

Complaints Procedure

Procedure Code: PR-083**Version:** 2.0**Effective Date:** 13 June 2024**Related Policy Code:** STU-068 **Related Policy Name:** Complaints and Appeals Policy - Domestic - HE

Purpose

This procedure identifies the processes in place at the College to effectively manage complaints of an academic or non-academic nature, and is to be read in conjunction with the *Complaints and Appeals Policy - Domestic - HE*. Students of the College or those seeking to enrol in a course of study with the College are entitled to access the complaints procedures set out in this policy, regardless of the location of the campus of the College at which the complaint has arisen, the student's place of residence or the mode in which they study. In addition, clients of the Endeavour Wellness Clinic can also utilise this policy if they wish to lodge a complaint.

Scope

- All campuses and online
- All courses and programs
- All students (including prospective students and alumni)
- All clients of teaching clinics

Procedure

The following process details the four key stages through which a complaint or appeal may be dealt with. The College provides the following processes to allow the complaint to be formalised. The claimant's privacy rights will be assured whilst also ensuring that victimisation and discrimination does not occur at any time during the entire process in regard to any complainant or respondent.

The claimant has the right to be heard on the matter of the complaint at any stage and may be accompanied by a nominated support person, not being legal counsel or a solicitor, when meeting with the College to discuss their particular concern.

The claimant has the right to request and gain access to records associated with their complaint at any time by putting a request in writing to the Director of Student Operations or delegated authority. All information in relation to the complaint will be treated confidentially in accordance with the College *Privacy Policy* and retained for a period of 5 years.

This procedure and related policy will be published on the College's website for the information of current and prospective students.

This procedure and the associated policy are communicated to all academic and support staff through the College's intranet site. The Director of Student Operations, the Clinic and Operations Managers, and the Dean – Higher Education are responsible for the training of academic and support staff in the application of the policy and procedure.

Stage 1 - Informal Resolution Process

Claimants are encouraged to attempt to resolve the complaint informally and amicably at an early stage in the following ways by speaking directly with the person concerned such as the Student Support Officer / Clinic & Campus Administrator / Lecturer, or Clinic Supervisor to resolve the problem.

If the claimant cannot gain resolution or feels they cannot talk to the person involved, the claimant may then seek assistance from Senior Academics / or Head of the Department, Clinic Supervisor, Clinic & Operations Manager, National Timetabling Manager, or National Student Experience Manager on campus (or a nominated delegate). The nominated staff member will communicate with the student about the outcome and possible resolution. The communication and outcome will be recorded in the student's confidential records and kept for a period of 5 years.

An alternative method to resolve a complaint informally is by lodging feedback via the Quality Feedback Monitor (QFM) which can be accessed via the student portal, or the Help Hub > Provide feedback, or on the College website. When submitting feedback via the QFM, students / clients will receive a response within 7 working days. If the complaint is not resolved through informal procedures, students / clients may initiate the College's Formal Complaint Procedure ([Stage 2](#)). All students / clients have the right to lodge a formal complaint. A formal complaint must be lodged by a person who is directly impacted by the events described in the complaint. There is no cost to the claimant for utilising the internal College complaint process.

Stage 2 - Formal Complaint Process

The formal complaint procedure begins when a current or prospective student or clinic client states in writing that they have a complaint.

To lodge an appeal, refer to the Student Hub > Training Resources and the process below.

- The claimant should go to the Student Portal and navigate to the Complaints and Appeals tile.
- For non-academic complaints complete a *Formal Complaint Form* and submit this via the Student Portal; this will be managed by the National Student Experience Manager or delegated authority.
- For academic complaints, complete a *General Academic Complaint* and submit via the Student Portal; this will be managed by the Head of Department or delegated authority.

The claimant should include a detailed description of the reason for their complaint and, if available, any documentary evidence, and follow the complaint process instructions detailed on the form.

On submission of the complaint:

- The claimant will receive acknowledgement of receipt of their complaint to their college eweb address.
- The claimant can also check all current requests and case submissions via the Student Portal > My Details or My Overview > Interactions section.

This acknowledgement will:

- Advise the claimant of the process that will be followed, the timeframes that will be required and the steps the claimant should undertake for this stage of the particular complaint, and
- Advise the claimant of their rights of appeal.

For academic appeal process refer to the *Complaints and Appeals Policy - Domestic - Higher Education*.

