

Customer Complaints Policy

Approved by: Chief Product and Quality Officer
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1. Purpose

The purpose of this policy is to communicate how TAFE NSW manages complaints made about its services, systems, facilities, or service delivery in a fair, effectively and in a timely manner. Application of this policy will help identify significant and/or recurring causes of complaints that will be used to prioritise systemic corrective actions and support continuous improvement.

Definition

A complaint is an expression of dissatisfaction made in relation to TAFE NSW's services, systems, facilities, service delivery, or decisions on the complaints handling process itself, where a response or resolution is explicitly or implicitly expected or legally required.

2. Scope

In scope

This policy applies to all complaints, including, in some instances, anonymous complaints, made by any domestic or international TAFE NSW student or members of the public about TAFE NSW, its agents, or related parties, including but not limited to its services, systems, facilities, service delivery as well as decisions on complaints. All complaints received will be assessed and responded to in a timely and consistent manner. Anonymous complaints will only be investigated to the extent possible and where sufficient information has been provided.

Out of scope

When assessing complaints, it may be determined that investigation and/or resolution is more appropriately managed through other mechanisms, these may include:

- Staff complaints
- Assessment and other academic decisions
- Decisions about student conduct and discipline or other matters where other policies apply
- Public Interest Disclosures
- Complaints that require a separate response due to legislative requirements e.g. mandatory reporting for Working With Children
- Referring the complaint to another, duly authorised organisation e.g. the NSW Police.

In these cases, the person making the complaint will be advised that their complaint will be managed following another TAFE NSW policy and/or referred to the relevant third party.

3. Policy

3.1 Principles

Complaint management will be fair, effective, and timely and TAFE NSW will:

- a. address each complaint in an objective, equitable and impartial manner
- b. manage a complaint in accordance with the principles of procedural fairness and natural justice
- c. ensure that every complaint is handled confidentially to the extent that is practicable. To investigate a complaint thoroughly, ensure procedural fairness and/or meet any legal requirements TAFE NSW may be required to disclose some or all the information provided in the complaint.
- d. Any personal information disclosed during the complaint process will be managed in accordance with TAFE NSW's Privacy Policy and provide the link.
- e. ensure that people are advised of the substance of any complaint that they are asked to provide response / input into. Respondents will be able to have a support person accompany them to any meeting and be provided with information regarding any other support services available
- f. Where appropriate, TAFE NSW offer complainants the opportunity to invite a support person to participate in the complaint process and provide the person making the complaint with information regarding other support options e.g., counselling services.
- g. Have an expectation that people making complaints will treat TAFE staff with respect at all stages of the complaint process, act in good faith and not behave in an unreasonable or inappropriate manner. This will also include responding to any requests for additional information in a timely manner and be honest and not provide any information that is false or misleading.
- h. take reasonable steps to ensure that people making complaints are not adversely affected because of their complaint
 - i. manage conflicts of interest, real or perceived, by:
 - ii. ensuring that complaints made about individuals are handled independently
 - iii. providing an opportunity for an independent, internal review, where appropriate.
- i. not charge any additional fee or other charge.

3.2 Complaints Handling

- a. TAFE NSW will ensure that information on how to make a complaint is publicly available, easy to find and uses plain English.
- b. A person making a complaint should provide sufficient detail to ensure the matter can be investigated, for example what occurred, what outcome they are seeking, what action (if any) that they have already taken to try and resolve the matter, and any supporting evidence if available. TAFE NSW staff may contact the person to gather sufficient details if required

- c. Complaints should be lodged as soon as possible to ensure timely resolution. Complaints should be lodged within a 12-month period unless there are exceptional circumstances. TAFE NSW will have sole discretion to determine circumstances under which they will investigate complaints older than 12 months.
- d. TAFE NSW will acknowledge receipt of complaints within 2 working days. This may include contacting the complainant.
- e. All staff at TAFE NSW will attempt to resolve a complaint in a timely and direct manner, as close as possible to the first point of contact with the complainant.
- f. Wherever possible, TAFE NSW will resolve complaints as soon as practicable, usually within 30 calendar days.
- g. Following the initial assessment of the complaint, a designated case manager will be assigned to ensure the complaint is resolved and to keep the complainant informed of progress.
- h. A person making a complaint will be:
 - i. provided with information about TAFE NSW's complaints policy including related procedures
 - ii. listened to and treated with respect by staff and are expected to extend the same respect to staff
 - iii. actively involved in the resolution process where possible and appropriate.
- i. Provided with reasons for decisions and any options for review.
- j. In some circumstances, TAFE NSW will notify a complainant that additional time may be required. Where TAFE NSW considers more than 30 calendar days is required, the person making the complaint will be advised in writing, including with information on the reasons for the delay.
- k. When TAFE NSW finalises the complaint, the person making the complaint will be provided with the following information:
 - l. the outcome of the complaint and any action taken
 - m. the reason/s for the decision
 - n. the remedy or resolution/s that TAFE NSW has proposed or put in place, and
 - o. options for appeal e.g., internal or external review.
- p. TAFE NSW will ensure that outcomes are properly implemented and monitored.

3.3 Review and appeal

- a. A person making a complaint has a right to an internal review of the decision on their complaint in most circumstances. Reviews will be conducted by an independent person. Internal reviews may be limited to situations where there is either new information and/or there was an error in the complaint management process or the outcome.

- b. If the complainant is still dissatisfied with the outcome, they will be advised that they can refer the matter to the NSW Ombudsman (and, depending on the matter at issue, other bodies such as the Australian Skills Quality Authority).

3.4 Record keeping and acknowledgement

- a. All complaints will be recorded in the TAFE NSW complaint management system and categorised to support management, analysis, and continuous improvement.
- b. The information recorded will include:
 - i. contact information of the person making the complaint
 - ii. issue/s raised by the person making the complaint
 - iii. the outcome/s they are seeking and any other relevant information
 - iv. details of the TAFE NSW case manager.

4. Responsibilities

Position	Responsibility
Person making a complaint	Treat TAFE NSW staff with respect at all times and act appropriately, honestly and in good faith.
All TAFE NSW staff	Assist people who wish to make a complaint to access TAFE NSW’s complaints process. Respond to complaints as relevant to their role and responsibilities and in accordance with complaint management policy
Staff with complaints management responsibilities	Responsible for contacting the relevant area/s to support investigation and resolution of the complaint, monitoring progress, ensuring there is regular communication with the person making the complaint, complaint finalisation and data capture

5. Related documents

This policy should be read in conjunction with the following related documents:

- a. [Complaints Management procedure](#)
- b. [Managing unreasonable conduct by Complainants procedure](#)
- c. [Student Conduct and Discipline Policy](#)
- d. [Manage Assessment Appeals Policy](#)
- e. Academic Integrity requirements

6. Contacts

Accountable Officer	Chief Product and Quality Officer
Responsible Officer	Director, Educational Quality

7. Document History

No	Effective	Approved by	Amendment
1.0	15 February 2019	General Manager, Governance, Legal and Risk	Initial release of procedure to align with commencement of the One RTO model.
2.0	18 March 2019	General Manager, Governance, Legal and Risk	Update to reflect transition to One RTO
3.0	25 June 2022	Managing Director	Accountable Officer responsibilities assigned to Chief Product & Quality Officer
4.0	20 March 2023	Chief Product and Quality Officer	Updated to respond to internal audit findings