Procedure
- Overseas Students Transfer Assessment Policy and Procedure

**Benchmarking:** Not applicable

**Supporting research and analysis:** Not applicable

#### Related documents:

- Complaints and Appeal Forms
- Complaints and Appeals Outcome Letter
- Complaints and Appeals Register
- Other outcome letters for CT/RPL and Fee refund

**Related legislation:** Not applicable

**Guidelines:** Not applicable

<b>Name of Document</b>	Overseas Student Complaints and Appeals Policy and Procedure
<b>Approval Committee</b>	Academic Board
<b>Endorsement Committee</b>	Academic Board
<b>Document Version</b>	3
<b>Date of Approval</b>	12/02/2020
<b>Responsibilities for Implementation</b>	Director of Studies Academic Board
<b>Key Stakeholders</b>	Students
<b>Date for Next Review</b>	12/02/2020

### Acknowledgement

Not Applicable