The complaint resolution process will commence within 10 working days of the receipt of the form and all reasonable measures will be undertaken to finalise the process as soon as practicable. The National Student Experience Manager and / or Clinic & Operations Manager (or delegated nominee) will, if necessary, seek to clarify the outcome that the student hopes to achieve. The National Student Experience Manager and / or Clinic & Operations Manager

(or delegated nominee) will investigate the complaint and interview anyone associated with the complaint to gain a full understanding of the issues in order to make a considered decision. Clarification may be sought from the student by a verbal or written request or by a face-to-face interview with the student. Both the claimant and/or Respondent(s) may be accompanied and assisted by a nominated support person, not being legal counsel or a solicitor, if so desired.

The National Student Experience Manager and / or Clinic & Operations Manager (or delegated nominee) will provide a written decision to the claimant and / or respondent within 20 working days of receipt of the formal complaint or as close to this timeframe as possible. The correspondence will outline the reasons for the decision and the name and contact details of the person to whom they can appeal if they are not satisfied with the decision. This timeframe is dependent on the requirement for re-assessment or provision of further evidence, and the claimant shall be kept informed of any changes to the schedule.

The National Student Experience Manager and / or Clinic & Operations Manager (or delegated nominee) will also provide an internal report on the process for College records. All records are kept on file for a period of 5 years.

Stage 3 - Appealing the Original Decision

If the claimant is dissatisfied with the outcome of their complaint, they may lodge a further appeal detailing the reasons for the appeal via the Student Portal and navigate to the Complaints and Appeals tile.

- The appeal must be lodged within 20 working days of being informed of the decision of the original appeal. The Director of Student Operations is responsible for convening a formal Misconduct and Appeals Committee after review of the existing material provided.
- Students who lodge an appeal must remain enrolled and attend all classes as normal until the process has been completed.

To lodge an appeal, refer to the Student Hub > Training Resources and the process below.

- For non-academic complaints complete an *Appeal Complaint Form* and submit this via the Student Portal; this will be managed by the Director of Student Operations / National Student Experience Manager or delegated authority.
- The claimant should include a detailed description of the reason for their complaint and, if available, any documentary evidence and follow the complaint process instructions detailed on the form.

On submission of the complaint:

- The claimant will receive acknowledgement of receipt of their complaint to their college eweb address.
- All current requests and case submissions can be checked via the Student Portal > My Details or My Overview > Interactions section.

This acknowledgement will:

- Advise the claimant of the process that will be followed, the timeframes that will be required and the steps the claimant should undertake for this stage of the particular complaint, and
- Advise the claimant of their rights of appeal.

For academic appeal process refer to the *Complaints and Appeals Policy - Domestic - Higher Education*.

The Director of Student Operations may seek guidance from the Dean - Higher Education (or delegated nominee) who will review the previous documentation and advise if a Misconduct and Appeals Committee should be convened.

The Director of Student Operations (or delegated nominee) will convene a session of the Misconduct and Appeals Committee, to meet within 10 working days of the appeal being received.

The Misconduct and Appeals Committee members will be independent of the complaint and have relevant understanding or expertise. They will as soon as possible review the original decision and interview any persons related to the complaint. Students will be advised of any likely delays. If the Misconduct and Appeals Committee seeks clarification from the student(s) or the Respondent in the form of face-to-face interviews, both the claimant and/or Respondent(s) may be accompanied and assisted by a nominated support person, not being legal counsel or a solicitor, if so desired.

The Director of Student Operations (or delegated nominee) will provide a written report to the student and / or respondent advising the outcome of the appeal and further steps taken to address the grievance within 28 days of the receipt of the appeal.

If the original decision is overturned, then the student's complaint is taken to be proven true and any further actions required to address the issue will be identified and implemented.

The Director of Student Operations (or nominated delegate) will also provide an internal report on the process for College records. All records are retained for a period of 5 years.

Composition of the Misconduct and Appeals Committee

Membership of the Misconduct and Appeals Committee will normally include:

- Chief Executive Officer
- Provost (Chair)
- Minute Secretary – Director of Student Operations

Members shall be invited to attend the committee by the Director of Student Operations (the standing Minute Secretary of this committee).

Stage 4 - External Independent Review

For domestic students

If the claimant remains dissatisfied with the outcome of their appeal, they may consider an independent external review of the decision.

To progress to Stage 4, the Claimant is recommended to lodge an appeal application within 28 working days of the date of the written notice of the final internal (Stage 3) outcome.

All students have an avenue to appeal to the relevant Commonwealth, State or Territory Ombudsman, about administrative actions or decisions and the related processes, but only after all internal processes for resolution have been followed and concluded.

