

# Complaints Policy



## Policy

Oncology Massage Limited (OML) is committed to ensuring that all stakeholder complaints are treated with sensitivity and confidentiality, and resolved effectively, efficiently, objectively and in a timely manner.

## Definitions & Clarifications

Stakeholders include all potential, current and past stakeholders:

- Students and Graduates
- Members of staff, including contractors and volunteers
- Suppliers of products and services
- Business partners.

Complaints may go under other names such as:

- Grievances
- Disputes
- Disagreements
- Incidents.

Complaints may arise as a result of any real or perceived:

- Unfair treatment
- Wrongdoing
- Inconsistent decision-making, or
- Inappropriate behaviour.

Complaints may arise in relation to:

- Fees and charges
- Course registrations
- Course prerequisites
- Course changes including cancellations
- Student selections and assessments
- Interactions between stakeholders.

## Principles

The following principles apply to the implementation of this policy:

- **Staff authority** - all staff members involved in resolving complaints do so with the authority afforded to them by the OML Board

- **Staff awareness** - all members of staff will be aware of this policy and be able to advise a Complainant accordingly
- **Confidentiality** - all members of staff will maintain the confidentiality and privacy of all associated information
- **Anonymity** - some Complainants may wish to remain anonymous and this request will be respected
- **Record-Keeping** - all dealings associated with a complaint or appeal under this policy must be properly documented and stored
- **Consistency** - OML operates in many different places. The policy will be available to all stakeholders, regardless of the place at which the complaint arose
- **Natural Justice** - the complaints process and the appeals process will follow the principles of natural justice, and the OML Board may exercise discretion in this regard. Complaints must have been through the formal complaint process before they can be appealed.
- **No Limitation on Action** - nothing in this policy limits the rights of Complainants to take action under Australia's Consumer Protection laws. It does not replace or modify procedures or other responsibilities which may arise under other provider policies or under statute or law. The policy does not circumscribe a Complainant's right to pursue other legal remedies.

### Informal Complaints Process

1. In the first instance, the Complainant should seek to resolve the issue informally with those whom they find themselves in disagreement.
2. If a satisfactory resolution cannot be reached, the Complainant may choose to contact the Managing Director. OML recommends face-to-face conversations or telephone conversations wherever possible.
3. The Managing Director will talk to the Complainant according to the **Complaint Reporting Template** (see Att 1) and they will jointly determine a course of action, if any, to take.
4. If a person chooses to make a complaint anonymously, there is no requirement for OML to consult further with the Complainant, nor is there a requirement to take action.
5. If a satisfactory resolution cannot be reached, the Complainant may choose to lodge a Formal Complaint.

### Formal Complaints Process

1. The Formal Complaints Process is initiated when a person lodges a written complaint that may be preceded by a face to face meeting, a phone conversation, or a videoconference:
  - By letter to The Board Secretary, Oncology Massage Limited, PO Box 109, Deakin West, ACT, 2600; or
  - By email to [david@oncologymassagetraining.com.au](mailto:david@oncologymassagetraining.com.au).
2. Within 1 week of receiving a complaint, the OML Board will nominate a person to investigate the complaint (the Complaint Manager, normally the Managing Director).
3. Within 1 week, the Complaint Manager will:

- Contact the Complainant
  - Identify themselves as the Complaint Manager
  - Provide their contact details to the Complainant
  - Confirm that the complaint has been received and is being investigated, and determine whether the Complainant desires anonymity
  - Confirm that an informal resolution process has been attempted but has not been satisfactory
  - Answer any questions about the complaints process and confirm the estimated timeframe for resolution
  - Ensure their understanding of the complaint.
4. In the 4 weeks following completion of (3), the Complaint Manager will:
- Document the process followed
  - Collect verbal and/or written reports from all involved stakeholders including, if necessary, witnesses
  - Evaluate the legitimacy of the complaint including discussing with or collecting information from all involved stakeholders
  - Clearly identify the findings found, the conclusions drawn, and the proposed and recommended disciplinary or corrective actions to be taken (if any)
  - Provide a draft response to the Board for consideration.
5. Within 1 week of completing (4), the Complaint Manager will:
- Evaluate, and where necessary incorporate, any comments from the OML Board
  - Provide a copy of the formal written response to the Complainant
  - Advise them of the right, and the process, to lodge an appeal
6. Within 2 weeks of completing (5), the Complaint Manager will:
- Contact the Complainant
  - Ask whether they wish to lodge an appeal
  - If they do not wish to lodge an appeal, close the complaint file and advise interested parties accordingly
  - If they do wish to lodge an appeal, advise the Complainant of the appeals process (below).

At all times, the Complaint Manager should advise the Complainant of any deviation from this timeline and/or process.

### **The Complaints Appeals Process**

1. The Complaint Appeals Process is initiated when a Complainant lodges an appeal in writing with the Board:
  - By letter to the Board, Oncology Massage Limited, PO Box 109, Deakin West, ACT, 2600; or
  - By email to [info@oncologymassagetraining.com.au](mailto:info@oncologymassagetraining.com.au).
2. The Complainant should:
  - Lodge the appeal within 2 weeks of receiving a formal written response to their complaint from the Complaint Manager
  - Explain the basis on which the appeal is justified - incorrect or incomplete information, weakness in the investigation process.

3. Within 1 week of an appeal being lodged, the Board will advise the Complainant of:
  - The Complaint Appeals Process and
  - The contact details of the Appeal Manager.
4. Within 1 week of (3), the Appeal Manager will:
  - Contact the Complainant
  - Identify themselves as the Appeal Manager
  - Confirm mutual contact details
  - Answer any questions about the appeals process, and
  - Confirm the estimated timeframe for resolution
  - Ensure their understanding of the basis of the Appeal.
5. In the 2 weeks following completion of (4), the Appeal Manager will:
  - Review the complaint file
  - Consult with the Complainant, the Complaint Manager, and/or other involved parties as required
  - Provide a draft ruling to the OML Board for consideration.
6. Within 1 week of completing (4), the OML Board will provide a ruling in writing to the Appellant. The Board's decision is final.

### **Further information**

If you have any questions or comments, please contact:

- David Bailey  
Managing Director  
Oncology Massage Limited
- +61 408 801 756
- [david@oncologymassagetraining.com.au](mailto:david@oncologymassagetraining.com.au)
- PO Box 109  
Deakin West, ACT, 2600

### **Document Metadata**

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## Attachment 1 Complaint Reporting Template

<b>Question</b>	<b>Response</b>
<i>Date &amp; Place of Conversation</i>	
<i>Complainant</i>	
<i>Rapporteur</i>	
<i>Where and when did the action take place?</i>	
<i>What exactly happened?</i>	
<i>How did you react?</i>	
<i>Against whom are you registering a complaint?</i>	
<i>How did they react?</i>	
<i>Who else was present? How did they react?</i>	
<i>Is it ongoing?</i>	
<i>Do you want to register a formal complaint?</i>	
<i>If no, what action do you want OML to take?</i>	
<i>If yes, continue...</i>	
<i>Did you indicate at the time that you were offended or displeased?</i>	
<i>Have you discussed the incident with anyone else?</i>	
<i>Are there others who may have been affected?</i>	

<i>Do you know whether anyone else complained or intends to complain?</i>	
<i>How have you and your job been affected by this?</i>	
<i>Did you seek any medical treatment or counseling as a result of the incident?</i>	
<i>Are there any notes, physical evidence, or other documentation regarding the complaint?</i>	
<i>Is there anyone else who may have relevant information?</i>	
<i>What action do you want OML to take?</i>	