

Complaint management policy

This is a mandated policy under the operational policy framework and staff are required to adhere to the content. Any edits to this policy must follow the process outlined on the [creating, updating and deleting operational policies](#) page.

Overview

The Department for Education (department) promotes and values feedback and works to manage complaints to improve performance, systems and service delivery.

This policy aims to:

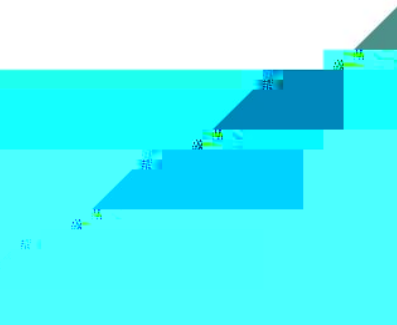
- ◀ ensure an open, accessible and transparent complaint management system
- ◀ ensure feedback, suggestions and complaints are managed effectively, fairly, confidentially and objectively
- ◀ inform and identify where service improvements can be made
- ◀ provide guidance on key principles and concepts of the complaint management system.

Scope

Complaints managed in line with this policy are those where the customer expresses dissatisfaction about the service or action of the department or its staff and is directly affected.



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workforce health and safety and duty of care obligations. There is a need to balance the right for someone to make a complaint with the rights of staff to safety and respect, and the rights of other customers to equal time and resources.

Defining unreasonable conduct

Unreasonable conduct is any customer behaviour which, because of its nature or frequency, raises substantial health, wellbeing, resource or equity issues for the department, staff, other service users or the customer themselves. Refer to [appendix 4 – unreasonable customer conduct](#) for the 5 categories of unreasonable customer conduct.

[Appendix 1 – complaint management and reporting](#) outlines how unreasonable conduct is managed by the department

Privacy

Principals, preschool directors, education directors, directors

Clearly communicate to staff their responsibilities and requirements, including policy and procedures, related to complaints and feedback.

Ensure that information about the complaint management system is easily accessible at school and preschools and data is reported annually and available on request.

Provide oversight to the operations of the complaint management system in their responsible business area/s. Consider data and systemic issues as part of strategic planning.

[State Records Act 1997 \(SA\)](#)

[Teachers Registration and Standards Act 2004 \(SA\)](#)

Related policies

[Aboriginal Education Strategy 2019 to 2029 \(PDF 6.6MB\)](#)

[Behaviour support policy \(PDF 165KB\)](#)

[Complaint management procedure \(PDF 199KB\)](#)

[Department of the Premier and Cabinet Circular PC012 – Information Privacy Principles \(IPPS\) Instructions](#)

[Employee complaints procedure \(PDF 421KB\)](#) (staff login required)

[Incident coordination: managing incidents of extreme severity procedure \(PDF 204KB\)](#) (staff login required)

[Information Sharing Guidelines \(ISG\)](#)

[Managing protections for teachers, staff and students procedure \(PDF 262KB\)](#) (staff login required)

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Version: 2.0

Approved by: Chief Operating Officer, Office for the Chief Executive

Approved date: 6 December 2019

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Version: 1.0

Approved by: Director, Customer and Information Services

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Amendment(s): Minor edit to reflect the repeal of the
and edits to update manager title to 'Customer Feedback'.

on 22 October 2018

Contact

Online form: [General Enquiries, Feedback and Complaints](#)

Email: education.customers@sa.gov.au

Phone: 8226 1000

Free call: 1800 088 158

Email: education.complaints@sa.gov.au

Free call: 1800 677 435

Appendix 1 – Complaint management and reporting

The 3 levels of complaint handling applied by the department

The department aims to resolve complaints at a local level with either the original decision maker or their line manager. Wherever possible, staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Level 1 – frontline complaint handling and early resolution

If a customer is not happy with a decision made or action taken by a school, preschool or corporate office they should first contact the original decision maker to discuss the matter and raise their concerns directly. This might be a Teacher, staff member, Principal or Preschool Director. This is often the quickest and easiest way to resolve a complaint.

Level 2 – central complaint resolution

If a customer is not satisfied that their complaint has been addressed after they have exhausted options at the school or preschool level and with the Preschool Director or Principal, the Customer Feedback Team is the next level contact.

The role of Customer Feedback is to give advice about the issues behind a school or preschool decision and to confirm if departmental policy and procedure has been followed. Customer Feedback liaise with schools and preschools to help all parties explore appropriate options for resolution. The Customer Feedback team are not a disciplinary or investigative body.

Customer Feedback aim to provide an outcome within 20 working days. Where this cannot occur due to the complexity of the matter or other extenuating circumstances, the customer is provided with regular updates.

If a complaint has been raised directly with the original decision maker in a corporate office and/or their line manager and the customer is not satisfied that the complaint has been addressed, the matter can be lodged with Customer Feedback for referral to the appropriate executive to action.

Level 3 –

Managing unreasonable conduct towards a school or preschool

If a customer's [unreasonable conduct](#) persists or becomes extreme, there are a range of options to manage the conduct towards school and preschool staff.

Depending on the severity and frequency of the behaviours, school or preschool actions can range from changing or limiting access to staff, students and school premises through to involving police. Unreasonable conduct includes bombarding staff with phone calls, visits, letters and emails after being requested not to.

Where steps to manage unreasonable conduct have been exhausted at a local level, education directors can contact the Manager, Customer Feedback for help. By negotiation, and depending on the circumstances and conduct, the Manager, Customer Feedback may consider:

- < providing specific education staff complaint handling training, and support tools
- <

< the duration and when the restriction will be reviewed.

Unreasonable conduct is defined in the [complaint management policy](#).

