Complaint Management Policy

# Audience

This policy applies to TasTAFE employees and third-party providers.

# Purpose

The purpose of the policy is to outline TasTAFE’s approach to managing complaints from TasTAFE students, prospective students, employers, industry/community organisations and members of the community.

This policy does not relate to complaint management processes covered by other policies/procedures namely the [Staff Grievance Resolution Procedure](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4709814/LatestFinalFile) and the [VET Student Loan Review and Re-Crediting Policy](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4714235/LatestFinalFile) and [VET Student Loan Review and Re-Crediting Procedure.](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4714240/LatestFinalFile)

Feedback will be managed in line with the [Feedback Management Policy](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/5838072/download_latest_final_file) and [Feedback Management Procedure](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/5838073/download_latest_final_file).

# Policy statement/details

TasTAFE will encourage individuals to be independent and take immediate, positive and direct action to resolve any issues or concerns with the relevant parties or TasTAFE employee.

TasTAFE acknowledges that individuals, with unresolved concerns, have a right to make a complaint.

TasTAFE values complaints and recognises that opportunities for continuous improvement arise from the effective handling of complaints. TasTAFE is committed to a customer centred approach, with the allocation of one manager, investigating all matters raised. TasTAFE will engage positively with the complainant (or any stakeholders acting in the interests of a complainant), to investigate, take action to resolve the matters as quickly as possible and eliminate or reduce the likelihood of a reoccurrence.

TasTAFE will ensure a free, accessible, and transparent complaints process which includes the Complaint Management Policy being widely promoted and publicly available on its website. TasTAFE will publish complaint handling timeliness standards and centrally co-ordinate the investigation of all complaints received and record their outcomes.

## Complaint Management Principles

TasTAFE will:

* Manage complaints in accordance with the principles of natural justice and procedural fairness. Each complaint will be managed in an equitable, impartial, and culturally sensitive manner recognising the rights of the complainant and TasTAFE or any respondent/s. All parties will be treated with courtesy and appropriate confidentiality will be maintained.
* Manage conflicts of interest, whether actual or perceived.
* Take reasonable steps to ensure that no adverse effects occur for any individual as a result of lodging a complaint.
* Provide a safe and supportive environment for all complainants, respondents and witnesses including the right to have:
  + support provided throughout the complaints process by a TasTAFE specialist support staff member, if a current TasTAFE student,
  + support provided by their manager or the [Employee Assistance Programs](https://intranet.tastafe.tas.edu.au/employee-relations/hwb/Employee-Assistance/Pages/Employee-Assistance.aspx) (EAP), if a current TasTAFE employee,
  + and at the complainant’s own cost:
  + an independent advocate to act on their behalf and/or,
  + a support person present when attending meeting or interviews.
* Make every effort to provide assistance to complainants/respondents/witnesses who have specific needs throughout the complaints process.
* Involve Parents/Guardians in the complaint process if the complainant is a child unless it is determined that this would not be in the best interests of the child.

## Complaints

## TasTAFE will:

* Acknowledge and respond in writing, to all complaints received and provide the contact details of the investigating manager to the complainant.
* Ensure that complaints are addressed in a timely manner with every effort made to resolve complaints within the published timeframes.
* Contact the complainant if any undue delay is likely and reach mutual agreement to a revised timeframe.
* Ensure that all complaints are investigated thoroughly.
* Be transparent in relation to informing complainants about the actions taken, or to be taken, as a result of the investigation.
* Advise the complainant in writing of the outcome, detailing the reasons for the decision.
* Provide an opportunity for individuals to request an independent review of a complaint or an assessment outcome should they not be satisfied with their complaint or assessment outcome.

## Request for Review of a Complaint or Assessment Outcome

TasTAFE will:

* Acknowledge and respond to all Requests for Reviews received in writing and provide the contact details of the manager undertaking the review.
* Ensure that Requests for Reviews are addressed in a timely manner with every effort made to finalise the review within the published timeframes.
* Contact the complainant if any undue delay is likely and reach mutual agreement to a revised timeframe.
* Ensure that all reviews are conducted independently of the original decision makers or employees involved in the decision.
* Advise the complainant in writing of the outcome, detailing the reasons for the decision.
* Provide individuals with options for having complaints reviewed by external agencies (ie [Ombudsman Tasmania](http://www.ombudsman.tas.gov.au/), [Equal Opportunity Tasmania](http://www.equalopportunity.tas.gov.au/)) should they not be satisfied with their complaint or assessment review outcome.

