

PROCEDURE

PPMF|TAFESA|164

Title

Customer Resolution and Feedback Procedure

Contact Officer**Position**

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TAFE SA Policies are issued under the TAFE SA Policy Management Framework. They are binding on all TAFE SA employees.

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1 Purpose

The Customer Resolution and Feedback procedure outlines the organisational process for managing the resolution of customer complaints and feedback. This process contributes to the overall function of the complaint management framework, conforms to public sector standards and regulatory requirements.

TAFE SA values all complaints and feedback as our main mechanism for driving service improvements and ensures that complaints received are actioned in accordance with the principles of natural justice and procedural fairness.

This policy replaces PPMF|TAFESA|42 Student Complaint Resolution Policy for Non-Academic Matters and is to be read in conjunction with related policies, procedures, guidelines and local work instructions.

2 Scope

This procedure is applicable to all employees who receive, record, manage, investigate and respond to complaints from members of the public. and outlines the standard process, timelines and ongoing support for complaints. In gathering required evidence concerning a complaint or feedback, this procedure will be applied along with relevant student centric policies and procedures applicable at the time of the issue. The management of complaints relating to other specific circumstances can be found as follows:

- appeals against an assessment outcome are actioned in accordance with the TAFE SA Assessment Policy (PPMF|TAFESA|1098)
- overseas students seeking to appeal an administrative decision or responding to an intention to report notice are overseen by TAFE SA International
- allegations of bullying, discrimination or harassment against other students will be managed in accordance with the TAFE SA Student Conduct and Disciplinary Policy (PPMF|TAFESA|136).
- allegations by students relating to misconduct including Lecturer behaviour, the Respectful Behaviours policy will apply.

3 Definitions

Bullying	Repeated ill treatment of a person by another or other people. It consists of offensive, abusive, belittling or threatening behaviour directed at an individual or group that a reasonable person would expect to create a risk to the emotional, mental or physical health of the person(s) affected or targeted.
Complainant	A person or their representative making a complaint.
Complaint	As defined in the Australian Standard (AS/NZS10002:2014) Guidelines for complaint management in organisations, a complaint is an ' <i>expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.</i> ' It may be a written or verbal communication from a student who believes they have been unfairly treated.
Complaint Handler/s	A TAFE SA employee with relevant authority and delegation who can receive and make a decision in order to resolve the matter quickly and efficiently. This may include (but is not limited too) a Program Support Manager, Education Manager, Business Operation Manager or Business Unit Director. A complaint handler will: <ul style="list-style-type: none"> • supervise and coordinate TAFE SA's management of the complaint until the matter has been resolved

	<ul style="list-style-type: none"> determine the appropriate actions to be taken and ensure follow up in a timely manner ensure the creation of a written record detailing all verbal and written engagement associated with the complaint and decisions made.
Complaint Management Framework	A term contained in the Australian Standards that refers to the policies, procedures, practices, staff, hardware and software used by TAFE SA to manage the receipt, processing and outcome of complaints. TAFE SA will refer to its complaint management system as its 'framework'.
Customer	<p>For the purpose of this procedure, a 'customer' is:</p> <ul style="list-style-type: none"> an individual member of the public, including current, potential and former students an individual's advocate or guardian a business or government agency or representative. <p>A representative, advocate or guardian may include a local Member of Parliament, the Office of the Training Advocate, Equal Opportunity Commission, Ombudsman SA or another representative, such as a family member or friend to be actioned on behalf of customers.</p>
Database	The database is to be used by staff involved in complaint handling to register, monitor and report against complaints and feedback.
Discrimination	Treating an individual or group in employment or education less favourably than others, or causing them disadvantage.
Feedback	Feedback may be a positive compliment or negative comment about a service received. Feedback does not necessarily require a response but will be acknowledged.
Harassment	Deliberate, aggressive behaviour which can be a form of bullying if it is repeated or persists over a period of time.
Internal Referral - Subject Matter Expert (SME)	A resolution officer may determine that a complaint that is specific to expertise in other parts of the organisation will be referred for case management and resolution by the responsible business unit. Internal referral of any complaints for resolution by a SME will remain recorded and progress monitored on the central database for record keeping purposes. Responsible business units will develop local work instructions as required.
Investigate or Investigation	Carry out a systematic or formal inquiry to discover and examine the facts.
Manager or supervisor (delegate)	A manager or supervisor is the relevant delegate/s or authorised TAFE SA position as listed on the Delegations/Authorisations intranet page. Delegates are responsible for making decisions concerning resolution of a complaint.
Natural Justice (also called Procedural Fairness)	<p>Natural justice and procedural fairness requires a fair and proper process to be used with making decisions that may adversely affect the interests of an individual. This includes:</p> <ul style="list-style-type: none"> a hearing appropriate to the circumstances lack of bias the right of individuals to raise complaints is acknowledged and complainants are treated with respect a customer will not be adversely affected because they have made a complaint decisions made in relation to a complaint are based on evidence.
Resolution Officer	Monitors and supports facilitation and resolution to a complex issue that has reached Complaint Level 2 applying a case managed approach. A resolution

