

Leo Cussen GDLP Complaints Policy

GDLP Complaints Policy

1. SCOPE OF THIS POLICY

This policy and procedure applies to all Graduates currently enrolled in the Leo Cussen GDLP.

1.1. In accordance with this policy:

1.1.1. a graduate may make a complaint about the GDLP or the behaviour of any staff, Graduate or other person involved in the delivery of the GDLP;

1.1.2. complaints may be formal or informal; and

1.1.3. complaints can include both Academic and Non-Academic Grievances.

1.2. The procedures set out in this policy do not replace or modify procedures or any other responsibilities that may arise under other higher education provider policies or under statute or any other law.

1.3. This policy is communicated to GDLP staff and available at MY LEO in Brightspace.

2. INFORMAL COMPLAINTS (ACADEMIC AND NON-ACADEMIC GRIEVANCES)

2.1. An informal complaint is one made verbally to any staff member.

2.2. An informal complaint shall be handled in a manner agreed between the complainant and that staff member. This can include the Graduate attempting to resolve the matter informally.

2.3. That staff member may inform their Manager of the complaint.

2.4. Should the matter not be resolved to the Graduate's satisfaction the Graduate may make a Formal Complaint.

3. FORMAL COMPLAINTS (ACADEMIC AND NON-ACADEMIC GRIEVANCES)

3.1. The procedures set out in this part are for Formal Complaints only.

3.2. Formal Complaints must be in writing and addressed to the Director, Education Delivery (the **Director**).

3.3. Graduates can use these procedures to submit a grievance about:

3.3.1. an Academic Grievance, where such grievances relate to the Graduate's progress, appraisal, assessment, curriculum, and awards in the GDLP; and

3.3.2. a Non-Academic Grievance, where such grievance relates to a non-academic matter.

3.4. A Formal Complaint is handled in three stages of increasing escalation as set out in the Schedule to this Policy.

4. PARAMETERS OF THE COMPLAINTS PROCESS

- 4.1. Neither the Graduate nor a person the subject of a complaint will be victimised or unlawfully discriminated against in any of the stages set out in this policy.
- 4.2. If the complainant is a Graduate, Leo Cussen will maintain their enrolment while the complaints procedure is ongoing.
- 4.3. The Graduate and any person the subject of a complaint, may at their election, be supported by a third person (such as a family member, friend, counsellor or other professional support person).

5. REQUIREMENTS FOR REVIEW OR APPEAL

- 5.1. Where a Graduate is seeking a Review or an Appeal in accordance with Stage 2 or 3 as set out in the Schedule, the request for Review or Appeal must:
 - 5.1.1. be in writing;
 - 5.1.2. clearly set out and articulate valid grounds for the Review or Appeal; and
 - 5.1.3. clearly set out and articulate the Graduate's request for relief and proposed outcome.
- 5.2. Valid grounds for Review or Appeal are:
 - 5.2.1. where the decision maker has not taken into account relevant information or evidence in making their decision;
 - 5.2.2. manifest error on the face of the decision or in considering any information or evidence; or
 - 5.2.3. the decision maker has not complied with, or taken into account, a Leo Cussen policy in determining the outcome.
- 5.3. In the absence of valid grounds as set out in this clause 5, a mere disagreement with the decision maker's decision is not valid grounds for Review or Appeal.

6. IMPLEMENTATION OF DECISION

- 6.1. If the complaints procedure results in a decision that finds in favour of the Graduate, Leo Cussen must implement the decision and take corrective or preventative action required and inform the Graduate of the outcome.

7. SECURE RECORD KEEPING

- 7.1. Leo Cussen will securely store and keep confidential a written record of Formal Complaints and applications for Review or Appeal for a maximum period of 5 years from the date of the final decision. Relevant parties to the Formal Complaint will have supervised access to review those written records, with such accessed to be determined in any manner that Leo Cussen deems fit in order to ensure and enforce confidentiality.

