

## **Feedback Policy (Compliments and Complaints)**

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### **1.0 Purpose**

Bendigo Kangan Institute fosters a culture in which feedback is valued and staff are well trained and supported to manage and respond to feedback. The Institute responds and makes improvements as a result of receiving feedback.

During the course of their engagement with the Institute, some people may have concerns or feedback about our processes or may be unhappy with a particular aspect of our services or programs. The Institute enables the fair and equitable resolution of any issues, dealing with feedback as part of our core business. Feedback systems are integrated with other business activities, including self-assurance processes.

Providing feedback is free and easily available via our *Feedback / Complaints* online form, accessible on the Bendigo TAFE and Kangan Institute websites. You can provide feedback about any aspect of our services and your feedback, provided in good faith, will be treated without bias or prejudice.

Information about how to provide feedback is also provided through a range of channels, including our websites, *Student Handbook*, *Supplier Code of Conduct* and employee communications.

People can provide feedback in a variety of ways, including via telephone, email, online form or mail. By providing feedback, you will have an opportunity to share your experience and for any concerns you have to be considered. If the Institute proposes to make a decision that adversely impacts you, you will have an opportunity to comment on that proposed decision and provide more information, before a final decision is made. You will always receive a response to your feedback when you provide a way for the Institute to respond to you.

### **2.0 Scope**

This policy applies to anyone who wants to provide feedback or make a complaint to the Institute about any matter and sits alongside the Institute's internal *Feedback Framework*. Feedback can be provided to the Institute by anyone; whether they are a student, member of the public, employee, contractor or supplier.

Allegations of suspected improper conduct or corruption must be made and responded to confidentially using the process outlined in the Institute's *Improper Conduct Policy*.

This policy does not include the rights of appeal for an assessment judgement, which is covered under the *Assessment Appeals Procedure* and the *Training and Assessment Policy*.

The Institute's feedback systems include:

- maintaining a complaints and appeals process
- publishing information about our feedback systems on our website
- responding to and co-operating with complaint mechanisms or processes established by regulators and government authorities; and
- participating in improvement initiatives determined by government.

### **3.0 References**

#### *Legislation and Standards:*

- Education and Training Reform Act 2006
- Wildlife and Small Institutions Animal Committee Procedures for complaints 2019, section 5.1
- Occupational Health and Safety Act 2004
- Equal Opportunity Act 2010 (Vic)
- Disability Discrimination Act 1992 (Cth)
- TAFE VET Funding Contract
- ESOS Act 2000
- National Code of Practice 2018
- Disability Standards for Education 2005 (Cth)
- Standards for RTO's 2015
- Guidelines for Non-school Senior Secondary Education Providers 2017
- *Child Wellbeing and Safety Act 2005* (Vic); Child Safe Standard 5 and 7.

#### *Bendigo Kangan Institute Policies:*

- Code of Student Behaviour Policy
- Student Code of Conduct
- Student Welfare and Accessibility Policy
- Fees, Charges and Refunds Policy
- Receiving and Responding to Feedback Procedure, Feedback Framework
- Child Safety Policy

## Feedback Policy (Compliments and Complaints)

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### 4.0 Policy Statement

Feedback can come in the form of a compliment or a complaint. Both are aimed at driving improvements or a remedy in the way the Institute provides its services.

A complaint, also known as a grievance, is an expression of dissatisfaction by anyone with:

- the quality of an action taken, decision made, or service provided by the Institute, anyone under the Institute's oversight or an Institute contractor
- a delay or failure in providing a service, taking an action, or making a decision by the Institute or an Institute contractor.

Complaints can be about any aspect of the Institute's operations, including any Institute decision or action made by a staff member, a third party provider or someone acting on behalf of the Institute.

Complaints are different to requests for access to information, services and guidance. These requests are dealt with in the ordinary course of administration by speaking with relevant people at the Institute and in accordance with relevant policies.

This policy is made publicly available on the Institute's website and is provided to all students through the *Student Handbook* and on the student portal. People can request a copy of this policy by contacting the Institute.

The Institute's feedback process follows the principles of natural justice and procedural fairness. Anyone who is subject to a decision or action by the Institute or someone acting on behalf of the Institute can tell their side of the story before a decision is made.