	<p>officer will be independent to the business unit from which the original complaint relates, demonstrate impartiality on the issue and reviews the complaint in liaison with relevant senior managers. The Resolution Officer is responsible for:</p> <ul style="list-style-type: none"> • providing guidance, direction and support to staff involved in complaints handling • ensuring maintenance of a running timeline of actions taken in relation to the incident; including all verbal and written communication with the complainant • coordinating the flow of information and advice to the Executive Director, Chief Executive, Ministers' Office and external parties • ensuring any comprehensive investigations are thoroughly completed, recorded and reported to the responsible delegate • coordinating the appeal panel process in an administrative capacity; ensuring adequate record keeping of meeting outcomes, decisions and communication with the complainant • ensuring follow up action has taken place to negate any further complaint.
Respondent	Person or persons whose alleged behaviour or action/inaction is the subject of the complaint.
Student	A customer who has a current registration with TAFE SA. This includes international and domestic students as well as students participating in accredited or non-accredited units of study.
Unreasonable Complainant Conduct (UCC)	Any behaviour by a current or former complainant that, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint. Parties to a complaint may include the complaint handlers, resolution officer, the subject person or respondent to a complaint, a complainant or other customers.
Vulnerable people	A complainant may present with significantly impaired physical or social function or has a disorder that causes them to rely heavily on others. It is recognised that TAFE SA has diverse customer needs, complaint handlers will be appropriately trained on receiving and resolving complaints from disadvantaged and vulnerable people who need assistance. Student Services may also provide support to facilitate resolution of complaints through provision of counselling or mediation services where appropriate.

4 Related policies

PPMF TAFE SA 1032	Customer Resolution and Feedback Management Policy
PPMF TAFESA 142	Creation and Capture of Official Records
PPMF TAFE SA 1019	Privacy Policy
PPMF TAFESA 136	Student Conduct and Disciplinary Policy
PPMF TAFESA 1098	TAFE SA Assessment Policy
PPMF TAFESA 1010	TAFE SA Respectful Behaviours Policy
PPMF TAFESA 116	Work Health and Safety Policy
PPMF TAFESA 125	Requesting Legal Services Policy
PPMF TAFESA 1096	Refunds and Re-Credits for students with a Commonwealth Student loan or a Commonwealth Supported Place

5 References

Circular	PC012 – Information Privacy Principles (IPPS) Instructions
Circular	PC013 - Annual Reporting Requirements
Circular	PC039 - Complaint Management in the South Australian Public Sector
Legislation	<i>Education Services for Overseas Students Act, 2000 (ESOS Act)</i>
Legislation	<i>Equal Employment Opportunity Act, 1984 (SA)</i>
Legislation	<i>Higher Education Support Act, 2003 (Cwth)</i>
Legislation	<i>Independent Commissioner Against Corruption Act, 2012 (SA)</i>
Legislation	<i>National Vocational Education and Training Regulator Act, 2011 (NVR Act)</i>
Legislation	<i>Privacy Act, 1998 (Cwth)</i>
Legislation	<i>Public Sector Act, 2009 (SA)</i>
Legislation	<i>State Records Act, 1997 (SA)</i>
Legislation	<i>VET Student Loans Act 2016</i>
Legislation	<i>VET Student Loans Rules 2016</i>
Legislation	<i>TAFE SA Act 2012 (SA)</i>
Legislation	<i>South Australian Employment Tribunal 2014 (SA)</i>
Legislation	<i>Fair Work Act 1994 (SA)</i>
Legislation	<i>Work Health and Safety Act, 2012 (SA)</i>
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018
Policy	Code of Ethics for the South Australian Public Sector (the Code)
Standards	Guidelines for complaint management in organisations (AS/NZS10002:2014)
Standards	Higher Education Standards Framework (Threshold Standards) 2021
Standards	Standards for Registered Training Organisations (RTOs) 2015
National Code	VET Student Loans Code of Practice

6 Effective complaint and feedback handling matters

Customer complaints and feedback allows TAFE SA to measure our performance against the standards expected from our customers and opportunity for service recovery. TAFE SA is also required to comply with a number regulatory and compliance requirements as detailed in Sections 6 and 7 of the Customer Resolution and Feedback Policy (PPMF|TAFESA|1032).

7 Lodging a complaint or feedback

A customer may lodge a complaint and/or feedback through any of the following channels:

- TAFE SA website online form (<http://www.tafesa.edu.au/feedback>)
- verbally over any TAFE SA front counter
- by calling 1800 882 661
- by email: feedback@tafesa.edu.au
- by post: Executive Suite, GPO Box 1872, Adelaide SA 5001.

A complaint or feedback is not recorded in the database for action unless received through one of the above channels where it will be assigned to the responsible complaint handler. This includes complaints

or comments that may appear on TAFE SA social media channels – responses will refer customers to the appropriate channel, as outlined above, to lodge a complaint.

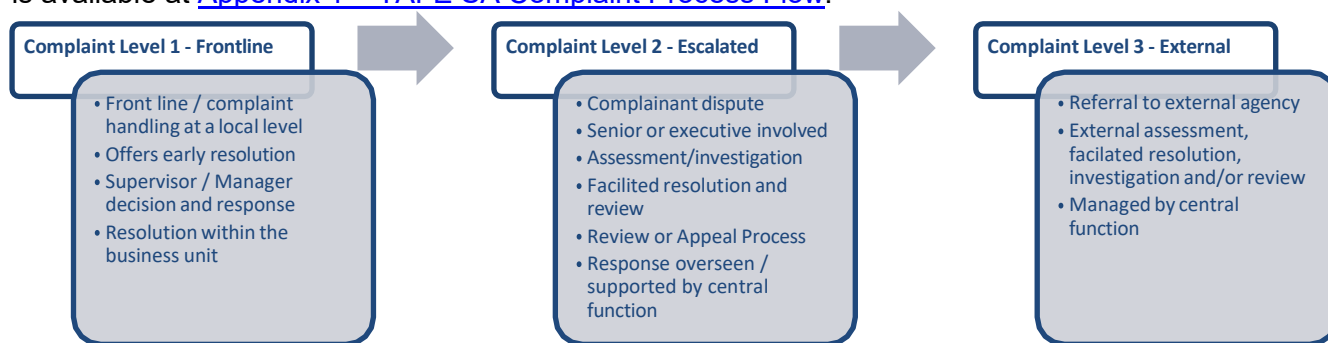
Staff may refer customers to information available on the TAFE SA website or provide a copy of promotional material and work through options for resolution; however, they are not required to manage a complaint unless they have delegated authority (complaint handler) to make a decision. Staff receiving a complaint verbally may use the online form available on the TAFE SA website to record the details on behalf of the complainant.

