



Staff Complaints and Appeals Procedure

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| Related Policy/Procedure: | <ul style="list-style-type: none"> ➤ Staff Complaints Policy ➤ Code of Conduct (Staff and Student) ➤ Bullying Harassment and Discrimination Policy ➤ Academic Integrity Policy ➤ Health and Safety Policy (Staff and Student) | | |

Staff Complaints and Appeals Procedure

Purpose

This Procedure sets out the process for students to lodge a complaint and how Lyons College will deal with the complaint.

Scope

This Policy applies to all Lyons College students, staff and contractors.

Definitions

Appeal means the escalation and review of an outcome of a Formal Complaint where a Complainant is not satisfied with the result.

Complainant means a staff member who raises a Complaint and seeks a resolution to that Complaint.

Complaint means a problem, concern or feeling of dissatisfaction that a student has with an act, omission, oversight or decision made by another student or any Lyons College staff or contractor (Respondent) where the student seeks a resolution. A Complaint could be of an academic or personal nature.

Formal Complaint means a Complaint made in writing which cannot be resolved through the Informal Complaint mechanism.

Informal Complaint mean a complaint that is dealt with directly between the complainant and any other person involved, with the intention of a resolution prior to a Formal Complaint being raised.

Respondent means the person or people that a Complaint is made against.

Procedure

Lyons College recognises that academic and non-academic Complaints will need to be handled differently. For this reason, this Procedure will deal with them separately.

If the student is enrolled at Lyons College, his or her current status will remain in effect during the time of the complaint/grievance lodging, resolution and/or appeal process.

All Complaints lodged will be dealt with in a manner which ensures privacy, and where necessary confidentiality, of the parties involved.

These procedural steps apply to both international and domestic students.

The process for academic and non-academic complaints set out in the Staff Complains and Appeals Policy is as follows:

1. Informal Complaint
2. Formal Complaint
3. Investigation of Formal Complaint
4. Initial Outcome of Formal Complaint
5. Internal Appeal and Review of Initial Outcome
6. Outcome of Internal Appeal and Review
7. Post Appeal and Review

Academic Complaints Procedure

1. Informal Complaints

Staff are encouraged resolve any academic concerns or Complaints informally prior to making a Formal Complaint. A staff member may request that an Informal Complaint is mediated by a Lyons College another staff member who is not involved in the matter.

If the Complaint relates to issues of academic integrity, the Complainant should discuss the matter directly with the Respondent. Both parties should agree to a timeframe to resolve the matter which no more than 2 weeks. If the matter is not resolved within 2 weeks, the Complainant should lodge a Formal Complaint.

If the Complainant is not satisfied with the outcome of the Informal Complaint process, they should lodge a Formal Complaint using the Staff Complaint Form.

2. Formal Complaint

The Formal Complaint process starts when a staff member lodges a Staff Complaint Form with the CEO or Chief Operating Officer (COO).

Once a Staff Complaint Form is received by the CEO or the COO, the complaint is logged in the Complaints Register. The Complaint will then be referred to the most appropriate Lyons College staff member for investigation. Generally, Formal Complaint investigation will be managed by the Manager Governance Risk and Compliance or the COO. If the Complaint is in relation to the Manager Governance Risk and Compliance or the COO, it will be managed by the CEO.

3. Investigation of Formal Complaint

The investigating officer will gather all evidence and conduct interviews as required. The investigating officer needs to provide an outcome within 20 business days of the Formal Complaint being lodged. If there are compelling reasons, the investigating officer may be required to provide an outcome of the investigation in a shorter time, in which case all parties will be notified.

The investigating officer will need to provide a written report which includes the outcome, the evidence and other factors taken into account and their reasoning behind the outcome. This report will be uploaded against the staff member's employment file and the outcome recorded in the Complaints Register.

4. Initial Outcome of Formal Complaint

The Complainant will be informed of the outcome of the Formal Complaint investigation in writing within two days of the report being finalised. The full details of the investigating officers report may not be disclosed to the Complainant depending on the circumstances and taking into account Privacy and confidentiality.

