COMPLAINT RESOLUTION AND APPEAL
Procedure

OFFICIAL

DOCUMENT REFERENCE:	**PPP141**
RESPONSIBLE MANAGER:	Audit, Risk & Compliance Manager
CATEGORY:	Academic & Student Information
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RELATED POLICIES AND DOCUMENTS:

Legislation: Standards for RTOs 2025
Education and Training Reform Act 2006
VET Student Loans Code of Practice
Privacy Information Act 1988
Privacy and Data Protection Act 2014 (Vic)
Gender Impact Assessment, Gender Equality Act 2020 (Vic)
Date completed: 22/09/2025

Documents PPP013 Inclusion and Diversity Policy
PPP046 Information Privacy Policy
PPP047a Privacy Statement (Easy English)
PPP163 Complaints and Appeals Policy
PPP140 Academic Grievance/ Complaint and Appeal Procedure
PPP141a Student Complaints (Easy English)
PPP132 Assessment Guidelines
PPP138 Preventing and Managing Plagiarism Guidelines
PPP074a Copyright Guidelines (Easy English)
PPP149 Student Code of Conduct
PPP149a Student Code of Conduct (Easy English)
PPP149b Student Code of Conduct – addendum
PPP149c Student Code of Conduct – addendum (Easy English)

1. Introduction

South West TAFE (SWTAFE or the 'Organisation') is committed to fostering a harmonious, fair, and equitable learning environment. This commitment extends to past, present, or prospective students, NDIS participants, and other internal or external stakeholders, ensuring we have access to clear and effective processes for resolving complaints.

SWTAFE aims to resolve complaints and appeals honestly, fairly and without bias. Wherever possible, complaints and appeals will be managed internally. SWTAFE actively seeks opportunities for continuous improvement and values all feedback as a means to enhance its services and practices.

The Complaints Resolution and Appeal Procedure outlines the structured steps for addressing complaints of a non-academic nature, ensuring each matter is handled consistently and thoroughly until resolution is achieved. In cases where a complaint involves behaviour that may constitute a criminal offence, SWTAFE will refer the matter to the appropriate authorities, including the police.

SWTAFE imposes no cost on the process of lodging a complaint. If a complainant chooses to seek an external agency for assistance or review, this may involve a fee for service. Any such fees are determined by the external agency and apply only if the complainant decides to engage their services.

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2. Principles

- SWTAFE is committed to ensuring complaint resolution processes are accessible, culturally safe, trauma-informed and inclusive of people of all genders, gender identities, sexual orientations, abilities, cultural backgrounds and life circumstances.
- SWTAFE has an obligation to resolve complaints as early and simply as possible.
- Every current, past or prospective student and other external party has the right to register a complaint or grievance about matters or issues relevant to their involvement with SWTAFE
- Any complaint will be considered with courtesy and respect and dealt with in a timely, fair and consistent manner.
- The views of each complainant and respondent will be respected, and any party to a complaint will not be discriminated against nor victimised.
- No person will be disadvantaged in accessing the complaints process because of their gender, gender identity, disability, age, cultural background, language needs, caring responsibilities or other personal characteristics.

3. Scope

The Complaint Resolution and Appeal Procedure applies to any current, past or prospective students, NDIS participants or other internal/ external parties of SWTAFE and is designed for the settlement of complaints of a non-academic nature. Complaints involving academic matters such as assessment or progression should be dealt with through the PPP140 Academic Grievance/Complaint and Appeal Procedure.

Concerns or suggestions regarding facilities, parking, or marketing practices can be raised by SWTAFE stakeholders without lodging a formal complaint by using SWTAFE's Online Feedback portal, available on the organisation's website. Alternatively, a paper-based feedback form is available at South West Central in Warrnambool, as well as at the Front Reception of each campus.