Sometimes customers may be vulnerable or require additional support. In these instances, staff should encourage the complainant to make a time with a TAFE SA counsellor. A complainant can ask for someone to represent or assist them to make a complaint with their [consent](#) (for example, a family member, advocate, community representative, support worker or member of parliament). In this instance, responsibility for resolution or a decision concerning the issue remains with the respective complaint handler.

TAFE SA's internal and independent complaint handling procedures are free of charge. If a student decides to involve an external third party, such as the Administrative Appeals Tribunal or a support person, fees associated with those parties may be incurred by the student.

8 Three level model of complaint handling

TAFE SA will follow the 'three level model' of complaint handling as illustrated below. This model is best practice, where the aim is to resolve the majority of complaints at the frontline. The application of this model should not be unduly rigid and both the complainant and TAFE SA staff may determine when/if the issue requires escalation relative to the seriousness or complexity of a complaint. The detailed flow chart is available at [Appendix 1 – TAFE SA Complaint Process Flow](#).



Feedback received by customers is acknowledged and registered into the database for reporting, review and analysis. Feedback does not follow the same path as managing a complaint that requires a customer response; the feedback flow chart is provided at [Appendix 2 – TAFE SA Feedback Process Flow](#).

8.1 Complaint Level 1 - Frontline

The majority of feedback or complaints received in the frontline are likely to be verbal and where possible, should be resolved during the customer interaction at that time (for example, by discussion and response with local staff). TAFE SA will aim to all resolve complaints at Level 1, the frontline, to allow early resolution to an issue. In some circumstances, and particularly for simple matters, the first point of contact may be able to deescalate or resolve the majority of the customers concerns when presented without them wishing to proceed further (for example, the customer no longer requires a formal response and feels a response to their initial concerns have been met). In these instances, there is no need to formally record the issue as a complaint but staff should take record of the engagement or any associated action/s taken as part of usual record keeping practices and in case of further issue.

If the customer remains dissatisfied following this initial engagement and indicates a response or resolution is required (defined as a complaint), they are to be provided with information concerning our complaint process. The complaint handler will proactively engage with the complainant to facilitate early resolution.

Complaint handlers will follow the general process outlined in [Appendix 3 – Stages of Complaint Handling](#); ensuring appropriate communication with the customer is maintained. A complaint handler will initially determine the appropriate action and resolution for a complaint and may include providing one or more of the following:

- a safe environment for the complaint to be made
- assurance the complaint will be investigated
- an open channel for the customer to make a complaint without prejudice or conviction
- options to the complainant of how their issue can be resolved.

8.2 Complaint Level 2 – Escalated

8.2.1 Decision and response from Director

Complainants who are dissatisfied with how complaint handlers have addressed their complaint or its outcome at Level 1 have the option of escalating. The next level of authority is the Director. A Director will review the original decision and consider resolution options.

Note that escalated complaints may be returned to the frontline for a decision where an initial assessment deems it to be within the remit of a complaint handler and/or processes have not been followed or managed adequately, resulting in escalation. This includes complaints received directly by members of executive.

The TAFE SA Customer Management Team monitor resolution of all escalated complaints. A resolution officer will be allocated to provide guidance and support where a matter is complex. If the complainant remains dissatisfied following a review of the decision by the Director, they may request an internal review (appeal) of the decision.

8.2.2 Request for Review (Appeal)

When a complainant seeks an appeal of a decision by making a formal request, the appointed resolution officer will engage with the Director, to brief the respective Executive Director on the background of the case and request a decision concerning proceeding with an appeal panel process.

Commencement of a review will proceed only at the discretion of a member of TAFE SA Executive. There may be instances where an appeal panel is not considered appropriate for example:

- complaints that are vexatious or unsubstantiated following investigation (confirmed by completion of previous Level 1 and Level 2 processes)
- disputes presenting as unreasonable and all internal support measures have already been exhausted to support the complainant; in these instances it can be valuable to seek a third party (external) involvement as part of the resolution process
- further action or review of a previous decision is likely to lead to the same outcome (for example, a compliance related decision that cannot be altered by TAFE SA) and will take up further unreasonable resourcing effort.

In these circumstances, the complainant will be informed of this decision by the resolution officer and notified of their external appeal options. Where an appeal panel is to proceed:

- representatives will be appointed at the nomination of a member of TAFE SA Executive
- participants will be independent of the decision being reviewed

- there will be a minimum of two employees with at least one delegate at [Executive Director, Director or Education Manager C](#) (EMC) who presides as the Chairperson.

A resolution officer will coordinate the review process, working through the appointed Chairperson, to ensure rigorous compliance with the complaints handling framework, ensure accurate record and communication with complainant and mitigate further risk to TAFE SA. Resolution officer/s will directly engage with nominated staff to provide guidance on the process when required.

8.3 Complaint Level 3 – External

8.3.1 Referral or contact by a third party agency

Typically, before engaging with a complainant, all third parties will expect that TAFE SA's processes have been fully exhausted before considering a complaint; however, in rare circumstances, this can differ depending on the nature and complexity of the concerns raised. In accordance with this, TAFE SA staff should not direct complainants to a third party without first seeking advice from a member of the TAFE SA Customer Management Team.

