



Student Complaints Policy (Non-Academic)

Governing authority	Higher Education Committee
Responsible officer	CEO
Date of approval	8 Feb 2018
Date of effect	8 Feb 2018
Review date	February 2021

Purpose

This policy is designed to ensure that AGME has effective mechanisms in place for resolving grievances from its higher education students or from people applying to enrol in higher education courses at AGME.

Policy principles

This policy reflects AGME's commitment to students as set out in the AGME Strategic Plan and AGME Teaching and Learning Plan. It 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 complaints procedure. All parties must be afforded natural justice, which requires:
 - the right to be heard;
 - the right to be treated without bias or conflict of interest;
 - 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.
- Anyone at AGME involved in a complaint 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.



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- All complaints under this policy are dealt with free of charge to students or prospective students.

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 does 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 where it considers it appropriate to do so. Where 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.

Definitions

Complaint - a complaint under this policy means a complaint from a student or potential student at AGME about a decision, action or process relating to AGME's higher education operations.

Formal Complaint Procedure - the formal complaint procedure refers to steps taken in relation to complaints that have been formally lodged in writing with AGME, and are of a serious nature or have been unable to be resolved informally.

Procedure

Students or prospective students should raise any grievance as early as possible, guided by the following procedure. There are three avenues or stages for making a complaint and seeking resolution.

1. **Informal resolution:** Concerns may be able to be resolved fairly readily and quickly through a direct discussion with a relevant staff member. If you have a complaint, you could first consider approaching the manager you think is responsible, and attempt to respectfully negotiate a resolution. You should state the reason for your concern, and what you think needs to change or occur. This will often lead to a satisfactory resolution. If you are uncomfortable taking a direct approach for any reason, and/or the grievance is of a serious nature, you should consider the alternative avenues below.



2. Formal complaint procedure: For a more serious complaint, or if the above action does not bring about a resolution to your satisfaction, it may be appropriate to pursue the matter with a formal complaint. This avenue is for serious matters that will be investigated, and not for general feedback or comments. A formal complaint should be lodged in writing to the CEO who will also notify the Academic Director and if relevant the Chairs of the Academic Board and Higher Education Committee. The complaint must include key information on the nature of the grievance and contact information. The CEO will manage the complaint or assign the management or investigation of the complaint to their nominated delegate of similar seniority. AGME may still take action without a written complaint if it considers a student's health, safety or wellbeing is in jeopardy or if AGME considers that serious misconduct may have occurred. In relation to formal complaints:
- AGME may commission external assistance to support investigation and/or resolution (e.g. to conduct a mediation or conciliation).
 - All parties are kept informed of the progress of the complaint, the reasons for any decisions and any action that will be implemented.
 - AGME aims to resolve formal complaints within 2 months or sooner.
 - Any party may appeal an outcome and request an internal review. This will be conducted by persons not involved in the original decision and could be referred to the Academic Director, or the Chairs of the Academic Board or Higher Education Committee and will usually be conducted within 30 working days.
 - AGME will keep a confidential record of the complaint, the complaint proceedings and any outcomes.
 - A formal complaint can be withdrawn at any time, which will conclude the matter.
 - In grievances involving the CEO or the Academic Director, a formal complaint may be submitted to the Chair, AGME Higher Education Committee.
3. External review: Any party to the complaint can request an external review of a complaint outcome. This request must be made in writing to the CEO within 10 working days, who will also notify Academic Director, and the Chairs of the AGME Higher Education Committee and Academic Board. AGME will arrange for the review to be carried out by an independent, external reviewer appointed by AGME and approved by the Higher Education Committee. An external reviewer is usually expected to return a report to AGME within 30 days of being commissioned to undertake the review.

Resolution of a complaint: Depending upon the nature, severity and implications of the subject pertaining to the complaint, outcomes of a complaint may include (this is not an exhaustive list):

- Providing more information on the reasons for a decision, i.e. explaining rules
- Correcting a mistake by revoking a decision



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- Changing a policy or procedure
- Retraining a staff member
- Taking disciplinary action in relation to a staff member
- No action due to, for example, lack of evidence, complaint is minor or without substance (e.g. is more a 'comment')

The complainant will be informed of the outcome, the reasons for the decision and any action taken, and any further avenue for appeal where they exist and where the student could benefit.

Support and referral pathways: AGME will make available general information on counselling and support services that are available for students.

At any stage of the complaint process a student or prospective student can be supported or represented by a support person, representative or legal representative. The support person or representative can attend any meetings.

While AGME aims to resolve complaints internally wherever possible and appropriate to do so, complainants may seek the assistance of an external authority if they choose to do so.

Confidentiality

All members of the AGME community must respect the confidentiality of complaint resolution proceedings. If a complaint is brought to your attention, and the matter does not concern you, then you should advise the complainant to follow the correct procedure for making a complaint.

Class attendance

Students will continue to attend their classes as usual whilst AGME and the student are attempting to resolve the issue. The only circumstances in which a student would not continue attending classes is if their health or safety is potentially at risk or if they pose a health or safety risk to other students or staff members.

Implementation & Monitoring

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

Managers and supervisors have a responsibility to ensure that information is provided as part of staff induction and training, and to model appropriate standards of behaviour and encourage open communication. Staff will help students to resolve any concerns respectfully and informally wherever possible and appropriate.

The CEO shall oversee the implementation of this policy.



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Reports will be made to the Higher Education Committee annually on the operation of this policy, to monitor complaints handling and to inform continuous improvement of wider policies and practices.

Accountability

The Higher Education Committee has responsibility for the approval and oversight of this policy.

Review Procedures

This policy will be reviewed every five years by the Higher Education Committee or as anytime considered necessary by the Higher Education Committee or CEO.