



Student Complaints and Appeals Policy and Procedure

Policy Code: STU004

Version 1.1

Effective Date: 23/11/2013

Purpose

To ensure that IHM responds to all student complaints and grievances in a timely, appropriate, fair and equitable manner

Scope

This policy applies to all staff, employees, academics, management and corporate governance representatives of IHM as each of these categories of person may be involved in its implementation and the handling of complaints and grievances, or be a respondent to them. The complaints and grievances to which this policy applies are those initiated by students, past or present, or their authorised representatives.

Definitions

Complainant: Person who is making a complaint

Complaint:

Academic Complaint: A complaint that relates directly to teaching, learning and assessment. Examples may include complaints about the effectiveness of teaching, the quality of teaching materials,

Non Academic Complaint: A complaint that is not directly related to teaching and learning, such as a complaint about finance or advertising.

Informal Resolution: Direct action or discussion to resolve a complaint by the staff member who has received it.

Principles



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Informal resolution preferred

Where a complaint is made to an IHM staff member, any such course of action as is available to remedy the cause of the complaint, or to provide a satisfactory explanation to the complainant, will be undertaken by that staff member, provided that doing so is within their delegated authority.

Complaints valued as a contribution to continual improvement

In seeking excellence as an institution, IHM acknowledge the valuable contribution students make by raising complaints and grievances. Where a problem or issue exists, it is only through awareness and acknowledgement that we may begin to address it. Any problem that affects a student adversely is also detrimental to IHM's reputation and to our ability to achieve our goals as a provider of high quality education. Though we seek at every opportunity to identify and pre-empt or address such problems, complaints and grievances are a valuable secondary means by which we receive feedback.

Confidentiality

Those who raise complaints and grievances have the right to do so in confidence. Information about the matters raised may be passed only with the prior consent of the complainant. In cases where it is necessary to escalate the complaint beyond the person who initially addressed it, the complainant will first be informed of this necessity and has the right to decide whether to proceed. Where a complaint is escalated to a committee or board, it will be listed as a confidential item, to be disclosed only to the members of that committee or board and it will be heard and voted upon prior to the admission of observers to the meeting.



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Policy Code: STU004

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Ethical and fair treatment

Complainants must be treated equally, without discrimination on any basis such as race, gender or sexuality. The complaint or grievance raised will not be resolved in a manner that is consistent, legal and ethical.

Right of appeal

Where a complainant believes that the decision of a staff member or governing body is incorrect or is not sufficient to address their complaint or grievance, they have the right, but not the obligation, to escalate the matter to the next level of authority as outlined in the Escalation Procedure.

Timely resolution

IHM will take all reasonable measures to ensure that complaints are resolved as soon as possible. In the case of more serious complaints, this may include measures such as calling upon members of a board or committee to bring forward the date of their next scheduled meeting or to attend an irregular meeting.

Provision of information to Complainants

Complainants have the right to know what is being done to address their complaint and what progress has been made. Complainants will be notified:

- When a board or committee meets to discuss their complaint
- When a decision is announced regarding their complaint
- When any action is taken to resolve their complaint by IHM or its employees

Natural justice: *no one can be a judge in their own case*



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Policy Code: STU004

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A person directly implicated in a complaint or grievance will not be involved in any decision making process regarding either the validity of the complaint or the action to be taken in response. They may, however, be asked by decision makers to explain or defend their actions or to provide evidence.

Where a committee or board includes one or more representatives of the student body, those students will refrain from voting if they have had any contact or association with the complainant or the respondent. Where a member of a committee or board has a direct association with a respondent or person implicated in the complaint or grievance, they must also refrain from voting.

Natural justice: *rights to a hearing*

Those involved in making decisions with regard to the resolution of a complaint must, wherever possible, hear statements from both the complainant and any respondent who is being implicated. Employees or governing bodies making decisions about a complaint must take all reasonable steps to inform themselves, provided that doing so will not breach the complainant's right to confidentiality.

Dismissal of complaints

Any employee or governing body to whom a complaint is lodged may dismiss the complaint if they deem that:

- a) The complaint is vexatious
- b) The complaint is frivolous
- c) The complaint is trivial
- d) The complaint is false

The reasons for the dismissal of the complaint must be appropriately documented and communicated to the complainant, who has the right to appeal against the dismissal by submitting the complaint to the next level of escalation.

Complainants who make repeated vexatious, false or frivolous complaints may be subject to disciplinary action and such instances will be referred to the student misconduct committee.



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Procedures

Reporting

Should a complaint or grievance arise, any student, former student or their appointed representative may report it to any IHM employee. The IHM employee who receives the complaint must provide the complainant with a Complaint Form, so as to correctly document the complaint. Copies of the complaint form will be available from the IHM website, the staff SharePoint site and in electronic form.

Informal response by an IHM employee

An IHM employee may take direct action to resolve a complaint or grievance provided that:

- The complainant, having been informed of the intended action, agrees with it and deems it to be sufficient to address their complaint
- The action is appropriate, ethical, legal and does not breach any applicable policies and procedures
- The action is within the authority delegated to that employee.

Escalation

If it is not possible to address the complaint or grievance informally, the matter can be escalated either by the complainant or by the employee who received the complaint with the informed consent of the complainant. Escalation of the complaint may progress through the following stages:

- a) A complaint that cannot be resolved by an employee may be escalated to the Director of Studies.
- b) If the complainant is not satisfied with the decision of the Director of Studies they may either make an appeal to the Board of Governors or elect to have the matter heard by ACPET at their own expense.
- c) If the complainant is not satisfied with the outcome of an appeal to the Board of Governors, they have the option of pursuing further action through external means, such as the legal system or ombudsman.

Advocacy



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At any stage during the complaint handling or escalation process, the complainant may request advocacy. In such cases, an IHM employee such as the Student Support Advisor will be assigned responsibility for acting as the complainant's advocate. The advocate will provide the student with advice regarding the escalation process and will offer to speak on their behalf during any meetings or negotiations. The advocate must be familiar with this policy and other relevant policies of IHM and must have the ability to communicate with the complainant, other employees and members of governing bodies. The advocate will not be expected to speak for the interests of IHM, only for those of the complainant.

Conflict of interest

If an IHM employee has a conflict of interest, such as a relationship to someone involved in a complaint, they must inform the person making the complaint that they have a conflict of interest and refer the matter to another IHM employee, passing on all details that have been provided, but refraining from expressing an opinion as to how the matter should be handled.

Supplementary Information

Related policies/procedures:	Fees, Charges and Refunds Policy Student Assessment policy Communication Policy and Procedure Quality Assurance and Risk Management Policy and Procedure
Benchmarking:	Not applicable
Supporting research and analysis:	Not applicable
Related documents:	Not applicable
Related legislation:	Not applicable



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Guidelines: Not applicable

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Key Stakeholders	CEO Director of Studies Chair of the Academic Board
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Policies Superseded by this Policy	None

Table of Amendments

Version Number	Version Date	Authorised Officer	Amendment Details (short description)
1.0	25/03/2013		Creation of Policy
1.1	23/11/2013		Approval by Board of Governors



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