Appendix 2 – Complaints out-of-scope

The complaint management policy does not apply to matters that are subject to judicial determination, or determination by a statutory authority. This includes:

- ◁ child protection proceedings including court orders per the [Children and Young People \(Safety\) Act 2017](#)
- ◁ proceedings that have been brought before the [Equal Opportunity Commission](#) or the [Australian Human Rights Commission](#)
- ◁ matters that are under investigation by [Ombudsman SA](#).

Minister for Education, Training and Skills, Chief Executive or delegated authority

The policy does not apply to decisions by the Minister for Education, Training and Skills, Chief Executive or delegated authority, made under a legislative instrument. This includes exclu004 (Executi)2.996 (ve)-5 (or)JJETQq0 0 595

Appendix 3 – Internal and external review process for school or preschool complaints

If the complainant (the person that made the complaint) has exhausted all avenues to resolve their concern and is not satisfied that it has been sufficiently addressed or actioned, they may seek an internal or external review.

Internal review – summary of process

An internal review is an option available once Customer Feedback have finalised a complaint. In circumstances where you believe there was an error in dealing with the case, an application for an internal review can be made.

There are two stages to an internal review.

The first stage is to make application for an internal review (see [applying for an internal review](#)). Once a request for an internal review has been received, a senior officer will consider the matter to determine if:

- ◀ policy and procedure has been correctly applied with regard to the matter in question, and in accordance with this policy
- ◀ there is any additional new information required to better clarify the matter
- ◀ there was a potential error of judgement or assessment in the process.

If the officer determines that the matter has been assessed and reviewed fairly and in accordance with policy and procedure, you will be notified of this and the reasons why and the matter will be closed.

At this point, you will also be advised of your right to seek an [independent external review via the Ombudsman SA](#).

The second stage of internal review applies in cases where the senior officer determines that there may have been a potential error of judgement or assessment, policy has not been applied correctly or more information is required in order to make a more comprehensive determination.

You will be advised that an internal review report is to be prepared which can take up to 12 weeks (see [applying for an internal review](#) for more information about an internal review report process).

A customer feedback officer (a different officer to the one that made the original decision) will prepare a comprehensive report for consideration of a senior executive (often the Chief Executive). This report outlines a timeline of events and the policies and other documentation used as the basis for decisions made, as well as any other relevant documents, emails and material that helps provide a full evidenced based picture of the events and the final decision that was made.

During the preparation of the report, the officer may speak to a range of people involved in the matter including you to clarify issues or seek additional information where this is required. Relevant sections of the

sections of the report relating to any errors in judgement or areas for improvement are usually provided to parties to the matter.

If there are any recommended actions or amendments approved by the delegate regarding changes to the original decision, changes to policies, process or system improvements, they are communicated to all parties to the matter. Customer and

[process](#)) or the matter will progress to an internal review report

If progressing to an internal review report:

3. within 6 weeks – sourcing and reviewing all relevant materials such as emails, telephone calls, documents, decisions and processes. This may include speaking with people involved in the original decision
4. within 6 to 7 weeks – a draft copy of the report is prepared, and relevant sections may be sent to you and other parties to the matter for feedback/comment.
5. within 14 days after feedback on the draft report closes - the final report is prepared and forwarded to the relevant senior executive or chief executive
6. within 12 weeks – the outcome of the delegates decisions will be communicated to you and all parties to the matter.
7. throughout the period of review – progress updates of the review including notice of any unexpected delays will be communicated to you

Possible findings or recommendations from the internal review

After the internal review, possible findings or recommendations may include:

- ◁ a breach of policy or procedure is identified resulting in amendments or changes to practice. This outcome may require a fresh look at the original complaint in light of this resulting in a change to the original decision.
- ◁ there may be a statement confirming that the decision is upheld and that there were no errors of judgement
- ◁ an acknowledgement that the matter was handled appropriately, or alternatively that the matter could have been managed differently which may have been more appropriate to the situation although the outcome/decision would have been the same
- ◁ system improvements or improved communication and practice to reduce the risk of something similar occurring again.

Independent external reviews

Applying for an independent external review

If you have exhausted all avenues of the complaint management process with the department, or if you are not satisfied that your matter has been sufficiently considered and actioned, you may want to seek an independent external review.

Ombudsman SA

A complaint can be made about an administrative action or inaction by the department to the [Ombudsman](#).

[SA](#) (OSA). The circumstances of the complaint will influence whether the option of an external review is available. A formal complaint can be made to the OSA by phone or in writing.

Other options

Consider the following options if you are still dissatisfied with the outcome of your complaint.

< The

Appendix 4 – Unreasonable customer conduct when making a complaint

The Department for Education (the department) is committed to being accessible and responsive to individuals who wish to raise a complaint or provide feedback about our service delivery.

When an individual behaves unreasonably in their dealings with staff, it can compromise their ability to respond to a complaint.

The department will act to manage any conduct that negatively and unreasonably affects the ability of staff to perform their role in a safe environment. This includes all staff in schools, preschools, the Customer Feedback Team and the broader education department.

What is unreasonable conduct?

Unreasonable behaviour can be separated into 5 categories of conduct:

1. Unreasonable persistence

< an unwillingness or inability to accept reasonable and logical explanation

- ◀ emotional manipulation and stalking (online or in person).

Outcome of unreasonable conduct

Depending on the severity of the behaviour, unreasonable conduct can:

- ◀ change or limit your access to staff, students, school or preschool sites and department offices
- ◀ result in the issue of a warning or a prohibition on a school or preschool site
- ◀ result in police involvement.

Help for making a complaint

Here are some [tips on how to make a complaint](#).

If you need support to lodge a complaint, refer to [help to make a complaint](#) or contact Customer Feedback on 1800 677 435.