Depending on the circumstance, the student may lodge an external review to:

- Any Australian Domestic Student Domestic students can contact the Australian Competition and Consumer Commission (ACCC) at www.accc.gov.au. Students should refer to the Contact us page on the website for ACCC office locations and direct contact numbers. Students should refer to the fees charged information outlined on the website for contacting the 1300 number.
- FEE-HELP / HECS-HELP Student: Remission of fees complaints only - the Administrative Appeals Tribunal at www.aat.gov.au. If the claimant is not satisfied with a decision of the external reviewer that has implications for a FEE-HELP or HECS-HELP debt, the Claimant has the right to apply to the Administrative Appeals Tribunal for a

review of any decision that has been confirmed, varied or set aside under section 209-5 or 209-10 of the *Higher Education Support Act 2003*. Students may be required to pay an application fee and should refer to the website provided. Refer to the *Remissions of Financial Liability due to Special Consideration Policy - Higher Education*.

For international students

Overseas students who wish to lodge an external appeal or complaint against the outcome of the member's internal grievance process can contact the Overseas Students Ombudsman. For contact details and information please see www.ombudsman.gov.au/making-a-complaint/overseas-students

By accessing the site above you will be required to fill in an online complaint form. The Overseas Students Ombudsmen's services are free of charge.

International students are required to refer to the *Complaints and Appeals Policy – International* for further information.

The College agrees to be bound by the independent external reviewer's recommendations in all cases of Stage 4 complaints. The Director of Student Operations (or delegated nominee) will ensure that any recommendations made are implemented within 30 days of receipt of the external reviewer's report.

If a complaint still remains unresolved **after** the external dispute resolution process, the student may decide to lodge a complaint with the regulatory agency against the higher education or VET provider.

Definitions

Academic complaint - a complaint about student's academic progress, assessment, curriculum, the quality of course delivery, academic achievement in a course and awards in a course.

Appeal - An application to a higher authority for a decision to be reversed.

Claimant - refers to the person(s) who formally instigates a grievance, complaint or appeal.

College - The Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health and Endeavour Wellness Clinic. For the purpose of this procedure, any reference to 'College' or 'the College' should be considered a reference to each or any of these respective trading names / entities.

Complaint - An official statement of a complaint over something believed to be wrong, which has resulted in what is believed to be by the claimant unsatisfactory or unfair treatment.

Formal complaint - refers to the formal lodging of a written grievance, complaint or appeal.

Informal complaint - refers to a range of processes, such as discussion, a request or query lodged with an appropriate staff member.

Mediator - A person or body that intervenes between people in a dispute in order to bring about an agreement, resolution and/or reconciliation. The mediator may be internal or external to the College. IHEA may serve as the external mediator.

Natural justice - Natural justice refers to a due process that displays fairness to all parties. It includes the right to be heard, the right of reply, the right to be treated fairly and the right to be informed of allegation(s) being made.

Non-academic complaint - a complaint about operational or administrative matters within the College, unfair treatment, abusive behaviours, concerns about facilities, environment and safety.

Respondent - refers to the person(s) or institution against whom the grievance is lodged.

Support Person - the student is entitled to be supported by another person, not legal counsel or a solicitor, willing to support, whom the student appoints to assist at any stage of the process.

Student - is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

Further Information

Related Policies

Assessment Policy - HE

Complaints and Appeals Policy - Domestic Students - HE

Complaints and Appeals Policy - International

Privacy Policy

Related Procedures

Not Applicable

Related Documents

Not Applicable

Guidelines

Not Applicable

Benchmarking

Not Applicable

Supporting Research and Analysis

Administrative Appeals Tribunal (AAT) Jurisdiction List: <https://www.aat.gov.au/apply-for-a-review>

Tertiary Education Quality and Standards Agency (TEQSA): <https://www.teqsa.gov.au/about-us/contact-us/raising-complaint-or-concern>

Related Legislation

Not Applicable

Review and Approval

Procedure Author

National Manager - Quality, Standards and Compliance

Procedure Owner

Director of Student Operations

Contact

Director of Student Operations

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Approval Body

Director of Student Operations

Date: 13 June 2024

Procedure Status

New - updated old procedure under new name to match new policy and current practice.

Responsibilities for Implementation

- Clinic & Operations Managers
- Dean - Higher Education
- Director of Student Operations
- National Student Experience Manager

Key Stakeholders

- All academic staff
- CEO
- Clinic and Operations teams
- Heads of Department
- Misconduct and Appeals Committee members
- National Quality, Governance and Compliance Manager
- National Timetabling Manager
- Provost
- Student Support and Student Success teams
- Students