TAFE SA will only refer a complainant to an external complaint assessment agency once the internal processes have been fully exhausted (a list of external assessment and complainant support agencies is provided at [Appendix 4 – External Assessment or Support Agencies](#)).

Occasionally, TAFE SA may be asked to provide further supporting information or documentation to facilitate a response to an investigation being managed by an external party. The TAFE SA Customer Management Team oversees all formal matters received from third parties on behalf of the Chief Executive. Staff who receive direct contact from a third party agency concerning a customer complaint must engage with the TAFE SA Customer Management Team in the first instance.

8.3.2 Participation at Conciliation Conference/s

On occasion, following a response to an external assessment agency there will be a decision taken to proceed with a conciliation meeting. The Principal Legislation, Delegations and Insurance Lead, Corporate Governance and Assurance, participates in settlement cases, conciliation conferences and tribunal matters where there may be a civil claim. Senior managers are required to participate in decisions and take action concerning resolution outcomes.

The responsible member of TAFE SA Executive will be notified of employees who are recommended to attend or participate in a conciliation matter and is given the opportunity to provide feedback or recommend alternative nominations.

The Principal Legislation, Delegations and Insurance Lead will engage with the Coordinator, Customer Management Team concerning the final decision and any associated formal recommendations made for communication and action. TAFE SA will provide for due consideration of the recommendations arising from the external review.

9 Complaint categories / types

9.1 Can be resolved at the front line

Simple complaints are generally low risk issues, of a singular or operational nature and are usually resolved swiftly at the front line. Such complaints may concern operational matters including timeliness, service quality, fees and employee skills or knowledge, or may be specific to the service delivery of a particular business unit. Complaint handlers have authority to resolve such complaints as part of their responsibilities. Appropriate record management is required and responsibility sits with employees involved and the complaint handler.

9.2 Needs further action

A complaint that needs further action is often complex and involves multiple service areas or there has been a repeated service failure that needs management attention. If the complaint handler does not have the delegation or authority to resolve it fully, the complaint will be escalated to the next appropriate delegate. However, where possible the complaint handler will attempt to coordinate a suitable response by liaising with relevant parties to facilitate early resolution. During this stage of the process, communication with the customer about progress of the complaint remains with the complaint handler and should be undertaken on a regular basis.

A resolution officer will be allocated to support facilitation of the resolution process where a complaint presents as requiring further attention (Level 2 complaint). All matters formally received from external agencies (such as the Minister's Office, Office of the Training Advocate or Ombudsman SA) are automatically classified as complex Level 2. In some instances, TAFE SA may seek support from a mediator, particularly in cases that strain available resources.

9.3 Systemic or Critical Response

Systemic high-risk complaints are multiple complaints on a particular issue where there will or has been a significant customer impact leading to a high risk of public brand damage (media risk) or political sensitivity. The Chief Executive and Executive Director will immediately be briefed and a dedicated 'response team' and contact point identified.

A 'response team' will apply a project management approach to the issue overseen by a Project Manager. Membership of the response team is dependent on the nature and area of responsibility concerning the issue however; there must be at least one representative of the Media and Communications Unit. A regular update concerning resolution, remedial action and stakeholder engagement will be provided to the TAFE SA Executive and the Chair, TAFE SA Board. The response team will be dissolved once all customer concerns have been finalised and remedial action plans implemented (cessation timeframe is dependent on the issue/s at hand).

9.4 Internal Referral – Subject Matter Expert/s

A complaint received by the TAFE SA Customer Management Team may be referred to a subject matter expert for a response to issues requiring technical or regulatory expertise (such as International, VET Student Loan, Human Resources and Organisational Development, Student Registration or Financial Transactions). Complaints of this nature will be identified on a case-by-case basis and remain monitored and recorded in the central database for reporting purposes; they may only be referred by a member of the TAFE SA Customer Management Team and not directly by a complaint handler.

10 Anonymous Complaints, Privacy and Disclosure

It is generally only acceptable for personal information to be shared where there is a genuine need to share or use the information. If a member of the public is making a complaint on behalf of someone else, TAFE SA will apply the process outlined at Section 5.5 Disclosure of Personal Information to Third Parties (PPMF|TAFESA|1019 - Privacy Policy). Verification is not required for advocates acting in an official capacity for example, Member of Parliament or a third party agency. While anonymous complaints will be accepted and recorded on the database, they can be less effective as TAFE SA cannot make contact to request further information, or to let the customer know the outcome.

11 Acknowledgement

Where possible, TAFE SA will acknowledge receipt of a complaint in writing within two working days. This will occur by the most expedient means necessary to confirm the complaint has been received and usually

in the same form as the complaint was received. Complaints and feedback received through the online form receive an automated acknowledgement.

12 Timeframes and Progress

Both the State Government and TAFE SA have committed to serving customers better. Actively communicating with the complainant is an essential part of the complaint handling process. Early, professional and appropriate communication with complainants about the progress of their complaint will assist in mitigating escalation. This is particularly important in circumstances where the underlying problem the customer has experienced may require some time to resolve.

Progression of complaint	Timeframe for completion/response
Acknowledgement	2 working days
Level 1 – Frontline	14 working days
Level 2 – Escalated	+14 working days
Level 2 – Review/Appeal	+30 working days
Level 3 – External	Timeframe specified by third party

There are instances where investigation into a matter may be prolonged (for example, the complainant may have declared that they are unable to participate in the process at that time, we are waiting on further detail or evidence from them or the complainant has provided 'new' evidence that requires further review or consideration). A complaint is unable to be progressed where the complainant is not contactable or following a number of documented attempts to ascertain further details. In this instance, TAFE SA will reserve the right to close the matter without further action taken.

