

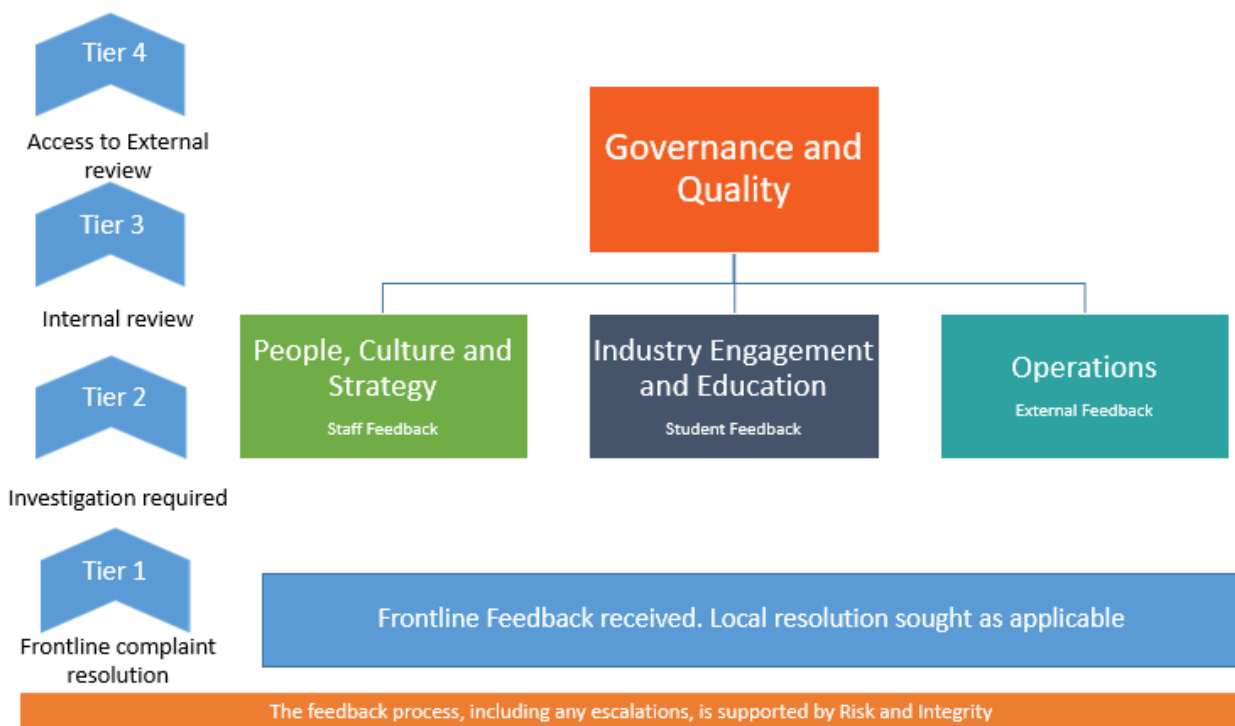


Bendigo Kangan Institute

Feedback Framework

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1.1 About Bendigo Kangan Institute

Bendigo Kangan Institute (BKI) is an independent statutory body established in 2014 pursuant to section 3.1.11 of the *Education and Training Reform Act 2006* (Vic)

BKI's functions include providing communities and industries with vocational, technical and further education programs and services, and to provide facilities or services for study, research and education.

BKI recognises providing feedback should be easy and that people have the right to lodge a complaint, as long as it is made in good faith. BKI uses feedback to learn about how people perceive our services and link those experiences into our continuous improvement efforts.

1.2 Introduction

BKI aims to be a 'safe space' to provide and welcome feedback in good faith, and without fear of retribution.

With reference to BKI's values, well-handled Compliments and Complaints demonstrate:

- *accountability* for decisions,
- a commitment to *collaboration* in achieving outcomes,
- *respect* for all customers, both external and internal,
- a *passion* for excellence,
- a commitment to high quality *client experience* and
- *integrity* leading to just and fair outcomes.

1.3 Scope and Application

This framework is modelled on the approach recommended by the Victorian Ombudsman in the September 2016 *Complaints: Good Practice Guide for Public Sector Agencies* of (i) **Enabling**, (ii) **Responding** and (iii) **Learning and Improving**.

BKI responds to feedback in accordance with this framework and supporting institute policies and procedures.