4. Definitions

Complaint resolution	The process by which complaints are acknowledged and an acceptable outcome agreed to by the parties involved.
Complainant	The individual who initiates the complaint resolution process by signing and lodging a complaint with a particular area of the organisation.
Complaint	A written or verbal notice of dissatisfaction with any service offered by the organisation that makes clear to the recipient that a direct, personal response has been requested.
Informal stage	Processes for dealing with the complaints directly between the parties involved, with no formal mediation
Formal stage	A sequence of mediated processes put in place to address a specific documented complaint.
Third party	An individual not directly involved in the complaint who helps facilitate the resolution process. This may include external representatives, but not legal representatives.
Cultural Support Person	An individual who provides cultural guidance, advocacy or support during a complaint process, including Aboriginal support staff, interpreters or community representatives where appropriate.
Supporter	An individual who provides personal support to a party involved with the complaint.

Gender Identity	A person's internal and individual experience of gender, which may or may not correspond with the sex assigned at birth.
Mediation	A structured negotiation process led by a neutral third party to help resolve an academic complaint acceptably for all parties.

5. Confidentiality

In seeking to resolve a complaint, either informally or formally, confidentiality will be maintained as far as legally possible. SWTAFE is bound by the requirements of the ***Privacy and Data Protection Act 2014*** **(Vic)** and ***Privacy Act 1988.***

SWTAFE will take reasonable steps to protect the privacy of individuals personal information, including gender identity, chosen name and pronouns, cultural background, disability status and any other sensitive information disclosed during a complaint process.

6. Key Roles and Responsibilities

Key responsibilities are detailed below:

Board	has responsibility for oversight and reviews the annual complaints and appeals report.
Chief Executive Officer	is responsible for ensuring that the complaints and appeals procedure and related systems are established, implemented and maintained in accordance with this procedure. The CEO is integral to the appeals process
Executive Managers	will oversee the formal stage of the complaint and may form part of the appeals process. They have responsibility for oversight and reviewing of complaint reporting.
Head of Division (Teaching) / Teaching Education Managers/ Teachers	Oversight of the informal stage and involved in resolving the complaint and ensuring remedies are implemented
Complaints Manager	Facilitates and coordinates the formal stage listed below. Regularly analyses complaints to see what is going wrong. Will maintain the complaint register and will provide an annual report to the Board on complaints and appeals received for the calendar year, identifying any trends or concerns. SWTAFE nominated Complaints Manager is the Audit and Compliance Officer.
Volunteer	Promptly report complaints, concerns and disclosures to an appropriate SWTAFE employee and comply with child safety, confidentiality and reporting requirements. Volunteers are not authorised to investigate complaints or determine outcomes.

7. Complaint resolution procedure

All SWTAFE stakeholders have access to processes through which complaints can be addressed. Throughout the complaint process, reasons for decisions and actions taken will be communicated to the complainant at any stage.

Both the complainant and the respondent have the right to be represented by a third party, such as a family member, friend, counsellor, or other professional support person if they wish. Legal representation is not permitted unless the complaint is escalated to an external body.

To protect privacy, written consent is required from any complainant aged 18 or over if a third party wishes to act as a nominated representative.

If the complainant is a minor, it is mandatory that they are accompanied by an adult support representative throughout all stages of the process, whether informal or formal. Ideally, this representative should be the minor's parent or guardian. No discussions regarding the complaint may occur without the presence of an appropriate representative, and all written communication must be directed to both the minor and their representative.

Volunteers who receive a complaint, concern or disclosure must promptly refer the matter to an appropriate SWTAFE employee for action in accordance with this procedure. Where the matter involves the safety or wellbeing of a child or young person, volunteers must immediately escalate the concern in accordance with SWTAFE's Child Safety and Wellbeing requirements. Volunteers are not authorised to investigate complaints or determine outcomes.

7.1 Informal stage

In the first instance, a complaint should be discussed as soon as possible with the person/s involved. However, if this is impractical, the complainant should make a complaint to the relevant Department Manager/Teaching Education Manager/Head of Division (teaching).

The Department Manager/Teaching Education Manager/Head of Division (teaching) will consider the complaint and attempt to reach a satisfactory resolution within 10 business days.

