

## **STUDENT COMPLAINTS MANAGEMENT POLICY**

### **1 INTRODUCTION**

The purpose of this policy is to provide a process for the resolution of concerns and complaints from the students of BCAS Campus.

Complaints and appeals which focus primarily on academic matters will be dealt with through the **Academic Appeals process**. Complaints of Harassment are dealt with by procedures details in Policy Anti-Harassment.

### **2 POLICY**

As a customer-focused institution, committed to quality procedures, BCAS campus offers concerns and complaints resolution processes which are responsive and equitable, and designed to improve Institute performance rather than defend action. BCAS Campus recognizes the rights of all students, will listen to complaints and will work to resolve them promptly in a fair and professional manner.

The process and the manner in which a concern and complaint is handled as important as the outcome. The process should be positive and attempt to achieve a positive outcome for all parties involved. This policy covers all concern and complaint situations involving students.

#### **2.1 Natural justice**

Any investigation of a complaint will be conducted according to these principles:

- 2.1.1** Any person has the right to know of any complaint about them. This information will include the name of the complainant.
- 2.1.2** Any person complained about has the right to respond to any complaint about them before a decision is reached.
- 2.1.3** Any person complained about has the right to staff or student representation
- 2.1.4** Any person complained about is 'innocent until proven guilty'.
- 2.1.5** Any person involved has the right to advice, representation and support throughout the process.
- 2.1.6** Any person involved with the complaint has the right to be listened to and to be treated with respect.

## COMPLAINTS RESOLUTION

- 2.1.7** Any person involved with the complaint has the right to have the matter determined by those who are competent to do so.
- 2.1.8** Any person laying a complaint has the right to freedom from intimidation, harassment, threat of recrimination, or any other type of vengeful activity.
- 2.1.9** Any person involved has the right to have written material available in a form which the person can understand, if necessary by giving access to interpreters and translators.
- 2.2** The Institute will maintain concern and complaint resolution procedures that safeguard student's access to equitable quality education, and allow complaints from members of the public or staff to be dealt with in a constructive and formative way.
- 2.3** The institute will advise students, staff and members of the public of complaints and appeals procedures through appropriate media including course handbooks, the student guide, through electronic media such as the student portal and the MIT website. Such information will identify advisory and support services available.
- 2.4** The Institute will monitor and review complaints resolution procedures.
- 2.5** All staff will have basic training on how to handle initial concerns and on the implementation of the complaints resolution process.
- 2.6** The procedures will be applied irrespective of the source of the complaint.
- 2.7** Complaints addressed to the Chief Executive or to BCAS Campus will be forwarded to the office of the Chief Executive. The matter will automatically be referred to the appropriate Dean, Head of Department or Manager for consideration and copied to the appropriate Dean, Manager, and Director. The complainant will receive a response to the complaint in a timely manner, which will include information about the complaints resolution process.

Complaints which in the opinion of the Dean, Head of Department, Manager, or Director involve criminal activity will be referred to the Director Marketing & Human Resources.

### **2.8 Guiding Principles**

- Students will be encouraged to express their concerns by the Institute providing an environment which respects their right to do so.
- Initially, concerns should be raised informally with the staff member concerned. It is expected that most concerns can be resolved satisfactorily at this point.
- When a concern is expressed to the student counsellor or student Affairs personal he/she will take all reasonable steps to resolve the concern.
- No records regarding a concern or complaint will be made on personal files without the person's knowledge, or until a complaint has been properly investigated.
- Once a complaint has been lodged it is the responsibility of the student counsellor and not the complainant, to ensure that the complaint

## COMPLAINTS RESOLUTION

resolution process is implemented with the assistance of the management of the BCAS Campus.

- Where possible, complaints should be resolved within the department or section concerned.
- In order to protect the privacy of all parties concerned everyone involved in any investigation or support role during the handling of a complaint will maintain absolute confidentiality throughout the process.
- At all stages the views of all parties involved in the complaint will be treated seriously.
- Students will be encouraged to discuss their concern with someone who can provide initial advice. Such persons may include Programme Leaders, Counsellors, or Student Affairs personnel. It is not the responsibility of that adviser to resolve complaints.

### 2.9 Disclaimer

BCAS reserves the right not to proceed with a complaint:

- Which is anonymous or based on hearsay; or
- Which is made more than ninety days after the alleged incident; or
- Where no response is received from the complainant within thirty days of correspondence communicating with the complainant.

## 3 PROCEDURES

### 3.1 On receipt of a concern the staff member involved will:

#### 3.1.1 Note the discussion and details of the concern.

No formal record of the complainant's details needs to be kept at the initial contact although the *File Note Form* can be used to take notes. Diary notes also may be a practical way to record the options considered for resolution.

#### 3.1.2 Discuss the issue with the respondent and, where appropriate, feed back to the complainant.

It is expected that the majority of issues can be dealt with informally in this way but a file note record is kept in case the complainant wishes to make a complaint.

### 3.2 On receipt of a complaint the Dean, Head of Department, Manager, Director will:

#### 3.2.1 Ensure that the complaint is recorded.

#### 3.2.2 Acknowledge receipt of the complaint within three working days. Details of the process to be followed should be included in the response to the complainant.

