

Policy No 3

GRIEVANCE POLICY AND PROCEDURE

Ratified by the Academic Governance Body 1 December 2014

Purpose

To ensure the highest levels of quality and integrity are maintained in the provision of higher education by Gestalt Therapy Brisbane Pty Ltd through Gestalt Therapy Brisbane (GTB) and Gestalt Therapy Sydney (GTS), by enabling student and staff concerns to be appropriately raised and responded to.

Accessing this Policy

This policy is available in the GTB Policy and Procedures Handbook and on the GTB/GTS websites.

Overviews

Overviews of the grievance process are provided (as addendums) as follows:

1. Informal Resolution of Difference GTB/GTS
2. Formal Grievance Process as described in Policy No 3 Grievance Policy and Procedure
3. Statement regarding the handling of grievances relating to the Faculty/Director-Student relationship
4. Statement regarding the handling of complaints relating to Faculty Members and Staff Members

Introduction

Gestalt Therapy Brisbane Pty Ltd (GTB) is concerned about maintaining the highest levels of quality and integrity of its courses and administrative practices. Accordingly GTB/GTS operates with a set of Grievance Procedures set out in this policy that students or people seeking to enrol in any of GTB/GTS's courses and/or accredited higher education courses are entitled and encouraged to use when necessary. A copy of GTB/GTS's Grievance Policy and Procedure will be given to prospective students on request or at the time of interview. A copy of the policy will be given to all students in their Student Handbook. This policy will also be available to students on the GTB/GTS's Website, <http://www.gestaltinstitute.com.au/policies.htm> and <http://gestalttherapysydney.com/our-policies>. The grievance procedures detailed in this policy document are utilized for **both non-academic and academic grievance issues**.

All students of GTB/GTS or those seeking to enrol in a course of study with GTB/GTS are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus at which the grievance has arisen, the student's place of residence or the mode in which they study.

The complainant and/or the respondent in a grievance process are permitted to be accompanied and assisted by a third party such as a family member, friend, counsellor or other professional support person if they so desire at any stage throughout the process. GTB/GTS will not bear the cost of any external consultant that the complainant invites to join her/him in this process.

The complainant and the respondent will not be victimized or discriminated against in any of the three stages of addressing a grievance as set out in this policy.

Records of grievances and their outcomes will be kept strictly confidential and filed in a separate file (not kept on the student or staff file) and stored in the office of the GTB/GTS for a period of five years. Parties to the complaint will be allowed supervised access to these records.

Anonymous grievances will be accepted, however the lodger needs to be aware that:

- It is not possible to provide support to a person whose identity is not known to GTB/GTS;
- It is not possible to advise the lodger of the outcome of an anonymous complaint; and

- Depending on the information provided, it may not be possible to take action in relation to the concerns raised. However anonymous grievances will be kept on file to ensure they can be referred to in the future if similar issues arise.

Stages of the Grievance Procedure

The grievance procedures have **three stages** at which a complaint may be addressed. Each stage is free of cost. Complainants and/or respondents will also be provided with reasons and full explanations in writing for decisions and actions taken at every stage of the grievance process if they request this. The complainant and/or the respondent are permitted to be accompanied and assisted by a third party at any stage throughout the process.

In the **first instance**, grievances should be discussed with the person/s involved in an informal process. However, if this is impracticable, complainants should communicate his/her concerns with a faculty member who is delivering the program or one of the Directors of Gestalt Therapy Brisbane or Gestalt Therapy Sydney. The Directors are:

- Dr Greer White; Patrick O'Regan and Sharon Gray. (Brisbane)
- Forrest James and Ashleigh Woolridge (Sydney)

This arrangement is free of charge. Every effort will be made to make a decision within fourteen days.

The **second stage** of the process at which a grievance is addressed as follows:

If unsatisfied with the response to the grievance or the time taken to resolve the matter, the complainant may submit the grievance in writing to the Chair, Academic Governance Body, Gestalt Therapy Brisbane and ask that the matter be dealt with at meeting of this committee. On receiving such a letter the Chair will call for a meeting of the Academic Governance Body within a reasonable time, normally within 30 days of receipt of the grievance. Every effort will be made to make a decision within 30 days.

The **third stage** of the process at which a grievance is addressed is as follows:

If not satisfied with the decision as communicated by the Chair, Academic Governance Body the complainant may request that the matter be dealt with through an external dispute resolution process by the person/body appointed by the provider for that purpose. The details of this person/body are as follows:

In Queensland

GTB employs the Services of IAMA (The Institute of Arbitrations & Mediators Australia).

In Sydney

Jon Graham jon_graham@bigpond.com Mediate Today www.mediate.com.au

Grievances will be addressed within 30 days.