- Parties to the complaint are encouraged to resolve the grievance through open discussion with the person who is the subject of the complaint, or is responsible for acting on the complaint.
- Parties to the complaint can have a supporter assist and support them during discussions. An advocate, interpreter, support person, Aboriginal support representative, cultural support person or other reasonable support may be arranged where required.
- Informal feedback and complaints should be appropriately documented and shared with the Complaints Manager to support identification of recurring issues, trend analysis and continuous improvement activities.
- The parties to the complaint may choose to prepare and sign off on an agreed outcome.
- If there is no immediate resolution, a staff member may agree to support or mediate between the parties to the academic grievance.
- If the matter of the complaint is not resolved, and if the complainant wishes to take the matter further, the complainant should submit a formal complaint. SWTAFE will accept any form of formal notification. The methods of lodgement are:

  a) **Online Feedback Portal**
  The complainant can locate a Formal Complaints Form under the "Contact us" link on the SWTAFE website. The feedback will be sent to the Complaint Manager who will commence the formal stage.

  b) **Feedback Form**
  A feedback form is available at the Front Reception of each campus. Once completed, it should be placed in the Feedback Box or another designated secure location for collection by the Complaints Manager

  c) **Over the phone**
  A Formal complaint can be taken over the phone and passed onto the Complaint Manager to place on the Register and address with the Staff.

  d) **In writing**
  A Formal complaint may be placed in writing either through email or letter which will be passed onto the Complaint Manager

- At this point, the complaint will move to the formal stage for resolution.

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7.2 Formal Stage

If informal resolution efforts do not result in a satisfactory outcome, or if the complainant is dissatisfied with the decision made by the Department Manager, Teaching Education Manager, or Head of Division (Teaching), the matter may be escalated to a formal complaint.

Formal complaints must be submitted to the Complaints Manager. Upon receipt, they will notify the relevant Executive Manager. Together, they will assess the nature of the complaint, determine the appropriate response process, and appoint a suitable individual to oversee its resolution.

If the complaint concerns the performance or behaviour of a staff member, the Complaints Manager will advise the relevant Department Manager, Teaching Education Manager, or Head of Division, who will then inform the staff member involved. The People & Culture Manager or a nominee of the CEO may be engaged in any formal proceedings involving the staff member.

Responsibility for managing such complaints will transfer to the People & Culture Manager, who will ensure that all actions align with the Staff Code of Conduct and relevant Disciplinary Procedures.

Upon receipt of a formal complaint:

- The Complaints Manager will provide acknowledgement (in writing) of receipt of the complaint within two working days. A confidential file will be opened and maintained until resolution of the complaint is achieved. The complaint will be registered on the Complaints Register and be monitored throughout the process by the Complaints Manager.
- In situations where the complaint relates to NDIS supports and services that SWTAFE provides, the Complaints Manager can provide acknowledgement in easy English if required. An external advocate can be arranged for the complainant if required.
- For complaints involving a student or participant under the age of 18, the Complaints Manager will provide written acknowledgement to both the individual and their nominated representative.
- The Complaints Manager will ensure that the complaint is passed onto the appropriate personnel for review and investigated within 15 business days. In some circumstances, the investigation may take longer than 15 business days. In these situations, the Complaints Manager will communicate the need for additional time to the parties involved.
- In situations where the organisation considers more than 60 calendar days are required to process and finalise the complaint, written notification will be provided to the complainant including the reasoning why more than 60 days is required. The Complaints Manager and other Manager/s involved in the complaint will ensure that the relevant parties are continually updated on the progress of the matter.
- In situations where the complaint relates to purchasing or probity the organisation will inform the Victorian Government Purchasing Board (VGPB) if the complaint cannot be resolved to the satisfaction of both parties within five days.
- The Managers involved in resolving the complaint may choose to involve an internal or external mediator in order to resolve the issue, should the complainant approve of this.
- Any parties to a complaint may have a supporter assist and support them during resolution proceedings.
- Any person nominated in the complaint will be provided with written details of the allegation against them and will have the opportunity to respond before resolution is attempted.
- A complainant may withdraw their complaint at any stage or choose to have the complaint resolved informally.
- The relevant personnel conducting the investigation will be required to conduct interviews of relevant parties and maintain confidentiality.
- Personnel involved in complaint investigation are expected to apply principles of diversity, equality, inclusion, cultural safety and trauma informed practices when managing complaints.