Where more than 60 calendar days are required to process and finalise a Level 1 or 2 complaint, TAFE SA will inform the complainant in writing including reasons why a longer timeframe is required. This is a requirement in accordance with the Standards for RTOs ([Managing Complaints and Appeals Fairly](#)).

For overdue complaints, complaint handlers and resolution officers (for escalated matters) are responsible for informing the complainant of progress of their complaint and the anticipated timeframe for completion. Staff must be careful not to promise timeframes that are not achievable or consistent with the above, as this will result in further unease from the customer.

13 Formal Responses and Record Keeping

Record keeping is essential to the complaint management framework. Record keeping is one of the primary sources of identifying risk where customers may have received an adverse service experience and helps to identify opportunities to improve customer satisfaction with the delivery of our products and service.

It is also a compliance requirement that TAFE SA complaints and appeals are recorded, acknowledged and dealt with fairly, effectively and efficiently. All responses to complaints will be issued using the templates published on the intranet; this includes:

- Acknowledgement template or (ACK)
- Complaint Level 1 - response template
- Complaint Level 2 - response template
- Complaint Level 2 - response to appeal decision
- Complaint Level 3 - response to further engagement
- Complaint Level 3 - response to external party.

A copy of all information pertaining to the complaint is to be recorded on the database. This includes:

- steps taken to address the complaint
- the outcome of the complaint
- any undertakings, discussion notes or follow up action required

- copies of all verbal contact and documentation to and from the complainant.

Record keeping ensures compliance with relevant policies (PPMF|TAFESA|142 – Creation and Capture of Official Records) regulations and standards (as per Section 5). Good record keeping will also assist TAFE SA respond to any further reviews or appeals and supports effort to develop and implement corrective actions. Records regarding the complaint resolution remain confidential and are managed in accordance with the Information Privacy Principles (IPPS) Instructions.

TAFE SA will implement decisions made as an outcome of a Level 1 and 2 complaint and give due consideration to recommendations arising from Level 3 complaint.

14 Advice concerning legal matters

There may be instances where particular complaint matter requires legal advice or representation, for example:

- matters arising from or resulting in legal action by or against TAFE SA
- where a third party has engaged legal representation concerning the issue
- where TAFE SA may seek a complainant to sign a non-disclosure agreement upon settlement of a dispute (standard agreement).

Such instances are typically complex and must be brought to the attention of the Principal Legislations, Delegations and Insurance Lead as early as possible to ensure that TAFE SA is not compromised. For further information, refer to PPMF|TAFESA|125 Requesting Legal Services Policy. Issues requiring formal legal advice are rare and managed on a case-by-case basis.

15 Complaints about an employee

Feedback or a complaint concerning a TAFE SA employee's operational efficiency, knowledge, competence or customer service skills, will be managed by the employee's immediate manager who will make a record and address the matter directly with the staff member (the respondent). The employee's manager will advise the complainant of the outcome by phone or in writing in accordance with the [timeframes above](#). Where a complaint is not resolved through discussion, the complainant may escalate it to a manager (or next respective delegate if the complaint involves the manager concerned). If a complaint is substantiated following completion of an investigation process a copy of the findings and record of the investigation process will be placed on the employee's file and addressed as part of existing performance management and development processes.

Any allegations concerning wilful misbehaviour or misconduct are managed in accordance with TAFE SA Respectful Behaviours Policy (PPMF|TAFESA|1010). Matters that may give cause to an investigation of an employee's behaviour is not within scope of this policy and are overseen by Human Resources and Organisational Development.

It is important that all employees remain diligent in respecting the privacy of both the customer and the employee concerned. A customer is not to be disadvantaged because of lodging a complaint or feedback concerning a TAFE SA employee, service or product. TAFE SA expects staff to behave with integrity, respect and in accordance with the South Australian Public Sector Values at all times.

Related policy documents:

- [PPMF|TAFE SA|1010 – TAFE SA Respectful Behaviours Policy](#)
- [Code of Ethics for the South Australian Public Sector](#)
- [South Australian Public Sector Values](#)
- [Professional Conduct Standards](#)

- [Commissioner for Public Sector Employment Guideline: Management of Unsatisfactory Performance \(including Misconduct\).](#)

16 Allegations about another student

Wherever possible, the student should first discuss their issue directly with the individuals concerned. The student may choose to do this independently or with the assistance of a support person such as a counsellor or lecturer. If the issues cannot be resolved at a local level with support, the customer may seek formal resolution by lodging a complaint.

If a student alleges bullying, discrimination or harassment, the responsible education manager will investigate in accordance with the TAFE SA Student Conduct and Disciplinary Policy PPMF|TAFESA|136. Where the allegations are substantiated, sanctions may apply in accordance with the [Student Code of Behaviour](#). Both the complainant and the respondent have the right to natural justice. Guidance and support on this process is available from Student Services.

17 Unreasonable, vexatious or aggressive complainant conduct

Complainants may act unreasonably in seeking to have their concerns addressed by TAFE SA. Unreasonable behaviour does not preclude valid issues being addressed by TAFE SA and the principles of fairness and equity applies.

In the first instance, complaint handlers are encouraged to ensure all engagement with the complainant is formalised in writing and any verbal engagement occurs with more than one employee present where possible. All associated actions to resolve the issue/s must be given urgent priority in order to bring early resolution. Some complaints will not be investigated further in circumstances where the matter is assessed as being trivial, vexatious or frivolous and the issue has been previously dealt with (by documented evidence of previous processes). Further contact will be filed and closed with no further action taken.