Allegations of suspected improper conduct or corruption must be made and responded to confidentially using the process in BKI's *Improper Conduct Policy*. Risk & Integrity is responsible for the assessment of all allegations of suspected Improper Conduct

1.4 What is a complaint?

BKI applies the following definition of "**complaint**", based on the Ombudsman's guidance:

an expression of dissatisfaction with:

- *the quality of an action taken, decision made, or service provided by an agency or its contractor*
- *a delay or failure in providing a service, taking an action, or making a decision by an agency or its contractor.*

2.0 BKI's Three Step



Adopted from the Victorian Ombudsman's publication, September 2016, "Complaints: Good Practice Guide for Public Sector Agencies of (i) Enabling, (ii) Responding and (iii) Learning and Improving."

2.1 Step 1 Culture of Enabling Feedback

Feedback is accepted using all communication channels which BKI regularly uses.

These communication channels include:

- Website / online forms
- in person
- telephone
- mail
- email
- social media

When providing feedback, people are asked to include:

- name and contact details
- details of what is their feedback is about and why they believe BKI has not met its commitments or obligations, if applicable
- the resolution or outcome the person is seeking

2.2 How does a person provide feedback?

Identified communication methods and points of contact	
CEO's Office Teaching Departments Student Support Services Social Media Email Letter Phone call In Person, Face to Fact Information hotline Compliments and Complaints link on website Feedback form – website Support portfolios	All feedback unless about terms and conditions of employment are allocated to the relevant delivery / support areas with guidance advice provided by Risk & Integrity. Risk & Integrity issues practice tools to support the business's consideration of feedback. All feedback about terms and conditions of employment will be forwarded to Human Resources

2.3 Where and how does feedback get triaged?

BKI maintains a network of staff across the organisation trained in considering feedback.¹

The different types of feedback, along with the staff member(s) who consider this feedback, are listed in the following table:

Type of feedback	Initial receipt and triage	Email contacts
Feedback relating to course/study (whether received from a student or other person)	<p>Feedback is triaged through BKI's complaint handling system. Staff who receive feedback from students are responsible for supporting students to complete a Feedback Form and / or entering the feedback direct into the feedback system (HEAT)</p> <p>The Curriculum Officer (Governance & Quality) provides administrative support.</p> <p>Risk & Integrity can provide advice on consideration of feedback against key frameworks. Risk & Integrity also provides practice tools to support the consideration of feedback.</p>	<p>CustomerFeedback@bendigokangan.edu.au</p> <p>riskandintegrity@bendigokangan.edu.au</p>
Supplier / commercial feedback (whether or not the person or organisation providing feedback is a BKI registered supplier / commercial partner).	Chief Operating Officer	Gfryer@kangan.edu.au
Privacy / data protection Feedback	Enterprise Assurance Lead / Privacy Officer – Risk & Integrity	<p>riskandintegrity@kangan.edu.au</p> <p>Further contact information accessible at https://staffportal.kangan.edu.au/BKIIIntegration/BPA/SitePages/Risk.aspx</p>
Improper Conduct (Note: sensitive complaints)	Integrity and Corruption Officer / Risk & Assurance	riskandintegrity@kangan.edu.au

¹ The roles within the organisation who have the skills to consider frontline compliments and complaints are: Directors, Education Managers, Lead Educators, Risk and Integrity team, recruitment and enrolment officers, Student Success Manager, Senior Human Resource Partners, Quality Resource Developers.

<i>e.g. mismanagement of public resources will be escalated as a priority)</i>	Manager – Risk & Integrity	Further contact information accessible at https://staffportal.kangan.edu.au/BKIIIntegration/BPA/SitePages/Risk.aspx
Terms and Conditions of Employment	HR Business Partner	Refer to assigned HR business partner
All other feedback	Initial assessment provided by Risk & Integrity to support triage.	riskandintegrity@kangan.edu.au Further contact information accessible at https://staffportal.kangan.edu.au/BKIIIntegration/BPA/SitePages/Risk.aspx

3. Step 2 Responding to Feedback

BKI adopts a 'Four Tier' Approach to considering feedback, addressed below.

3.1 Four Tiered Approach

The Four Tiered Approach can be varied for specific feedback depending on the nature of the feedback and where access, referral to or review by an external agency occurs at an earlier stage of the process due to legislative or other requirements.



