

## **Australian Guild of Music Education**

### **Student Grievance and Complaints Policy (Non-Academic)**

Governing authority:	Higher Education Committee
Responsible officer:	HEEM
Date of approval:	8th February 2018
Date of effect:	8th February 2018
Review date	August 2020

#### **1. Purpose**

This policy is designed to ensure that AGME has effective mechanisms in place for resolving non-academic grievances and complaints from currently enrolled and prospective students in a timely fashion.

#### **2. Scope**

This policy applies to non-academic complaints about AGME's higher education operations from higher education students or prospective higher education students (or their parent or legal guardian where the applicant/student is under 18 years of age). It applies regardless of the mode of study or location at which the grievance arises, or whether the activity was delivered directly by AGME or by an agent of AGME. This policy and procedure do not cover grievances with respect to academic matters. AGME's dispute resolution processes do not prevent a person's right to pursue other legal remedies.

AGME will accept complaints by former students under this policy when it considers it appropriate to do so. When a complaint is not accepted in this context, AGME will give reasons for the decision.

AGME will accept complaints made by students as a collective group, where the complainants are each identified, and each has a specific complaint, and each has agreed to be part of the collective group complaint. A group complaint will typically be managed and responded to jointly.

#### **3. Implementation**

All AGME staff are responsible for implementing this policy with leadership provided by the HEEM. Staff will help students to resolve any concerns respectfully and informally wherever possible and appropriate.

All staff and students are responsible for complying with this policy, and other AGME policies that promote the respectful and equitable treatment of others.

Line managers have a responsibility to ensure that information about this policy is provided in staff induction and training, and for modelling appropriate standards of behaviour, and encouraging open communication.

The Higher Education Committee will review the operation of this policy annually, to monitor complaints handling and to inform continuous improvement of complaint practices.

#### **4. Policy**

This policy reflects AGME's commitment to students as set out in the AGME Higher Education Strategic Plan and Teaching and Learning Plan.

##### **4.1 Policy principles**

This policy is underpinned by the following principles:

- AGME supports the timely, sensitive and respectful resolution of complaints.
- AGME provides a process for making and addressing complaints, having regard to the seriousness and nature of the complaint.
- The principles of procedural fairness apply during the grievance and complaints procedure. All parties will be afforded natural justice, which requires:
  - o The right to be heard;
  - o The right to be treated without bias or conflict of interest;
  - o A decision based on evidence.
- Wherever possible, grievances will be resolved by a process of discussion and cooperation, with the aim of reaching a satisfactory outcome that minimises any potential detriment to ongoing study relationships.
- Parties to a complaint will receive appropriate information, support and assistance in resolving the grievance. The parties have the right to be accompanied or assisted by a third person if desired.
- Any person involved in a complaint at AGME must act reasonably and in good faith. They must keep information confidential and only discuss the issues raised where there is a legitimate reason to do so (i.e. on a 'need to know' basis).
- Students or potential students who raise a complaint are not to be victimised, discriminated against, disadvantaged or subjected to reprisal action in any form.
- AGME and in particular, the Higher Education Committee will review the incidence and nature of grievance and identify any systematic issues arising from complaints, and use complaints information to continuously improve AGME's policies and procedures.
- All complaints under this policy are dealt with free of charge to current students or prospective students.

##### **4.2 Support and referral pathways**

AGME will make available general information on counselling and support services for students. At any stage of the complaint process, a current or prospective student can be supported or represented by a support person or representative. The support person or representative can attend meetings with the student.

##### **4.3 Class attendance**

Students will continue to attend their classes as usual for the duration of the complaint resolution process, unless their health or safety is potentially at risk or if they pose a health or safety risk to other students or staff members.

## 4.4 Procedure

Students or prospective students are to raise any grievance or complaint as early as possible, guided by the following procedure. There are three stages for seeking resolution, which are outlined below.

### **Stage one: Informal resolution of grievances and complaints**

1. Students are encouraged to address grievances and complaints through a direct and respectful discussion with the relevant staff member.
2. A resolution may be able to be negotiated by stating the reason for the concern, and what they think needs to change or occur.
3. If students are uncomfortable taking a direct approach with a staff member for any reason, and/or the complaint is of a serious nature, the complaint is to progress to Stage two.

### **Stage two: Formal complaint procedure**

1. For serious complaints, or if a satisfactory resolution is not achieved in Stage one, students may submit a formal complaint in writing to the HEEM. If the complaint involves the HEEM, the complaint is to go to the Chair of the Higher Education Committee.
2. The complaint is to include key information on the nature of the complaint, the desired outcome, as well as the student's contact information.
3. The HEEM will manage the complaint. If the complaint involves the HEEM, the Chair of the Higher Education Committee will manage the complaint.
4. AGME aims to resolve formal complaints at Stage 2 within ten working days.
5. AGME may still take action without a written complaint if it is considered that a student's health, safety or wellbeing is in jeopardy or if AGME considers that serious misconduct may have occurred.
6. All parties will be kept informed of the progress of the complaint, the reasons or decisions and any actions that will be implemented.
7. AGME may commission external assistance to support the investigation and/or resolution (e.g. to conduct a mediation or conciliation).
8. AGME will keep a confidential record of the complaint, the complaint proceedings and any outcomes.
9. A formal complaint can be withdrawn by a student at any time, which may conclude the matter, except where there is a safety concern or serious misconduct.
10. Depending upon the nature, severity and implications of the complaint, outcomes of a complaint may include (this is not an exhaustive list):
  - Providing more information on the reasons for a decision, e.g. explaining rules;
  - Correcting a mistake by revoking a decision;
  - Changing a policy or procedure;
  - Retraining a staff member;
  - Taking disciplinary action in relation to a staff member; and/or
  - No action due to lack of evidence, or the complaint being without substance.

### **Stage three: External review**

1. Any party to the complaint can request an external review of a decision about a complaint made at Stage 2. This request must be made in writing to the Chair of the Higher Education Committee.
2. The Higher Education Committee will arrange for the review to be carried out by an independent, external reviewer appointed by AGME.
3. An external reviewer is usually expected to return a report to AGME within 15 working days of being commissioned to undertake the review.
4. The review report will be provided to the student. AGME undertakes to implement the recommendations of the reviewer in relation to the complaint.
5. In the event of the student remaining dissatisfied with the result or conduct of AGME's internal procedures for handling of the complaint and the external review process, the student may choose to take further action by using an external professionally accredited mediator, or under Australia's consumer protection laws, through Consumer Affairs Victoria (<https://www.consumer.vic.gov.au/>)

## **5. Definitions**

### **Complaint**

A complaint from a student or potential student at AGME about a decision, action or process relating to AGME's higher education operations that is non-academic.

### **Formal Complaint Procedure**

Steps taken in relation to non-academic complaints that have been formally lodged in writing with AGME, and are of a serious nature, or have not been resolved informally.

### **Non-Academic Grievance**

A concern about a non-scholastic matter, situation or process; or a concern about a person or people, which the student brings to the attention of AGME staff in an informal way. Examples include, but are not limited to, concerns about matters such as:

- The provision of student support services;
- Behaviour covered by the Code of Conduct and Shared Responsibility
- AGME facilities and amenities;
- Suspension or cancellation of enrolment for non-academic reasons;
- Use of personal information;
- Fees and other financial matters;
- Perceived discrimination or unfairness; and
- Bullying, sexual harassment, and other forms of harassment.

## **6. Related policies and procedures**

- Student Support Policy
- Student Handbook
- Code of Conduct and Shared Responsibility