



Staff Complaints and Appeals Policy and Procedure

Contents

1. PURPOSE	3
2. OVERVIEW	3
3. SCOPE	3
4. DEFINITIONS.....	3
5. POLICY STATEMENT	3
5.1. Policy Statement	3
5.2. Policy Principles	3
6. TYPES OF STAFF GRIEVANCE OR COMPLAINT	4
6.1. Academic Grievance or Complaint	4
6.2. Non-Academic Grievance or Complaint	4
7. PROCEDURES.....	5
Step 1: Informal Complaint	5
Step 2: Formal Complaint.....	6
Step 3: Internal Appeal	7
Step 4: External Appeal.....	7
8. CONFIDENTIALITY	8
9. REVIEW	8
10. Related Documents, External References and Version Control	9
10.1 Related/Referenced Documents.....	9
10.2 Related Legislation and External References	9
10.3 Version Control.....	9
10.4 Document Review	9

1. PURPOSE

This *Staff Complaints and Appeals Policy and Procedure* will assist in resolving workplace grievances as they develop. In an effort to maintain Australis Business School's ("Australis") commitment to accountability, equity, and confidentiality, this policy and procedure outline a set of rules that must be followed in any staff grievance, complaint, or appeal matter.

2. OVERVIEW

Australis acknowledges that in the workplace challenges may arise from time to time causing workplace grievances. Australis is committed to providing a fair, safe and productive work environment where staff grievances, complaints and appeals are addressed with sensitivity and confidentiality.

3. SCOPE

The policy and procedure apply to all Australis staff including academic and professional staff, and board and committee members, both internal and external, as well as independent contractors and consultants, who directly or indirectly cause a grievance or complaint to be raised or who handle complaints.

4. DEFINITIONS

See the *Australis Glossary of Terms* for definitions.

5. POLICY STATEMENT

5.1. Policy Statement

Australis is committed to providing a safe, productive, impartial and harmonious work environment to all parties. All grievances, complaints and appeals will be taken seriously. Australis will respect the rights and privacy of all involved parties in its dealings with staff grievances, complaints and appeals. Furthermore, the doctrines of natural justice and procedural fairness will be the guiding principles for all matters related to staff grievances, complaints and appeals.

5.2. Policy Principles

Staff grievances, complaints and appeals will be resolved in an equitable manner with fairness, consistency, promptness and sensitivity, and will be judged purely on their merits. Australis will abide by the following principles and ensure that an effective, fair and transparent approach is taken in a timely manner for managing staff grievances, complaints and appeals.

Australis will develop a culture within the School that views grievances and complaints as opportunities to improve the operations and the organisation.

Grievance and complaint management processes will ensure that all Australis staff understand their rights and their responsibilities, including the right to have a support person or persons present at any interview or proceeding.

All staff grievances, complaints and appeals will be resolved objectively, promptly and consistently, with sensitivity and confidentiality.

The views of all complainants and respondents will be respected and no party to a complaint will be victimised or discriminated against.

All parties must be cordial and considerate, and must treat each other with respect. Threatening or intimidating behaviour will not be permitted.

Priority will be given to the informal resolution of grievances and complaints, where appropriate, to achieve a prompt resolution.

An utmost level of confidentiality will be maintained during all exchanges of information, except where the release of information is required by law.

6. TYPES OF STAFF GRIEVANCE OR COMPLAINT

Staff grievances and complaints may be academic or non-academic.

6.1. Academic Grievance or Complaint

Academic staff at Australis are expected to maintain the highest integrity in their work in accordance with the *Academic Integrity and Misconduct Policy and Procedure*. Any misconduct or breach of this policy and procedure will be taken very seriously. Any allegation of academic misconduct or breach of academic conduct will be dealt with according to the *Academic Integrity and Misconduct Policy and Procedure*.

6.2. Non-Academic Grievance or Complaint

All non-academic grievances and complaints, including bullying, discrimination and sexual harassment, will be addressed in accordance with this *Staff Complaints and Appeals Policy and Procedure*. Examples of non-academic grievance or complaints that will be addressed under this policy and procedure include, but are not limited to, matters relating to the following:

- work arrangements and conditions such as staff professional development and training, staff entitlements, supervision, working hours, performance reviews, working hours, wage or salary levels and access to or condition of facilities and resources
- work environment issues such as bullying, discrimination and sexual harassment
- workplace safety such as issues with occupational health and safety
- information accuracy, currency, privacy or confidentiality such as issues with information disclosure, information currency and accuracy, privacy or confidentiality

7. PROCEDURES

At Australis staff grievances and complaints are viewed with the utmost seriousness and treated confidentially. Grievances and complaints are handled by as few people as possible in order to ensure confidentiality. The complainant and the respondent will be advised that they are not to discuss the complaint with others and that there is to be no victimisation of other parties.

Australis's approach to grievance and complaint resolution is consistent with the principles of this policy and procedure, and will generally involve the following steps.

Step 1: Informal Complaint

It is advisable that staff, wherever possible, try to resolve concerns through discussion between the complainant and the person responsible for the decision or behaviour that is the reason for the grievance or complaint.

Any academic and professional staff members who are not involved in the grievance or complaint may support and facilitate an informal resolution if requested by the complainant or on their own initiative.

Any staff member who becomes aware of an informal complaint must provide details to the Chief Executive Officer (CEO) so that the details can be recorded in the Complaints Register.

Any staff member who is informally approached with a grievance or complaint has an obligation to respond to the grievance and the complainant with an acknowledgement of receipt of the complaint within five (5) business days of receiving it.

This staff member will also organise a time to discuss the issue with the complainant and the respondent, either face to face or over the phone.