A person providing feedback can expect for it to be handled with discretion, integrity and in a timely manner, confirming and acknowledging receipt of feedback and advising the expected timeframe for a response. During the process, the Institute will inform the person who submitted the feedback of progress at reasonable intervals (at least every ten days).

The Institute will always consider feedback, even if it provided by a person who chooses to remain anonymous. Generally, the Institute will only share information about the outcome of feedback to and deal directly with the person impacted by the feedback. A person who makes a complaint has the right to request an internal review and/or seek out and external review. An internal review is granted based on specified criteria.

## **5.0 Providing feedback**

The Institute encourages feedback to be provided using the Institute's *Feedback / Complaints* form, available on its websites. If you provide feedback and do not use the *Feedback / Complaints* online form, the Institute staff member dealing with your feedback will initiate the consideration of your feedback by completing the online form.

## **6.0 Assessment of feedback**

The assessment of feedback must be professional, fair and transparent. Where a person makes a complaint, they will be able to share their experience and can use a support person.

The person who made the complaint will be informed of any decisions or outcomes. A written record will be provided to the person with confirmation of:

- The decision or outcome and the reasons for the decision or outcome
- How they can request an internal review of a decision or outcome
- Their rights to access external review of a complaint

## 7.0 The Four Tier Approach

The Institute's feedback process follows a 'Four Tier' Approach to considering feedback, addressed below.



### **Level 1 - Frontline resolution**

Frontline staff are delegated the authority to resolve complaints wherever possible. Frontline resolution is generally used where the concerns represented are simple, non-contentious, and/or do not require the Institute to prove or disprove an allegation that relates to the reputation of a person or the Institute. Most complaints about the administrative application of policies, procedures or service delivery are appropriate for frontline resolution.

### **Level 2 - Investigation**

An internal investigation may be required where feedback presents complex or sensitive issues, or where the issues represented are inappropriate to informally resolve. Investigations are reserved for more serious types of complaints, such as those that relate to the health, safety and wellbeing of people or the conduct and reputation of individuals. Case by case assessments are conducted to decide if an investigation is needed.

### **Level 3 - Internal Review**

For the purposes of BKI's *Appeals Policy*, an internal review is regarded as an appeal. Internal Review refers to the process of independent review over the way an issue has been handled, including the way a complaint has been assessed and responded. This process is generally available after feedback has been considered and responded to or where there is a delay in addressing feedback. A person who has made a complaint can request an internal review if:

- They are dissatisfied with the decision made as a result of a complaint
- They consider they have not received a progress update within a reasonable period.

Requests for internal review can be made by contacting the Office of the Chief Executive Office or expressing this request to a BKI staff member. A person requesting an internal review should:

- make clear *why* they consider the person who considered their feedback has made the wrong decision, such as:
  - BKI policies and procedures were not followed and this resulted in a genuine disadvantage to a person subject to a decision
  - There is new information that could not reasonably have been provided at the time of the original decision and would probably have affected the decision
  - The decision is clearly wrong or the outcome is disproportionate
  - there was a bias or a conflict of interest on part of the original decision maker.
- provide information in support of their request, and
- tell the Institute about any applicable deadlines or reasons for the complaint to be determined in a particular timeframe (i.e. – visa requirements).

## Level 4 – External review

When the Institute responds to feedback, it provides the person who provided the feedback with information about their rights of appeal and/or review by external authorities.