18 Responsibilities

Specific employee responsibilities are as highlighted above and detailed in the Customer Resolution and Feedback Policy document. All TAFE SA employees are responsible for:

- being aware of the policy, procedures and compliance with the complaints management framework
- having a good understanding of their roles, responsibilities and delegations in respect to complaints handling and seeking support or advice as required. This includes:
 - being aware of what procedures to follow and what information to give complainants
 - being proactive in responding appropriately to expressions of dissatisfaction in accordance with the complaints management framework
 - have an understanding of the ethical issues that might arise as part of their role, including conflict of interest, procedural fairness, confidentiality and privacy.

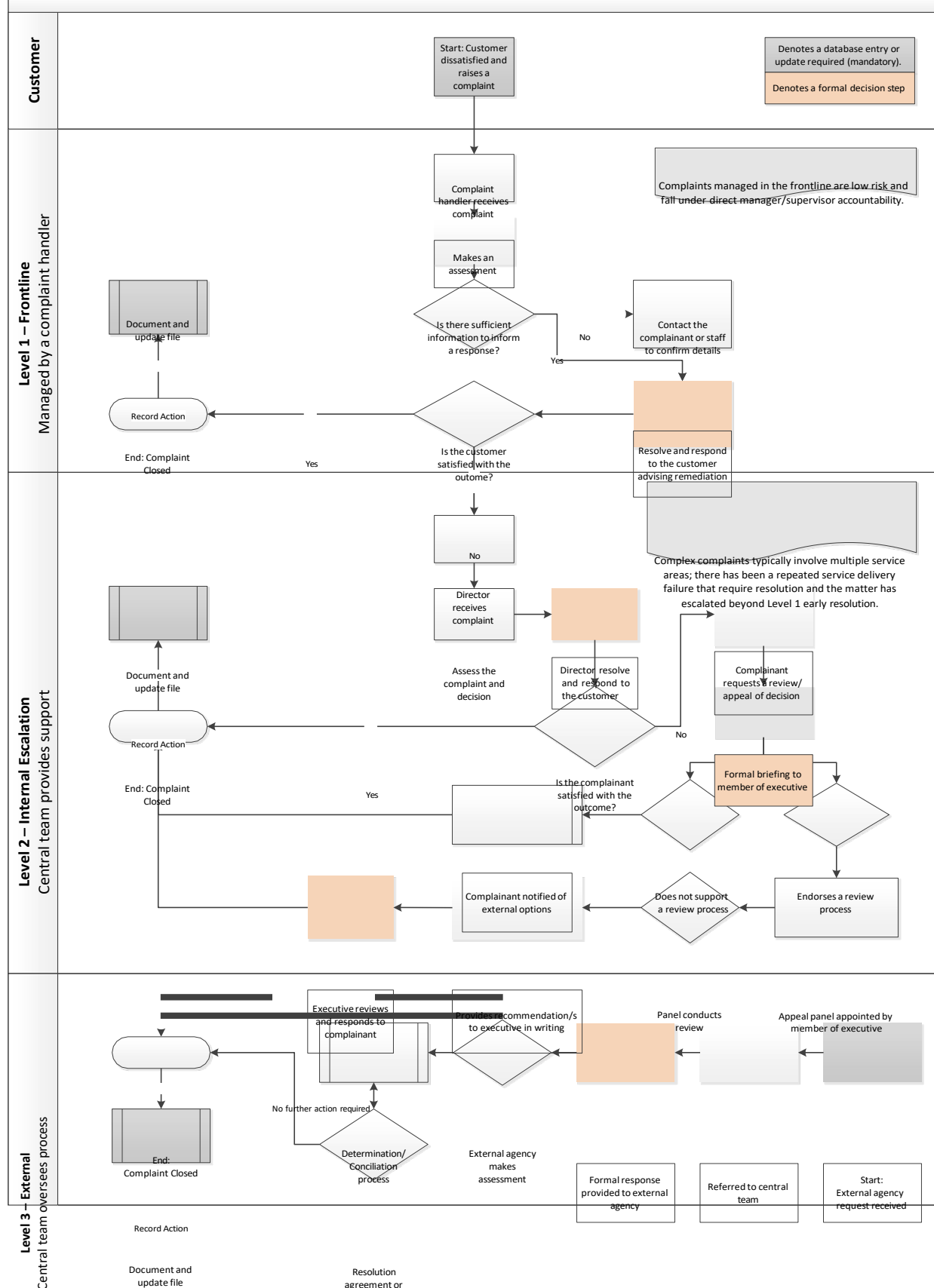
19 Review of TAFE SA Policy

TAFE SA Policy and Procedure documents must be reviewed at least every two years, but may be actioned earlier according to strategic priorities, reforms or feedback received.

