



Client Complaints Policy and Procedure

Purpose and scope

This policy and procedure outlines the way in which South Regional TAFE will manage and respond to client complaints involving the conduct of:

- a) South Regional TAFE, its trainers, assessors or other staff
- b) A third party providing services on South Regional TAFE's behalf, its trainers, assessors or other staff, or
- c) A student of South Regional TAFE

This policy does not relate to:

- Academic Appeals by students (eg student progress, assessment, curriculum in a VET course of study). Refer to the *Academic Appeals policy*
- A staff or student complaint of Sex Based Harassment. Refer to the *Equity and Diversity Policy* (staff) or the *Student Access and Equity Policy* (students)
- A staff grievance. Refer to the *Grievance Resolution policy*
- Appeals or feedback regarding decisions relating to actions covered by the provisions of the *Public Sector Standards in Human Resource Management*.

Policy

South Regional TAFE values customer feedback and recognises that opportunities to improve products and services arise from effective handling of client complaints. The overarching aim of this policy is to ensure that complaints are processed in a way that reconciles the interests of clients and the college, whilst ensuring expectations of fairness are met.

The opportunity for clients to provide the college with feedback, including using the complaints procedure, will be made widely available to clients through printed material and publication on the college's website <http://www.southregionaltafe.wa.edu.au> Where clients have individual needs, every reasonable effort will be made to provide assistance if requested and to make the complaint lodgement process as flexible as possible.

Complaints will be handled fairly, recognising the rights of both the client making the complaint and the college, or learning area/unit of the college, or the person against whom the complaint is being made. All parties concerned will be treated with courtesy and appropriate confidentiality will be maintained. Every effort will be made to resolve appeals in accordance with the policy, without prejudice or fear of reprisal or victimisation. The process for complaints handling is free of charge.

At all stages of the process the complainant and/or respondent have the right to be represented by a third person (such as a family member, friend, counsellor or other professional support person).

In the interest of providing the most effective and timely address of client concerns and complaints, complaints should be dealt with as close to the source as possible and involve the people most directly concerned. The college will respond to complaints in a timely manner and ensure the complainant is kept informed of progress in the resolution of the complaint and of any undue delay. If the college considers more than 60 calendar days are needed to finalise the complaint the complainant will be informed in writing, including the reasons why more than 60 days are required. In this case the complainant will also

be regularly updated on the progress of the complaint. Where a complaint represents a significant or strategic risk, the Manager Planning and Business Services or delegated officer will immediately bring this to the attention of the Managing Director or an appropriate member of the college Executive.

The college will be transparent and accountable in relation to client complaints by ensuring that information about the procedure is widely available and by informing stakeholders about feedback received actions taken to improve products and services resulting from analysis of feedback.

Academic and non-academic managers are responsible for the training of staff in the application of this policy and the implementation of and adherence to this policy. The college will ensure appropriate training for staff involved in the complaints management process. The college's policies and procedures are mapped through the staff induction program.

Where a complaint is made anonymously this will be regarded as feedback and incorporated into the college's continuous improvement processes where appropriate.

Where necessary, the Managing Director will have the final determination in the outcome of a complaint.

The complainant is to be informed of their right to be able to apply to an external agent if they are not satisfied with the outcome of the formal complaint process (eg the Australian Mediation Association or the Ombudsman). The college agrees to be bound by any recommendations arising from the review by an external agent. The Managing Director will ensure that any recommendations made are implemented within 30 days of receipt of the report from the external agent.

The college will collect data and maintain records of complaints received and their outcomes. These will be analysed to identify systemic issues that can be addressed through continuous improvement. This process will be coordinated by the Manager Planning and Business Services.

All documents relating to client correspondence will be forwarded to Planning and Business Services to be logged into the complaints management system and registered in the college's records management system. Records of all complaints, decisions and outcomes of the complaints process are kept in accordance with the college's policy/procedure on the retention and disposal of records.

Procedure

A client may withdraw a complaint at any point in the procedure.

Informal Complaint

The first level of the complaint procedure is informal, where a client may approach a member of staff to discuss a concern or make a complaint. This does not need to be in writing and it is anticipated that most complaints can be resolved at this level. A client may approach any college staff member to discuss a concern or make a complaint. The staff member has a responsibility to take prompt and reasonable action to try to resolve the complaint and advise the client of the Policy and Procedure. If necessary, the staff member may ask for assistance from or refer the complaint on to the relevant officer, for example their supervisor or relevant manager.

Where the client lodging the complaint is under the age of 18 the staff member is to inform the client that their parent/guardian will be notified and asked to be involved in the resolution of the complaint.

The staff member should record the details of the complaint, the client involved and any actions taken to resolve the complaint. The details can be recorded in an informal way, e.g. in a diary or as a file note, however appropriate confidentiality must be maintained.

An informal response will generally be given verbally to the client within ten (10) college working days from when it was received. The client should be informed that a formal procedure is also available to them if they are unsatisfied with the outcome of the informal process.

The staff member involved is to provide details of the complaint to the Planning and Business Services Officer including the essential details of the complaint, when it was made, what steps have been taken to resolve the complaint, and whether the client has been informed of the outcome. This should be done ensuring appropriate confidentiality is maintained and as soon as is reasonable to ensure data regarding complaints is recorded and shared with the Manager/Director of the area as necessary.