5. Internal Appeal and Review of Initial Outcome

If the Complainant is not satisfied with the initial outcome, they can lodge an Appeal. The Appeal must be lodged in writing within 10 business days of the Complainant receiving the outcome in writing. The Appeal will be escalated to the level above the investigating officer for review.

For example, complaints investigated by the Manager Governance Risk and Compliance will be reviewed by the CEO. Matters which have been investigated by the CEO will be reviewed by the Chair of the Academic Board.

6. Outcome of Appeal and Internal Review

The Appeal reviewer will need to provide a written report which includes the outcome, the evidence and other factors taken into account and their reasoning behind the outcome. This report will be uploaded against the staff member's employment file and the Appeal outcome recorded in the Complaints Register.

The internal Appeal should be completed within 15 business days of being lodged by the student. The staff member must be notified in writing of the outcome if the internal Appeal within 5 business days of the outcome.

7. Post Appeal and Review

If the staff member is not satisfied with the outcome of the Appeal and internal review, they may seek other appropriate avenues of external appeal where available. Any referral to an external body or government agency will be at their own cost.

Non-Academic Complaints Procedure

1. Informal Complaints

Staff members are encouraged resolve any non-academic concerns or Complaints informally prior to making a Formal Complaint. A staff member may request that an Informal Complaint is mediated by a Lyons College staff member who is not involved in the matter.

If the Complaint relates to the behaviour of a student or any Lyons College staff, the Complainant should attempt to resolve the matter directly with the Respondent. The Complainant should let the Respondent know what behaviour they are not happy with and attempt to resolve the matter directly between the two parties.

If the Complainant is concerned about the Respondent's potential reaction to discussing the Complaint, the Complainant should lodge a Formal Complaint rather than approach the Respondent directly.

2. Formal Complaint

The Formal Complaint process starts when a staff member lodges a Staff Complaint Form with the CEO or Manager Governance Risk and Compliance.

Once a Staff Complaint Form is received, the complaint is logged in the Complaints Register. The Complaint will then be referred to the most appropriate Lyons College staff member for investigation. Generally, Formal Complaint investigation will be managed by the Manager Governance Risk and Compliance. If the Complaint is in relation to the Manager Governance Risk and Compliance, it will be managed by the CEO.

3. Investigation of Formal Complaint

The investigating officer will gather all evidence and conduct interviews as required. The investigating officer needs to provide an outcome within 20 business days of the Formal Complaint being lodged with the Manager Governance Risk and Compliance. If there are compelling reasons, the investigating officer may be required to provide an outcome of the investigation in a shorter time, in which case all parties will be notified.

The investigating officer will need to provide a written report which includes the outcome, the evidence and other factors taken into account and their reasoning behind the outcome. This report will be uploaded against the staff member's personnel file and the outcome recorded in the Complaints Register.

4. Initial Outcome of Formal Complaint

The Complainant will be informed of the outcome of the Formal Complaint investigation in writing within two business days of the report being finalised. The full details of the investigating officers report may not be disclosed to the Complainant depending on the circumstances and taking into account Privacy and confidentiality.

5. Internal Appeal and Review of Initial Outcome

If the Complainant is not satisfied with the initial outcome, they can lodge an Appeal. The Appeal must be lodged in writing within 10 business days of the Complainant receiving the outcome in writing. The Appeal will be escalated to the level above the investigating officer for review.

For example, complaints investigated by the Manager Governance Risk and Compliance will be reviewed by the CEO. Matters which have been investigated by the CEO will be reviewed by the Manager Governance Risk and Compliance or a Board Member.

6. Outcome of Appeal and Internal Review

The Appeal reviewer will need to provide a written report which includes the outcome, the evidence and other factors taken into account and their reasoning behind the outcome. This report will be uploaded against the staff member's personnel file and the Appeal outcome recorded in the Complaints Register.

The internal Appeal should be completed within 15 business days of being lodged by the staff member. The staff member must be notified in writing of the outcome if the internal Appeal within two business days of the outcome.

7. External Appeal and Review

If the staff member is not satisfied with the outcome of the Appeal and internal review, they can ask for an external review of the decision. The outcome from the external Appeal and review will be recorded in the staff member's personnel file as well as the Complaints Register.