



Complaints and Feedback Policy

Policy purpose

North Regional TAFE (NR TAFE) values and encourages feedback to identify and resolve issues, prevent them from occurring again and make improvements. This policy establishes the College's commitment to ensuring complaints and feedback are recorded, acknowledged, and dealt with fairly, efficiently, and effectively.

Policy scope

The policy applies to all staff, students, and stakeholders. It gives students and stakeholders the right to provide feedback or make a complaint about: products and services and how they are delivered; something the College has failed to do; College facilities; conduct of College staff or enrolled students or the way in which a complaint is managed.

The policy does not apply to:

- disputes referred outside the College
- complaints about training contracts, other than training delivery and training plans
- complaints about assessment results – these are dealt with under the NR TAFE Assessment Appeal Policy
- matters of concern lodged by employees of NR TAFE – see Employee Support and Grievance Policy.

Definitions

The following definitions apply in this document:

Feedback	<i>opinions, comments and expressions of interest or concern</i>
Complaint	<i>an expression of dissatisfaction made to or about NR TAFE where a response or resolution may be requested, expected, or legally required. A complaint may relate to NR TAFE products, services or training delivery, something the College has failed to do, or the handling of a complaint. A complaint may also relate to the conduct of NR TAFE staff, a third-party providing services on behalf of the College or a breach of the Student Code of Conduct by an NR TAFE student</i>
DTWD	<i>Department of Training and Workforce Development</i>
Appeal	<i>in this document, relates to an appeal, on the basis of procedural fairness, against an outcome of actions taken by the College after receiving a complaint that does not relate to an academic decision made by the College</i>
Appellant	<i>a person specified in the scope of this policy who makes an appeal in accordance with this policy</i>
Stakeholder	<i>a person, organisation or their representative giving feedback or making a</i>



	<i>complaint. As well as students, a stakeholder may include employers, customers, advocates, parents, or other members of the community</i>
Resolution	<i>the matter is settled or concluded, and the parties are notified of the outcome, regardless of whether this is in the favour of one party or another. Students and stakeholders may appeal if they are not satisfied with the resolution.</i>
Natural justice and procedural fairness	<i>requires that a fair and proper procedure be used when making a decision. Procedural fairness requires a fair hearing appropriate to the circumstances; lack of bias; evidence to support a decision; and inquiry into matters in dispute.</i>

Policy Governance

- Public Sector Commissioner’s Circular 2009-27 Complaints Management
- Standards for Registered Training Organisations (RTOs) 2015
- Guidelines for complaint management in organizations AS/NZS 10002:2014
- *Equal Opportunity Act 1984*
- *Disability Discrimination Act 1992 & Disability Standards for Education 2005*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Sex Discrimination Amendment (Sexual Orientation, Gender Identity, and Intersex Status) Act 2013*
- *Freedom of Information Act 1992*
- *Privacy Act 1988*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018*
- International Student Complaints and Appeals policy – Department of Training & Workforce Development
- WA Language Services Policy 2014
- *State Records Act 2000*
- VET Student Loans Rules 2016

Policy Governance

- 1** Feedback and accountability are encouraged and enabled. The right to make a complaint and have concerns treated seriously and investigated appropriately, is supported by NR TAFE staff and management.
- 2** Feedback and complaints may be lodged at no charge and students and stakeholders will not be disadvantaged or treated unfavourably because of making a complaint or giving negative feedback.