- The relevant personnel conducting the investigation will recommend action for resolution to any parties to the complaint.
- Agreement on resolution of the complaint will be documented and sent to the Complaints Manager to be placed on the Complaints Register.
- The relevant personnel involved in the investigation will provide a written report detailing the process followed and resolution to the complainant and send to the Complaints Manager to be filed on the confidential file.
- The relevant personnel involved in the complaint will seek resolution of the complaint with the complainant.

8. Complaints Relating to Procurement

Complaints Related to Purchasing or Probity

In situations where a complaint concerns the organisation's purchasing practices or probity, the following process will apply:

1. **Initial Contact**

   The complainant should first engage in discussion with the manager responsible for overseeing the relevant contract. If the complainant remains dissatisfied with the outcome, a formal written complaint should be submitted to the SWTAFE Complaints Manager. The Complaints Manager, in collaboration with the appropriate Executive Manager, will manage and complete the complaint resolution process.

2. **Supporting Documentation**

   When submitting a formal complaint to the Complaints Manager, the complainant should include relevant supporting documents such as correspondence, contracts, and invoices related to the matter.

9. Appeals

9.1 Internal Appeals

If the complainant is not satisfied with the outcomes of the complaint, they may appeal to the CEO in writing within 21 days of receiving this advice.

- The CEO will authorise a review of the decision and will meet with relevant staff.
- The CEO may appoint an Executive Manager to undertake further investigations.
- The complainant is then advised of the outcome within 15 working days, all matters raised will be addressed in writing.
- The CEO determination in the matter will be final within SWTAFE's processes.

9.2 External Appeals

SWTAFE aims to resolve complaints and appeals honestly, fairly and without bias. Wherever possible, complaints and appeals will be managed internally. If the complainant is still dissatisfied or is unsatisfied with the fairness of the process, the complainant has the right to lodge a complaint externally with an appropriate Government authority. The following Government authorities can be utilised when lodging an external complaint and are a free service:

The Victorian Ombudsman

Address: Level 2 570 Bourke Street
Melbourne VIC 3000

Tel: 03 9613 6222 or 1800 806 314 (Regional)
Website: www.ombudsman.vic.gov.au
Email: ombudvic@ombudsman.vic.gov.au

The Victorian Ombudsman is an independent officer of the Victorian Parliament who investigates complaints about state government departments, most statutory authorities and local government.

Human Rights & Equal Opportunity Commission

Address: Level 3 204 Lygon Street
Carlton VIC 3053

Tel: 1300 891 848
Website: *www.humanrightscommission.vic.gov.au*
Email: complaints@veohrc.vic.gov.au

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body with responsibilities under three laws:

- Equal Opportunity Act 2010
- *Racial and Religious Tolerance Act 2001*
- Charter of Human Rights and Responsibilities.

National Disability Insurance Agency

Address: NDIS Quality and Safeguards Commission
PO Box 210
Penrith NSW 2750
Tel: 1800 035 544

Website: www.ndiscommission.gov.au/about/contact and complete electronic form

NDIS recommend that you call their complaints line directly on 1800 035 544. Even if you're not sure yet if you want to make a complaint, they can provide advice and information to help you decide what you want to do.

Victorian Government Purchasing Board (for complaints from external parties regarding Procurement)

Contact Details for The Chair VGPB
Victorian Government Purchasing Board
Department of Treasury and Finance
GPO Box 4379
Melbourne VIC 3001
Website: www.buyingforvictoria.vic.gov.au

Victorian Government Purchasing Board (VGPB). A complainant can refer a complaint to the VGPB for review if not satisfied with the actions of the organisation involved. Refer to buyingforvictoria.vic.gov.au for the specific process

1. The complainant must provide the following material to the VGPB:
    a. evidence that SWTAFE did not correctly apply supply policies in relation to a procurement activity;
    b. evidence that SWTAFE's complaint management procedures were not applied correctly;
    c. a copy of all relevant correspondence between the complainant and SWTAFE in relation to the nature of the complaint; and
    d. any additional material requested by the VGPB to assist it in its findings.
2. The VGPB:
    a. will inform SWTAFE and the complainant of its findings and any further action it intends to take in relation to the matter; can require the Accounts Officer within SWTAFE to audit its application of supply policies in relation to its procurement activity;
    b. can inform the Minister of its review of a complaint and advise the Minister of further action that could be taken; and
    c. note the outcome of a review in relation to any complaint in its annual report to Parliament.