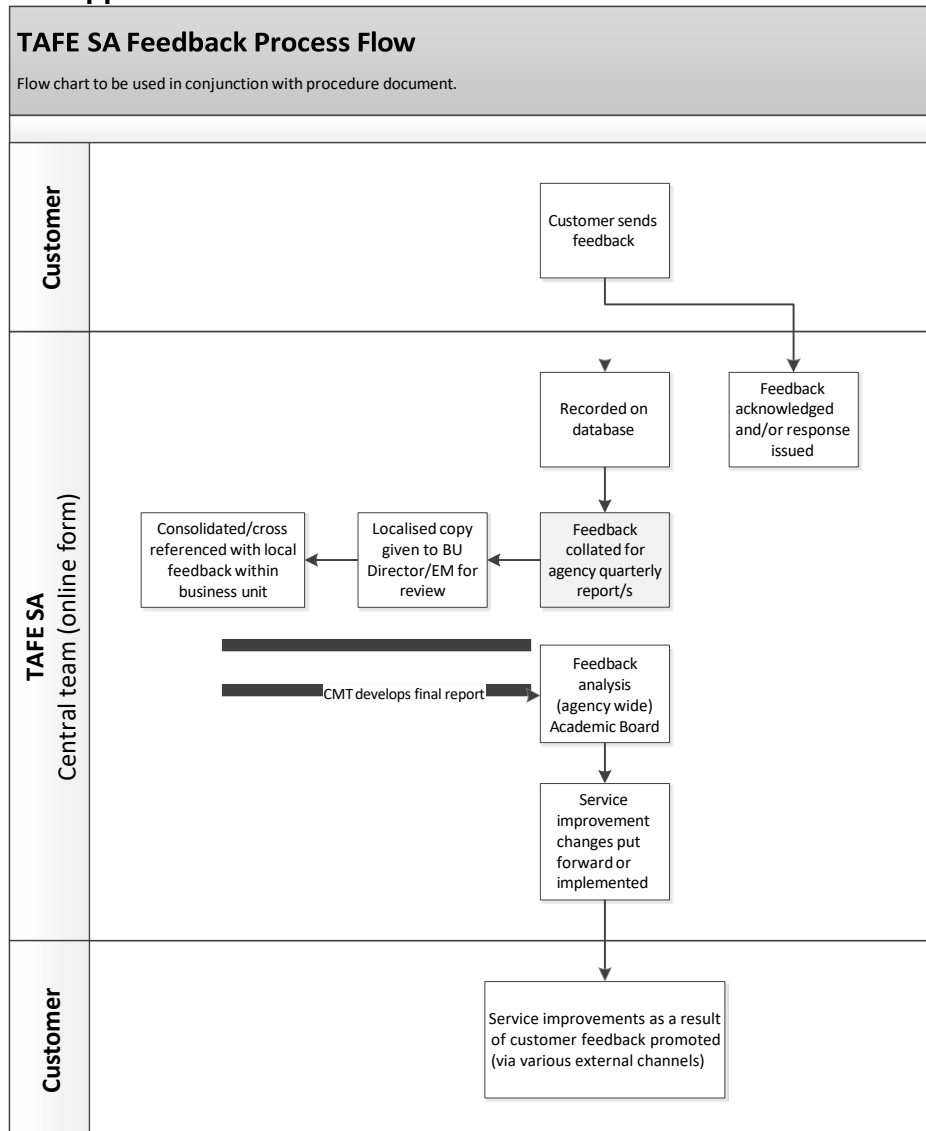
20 Appendix 1 – TAFE SA Complaint Process Flow

TAFE SA Complaint Process Flow

Flow chart to be used in conjunction with procedure document. Document describes the overarching process flow, however, not all complaints will necessarily follow this path.



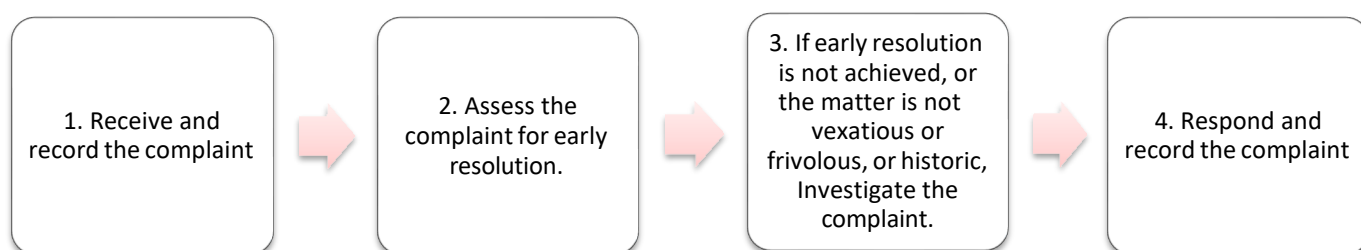
21 Appendix 2 – TAFE SA Feedback Process Flow



Feedback received via the TAFE SA website is also acknowledged through an automated response and registered on the database for reporting purposes. A copy of all feedback is issued to the responsible managers for appropriate attention.

22 Appendix 3 - Stages of complaint handling

The four major stages in the complaint handling process are:



All four stages are to be followed when responding to a complaint. Depending on the nature of the complaint received, an investigation may not be necessary.

22.1 Stage 1: Receive and record

Acknowledging a complaint quickly will reassure the customer that their complaint is receiving attention. The complaint handler must ensure an acknowledgment has been issued where possible within two (2) working days (complaints received by the TAFE SA website have an automated response). It is suitable to use the same text from the letter template in an email format if received by email. The complaint acknowledgement should:

- outline the complaint process
- advise the customer of the anticipated timeframe of the response and seek any other information from the customer that is necessary to investigate and respond appropriately
- provide details of how the customer can follow-up with TAFE SA if necessary, and
- where possible, provide the contact details of the person assigned to manage the complaint.

Essential information captured includes:

- the customer's details, unless the person has specifically requested privacy
- the date of the contact
- the nature of the complaint
- mode of contact (phone, email, web-based, face-to-face)
- the action sought by the customer (if complaint)
- any other information required to properly respond to the matter
- documented evidence and any other documents, including emails, file notes or letters associated with resolution of the complaint
- decision made concerning the outcome or resolution of the issue.

22.2 Stage 2: Assess

The substance of a complaint dictates the priority it receives not the complainants demands or behaviour. When undertaking the initial assessment of the complaint, the staff member should:

- identify any concerns that need to be immediately addressed to ensure the safety and protection of individuals
- clarify and consider the information provided and decide whether priority should be given to dealing with one or more aspects of the complaint.
- clarify each issue in the complaint and what kind of resolution the customer is seeking.
- identify the relevant parties involved with the complaint.
- if unable to resolve the complaint, seek advice from another delegate (colleague) or a resolution officer.

