

## **Complaints and Appeals Policy and Procedures**

### **1. Scope**

This policy is applicable to prospective and current students of Oxford House (OHC).

### **2. Purpose**

OHC has established a fair, objective and accessible dispute resolution procedure to resolve grievances, complaints and appeals effectively, locally and with a spirit of conciliation.

### **3. Policy Principles**

- 3.1 A grievance is a matter which is dealt with informally. If it escalates to the point where formal processes are implemented it becomes a complaint.
- 3.2 Any student who feels they have been treated unfairly or is unhappy with a OHC service can express a grievance or lodge a complaint.
- 3.3 Any student may express grievance and lodge complaints and appeals about an education agent or any third party that OHC engages.
- 3.4 Any student who is unhappy with the outcome of a complaint or a decision made by OHC can lodge an appeal.
- 3.5 The complaints and appeal process is based on the principles of natural justice.
- 3.6 Anonymous complaints and appeals will not be accepted. Each complaint and appeal must address a specific issue, or set of issues, in regard to a specific student.
- 3.7 Complaints and appeals will incur no cost to the student.
- 3.8 Complaints and appeals are handled promptly, fairly and objectively with sensitivity and in confidence.
- 3.9 Complaints and appeals are handled with an open mind, without prejudice arising from any past history with the student.
- 3.10 OHC will take steps to avoid any conflicts of interest. When a grievance or complaint is about a staff member, the grievance or complaint will be investigated by a different staff member. Staff members handling grievances or complaints will report any conflict of interest and recuse themselves from investigations and decisions regarding that grievance or complaint.
- 3.11 OHC views complaints and appeals as an opportunity to improve its operations. When a decision results in favour of the student, the student will be informed in writing and OHC's corrective plan will be implemented immediately.
- 3.12 If more than 20 working days are required to finalise a complaint or appeal, the complainant/appellant will be notified in writing including reasons why more than 20 working days are required.
- 3.13 Students are entitled to have a support person or advocate with them during the complaints and appeals process.
- 3.14 The aim of the OHC complaints and appeals process is to prevent unnecessary delay,

whilst ensuring a full and fair assessment of the circumstances of any individual complaint.

- 3.15 Grievances provide an important source of feedback on OHC’s performance. As such, OHC will monitor the registration of complaints and the progress made towards resolution. Complaints and Appeals are also reviewed regularly to identify any trends or issues that can be resolved at institutional level.
- 3.16 All grievances, complaints and appeals are treated confidentially and privacy will be maintained as required by the law.
- 3.17 Students have a right to escalate an issue to an external dispute resolution service, if all avenues for appeal at OHC are exhausted.

#### **4. Expressing a Grievance**

4.1 In the first instance, the student should have an informal discussion with the party involved, where possible. If the student is uncomfortable or unable to do so, they are encouraged to informally raise the matter with the Campus Director. Where the matter is of an academic nature, students are encouraged to speak to the relevant teacher or Course Convenor.

4.2 The following steps should be taken:

- a) Prior to initiating the formal complaint and appeal process, the student and staff involved are encouraged to informally find solutions to issues raised. It is expected that many concerns will be resolved in the first instance.
- b) A meeting with the student is organised and the FPC (First Point of Contact) will discuss the student’s query and document the meeting in the student’s file and relevant notes added to the student management system.

4.3 The table below provides a guidance as to where queries should be addressed in the first instance.

<b>Informal Resolution Process</b>	
<b>Type of Enquiry/Complaint</b>	<b>FPC (First Point of Contact)</b>
Query about results	Teacher
Fee refund request	Campus Director
Complaints against academic staff	Course Convenor
Complaints against administration staff	Campus Director
Complaint about another student	Campus Director

4.4 The first point of contact will make every effort to resolve the student’s query and will communicate the outcome to the student by email or verbally depending on the nature of the outcome.

#### **5. When a Grievance Becomes a Formal Complaint**

5.1 If the issue raised by the student cannot be resolved informally, the student is invited to put in a written complaint using OHC’s Complaint Form. The Complaint Form can be accessed to on Blackboard and the Student Services in each campus.