If the complaint has not been resolved to a satisfactory level through this informal process the Planning and Business Services Officer is to forward the complaint to the relevant Manager for investigation and recommendation. The complaint then becomes a formal complaint.

Formal Complaint

Once it has been established that the complaint could not be resolved through the informal process the complaint is made formally in writing and must contain at least the following details:

- Client's name and contact details.
- A description of the complaint, including where, when and who was involved.
- A description of the steps already taken to try to resolve the complaint.
- An indication of the client's desired outcome.
- Clients may use the *Client Complaint Form*; however in the interests of making the procedure as accessible as possible, provided the complaint is in writing, and contains the above details, this form is not mandatory.

Staff will provide assistance to clients in using the procedure and putting their complaint in writing if this is requested. Staff may record a formal complaint over the phone into an email for actioning as a formal complaint. Clients may also ask a friend/colleague or fellow student to assist them in lodging a complaint.

Where the client lodging the complaint is under the age of 18 the staff member is to inform the client that their parents will be notified and asked to be involved in resolution of the complaint.

Any staff member may take receipt of a written complaint. All written complaints should be forwarded immediately to the Planning and Business Services Officer who will log the complaint into the complaints management system and then forward to the relevant manager for resolving and providing a response to the complainant. The Planning and Business Services Officer will issue the client with a written acknowledgement indicating that the complaint has been received and forwarded to the relevant manager and register the complaint in the records management system. Details of the complaint are logged and tracked through the complaints management system.

On receipt of a complaint, the appropriate manager or their nominated staff member will liaise with the client and relevant staff to ensure the complaint is resolved. Where the complaint involves allegations against a college staff member the manager will inform the Manager Human Resources.

Where necessary, the Managing Director will be consulted and have the final determination in the outcome of a complaint. The client making the complaint will have the opportunity to formally present their case. This can be in writing or verbally and may involve clarification of the initial complaint. The manager or a nominated staff member will facilitate this. Upon completion of the investigation the manager will provide the client with a response in writing, informing them of the outcome of the complaint and the reasons for any decisions. This written response will be provided within thirty (30) college working days from when the formal complaint was received. The manager or nominated staff member should keep the client informed of the progress of the complaint resolution or if there are any delays in the resolution process. (If the college considers more than 60 calendar days are needed to finalise the complaint, the complainant will be informed in writing, including the reasons why more than 60 days are required. In this case the complainant will also be regularly updated on the progress of the complaint). The written response will also include any changes/business improvements which have resulted from the complaint, an apology where appropriate, and information about the option to have the complaint reviewed by an external agency (such as the Ombudsman) and will provide the following text and contact details:

If you feel the college has not resolved your complaint and wish to pursue this matter further you may refer the complaint to the Ombudsman Western Australia:

In person:

Level 2, Albert Facey House, 469 Wellington Street, PERTH WA 6000

Phone: (08) 9220 7555

Freecall: 1800 117 000 (for calls outside the metropolitan area)

Fax: (08) 9220 7500

Email: mail@ombudsman.wa.gov.au

Postal: PO Box Z5386, St Georges Terrace, PERTH WA 6831

Further information can be obtained by visiting www.ombudsman.wa.gov.au

If the recommended actions involve discipline of staff the Manager Human Resources is to be consulted.

All relevant information regarding the complaint is to be made available to all parties to assist in the resolution process. However, appropriate confidentiality must be maintained.

Once the complaint has been finalised, all documentation - including any replies, meeting notes and file notes - are to be forwarded to Planning and Business Services for recording and registering on the college's electronic records management system.

Definitions

South Regional TAFE (the college) refers to South Regional TAFE, including all its campuses and delivery centres.

Complaint is any expression of dissatisfaction or concern raised by a client in relation to the products or services provided by the college.

External client is any person or organisation accessing the products and services of the college, including students, employers, industry/enterprises, other government agencies and community groups, or those providing services to the college. **Reasonable action** – action taken by a staff member to try to resolve a complaint that is within their area of responsibility and takes account of their level of authority and decision making.

Resolution is an outcome to a complaint, which seeks to reconcile the interests of the client making the complaint and the college.

Related documents

Form: Client Complaint

Form: Client Feedback

Policy: Academic Appeals

Policy: Student Access and Equity

Policy: Access and Diversity

Related legislation and references

AS/NZS 10002:2014 Guidelines for Complaints Management in Organisations

Disability Discrimination Act 1992

WA Equal Opportunity Act 1984

WA Public Sector Code of Ethics

Human Rights and Equal Opportunity Commission Act 1986

Race Racial Discrimination Act 1975

Sex Discrimination Act 1984

Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013

Occupational Safety and Health Act 1984

National Complaints Code

Public Sector Commissioner's Circular 2009-27 Complaints Management

Ombudsman's guidelines for Effective Handling of Complaints made to your Organisation

Student Academic Appeals policy

Equal Employment Opportunity Policy and Procedure

Grievance Resolution Policy

Vocational Education and Training Act 1996 Higher Education Support Act 2003

Standards for RTOs 2015

VET Student Loan Rules 2016 (Part 7, Division 1, Subdivision F, Section 88)

VET Student Loan Act 2016 (Part 5, Division 1, Section 48)

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