Complaint handlers undertaking an initial investigation should where appropriate, seek resolution as soon as possible and within the timeframes. When a matter can be quickly resolved, it may be possible to provide the outcome at the same interaction the initial acknowledgement where possible (singular response). Where resolution is achieved, a complaint handler will document the agreed actions and send to the customer as soon as possible. This ensures that the:

- customer has an opportunity to review and confirm their understanding of the actions, and
- operational areas can respond to any further questions or issues in a timely manner.

In the event the complaint is resolved in the first instance, it may not be necessary to continue with the investigation process. A final copy of all documents and discussion notes is to be recorded on the database.

Situations when a complaint may not be investigated:

- considered frivolous and/or vexatious. Furthermore, if a complaint is considered to be frivolous and/or vexatious, the matter may be referred for consideration of appropriate misconduct action
 - A vexatious matter is without merit and reported solely to cause an inconvenience to a person or the organisation. The fact that the source of the information is aggrieved, angry or upset does not necessarily make the matter vexatious.
 - A frivolous matter is one that is not serious or sensible in its content.
- greater than 12 months old and, due to the passage of time, any enquiry is unlikely to result in a finding being ascertained (exceptional circumstances may apply)
- has been addressed previously (after enquiries have been made) and requires referral to another process such as a review of employment action
- lacking detail despite repeated requests for further information.

22.3 Stage 3: Investigate

An investigation carries out a systematic or formal inquiry to discover and examine the facts. Conducting an investigation will support resolution of the complaint by reaching a fair and independent view on the issues raised by the customer and to provide an appropriate remedy. Complaint handlers will determine the facts and options for resolution by:

- defining the issues to be investigated and plan the investigation
- gathering sufficient reliable information to enable the issues to be properly addressed, taking into account all relevant information and following up with the customer and other relevant stakeholders as necessary
- determining what action is required
- documenting how the investigation was conducted, relevant facts, conclusions, findings and recommendations, which may include action to improve the service delivery
- resolving the issue
- if unable to resolve the issue themselves, referring the recommendation to the responsible delegate (with the authority to make a decision) concerning the complaint and the agreed outcome (refer to published list of responsible complaint handlers on the intranet).

22.4 Stage 4: Respond and record

Upon completion of the investigation, staff tasked with the complaint need to prepare and send a response to the customer. The detailed response should address:

- each of the points the customer has raised with a full explanation of what was discovered
- adequate reasons for decision made
- any changes or action that has resulted from the complaint, and
- provision of a remedy where appropriate.
- Review rights of the student (refer 8.2.2)

An acknowledgement of the customer's experience or their feelings should also be included, as it recognises the customer's frustration and inconvenience. An acknowledgement does not necessarily mean accepting blame or fault. If TAFE SA has made an error, then an apology on behalf of the organisation is appropriate.

Where the complaint is complex or the customer has an expectation of a response to a matter (per definition of complaint), all responses will be in writing using the approved templates. If you require further assistance or guidance, please engage with the TAFE SA Customer Management Team.

If there was a decision not to proceed with a full investigation, reasons for this decision must be given; and regardless of whether or not an investigation was completed, the letter of outcome must include the rights of review.

23 Appendix 4 – VET Sector | External Assessment or Support Agencies (A-Z)

Administrative Appeals Tribunal (AAT)	Phone: 1800 228 333 Website: Administrative Appeals Tribunal Administrative Appeals Tribunal (aat.gov.au)
Australian Competition and Consumer Commission (ACCC) <i>Concerning issues covered by Australian Consumer Law. Customers must seek resolution from TAFE SA in the first instance.</i>	Phone: 8213 3444 or 1300 302 502 Website: https://www.accc.gov.au/consumers/complaints-problems
Australian Skills Quality Authority <i>ASQA will review matters where there is concern regarding non-compliance with regulatory obligations (NVR Act and ESOS Act). Customers must seek resolution from TAFE SA in the first instance.</i>	Phone: 1800 701 801 Email: enquiries@asqa.gov.au or feedback@asqa.gov.au Website: https://www.asqa.gov.au/complaints
Equal Opportunity Commission <i>For information and advice about equal opportunity and equal employment issues. Equal Opportunity Commission can help if a customer believes they have been discriminated against.</i>	Phone: 08 7322 7070 Email: oceo@sa.gov.au Website: http://www.eoc.sa.gov.au/eo-you/making-complaint
Minister for Education, Training and Skills, SA <i>Only for when all attempts have been undertaken to resolve complaints with no resolution or response by TAFE SA.</i>	Phone: 8226 1205 Email: minister.boyer@sa.gov.au Post: Level 9, 31 Flinders Street, ADELAIDE SA 5000
Department of Employment and Workplace Relations	Website: Debt complaints - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)
Office for Public Integrity <i>Only for complaints concerning public administration that could amount to corruption, misconduct or maladministration (refer website for further details).</i>	Phone: 1300 782 489 Email: admin@opi.sa.gov.au Website: www.icac.sa.gov.au
Office of the Training Advocate	Phone: 1800 006 488 Email: trainingadvocate@sa.gov.au Website: Office of the Training Advocate SAcommunity - Connecting Up Australia
Ombudsman SA	Phone: 1800 182 150 Email: ombudsman@ombudsman.sa.gov.au Website: http://www.ombudsman.sa.gov.au/complaints/
Skills and Employment Information Hotline Skills SA	Phone: 1800 673 097 Email: skills@sa.gov.au Website: skills.sa.gov.au

VET Student Loan Ombudsman	Phone: 1300 362 072 Website: http://www.ombudsman.gov.au/making-a-complaint Reference: VET Student Loans Code of Practice - Commonwealth Ombudsman
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