#### 3.2.3 Discuss the complaint with the respondent concerned to assess their response; any notes of this discussion are to be signed by the respondent and by the Dean, Head of Department, Manager, Director concerned. The respondent is to be given a copy of any notes.

#### 3.2.4 Report the outcome to the complainant by letter within ten working days, with a copy to the respondent.

## COMPLAINTS RESOLUTION

**NB** If a resolution is not achievable within this timeframe both parties are to receive an update on progress before the end of the ten working days and to be given a possible date for resolution

**3.2.5** Advise the complainant, in the letter, of the option to respond, seek advice or accept the resolution, within twenty working days.

**3.3** A concern or complaint is resolved when:

**3.3.1** Both the complainant and the respondent are satisfied that they have been heard and that the complaint has been addressed; and

**3.3.2** All those involved are satisfied that they have been treated fairly;

**3.3.3** All those involved agree that the matter has been resolved satisfactorily and that the matter is at an end.

**3.4** The Director, Dean, Head of Department, Manager assigned to manage a complaint is responsible for replying to the complainant. The complainant will be notified of the resolution by letter, with a copy to the respondent, which:

- Is written in a style that promotes the relationship between BCAS Campus and the he complainant.
- Addresses all complaints, issues and matters raised by the complainant in the complaint submission.
- States the proposed outcome and identifies any action that has or will be taken as a result of the complaint.

A copy of this letter is forwarded to the Director Student Affairs for reporting purposes.

**3.5** If the complainant does not accept the proposed outcome:

**3.5.1** A facilitated meeting may be set up between the Manager/Head of Department and the complainant; or

**3.5.2** The complaint is referred to the Director responsible for the area. Both informal and formal mediation are processed to be considered as means of resolving a complaint.

**3.5.3** In the event of no resolution being agreed under 3.5.1 and 3.5.2 above, the complainant may request to have the issue reviewed. The application is to be made in writing to the Chief Executive within 10 working days of the last action undertaken to resolve the complaint.

Such a request will include:

- a) The department/section involved in the complaint
- b) brief details of the substance of the complaint and proposed resolution
- c) reason for the request to review

The Chief Executive will consider the circumstances of the complaint, the processes undertaken to resolve the complaint, and seek to achieve a positive outcome.

## COMPLAINTS RESOLUTION

### 3.6 Reporting

**3.6.1** The Director Student Affairs will report to the Chief Executive on the number and nature of all complaints and their outcomes. The report will not contain reference to concerns that have been resolved.

**3.6.2** For reporting purposes statistics include:

- department
- nature of the complaint
- date received
- date resolved
- method of resolution
- implications for BCAS Campus

### 3.7 Complaints Documentation

**3.7.1** A written record must be kept of all discussions, interviews and other meetings which take place during the consideration of a complaint.

**3.7.2** On conclusion of the process the documentation will be archived for a period of no longer than three years.

## 4 EVALUATION/OUTCOMES

Complaints documentation held by Director, Student Affairs for a period of no longer than three years.

## 5 AUDIENCE

All staff and students.

## 6 CONSULTATION SCOPE

Appropriate and reasonable consultation will be undertaken with: Leadership Team, Academic Leadership Team, Senior Managers and Student Representatives.

## 7 RELEVANT DELEGATIONS

Nil listed in current delegations, but  
Dean/Program Manager/Manager to respond to and manage complaints,  
Director Marketing & Human Resources to manage criminal activity complaints.

## 8 RELATED DOCUMENTS

File Note Template  
Complaints Cover Sheet  
Objections and Appeals  
BCAS Procedures for Resolving Employment Relationship Problems and Personal Grievances.

## 9 DEFINITIONS

*Adviser:* A person from a Student service, internal to the organization who advises the complainant or the respondent on the complaints process. This person can assist and advise the complainant or the respondent but is not responsible for resolving the complaint.

*Complainant:* The person raising the concern or making the complaint.

*Complaint:* A signed written complaint to the Dean/ Head of Department/Manager/Director (this can be in the form of a documented oral complaint, verified and signed by the complainant).

*Concern:* involves a complainant seeking improvement in a situation where the complainant considers appropriate standards have not been met.

A concern should be raised initially with the staff member involved. If it is not resolved to the satisfaction of the complainant they have the option to make a complaint.

*Respondent:* The person or corporate entity against whom the complaint is being made.

*Support person:* Person/s nominated by either the complainant or respondent to support or represent them through the complaints process. A support person may speak on behalf of the complainant or the respondent but does not take part in the decisions made.

## Complaint Record Form

<b>Date complaint received:</b>	<b>Type of complaint:</b> <i>(verbal, written, other)</i>	
<b>Name of complainant</b> <i>(with complainant's concern):</i>		
<b>Nature of complaint</b> <i>(brief summary of contents of complaint):</i>		
<b>Actions taken in response to complaint:</b>		
Date:	Action:	
Date:	Action:	
Date:	Action:	
<b>Outcome:</b>		
	<b>Student Counsellor</b>	<b>Centre Manager</b>
<b>Signature :</b>		
<b>Date:</b>		