Where a student or potential student requests that a grievance be dealt with through an external dispute resolution process one of the above external reviewers will be appointed by a Director of GTB/GTS to investigate the grievance issues fully. The external reviewer will be contracted to interview the student or potential student and representatives from GTB/GTS who are involved in the grievance. They will be contracted to write a report on the matters at hand and to make a recommendation as to how the grievance can be resolved. The result of the external investigation will be communicated to the student or potential student within 30 days. The costs of this dispute resolution process and writing of the report and recommendations will be borne by GTB or GTS and will be free of charge to the complainant. GTB/GTS

will not bear the cost of any external professional outside of the described process that the complainant asks to engage in the process or consults about the process.

If one of the external reviewers makes recommendations in relation to a grievance they have reviewed, the external review persons will forward those recommendations to the Managing Director of Gestalt Therapy Brisbane within 14 days. This Director will ensure that the recommendations are implemented within 30 days.

The Directors GTB/GTS recognizes that grievances can be of an academic or non-academic nature.

Academic-Related Grievances refers to grievances on issues such as admissions, credit for prior study, student assessment, academic grades, curriculum and other course-related matters. All students of GTB/GTS can use these procedures to submit a grievance about an academic matter.

Non-Academic Grievances refers to grievances on three levels. Firstly, it deals with administrative matters such as institutional practices, financial issues, resources, marketing and access. Secondly it deals with issues of public behaviour, and the relationships that develop between and among colleagues, students, and members of the public. Finally it deals with professional practice and other ethical or practice issues covered by the Institute’s Ethical Principles. These principles are outlined in Table 1.

Table 1. Gestalt Therapy Brisbane’s Ethical Principles

1	The working relationship between a Director, staff member, faculty member, student and clients is governed ethically. It is a relationship, which is respectful, and valuing of each person who is part of it and the member has the primary responsibility for maintaining the ethical framework of that relationship;
2	A Director and staff member works in the best interests and for the welfare of students and clients;
3	A Director and staff member work within the limits of their competence, monitoring their effectiveness and recognizing the need for their on-going professional development;
4	A Director and staff member demonstrate integrity and openness to their students and clients, and are able to separate themselves from the relationship for self-reflection;
5	A Director and staff member do not exploit or harm their students or clients;
6	A Director and staff member respect the dignity, worth and uniqueness of all individuals and affirm their autonomy;
7	A Director and staff member recognize and respect diversity and differences between people. A Director and staff member do not practice, condone or abet unjustified discrimination or oppressive behaviour;
8	A Director and staff member respect privacy and preserve the confidentiality of information acquired in the course of their work;
9	A Director and staff member work within the law; and,
10	Within the broader context, the above ethical principles are manifest whenever applicable in all the professional activities and relationships engaged in by a Director and staff member.

Where the grievance processes cannot resolve the grievance described above, the student or potential student will be advised of the appropriate legal bodies from which he/she can seek further assistance or advice. Gestalt Therapy Brisbane will not meet costs that are incurred by students or potential students in following through any external legal body.

1. **GANZ Ethics Committee:** If students are dissatisfied with the results of their grievance complaint or the way the grievance process has been conducted they can make a formal grievance to GANZ (Gestalt Australia and New Zealand). GANZ is the professional association for Gestalt therapists and the education program offered by GTB is accredited through GANZ. This grievance may also be referred to PACFA (Psychotherapy and Counselling Federation of Australia) as GANZ is a member association of PACFA;

2. **Mediation:**

Queensland: The Department of Justice and Attorney-General runs a number of Dispute Resolution Centres throughout Queensland. Students can request mediation at one of these Centres in an effort to resolve their concerns, however the Institute will need to consent to being involved, and any outcomes of mediation will not be legally binding. Students can find out more about mediation at: <http://www.justice.qld.gov.au/justice-services/dispute-resolution>, or by telephoning: (07) 3239 6007 in Brisbane or 1800 017 288 from the rest of Queensland.

New South Wales: Mediation: The NSW Attorney-General Department runs a number of Dispute Resolution Centres throughout NSW. Students can request mediation at one of these Centres in an effort to resolve their concerns. However Gestalt Therapy Sydney will need to consent to being involved, and any outcomes of mediation will not be legally binding. Students can find out more about mediation at:

http://www.cttt.nsw.gov.au/Dispute_resolution/Conciliation_process.html or by telephoning 1300 135 399.

3. **Administrative Tribunals:** If the dispute involves student fees or other charges (including where the student feels that what the course delivered did not match the description given when they enrolled), students may be able to bring a claim before a Tribunal.

Queensland: Students can find out more about the Tribunal at: <http://www.qcat.qld.gov.au> or by telephoning 1300 753 228. If a student is outside Brisbane they should contact their nearest Magistrates Court or community legal centre.

New South Wales: Students can find out more about the Tribunal at: <http://www.cttt.nsw.gov.au/default.html> or by telephoning 1300 135 399. Students outside Sydney should contact their nearest Magistrates Court or community legal centre.