## Anonymous complaints

TasTAFE does not actively encourage anonymous complaints, any individual intending to make an anonymous complaint will be strongly encouraged to provide contact details so that TasTAFE staff can provide progress reports and details on how the complaint has been resolved. Anonymous complaints will be handled to the extent they can be, based on the level of information provided by the complainant.

## Managing Unreasonable Complainant Conduct

TasTAFE expects all complainants to act appropriately/positively in their dealings with TasTAFE employees. If a complainant behaves in an unreasonable, abusive, harmful, or threatening manner TasTAFE will support employees to take action to manage this behaviour. The nature of this action will be determined in line with any relevant TasTAFE policies and procedures i.e. [Managing Student Behaviour Procedure](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4706070/LatestFinalFile) and having regard to the [Managing Unreasonable Conduct by a Complainant](https://www.ombudsman.tas.gov.au/__data/assets/pdf_file/0006/659715/Managing-unreasonable-conduct-by-a-complainant-manual-2021.pdf) - Practice Manual.

# Associated legislation

[TasTAFE (Skills and Training Business) Act 2021](https://www.legislation.tas.gov.au/view/html/asmade/act-2021-032)

[Standards for Registered Training Organisations (RTOs) 2015](https://www.legislation.gov.au/Details/F2019C00503)

[Higher Education Support (VET) Guideline 2015](https://www.legislation.gov.au/Details/F2021C00002)

[Higher Education Support Act 2003](https://www.legislation.gov.au/Details/C2022C00005)

[VET Student Loans Act 2016](https://www.legislation.gov.au/Details/C2021C00507)

[VET Student Loans Rules 2016](https://www.legislation.gov.au/Details/F2022C00202)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018](https://www.legislation.gov.au/Details/F2017L01182)

[Children, Young Persons and their Families Act 1997](https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-1997-028)

# Associated documents

[Complaint Management Procedure](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/5834464/download_latest_version)

[Managing Unreasonable Conduct by a Complainant – Practice Manual](https://www.ombudsman.tas.gov.au/__data/assets/pdf_file/0006/659715/Managing-unreasonable-conduct-by-a-complainant-manual-2021.pdf)

[VET Student Loans Code of Practice](https://www.ombudsman.gov.au/__data/assets/pdf_file/0019/112573/VET-Student-Loans-Code-of-Practice-FINAL-A2185006.pdf)

[Student Code of Conduct](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4706068/LatestFinalFile)

TasTAFE Staff Code of Conduct

[Managing Student Behaviour Procedure](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/4706070/LatestFinalFile)

# Definitions/acronyms

**Natural Justice** – principles, procedures, or treatment felt instinctively to be morally right and fair.

**Procedural Fairness** – TasTAFE adopts the definition of procedural fairness as outlined by [Ombudsman Tasmania](https://www.ombudsman.tas.gov.au/for-agencies/good-decision-making).

**Complaint –** an implied or expressed statement of dissatisfaction where a response is sought, reasonable to expect or legally required, complaints in relation to this policy include both academic and non-academic matters.

**Third-Party Provider** – any party that provides services on behalf of TasTAFE but does not include a contract of employment between TasTAFE and an employee.

# Policy control

## Contact points

| **Responsibility** | **Position title** | **Contact person** | **Contact number** |
| --- | --- | --- | --- |
| **Executive owner** | Director Quality and Academic Services | Lyndene Bowen | 6777 2520 |
| **Policy owner** | Manager Student Experience | Jackie Merrett | 6777 2491 |
| **Contact person** | Manager Student Experience | Jackie Merrett | 6777 2491 |

## Consultation

The following teams/positions should be consulted during the development/review of this Policy:

* Manager Quality
* Director Quality and Academic Services
* Business Systems Officer (VET Student Loans)
* Director Education Operations
* Education Managers - multiple
* Manager Education and Training
* Student Support Managers
* Client Service Team Leader

## Endorsement required by:

Education and Training Committee

## Dates:

**Last endorsed:** 10/11/2022

**Last approved:**  24/11/2022

**Next review**: 24/11/2025

## Version history

| **Version** | **Date** | **Description of changes** |
| --- | --- | --- |
| 1 | 24.10.2022 | Newly developed policy to reflect changes in legislation, incorporating the Assessment Review Procedure, VET Student Loan Academic Grievance Policy and VET Student Loan Grievance Procedure and bringing the policy into alignment with the VET Student Loans Code of Practice. Strengthened interactions with the complainant, including the provision of outcomes in writing and removed the need for endorsement of Complaint Investigation and Outcome Reports and Request for Review Outcome Reports. |

This document is uncontrolled when printed. Please check the TasTAFE Policy and Procedure Hub for the current version of this document.

Record Number: DOC/22/160308