Organisation	Details
<i>Institute decisions and actions, Human Rights</i> Victorian Ombudsman	9613 6222 <a href="https://www.ombudsman.vic.gov.au/complaints/">https://www.ombudsman.vic.gov.au/complaints/</a>
<i>Vocational Education &amp; Training Programs</i> Australia Skills & Quality Authority (ASQA)	1300 701 801 <a href="mailto:enquiries@asqa.gov.au">enquiries@asqa.gov.au</a>
<i>Overseas students, VET Student Loans</i> Commonwealth Ombudsman	1300 362 072 <a href="mailto:ombudsman@ombudsman.gov.au">ombudsman@ombudsman.gov.au</a>
<i>Consumer issues (marketing and sales)</i> Consumer Affairs Victoria	1300 55 81 81 <a href="https://www.consumer.vic.gov.au/contact-us">https://www.consumer.vic.gov.au/contact-us</a>
Victorian Department of Education & Training	<a href="http://education.vic.gov.au">education.vic.gov.au</a>
Discrimination and equal opportunity Australian Human Rights Commission Victorian Equal Opportunity and Human Rights Commission	<a href="tel:1300369711">1300 369 711</a> <a href="https://humanrights.gov.au/complaints/make-complaint">https://humanrights.gov.au/complaints/make-complaint</a> <a href="tel:1300555727">1300 555 727</a> <a href="https://www.humanrights.vic.gov.au/get-help/contact-us/">https://www.humanrights.vic.gov.au/get-help/contact-us/</a>
Terms and conditions of employment Fair Work Ombudsman	<a href="tel:131394">13 13 94</a> <a href="https://www.fairwork.gov.au/contact-us">https://www.fairwork.gov.au/contact-us</a>
Privacy and Information Office of the Victorian Information Commissioner	<a href="tel:1300006842">1300 006 842</a> <a href="https://ovic.vic.gov.au/about-us/contact-us/">https://ovic.vic.gov.au/about-us/contact-us/</a>
Corruption Independent Broad-based Anti-corruption Commission	<a href="tel:1300735135">1300 735 135</a> <a href="https://www.ibac.vic.gov.au/">https://www.ibac.vic.gov.au/</a>
Democratic principles, Institute performance, information about academic achievement, minimum Child Safe Standards Victorian Registration and Qualifications Authority	<a href="tel:96372806">9637 2806</a> <a href="https://www.vrqa.vic.gov.au/Pages/contact.aspx">https://www.vrqa.vic.gov.au/Pages/contact.aspx</a>

## **8.0 Other dispute resolution options**

When considering feedback, other dispute resolution options may be available, such as mediation and conciliation, or engaging an external body. Either party can request a conciliation process via the Dispute Settlement Centre. On a case-by-case basis the Institute will consider engaging an accredited arbitrator or mediator, to which all parties to the complaint must agree to using. Each party bears their own costs associated with bringing an optional support person to any alternative dispute resolution process.

## **9.0 Records and confidentiality**

When a complaint is made, the Institute makes records of all parties involved, including the outcomes of a complaint and reasons for decisions made at the end of the process. All records relating to complaints are confidential and are subject to the Institute's *Privacy and FOI Procedure*, which includes information about how to request access. The Institute retains records of all complaints for a period of at least seven years

## **10. Corrective Action and Improvements**

The Institute considers the potential causes of complaints and takes appropriate corrective action to eliminate or mitigate the likelihood of a reoccurrence. Corrective action is documented and all records of complaints are securely retained for a period of seven years. BKI maintains a continuous improvement register to support the implementation of corrective actions and improvements.



## Feedback Policy (Compliments and Complaints)

### 11. Roles and Responsibilities

The Institute's *Receiving and Responding to Feedback Procedure (Compliments and Complaints)* details the steps taken by the Institute in response to feedback and key roles and responsibilities.

### 12. Version Control and Change History

Ver.	Issue Date	Document Custodian	Description of Change	Approval Authority
1.0	02 Jul 2018	Manager Academic	-	CEO
2.0	28 Aug 2019	Manager Academic Governance and Quality	Remove exclusions re corrections students and include process to de-identify records.	Board of Studies
2.1	06 Feb 2020	Chief Academic Officer	Amendments required in order to ensure adherence with VRQA, CRICOS and ASQA Standards.	Board of Studies
3.0	20 Aug 2021	Head of Governance, Risk and Compliance	Aligned to Feedback Framework 2021, simplified.	Chief Governance and Quality Officer
4.0	15 Mar 2021	Head of Governance, Risk and Compliance	Elements of policy transferred to procedure, reference to 'specified criteria added, maintenance of continuous improvement register added.	Chief Governance and Quality Officer

### 13. Document Owner and Approval Body

Document Custodian	Approval Authority	Approval Date	Issue Date	Scheduled Review Date
Head of Governance, Risk and Compliance	Chief Governance and Quality Officer	16 Feb 2022	15 Mar 2022	15 Feb 2024

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

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