4. **Anti-Discrimination:** If the problem relates to the way a student has been treated by GTB/GTS due to matters such as sex, pregnancy, age, race, impairment, religion, political belief or lawful sexual orientation, students should contact the Anti-Discrimination Commission for further advice:

Queensland:

<http://www.adcq.qld.gov.au>
ph 1300 130 670.

New South Wales: http://www.lawlink.nsw.gov.au/lawlink/adb/ll_adb.nsf/pages/adb_index ph:
(02) 9268 5555 or 1800 670 812 from outside Sydney.

Commonwealth:

<http://www.humanrights.gov.au>

ph: 1300 656 419

5. Legal action: For information on taking legal action to resolve a problem, student should contact their solicitor.

This policy is communicated to students, academic staff and support staff through the GTB Policy and Procedures Handbook.

The Managing Director, GTB, Dr Greer White is responsible for the education of staff in the application of the policy in Brisbane. The Director of Education of GTS, Ashleigh Woolridge is responsible for the education of staff in the application of the policy in Sydney.

Each member of GTB and GTS's Staff have been informed of these grievance procedures in writing and have been directed to inform the student or potential student of GTB's grievance procedures in the event of a student or potential student expressing a grievance about any element of the program or their treatment within the program. Education in this grievance procedure will occur for all staff at the beginning of each academic year.

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

Privacy Statement

All personal information collected by GTB/GTS is protected under the Privacy Act 1988 (Commonwealth of Australia). Any and all information will be treated with the utmost care, being kept strictly confidential within the confines of the educational program. It will not be sold, re-used, rented, loaned or otherwise disclosed to a third part, except where prior written permission is obtained from the individual who supplied the information and to whom the information refers.

Policy No. 3 addendum - Overview 1 and 2

Overview 1: Informal Resolution of Difference GTB/GTS		
Informal Process	<p>If a person has a concern about any aspect of the education program or how he or she has been treated he or she is encouraged to talk directly with the person involved.</p> <p><i>Please note a person may wish to skip this Informal Process and move immediately into the Formal Grievance Process.</i></p> <p>A statement about handling grievances relating to the faculty-student relationship follows this overview.</p>	<p>The Director, faculty or staff member is to listen to the concerns of the person and to respond using the tools of conflict resolution. Directors, faculty and staff members are requested to work towards a resolution of the process. They may need to draw on further resources to do this.</p> <p>Towards the end of this informal process, the Director, faculty or staff member will ask the person who has raised concerns if he or she is satisfied with the resolution. If the person expressed they he or she is not satisfied the Director, faculty or staff member will invite the person into the formal Grievance Process as described in Policy No 3 GRIEVANCE POLICY AND PROCEDURE. A copy of this Policy will be given to the person making the complaint and is available on the GTB/GTS Websites.</p>

Overview 2: Formal Grievance Process as described in Policy No 3 Grievance Policy and Procedure		
1st Stage	<p>The Complainant communicates his/her grievance in writing to a staff member, faculty or Director stating that he or she has entered into a formal Grievance Procedure. The complainant will describe the nature of the grievance.</p>	<p>A Director of GTB/GTS is informed that a grievance has been made formal.</p> <p>The complainant and the staff member, faculty or Director work towards a resolution of the process. They may need to draw on further resources to do this.</p> <p>The Director will make every effort to make a decision within fourteen days. This decision will be communicated to the Complainant together with an invitation to take the next step in the Formal Grievance Process as described in Policy No 3.</p>
2nd Stage	<p>The Complainant submits the grievance in writing to the Chair, Academic Governance Body (AGB), Gestalt Therapy Brisbane and asks that the matter be dealt with at a meeting of this committee. <i>(Please note that there is one AGB for both GTB & GTS)</i></p>	<p>On receiving such a letter the Chair will call for a meeting of the Academic Governance Body (AGB) within a reasonable time, normally within 30 days of receipt of the grievance. Every effort will be made to make a decision within 30 days. <i>(The GTB AGB will establish a Grievance Resolution committee to handle a complaint when it occurs).</i></p> <p>The Chair will communicate the decision to the complainant together with an invitation to take the next step in the Formal Grievance Process as described in Policy No 3.</p>
3rd Stage	<p>The Complainant communicates to Chair, Academic Governance Body and requests that the matter be dealt with through an external dispute resolution process by the persons appointed by the Director for that purpose.</p>	<p>One of the following external resolution facilitators are contracted by GTB/GTS to deal with the grievance Brisbane: The Institute of Arbitrations & Mediators Australia. Sydney: Jon Graham jon_graham@bigpond.com Mediate Today www.mediate.com.au Grievances will be addressed within 30 days and the results communicated to the complainant together with details of the appropriate legal bodies from which he/she can seek further assistance or advice.</p>

Policy No. 3 addendum - Overview 3
Statement regarding the handling of grievances relating to the
Faculty/Director-Student relationship

Gestalt Therapy Brisbane acknowledges that the most common form of complaint that will emerge for GTB/GTS will result from a breakdown in the relationship between the faculty/Director and student.