3. In the event of a failure to resolve a complaint by a service provider, then the Executive Manager responsible for investigating the complaint must inform the VGPB within five working days.
4. Within its Annual Report, SWTAFE must disclose the following information in relation to each complaint received:
    a. the procurement activity to which the complaint relates; and
    b. the status of the complaint confirming whether it:
        - was resolved;
        - is still under investigation; or
        - could not be resolved

10. Withdrawal of a complaint

A current, past or prospective students or external party may withdraw a complaint or grievance at any time during the grievance resolution process and in this case the matter will be concluded and deemed to be resolved. If the original complaint or grievance was made in writing then the withdrawal must also be in writing to the relevant staff member or external entity who is handling the matter at the time the withdrawal is lodged.

11. Confidentiality and record keeping

Once formal complaint procedures are invoked, details of allegations and investigatory notes will be kept in confidential files. During the investigation process, these shall be kept separately from either the student or the staff member's P&C file.

SWTAFE will take all necessary steps to ensure that information regarding the complaint shall be disclosed only to those persons who have a right to the information by virtue of their role in the appeals process.

Following resolution of the complaint, records will be kept in accordance with Student Management Records Procedures and maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records upon written request. Where a complaint is proven, the outcome may be placed on the student's or staff member's P&C file.

12. Assistance with a complaint

In addition to external supports, SWTAFE staff are available to assist current, past or prospective students and other internal/ external parties with lodging a complaint.

Assistance may include but not limited to:

- Interpreter and translation services
- Cultural appropriate support
- Aboriginal Student Support services
- Disability Support
- Gender-sensitive Support arrangements

13. Reporting and monitoring

SWTAFE always look for opportunities for improvement and welcomes feedback from current, past or prospective students and other internal/ external parties. Improvements and agreed outcomes are monitored for effectiveness.

Any systemic issues identified, including those related to Child Safety, will be logged on the Continuous Improvement Register as soon as practical. These items may arise out of complaints, concerns or safety incidents.

SWTAFE Executive monitor the status of complaints through weekly meetings, and issues are discussed verbally. An annual report of de-identified information summarising complaint data is provided to the Board of

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Studies, Executive and the SWTAFE board. Complaints related to Free TAFE are reported to the DJSIR on a monthly basis.

SWTAFE may analyse de-identified complaint information to identify trends relating to gender, disability, cultural background, and other diversity characteristics where collection is voluntary, appropriate and lawful. These findings may be used to support continuous improvement initiatives.

Where a complaint is related to a purchasing or procurement activity the organisation must disclose in its annual report the following:

a. The procurement activity to which the complaint relates; and
b. The status of the complaint confirming whether it:
    - Was resolved;
    - Is still under investigation; or
    - Could not be resolved

14. Awareness and training

All policies, procedures and required documents and information relating to direct student services will be published on the SWTAFE website and will therefore be accessible to all members of the public and students regardless of the location of the campus at which the grievance has arisen, the student's place of residence or the mode in which they study.

Information will be available to staff from SWTAFE's intranet (ECHO) and will form part of staff professional development and staff induction. Any significant changes in this policy or process will be advised to staff through the SWTAFE staff newsletter, ECHO, and if appropriate, training workshops will be offered.

