

Student Complaints and Grievance Policy

1.0 Purpose

The purpose of this policy is to provide guidance to students, prospective students and other persons engaged with Bendigo Kangan Institute (BKI), who wish to express a complaint or grievance about the service or activities of BKI. During course activities, students may have some concerns with the processes they are being exposed to or they may be unhappy with a particular aspect of the program. BKI undertakes to provide a mechanism which allows for the fair and equitable resolution of any issues.

2.0 Scope

This policy relates to students, prospective students, guardians of students, employers of students, agents or brokers, other people engaging with BKI in conducting the business of education.

This policy does not include the rights of appeal for an assessment judgement, which is covered under the Assessment Appeals procedure and the Training and Assessment Policy.

3.0 References

Education and Training Reform Act 2006
Occupational Health and Safety Act 2004
Equal Opportunity Act 2010 (Vic)
Disability Discrimination Act 1992 (Cth)
Disability Standards for Education 2005 (Cth)
BKI's Code of Student Behaviour Policy
BKI's Student Code of Conduct
Student Welfare and Accessibility Policy
Fees and charges and Refunds Policy
Student Grievance Procedure

4.0 Policy Statement

BKI student complaints and grievance procedure is available to manage and respond to allegations involving the conduct of:

- BKI, its trainers, assessors or other personnel; or
- A BKI contracted third party providing services of BKI on its behalf, including the third party representatives trainers, assessors or other personnel; brokers or agents; or
- A student of BKI.

BKI's policy and procedure for dealing with complaints seek to make it simple for students to engage with the personnel of BKI about any concerns they have in order to avoid minor issues becoming larger.

BKI's complaints process is publicly available on the BKI website, and is provided to all prospective students and clients, students, guardians of students.

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BKI's complaints process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by BKI, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

This policy provides avenues for expressing a complaint informally, formally and to appeal a decision resulting from an initial complaint to request the matter be heard by an independent arbiter.

All complaints will be handled with discretion, integrity and in a timely manner, confirming and acknowledging receipt of the complaint and advising the expected timeframe for investigation of the complaint and response. The complainant is to be informed of progress at all stages of the process and has the right to appeal a decision.

5.0 Resolution options

5.1 Informal Options

A complainant may wish to raise a complaint or grievance informally. In the first instance, if appropriate, this may be able to lead to a local resolution of the issue at hand. If the matter is able to be addressed to the satisfaction of the complainant, then the issue would be deemed closed with no further action required.

At the local level, BKI staff should record the matter as raised and closed informally so that trends can be identified as an indicator of a more systemic issue.

5.2 Formal Options

If the complaint or grievance is not able to be dealt with locally or informally, then the complaint should be raised formally. All complaints must be acknowledged within ten days of receipt and a timeframe must be provided for the anticipated investigation and resolution.

All formal complaints are to be made using the appropriate form and will be received by Academic Governance and Quality (AG&Q) team members who will then log the issue and forward on to the appropriate BKI department for attention. If the student does not use the form, but prefers to lodge the complaint verbally or by email or letter, the staff member receiving the complaint is to log the complaint using the Customer Feedback Process located on the website.

The department must provide a response to AG&Q within 60 days of being notified of the complaint or grievance.

The assessment or investigation of the complaint must be professional, fair and transparent. The complainant must be able to present their case and be accompanied and assisted by a support person if requested. In the event that it is expected that the investigation may take more than 60 calendar days to finalise, the complainant will be notified in writing of that expectation and will be updated at least monthly of progress in relation to the assessment of the complaint.

The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can escalate their complaint if unsatisfied with the resolution measures put in place.

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5.3 Escalation options

If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to the Executive Director of the area in question, requesting that the appeal be reviewed by an external party (refer to the Student Compliant/Grievance Procedure for details).

5.3.1 Escalated complaints are to include the following information:

- Submission date of complaint;
- Name of complainant;
- Nature of complaint;
- Reasons why the complainant is not satisfied with the outcome of the original complaint; and
- Any other relevant information or attachments (if applicable).

5.3.2 Internal Grievance Appeal Panel

The first stage of the escalation will involve the convening of a Grievance Appeal Panel to examine the findings of the initial response, request further evidence or questioning of witnesses, and provide findings to the complainant.

5.3.3 External appeal

If the Complainant is still unsatisfied with the results of the Grievance Appeal Panel, they may request a further, final review of the issue by an independent external appeal person or organisation

5.4 Recording of complaints

All stages of the complaints process are documented and notes provided to all parties involved, including the outcomes of the complaint at each stage and reasons for the decisions made. Each complaint and its outcome is recorded in writing and stored on the Complaints Register. This register is managed and held by AG&Q.

At all times records of complaints and grievances are maintained confidentially. BKI retains records of all complaints and grievances for a period of at least five years, allowing parties to the complaint or grievance appropriate access to these records.

5.5 Corrective Action

When investigating a complaint, BKI will identify the potential cause of the complaint and, where appropriate, will take corrective action to eliminate or mitigate the likelihood of a reoccurrence. Corrective action will be documented and all records of complaints will be securely retained for a period of seven years.

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6.0 Roles and Responsibilities

Role	Responsibilities
Contact Officer	The person receiving the complaint. They record the details and explain the procedure to the complainant and forward through to the appropriate person to manage the complaint process
Complainant	The person making the complaint, whether informally or formally.
Respondent	The respondent is the person against whom a complaint has been made. The respondent is to respond to the complaints, providing investigators with all relevant information, including names of persons that may have information relevant to the complaint and any documents that exist to substantiate their viewpoint. Details of the complaint are to be kept confidential.
Witness	Assist in the investigation process where necessary. Witnesses will be interviewed. Keep the details of the complaint and the fact that a complaint has been made confidential.
Investigator	Collect available and relevant information in relation to the complaint made or issue raised. Investigators may be the line manager or department manager or other BKI personnel charged with researching the complaint to compile facts to be considered in deliberating a resolution.
Support person	To provide the complainant or respondent with emotional support during the interview. The support person is not to advocate and cannot speak on the complainant's behalf unless they are a guardian.
Line Manager	Consistently model appropriate behaviour. Take all complaints and grievances seriously. Intervene promptly when a complaint or issue becomes apparent and take reasonable action to assist with resolution. Act impartially and ethically in resolution of complaints and issues. Ensure that all complaints or grievances that are reported and resolved at a local/informal level are kept confidential.

7.0 Definitions

Word/Term	Definition
Grievance	A wrong (action or thing) considered as grounds for a complaint, something believed to cause distress, dissatisfaction or resentment
Complaint	An expression of discontent, regret, pain, censure, resentment, dissatisfaction, injustice, unfairness or wrong-doing.

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8.0 Supporting Procedures

Doc ID	Procedure name
	Student Code of Conduct
	Student Grievance Procedure

9.0 Version Control and Change History

Ver.	Approved By	Approval Date	Issue Date	Description of Change	Next Scheduled Review Date	Document Owner
1.0	CEO	2/7/18	2/7/18	Grievance Policy to accompany Grievance procedure	January 2020	Manager Academic Governance and Quality

10.0 KI Policy and Procedure Portal / BT BMS Requirements

Category	Key Words