



AUSTRALASIAN INSTITUTE OF MARINE SURVEYORS

Complaint Handling and Investigation Policy

Policy Purpose

This policy outlines the process for receiving, investigating, and actioning complaints involving marine surveyor members, the AIMS Board members, students, employees or policies and processes.

The AIMS recognises that complaints may arise and is committed to ensuring that the complaint process affords the due procedural fairness to those persons who make, or become the subject of, a complaint. Received complaints will follow the AIMS complaints handling process through an initial, investigative, and decision-making phase. Subjects of received complaints will also have an opportunity to request a review and appeal of decision as outlined in the appeal process.

All received written and photo evidence will only be used for the purpose of the complaint investigation and treated as confidential in line with the requirements of the Privacy Act and the AIMS Quality Procedures Manual.

Initial process

- Complaints may be lodged involving marine surveyor members, the AIMS Board members, students, employees or policies and processes via email, telephone or submitted on the *AIMS Grievance and Complaint Form*.
- The first point of contact for submitting complaints will be to the AIMS Chief Executive Officer (CEO) at gm@aimsurveyors.com.au or, in the case where the complaint involves the CEO, the Chairman of the Board at chairman@aimsurveyors.com.au.
- Complaints will be assessed under the Complaint Handling and Investigation Policy for any matters occurring within the previous 12-month period.
- Unless the complaint involves the CEO, they will oversee the initial and investigation phase of the complaint handling process.
- When a complaint is received, the AIMS will initially undertake an assessment and review the nature of the complaint including provided supporting evidence.
- If the complaint does not contain sufficient information, the complainant will be contacted in writing with a request for further information to be provided within 14 days.
- If additional requested information is not provided within the stated period, the complaint investigation process will not proceed. In this case, the AIMS will advise the complainant in writing of this outcome.
- If the complaint contains sufficient information either on initial submission or following the provision of additional information, the complaint will proceed to the investigation stage. The AIMS will advise the complainant in writing of this outcome. In accordance with privacy laws, the outcome of the investigation is unable to be shared with the complainant.

Investigation process

- If the complaint pertains to an allegation of criminal conduct such as fraud or bribery, the complaint will be forwarded directly to the Board for further action and formal reporting processes.



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- If the complaint does not pertain to allegations of criminal conduct, the AIMS will write to the respondent advising that a complaint has been received including the details of the allegations. The respondent will be invited to provide a written response to the allegations within 14 days.
- If within 14 days a response is not received, the AIMS will write to the respondent again providing a further 14 days to respond. The respondent will be advised that if a response is not received within the second provided timeframe, the complaint investigation will proceed with the information held.
- Either once a response has been received from the respondent, or the stated 28 days has passed without response, the complaint investigation will continue.
- The AIMS will write to the respondent advising of the results of the complaint investigation including the possible outcomes and penalties that may be applied as part of the decision-making process. The respondent will be invited to provide a written response in relation to the possible penalties within 14 days.
- Following 14 days, regardless of whether a response has been received, the complaint will proceed to the decision-making phase.

Decision-making process

- The AIMS representatives appointed to manage the decision-making process will depend on the previous history of complaints received against the respondent as well as the severity or complexity of the complaint.
- In the initial instance the CEO will determine if previous complaints involving the respondent have been received within the 24 months prior to the receipt of the new complaint.
- If this is the only complaint received involving the respondent in the 24 months directly prior, the CEO will proceed with the initial investigation and decision-making process.
- If through the course of the initial investigation the CEO believes the severity or complexity of the complaint warrants review by the board the complaint may be directed to the AIMS Board, or a subset of the board, for further investigation and decision making.
- If other complaints have been received involving the respondent within the 24 months prior, the new complaint will be referred to the AIMS Board, or a subset of the board, for investigation and decision making.
- If the complaint is referred to the Board and a member of the Board is the subject of the complaint, the relevant board member will recuse themselves and the board may appoint an independent third party to stand in their place.
- If the CEO or Board determine further information is required prior to a decision, the matter may proceed back through the investigation process.
- If the CEO or Board determine that insufficient information or evidence has been provided or no further action is necessary, the complaint may be dismissed.
- In this instance, AIMS will write to the respondent advising that the complaint has been dismissed.
- If the CEO or Board determines sufficient information and evidence has been received in support of the complaint, a decision will be made on the penalty to be applied to the respondent.
- Penalties applied as an outcome of the decision-making process will consider:
 - Previous complaint history of respondent;
 - Type of complaint – standards, ethical practice etc;
 - Severity of possible outcomes and/or safety concerns which could arise; and
 - Experience and background of the respondent.



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- Penalties applied as an outcome of the decision-making process may be, but are not limited to:
 - Official written notification or warning with action for improvement and/or rectification;
 - Review of membership level, executive position, or employment arrangements;
 - Requirement for remedial training or mentoring; and
 - In the instance of serious breaches or continued repeat offences - temporary or permanent suspension or cancellation of membership.
- The AIMS will write to the respondent outlining the outcomes of the complaint and the penalty to be applied stating reasons for the decision. The AIMS will advise the respondent that they may request a review of the decision within 14 days of the date of the written notice.

Appeal process

- Following the advice of a penalty as an outcome of a received complaint, the respondent has the right to appeal the penalty within 14 days. All appeals must be forwarded to the AIMS in writing.
- The CEO or Board Chairman will advise the respondent in writing of the receipt of the appeal and the process and timeframe to follow.
- If the penalty was issued by the CEO, the received appeal will be forwarded to the board, or a subset of the board, for review and decision.
- If the penalty was issued by the board, or a subset of, the received appeal will be forwarded to the Chairman of the board and a nominated review panel will be formed to complete the appeal process. This panel may be made up of a subset of the board not involved in the initial decision-making process, nominated AIMS members, or other nominated persons so determined by the Chairman.
- All provided information from the initial investigation and decision-making process will be provided to the review panel along with the received appeal by the respondent.
- The respondent will have the opportunity to present their case for appeal directly with the review panel either in person or online via video conferencing.
- The review panel will proceed through the investigation and decision-making processes in order to reach an outcome.
- The outcome of the appeals process may be:
 - Confirmation of the penalty to stand as previously applied;
 - Withdrawal or revocation of the penalty; or
 - Amendment of the penalty
- The AIMS will advise the respondent of the outcome of the review in writing.
- The decision of the review panel will be final.

Definitions

AIMS	Australasian Institute of Marine Surveyors
Board	The AIMS Board of Directors
Chairman	Nominated Chairman of the AIMS Board
Complainant	Person making the complaint
CEO	AIMS appointed Chief Executive Officer
Respondent	Person the complaint is against
Privacy Act	Privacy Act 1988