It will be established which relevant rules, requirements, policies and procedures have a bearing on the complaint. Issues that can be agreed on and those where there is a difference in opinion will also be discussed.

After a complaint has been raised, it is the responsibility of both parties to try to resolve the issue in a courteous and respectful manner. The respondent will provide a response within five (5) business days to the staff member.

The complainant will receive notification of the respondent's response from the staff member and the informal complaint will be resolved within ten (10) business days of the matter being raised.

Outcomes of the informal complaint will be documented in writing, including the decisions, the reasons for the outcomes and the agreed actions, and will be provided to both the complainant and the respondent.

In some circumstances a staff member may not feel comfortable to raise their complaint directly with the person who is the subject of the complaint. Therefore, there is no obligation to resolve complaints informally. Staff may request a formal complaint as the next step in the grievance and complaint resolution process.

Step 2: Formal Complaint

If the complainant staff member is not satisfied with the initial decision regarding the issue or the issue cannot be resolved informally, a formal complaint must be made by completing the Staff Complaints and Appeals Form and submitting it to the Administration and HR Manager. The form must include relevant facts and supporting documents, and must specify the resolution the complainant is seeking.

The Administration and HR Manager will check that all evidence and supporting documents are included with the complaint form, inform the staff member that the complaint has been received and refer the case to the CEO for investigation within five (5) business days of receiving it.

All reasonable measures will be taken by the CEO to resolve the complaint. The CEO may pursue enquiries to confirm the potential outcome that the complainant is seeking.

The respondent will be notified of the nature of the complaint made and will be asked to clarify any explanation given.

The CEO will provide feedback to the complainant about the respondent's explanation. This may involve a face-to-face interview with the complainant and may require that either or both parties or witnesses provide written comments.

The complainant and the respondent are allowed to bring a support person or persons to accompany them to such interviews.

A record of the discussion and the agreed actions will be created by the CEO and shared with the complainant to check for accuracy.

A written notification to the complainant will be provided by the CEO within twenty (20) business days with the outcome of the formal complaint. This notification must include the reasons for the outcome and any steps taken to resolve the complaint.

If for some reason the investigation takes longer than twenty (20) business days, the CEO will advise the complainant of this in writing.

If the formal complaints process results in a decision in favour of the complainant, the CEO will immediately implement any decision or required corrective action.

The complainant will be notified in writing of the action taken. The CEO will also advise the complainant about their right to appeal if the complainant feels the grievance remains unresolved after the formal complaints process.

Step 3: Internal Appeal

If the complainant believes the results of the formal complaints process to be unfair or incorrect and is not satisfied with the outcome, they may appeal for a review within twenty (20) business days of receiving the written outcome of their formal complaint.

An appeal must be made by again completing the Staff Complaints and Appeals Form and submitting it to the Administration and HR Manager. The form must include relevant facts, additional information and all supporting documents.

The Administration and HR Manager will check that all evidence, additional information and supporting documents are included with the form, notify the complainant that the appeal has been received and refer the case to the CEO for investigation within five (5) business days of receiving it.

The appeal must lay out the grounds for the appeal and supporting evidence must be supplied in addition to any new information that was not previously given in support of the complaint.

The CEO will have access to all relevant information in order to investigate the appeal. The complainant and the respondent will be entitled to present verbal or written evidence and may bring a support person or persons to accompany them during this process.

A written notification to the complainant will be provided by the CEO within twenty (20) business days with the outcome of the internal appeal, including the reasons for the outcome.

If for some reason the investigation of the appeal is taking longer than twenty (20) business days, the CEO will advise the complainant of this in writing.

If the internal appeal procedure results in a decision in favour of the complainant, the CEO will immediately implement any decision or required corrective action.

The complainant will be notified in writing of the action taken.

The CEO will also advise the complainant in writing about their right to appeal if the complainant feels the grievance remains unresolved after the internal appeal process.

Step 4: External Appeal

At the conclusion of the internal appeal, both parties will be informed of their legal rights under federal and state law and that, for an external appeal, they should obtain independent legal advice. In the event that there is an external appeal process, the outcome will be recorded in the Complaints Register.

8. CONFIDENTIALITY

All staff associated with internal grievance, complaint and appeal procedures will maintain confidentiality and only discuss the matter with those who have responsibility for dealing with the grievances, complaints and appeals.

9. REVIEW

The Board of Directors is responsible for the review and approval of this policy and procedure.

10. Related Documents, External References and Version Control

Control

10.1 Related/Referenced Documents

- Academic Integrity and Misconduct Policy and Procedure
- Bullying, Discrimination and Harassment Prevention and Management Policy and Procedure
- Code of Conduct
- Conflict of Interest Policy and Procedure
- Equity and Diversity Policy
- Facilities, Resources and Infrastructure Policy
- Feedback Policy and Procedure
- Freedom of Intellectual Inquiry Policy
- Health and Safety Policy
- Privacy Policy
- Professional Development and Scholarly Activity Policy and Procedure
- Records and Information Management Policy
- Recruitment and Selection Policy and Procedure
- Student Complaints and Appeals Policy and Procedure
- Student Welfare, Wellbeing and Support Policy and Procedure

10.2 Related Legislation and External References

- Higher Education Standards Framework 2021
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2021

10.3 Version Control

Version	Date	Reviewed/approved by	Key notes/changes
0.1	06/12/22	BoD	Approved at the 06/12/22 BoD meeting
0.2	12/01/23	LTC	Reviewed at the 12/01/22 LTC meeting
0.3	23/05/23	AB	Approved at the 23/05/23 AB meeting with minor editorial improvements included

10.4 Document Review

To be reviewed at least every five (5) years from the date of final approval.