
Feedback Policy (Compliments and Complaints)

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 no action will be taken against you for providing feedback in good faith.

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. When you provide feedback, you can expect to be heard, to tell your side of story and for any concerns to be considered. 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 to the Institute 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
- ESOS Act 2000
- National Code of Practice 2018

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- Occupational Health and Safety Act 2004
- Equal Opportunity Act 2010 (Vic)
- Disability Discrimination Act 1992 (Cth)
- TAFE VET Funding Contract
- 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

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.

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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.

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.

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 present their side of the story 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

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,
- 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 |
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| <i>Institute decisions and actions, Human Rights</i> Victorian Ombudsman | 9613 6222 https://www.ombudsman.vic.gov.au/complaints/ |
| <i>Vocational Education & Training Programs</i> Australia Skills & Quality Authority (ASQA) | 1300 701 801 enquiries@asqa.gov.au |
| <i>Overseas students, VET Student Loans</i> Commonwealth Ombudsman | 1300 362 072 ombudsman@ombudsman.gov.au |
| <i>Consumer issues (marketing and sales)</i> Consumer Affairs Victoria | 1300 55 81 81 https://www.consumer.vic.gov.au/contact-us |
| Victorian Department of Education & Training | education.vic.gov.au |

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| <p><i>Discrimination and equal opportunity</i></p> <p>Australian Human Rights Commission</p> <p>Victorian Equal Opportunity and Human Rights Commission</p> | <p>1300 369 711</p> <p>https://humanrights.gov.au/complaints/make-complaint</p> <p>1300 555 727</p> <p>https://www.humanrights.vic.gov.au/get-help/contact-us/</p> |
| <p><i>Terms and conditions of employment</i></p> <p>Fair Work Ombudsman</p> | <p>13 13 94</p> <p>https://www.fairwork.gov.au/contact-us</p> |
| <p><i>Privacy and Information</i></p> <p>Office of the Victorian Information Commissioner</p> | <p>1300 006 842</p> <p>https://ovic.vic.gov.au/about-us/contact-us/</p> |
| <p><i>Corruption</i></p> <p>Independent Broad-based Anti-corruption Commission</p> | <p>1300 735 135</p> <p>https://www.ibac.vic.gov.au/</p> |
| <p><i>Democratic principles, Institute performance, information about academic achievement, minimum Child Safe Standards</i></p> <p>Victorian Registration and Qualifications Authority</p> | <p>9637 2806</p> <p>https://www.vrqa.vic.gov.au/Pages/contact.aspx</p> |

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 retained for a period of seven years.

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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. | Approved By | Approval Date | Issue Date | Description of Change | Next Scheduled Review Date | Document Owner |
|------|--------------------------------------|---------------|------------|--|----------------------------|---|
| 1.0 | CEO | 02/07/18 | 02/07/18 | Grievance Policy to | 01/01/2020 | Manager Academic |
| 2.0 | Board of Studies | 28/08/19 | 28/08/19 | Remove exclusion re Corrections students and include process to de-identify records | 01/02/2023 | Manager Academic Governance and Quality |
| 2.1 | Board of Studies | 05/02/2020 | 06/02/2020 | Amendments required in order to ensure adherence with VRQA, CRICOS and ASQA Standards | 01/02/2023 | Chief Academic Officer |
| 3.0 | Chief Governance and Quality Officer | 19/08/2021 | 20/08/2021 | Aligned to <i>Feedback Framework 2021</i> ; simplified. | 28/02/2024 | Chief Governance and Quality Officer |

10.0 KI Policy and Procedure Portal / BT BMS Requirements

| Category | Key Words |
|-----------------------|---------------------------------|
| Teaching and learning | Complaints, grievance, feedback |