5.2 In the Complaint Form, the complaint should be comprehensively documented

including the following details:

- a) The student's name and contact details;
  - b) Any relevant documentation, and dates, locations, and witnesses as appropriate; and
  - c) Any previous efforts to resolve the matter.
- 5.3 The written complaint is deemed to be a formal complaint and must be submitted to OHC's for consideration and processing.
- 5.4 A formal complaint can be made at any time after the occurrence of the event or matter being complained about.
- 5.5 Complainants should be aware that the longer the period of time between the event being complained about and the receipt of the complaint, the more difficult it is to investigate a complaint and successfully resolve the issue. Complainants, therefore, are encouraged to lodge complaints promptly.
- 5.6 Once OHC receives a formal complaint, it will acknowledge the complaint in writing within 10 working days. The complaint will be reviewed by the Campus Director who will also record details of the complaint in OHC's Complaints and Appeals Register. The Register is centrally managed and reviewed by the Head Office.
- 5.7 The student may be invited to provide further information or discuss the matter with the reviewer.
- 5.8 Generally, a decision will be made and conveyed to the student by the Campus Director within 20 working days of the formal complaint being acknowledged. Where resolution takes longer than the 20 working days the student will be informed in writing of the complaint's progress.
- 5.9 Once the matter is resolved all parties will be notified of the resolution and outcomes of the complaint in writing. The correspondence will also outline avenues of appeal in the event the student is dissatisfied with the outcome.
- 5.10 The complaint and outcome will be added into OHC's Complaints and Appeals Register and documentation filed in the student's file.

## **6. What Is an Appeal?**

An appeal is a process where a student disputes a decision made by OHC. This includes a decision made in regards to a complaint or where a penalty is to be imposed e.g. for failure to make satisfactory academic progress, failure to pay fees or for an act of misconduct.

## **7. Lodging an Appeal**

- 7.1 If a student disagrees with a decision made by OHC (or intending to be made based on a OHC communication), they can submit a notice of appeal for a review of the decision.
- 7.2 Student must submit a completed and signed Appeal Form and submit the form to [Studentservices@holmes.edu.au](mailto:Studentservices@holmes.edu.au) with the supporting documents. The Appeal Form can be accessed to on Blackboard and Student Services in each campus.

## **8. Grounds of Appeal**

- 8.1 An appeal of a decision may be made on one or more of the following grounds;
- a) That relevant new evidence is available;
  - b) That the decision was made without due consideration of relevant facts, evidence or circumstances;

- c) That there was bias, prejudice or a conflict of interest by the investigative or hearing body or person; or
- d) That some significant policy/procedural irregularity occurred in the investigative or hearing process.

8.2 Students may not Appeal against Academic Results based on:

- a) The course structure and assessment methods;
- b) Student workload or the amount of work the student has done;
- c) Financial implications of not passing the course;
- d) Grades received by the student in other courses; or
- e) The need for additional marks to enable a pass/better grade.

8.3 Where an appeal does not meet the abovementioned grounds, this may lead to the appeal being summarily dismissed.

8.4 All notices of appeal must be submitted in writing and must be made within 20 working days of the initial decision being made. This time restriction may be waived at the discretion of the Complaints and Appeals Committee where there are compelling or compassionate circumstances.

8.5 The appeal must set out the grounds of appeal and provide evidence supporting the grounds of appeal or any new information not previously provided in support of the complaint. It should also specify the outcome sought.

8.6 There is no cost incurred for the appellant during the appeals process and parties will not be discriminated or victimised during the complaint/appeal process.

8.7 Upon receiving a notice of appeal OHC will acknowledge the student's appeal in writing and record details of the Appeal in the Complaints and Appeals Register.

8.8 Every attempt will be made to resolve the dispute within 20 working days of the date of the notice of appeal. Where there are delays to this timeframe, the student will be kept informed as to the progress of the matter.

8.9 All appeals are to be adjudicated by the OHC Complaints and Appeals Committee, under delegated authority of the Senior Management Group.

8.10 No member of the appeal process will have been previously been involved in investigating or adjudicating the previous complaint or making the previous decision.

8.11 Once a decision is made on the appeal, the student will be provided with a written statement outlining the outcome of the appeal and giving reasons for the decision. The student will also be advised that they can access external complaints and appeals processes for review of the decision should they see it fit.

8.12 If the student is not satisfied with the outcome of the appeal s/he may lodge an external appeal or complaint with a relevant third party organisation. Refer to Appendix A for a list of useful contacts.

## **9. Record Management**

9.1 Any determination made in relation to a formal complaint or an appeal will be documented in the Complaints and Appeals Register.

9.2 Complaints and Appeals records will be maintained for five years for audit purposes.

## **10. External Appeals**

10.1 Provided below is a list of contacts that students may approach for external resolution of complaints and/or appeals regarding their study at OHC. The list is not exhaustive. Before contacting these groups, students should ensure they have exhausted internal avenues within OHC. These services are confidential and impartial.

- a) Commonwealth Ombudsman (international students) - <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information. The Commonwealth Ombudsman receives complaints from intending, current or former international students at private higher education providers for matters that are not related to academic quality.
- b) Resolution Institute (Domestic Students) – <https://www.resolution.institute/>. The Resolution Institute is a private higher education dispute resolution service available for matters not within the jurisdiction of the Commonwealth Ombudsman.