- 3** The College must ensure that a student is not victimised or discriminated against for:
 - seeking review or reconsideration of a decision; or
 - using the College's processes or procedures about dealing with matters of concern; or
 - making an application for re-crediting of the student's HELP balance under Division 2 or 3 of Part 6 of the *VET Student Loans Act 2016*.
- 4** Direct informal resolution of issues with those involved is encouraged. If a matter is not resolved informally, is of a serious nature or if a person wishes to make a formal record of compliments, suggestions or complaints, the feedback will be logged in the College's customer comment database.
- 5** The College makes information publicly available on the NR TAFE website about rights, responsibilities and expected behaviour in relation to complaints and feedback. To ensure the system is easy to use, this includes information about how to lodge feedback and complaints, how the process works, relevant timeframes, appeals procedures, and alternative ways to resolve issues.
- 6** Where clients have individual needs, every reasonable effort will be made to help if requested and to make the complaint lodgement process as flexible as possible.
- 7** The principles of natural justice and procedural fairness are applied at every stage of the feedback and complaints process, including fair and open investigation and assessment of a complaint or feedback and any potential conflict of interest.
- 8** At all stages of the process the complainant and/or respondent have the right to be represented by an advocate (such as a family member, friend, counsellor, or other professional support person).
- 9** Where the investigation and assessment of a complaint shows that NR TAFE contributed to a problem or issue, appropriate and effective remedies will be made available. The desired outcome sought by the student or stakeholder will be taken into consideration.
- 10** The College will collect adequate and appropriate information to investigate, manage and respond to complaints effectively.
- 11** Personal information given in the feedback and complaint process will be kept confidential unless permission is given to share it. The information will then only be shared where necessary to resolve the complaint or feedback.
- 12** Complaints from students and stakeholders about the conduct of a student will be assessed in relation to the Student Code of Conduct. Student or stakeholder complaints about the conduct of staff will be assessed in relation to the NR TAFE Staff Code of Conduct. Any complaint relating to the misconduct of staff, whether informal or through the formal complaints management system, must be referred to the staff member's supervisor/ line manager.
- 13** The Manager Student Support Services will be consulted regarding complaints made by International students, in line with DTWD's International Student Complaints and Appeals policy.
- 14** The relevant Director Training Services will be consulted regarding complaints made by or involving a minor (students under 18 years of age) or a student attending a VET Delivered for Secondary Students (VDSS) program.



- 15 The Manager Student Operations will be consulted regarding complaints involving VET Student Loans matters.
- 16 Where a complaint alleges harassment, discrimination or criminal activity, the student or stakeholder will be informed of their right to refer the matter to external bodies or the police.
- 17 NR TAFE provides resources and training to staff, with authority to manage complaints delegated on a case-by-case basis, to relevant managers of the College business units.
- 18 Complaints and feedback will be tracked and documented. People giving feedback or making complaints will be kept informed during the process and advised of the resolution and reason for the decision/s.
- 19 Feedback and complaints are managed and resolved promptly, with timeframes specified for each step in the procedure. If the College considers more than 10 business days are needed to finalise the complaint the complainant will be informed in writing, including the reasons why more than 10 business days are required. In this case the complainant will also be regularly updated on the progress of the complaint.
- 20 An appeal may be made if a person is not satisfied with the resolution, based on procedural fairness only, with internal review available.
- 21 Appeals must be lodged in writing within 10 working days of notification of the outcome of the original complaint and detail the grounds for the appeal. Appeals may be made on the grounds of lack of procedural fairness only. Procedural fairness, also known as natural justice, is a principle of law concerned with the procedures used by the decision maker, rather than the outcome reached. An Appellant has no right of appeal simply because they do not agree with the decision.
- 22 Complaints are monitored and analysed to evaluate trends and identify potential causes so that they can be prevented from occurring again and/or improvements made in the delivery of training, customer service and the way the College operates.

Document owner to complete

Document owner	Manager Student Support Services	
Responsible committee	Executive Management Team	
Responsible director	Director Corporate Services/Organisational Services/Training Pilbara/Training Kimberley	
Related policies and documents	Assessment Appeal Procedure.docx Employee Support and Grievance Policy.docx Ombudsman Guide - Effective Complaint Handling Ombudsman Guidelines and Information Sheets Records Management Policy (DTWD).docx Student Privacy and Personal Information Policy.docx https://www.tafeinternational.wa.edu.au/Documents/policy-complaints-appeals.pdf	
If applicable	Document number	Document name
Removal required of superseded policy or other document?		



Executive staff to complete

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