GTB/GTS wishes to acknowledge that this break down in relationship between faculty/Director and student needs to be addressed in a sensitive and comprehensive manner and that resolution strategies must be cognisant of the power issues that are inherent in the faculty–student relationship. GTB/GTS acknowledges that faculty, year coordinators and Directors have a position of authority within the education program in that they observe, assess and give feedback to students on their progress within the educational setting. They also make recommendations as to a student’s suitability within the program.

Accordingly GTB/GTS makes known to its students its willingness to address the issues of students in a supportive and professional manner. It does this verbally when working with students and in written form in the Student Handbook. GTB/GTS also makes public the student’s right to take their grievance to GTB/GTS’s formal Grievance Procedure.

Firstly, GTB/GTS works towards the resolution of grievances through the Informal Resolution of Difference processes (See Overview 1).

Students are invited to bring their concerns to the person involved or if this is difficult to another faculty member or the Director.

When a student has approached a faculty member/Director with a grievance the faculty member/Director encourages the student to voice his or her concerns. When this is difficult for the student a faculty member/director other than the person to whom the grievance is directed may assist the student to voice their concerns. A student will be supported to take the issue of his or her concerns to personal therapy in order that he or she may heighten awareness of the issues involved and the matter he or she wishes to voice.

Another faculty member and/or Director support a faculty member/Director who is involved in a breakdown of relationship with a student in order that this faculty member/Director may work appropriately towards grievance resolution.

Appropriate time will be put aside for the communication and resolution of the grievance.

Resolution of the grievance may involve a process of facilitation of communication between the persons involved by another faculty member/Director. The person chosen must be an agreeable person to both persons involved in the grievance.

The student and faculty member may bring a third party with them to the resolution process to act as a support person.

If the breakdown in relationship between the faculty member/Director and student cannot be resolved through the above informal resolution process the student and/or faculty member will be asked if they wish to enter into the formal Grievance Procedure and both will be given a copy of GTB/GTS’s Policy No 3: Grievance Policy and Procedure and information as to how to activate a formal Grievance Procedure.

Policy No. 3 addendum - Overview 4**Statement regarding the handling of complaints relating to
Faculty Members and Staff Members**

Gestalt Therapy Brisbane acknowledges that at times complaints will arise from faculty members, staff and guest faculty contracted by GTB/GTS. Please note that any staff performance management processes will be dealt with separately from this complaints process.

GTB/GTS wishes to acknowledge that any break down in relationship at GTB/GTS between, its faculty, director or committee members needs to be addressed in a sensitive and comprehensive manner and that resolution strategies must be cognisant of the power issues that are inherent in the faculty/staff–Institute relationship. GTB/GTS acknowledges that Directors have a position of authority within the education program in that they contract, observe, give feedback and make payments for work completed to faculty and staff members.

Accordingly GTB/GTS makes known to its faculty and staff its willingness to address their issues in a supportive and professional manner. It does this verbally when working with faculty and staff and in written form in the Staff Handbook. GTB/GTS also makes public the faculty and staff member's right to take their complaint to GTB/GTS's formal Grievance Procedure.

Firstly, GTB/GTS works towards the resolution of grievances through the Informal Resolution of Difference processes (See Overview 1).

Faculty and staff are invited to bring their concerns to the person involved or if this is difficult to another faculty member or the Director.

When a faculty or staff member has approached a director with a grievance the director encourages the faculty or staff member to voice his or her concerns. When this is difficult for the faculty or staff member, a Director other than the person to whom the grievance is directed may assist the faculty or staff member to voice their concerns. A faculty or staff member will be supported to take the issue of his or her concerns to personal therapy in order that he or she may heighten awareness of the issues involved and the matter he or she wishes to voice.

Another faculty member and/or Director support a faculty member/Director who is involved in a breakdown of relationship with a faculty or staff member in order that this faculty member/Director may work appropriately towards grievance resolution.

Appropriate time will be put aside for the communication and resolution of the grievance.

Resolution of the grievance may involve a process of facilitation of communication between the persons involved by another faculty member/Director. The person chosen must be an agreeable person to both persons involved in the grievance.

The faculty or staff member may bring a third party with them to the resolution process.

If the breakdown in relationship between the faculty/staff member and faculty member/director cannot be resolved through the above informal resolution process the faculty or staff member will be asked if they wish to enter into the formal Grievance Procedure and both will be given a copy of GTB/GTS's Policy No 3, Grievance Policy and Procedure and information as to how to activate a formal Grievance Procedure.