8. INTERNATIONAL STUDENTS

- 8.1. Graduates who are subject to legislation governing International Students are able to access external complaints and appeals of the Overseas Students Ombudsman. The Overseas Students Ombudsman offers free and independent service for international students who have a complaint or want to lodge an external complaint about a decision

made by their private education or training provider. The Overseas Students Ombudsman can be contacted at [Commonwealth Ombudsman - Overseas Students](#).

SCHEDULE: FORMAL COMPLAINT HANDLING STAGE PROCESS AND PROCEDURE

STAGE	PROCESS AND PROCEDURE
STAGE 1: DECISION	<ol style="list-style-type: none"> 1. The Director may (in their discretion) deal with the complaint themselves or appoint a delegate, being an independent member of Leo Cussen’s staff to review the complaint. 2. Upon reviewing the complaint and formulating a decision, the Director, and must report the outcome to the Executive Director of Leo Cussen. 3. The complaint must be dealt with within 15 Business Days of receiving the complaint unless extenuating circumstances apply and, in that case, the complaint will be dealt with as soon as reasonably practicable. 4. Upon making a final decision, the Director must notify the Graduate of the outcome as soon as reasonably practicable in writing (the Decision).
STAGE 2: REVIEW OF DECISION	<ol style="list-style-type: none"> 1. Where a Graduate is not satisfied with the outcome of the Formal Complaint as decided in accordance with Stage 1, the Graduate may review the Decision (the Review): <ol style="list-style-type: none"> 1.1. by requesting the Executive Director review and reconsider the complaint together with the Decision, with such request to articulate the grounds for Review in accordance with clause 5 of the Policy; and 1.2. such request for Review must be in writing and be sent to the Executive Director within 7 business days of the Decision. 2. Upon the Executive Director receiving the request for Review, the Executive Director (in their sole discretion) may: <ol style="list-style-type: none"> 2.1. make a decision either upholding or replacing the Decision; or 2.2. refer the Review for consideration by the Leo Cussen Board, or 2.3. refer the Review for consideration to a Grievance Committee comprised of a Head of Education Delivery, a reasonably impartial and independent member of staff, and a reasonably impartial and independent Graduate representative. 3. The Executive Director, Leo Cussen Board or Grievance Committee will, within 20 business days of receiving the request for Review from the Graduate, determine the merits of the Review and make a decision concerning the complaint. 4. Upon deciding the outcome of the Review, the Executive Director will (as soon as is reasonably practicable) notify the Graduate of the outcome in writing.

<p>STAGE 3: APPEAL TO BOARD</p>	<ol style="list-style-type: none"> 1. Where a Graduate is not satisfied with the outcome of the Review as decided in accordance with Stage 2, the Graduate may appeal the Review (Appeal): <ol style="list-style-type: none"> 1.1. by requesting the Leo Cussen Board to reconsider the Review complaint, with such request to be in writing and must articulate the grounds for Appeal in accordance with clause 5 of the Policy; and 1.2. such request for Appeal must be in writing and be sent to the Leo Cussen Board within 7 business days of the Graduate being notified of the Review outcome; or 1.3. in the case of an international student who fails to comply with the Work Performance Policy [link] or has been issued with a Show Cause Notice, such request for Appeal must be in writing and sent to the Leo Cussen Board within 20 business days of being so notified. 2. In the event that the Graduate does not provide written grounds for the Appeal or does not provide the written grounds within time, the Leo Cussen Board may dismiss the Appeal and is under no obligation to further consider the Appeal. 3. Upon receiving the written grounds of Appeal, the Leo Cussen Board may set up a committee of up to three members of the Board to hear the matter. The Leo Cussen Board may, in its discretion, include an external member to the committee to consider the Appeal. 4. Within 20 business days of being notified of the Appeal, the Leo Cussen Board will notify the Graduate in writing of its determination of the Appeal. The Board's determination of the Appeal is final.
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Policy status

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Policy Approver	Leo Cussen Academic Committee

* Unless otherwise indicated, this policy and procedure will still apply beyond the review date

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