15. Diversity, Equity & Inclusion

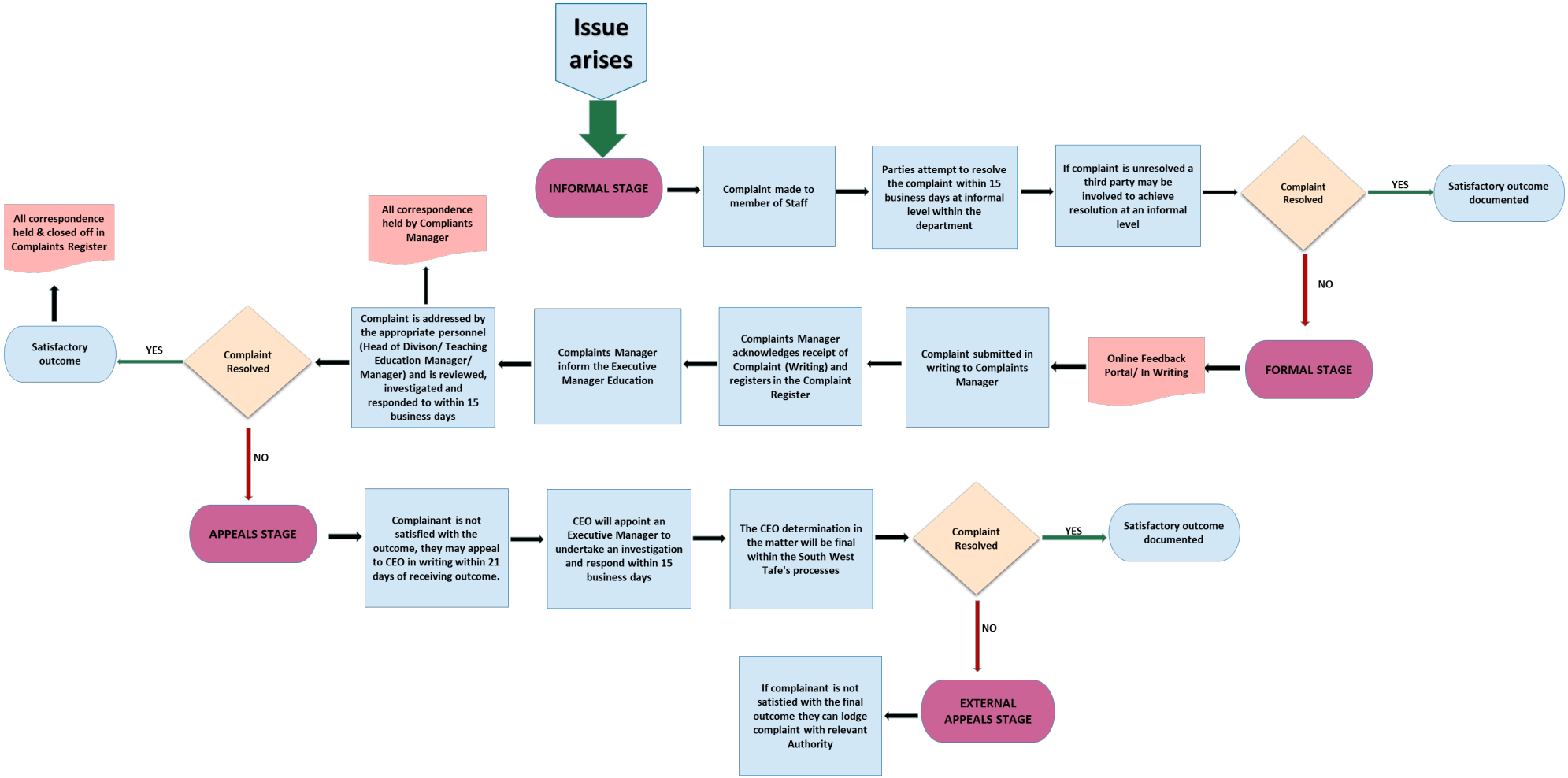
SWTAFE is committed to making diversity, equity and inclusion part of everything we do, including in the implementation of this policy/procedure/guideline. This document was the subject of a comprehensive access and equity assessment (also known as a Gender Impact Assessment), as per the requirements of the Gender Equality Act 2020 (Vic). For more information, please visit the 'Our Values' page on our website [external] website or the Diversity, Equity & Inclusion Homepage on ECHO [internal]. Diversity, Equity & Inclusion (DEI)
SWTAFE recognises that individuals may experience complaints processes differently based on their gender, gender identity, disability, cultural background, age, caring responsibilities or other intersecting characteristics. SWTAFE is committed to reducing barriers and promoting equitable participation in complaint and appeal processes.

16. Statement of Commitment to Child Safety

SWTAFE is committed to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of a Child Safe Program designed to keep children safe within our organisation. For Child Safe key documents, resources, contact officer details please go to: Child Safe Commitment

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