Level 1 - Frontline resolution

Frontline staff are delegated the authority to resolve complaints wherever possible. Where a resolution involves spending funds, consultation is required with managers and Directors, as applicable.

Level 2 - Investigation

An internal investigation may be required where feedback presents complex or sensitive issues. Case by case assessments should be completed to inform whether an investigation is needed. As part of this assessment, Risk & Integrity can provide initial advice as to whether an investigation is warranted and if so, what the scope and methodology of the investigation should entail.

Level 3 - Internal Review

If a person is dissatisfied with the way feedback has been handled or things that the outcome is wrong, they can request an internal review. They can do this by contracting the Office of the Chief Executive Officer. The request is then referred to Risk & Integrity for initial assessment and allocation. As part of this process, Risk & Integrity may allocate the consideration of the review to staff outside an area to which feedback originates or conduct the review itself.

Level 3 and 4 – key considerations

Level Two investigations and Level Three internal reviews will generally ask the following questions:

- Was established procedure followed?

- Was the outcome fair in the circumstances?
- What should happen as a result, both in terms of an outcome for the person providing feedback\ and any desirable service changes?

Specific details for these stages are set out in the subsidiary policies to this overarching BKI Complaint Handling Framework, these being BKI Student Complaints Policy – in the case of student complaints, and BKI General (Non-Student) Complaints Policy – in the case of other customer complaints, supplier complaints, and internal complaints.

Level 4 – External review

At the conclusion of considering feedback, BKI provides the person who provided the feedback with information about their rights of appeal and/or review by external authorities. These bodies are listed under ‘*What external bodies may be able to assist or review the outcome?*’

3.2 How is feedback assessed?

All compliments are passed onto the relevant area for applicable recognition.

Feedback that constitutes a complaint is assessed using a four-tiered escalation approach promoted by the Victorian Ombudsman, unless the feedback is a report of suspected Improper Conduct. Suspected Improper Conduct are dealt with under the *Improper Conduct Policy and Procedure*.

BKI considers whether feedback can be triaged or whether a substantive assessment is needed, as follows:

Triage – Compliment	If the feedback is a compliment, include details of what the compliment is, thank the person for providing it and provide recognition to the relevant persons.
Triage – Service Solution <i>Note: Service solutions should be used where feedback provided is simple, not complex and non-contentious.</i>	Where there is a quick service solution to resolve all or some of the issues reflected in the feedback, BKI facilitates solutions and documents outcomes. Substantive assessments are conducted for remaining or unresolved issues. If the person providing feedback recontacts BKI about the same issue, a substantive assessment is completed using BKI’s <i>Complaints Tools</i> .
Substantive assessment	Substantive assessments are conducted where there is no simple or quick solution, where feedback is complex or contentious, or where there is a clear opportunity to learn and improve (ie, the issues reflected in the feedback does not appear to be isolated).

BKI considers feedback against our expectations as a vocational education provider and a public sector entity. Staff assessing feedback use the established assessment template to independently assess the merits of the feedback against the following categories:

Legal expectations:	Consider related legislative and policy obligations in reviewing the decision, action or practice under review and deciding whether escalation is needed internally. ²	BKI's decision, action or practice did not / did meet its legal expectations.
Reasonableness	Consider whether the decision, action or practice under review reflects common sense and flexibility to individual needs – for example, disability, exceptional circumstances.	BKI's decision, action or practice did not / did reflect common sense or flexibility to individual needs– for example, disability, exceptional circumstances.
Human rights, accessibility and equity	Consider whether any human rights are engaged or whether the decision, action or practice could reflect discriminatory, inequitable or inaccessible practices. Consider applicable policies and procedures.	BKI's decision, action or practice was incompatible / compatible with rights set out under the <i>Charter of Human Rights and Responsibility Act 2016 (Vic)</i> or could / could not be perceived as discriminatory, inequitable or inaccessible.
Procedural requirements	Consider the steps BKI is required (by law, regulation or policy) to take when making a decision, action or undertaking practice like the one under review, and whether any steps were taken that is outside of the process.	BKI's decision, action or practice did not / did reflect procedural requirements or steps were taken outside of established processes.
Service delivery / Communication	Consider: <ul style="list-style-type: none"> • the way a decision was made and the way we made a decision /took action • whether the decision/action was appropriately communicated and people impacted by the decision were offered an opportunity to provide feedback or comment as appropriate • whether BKI was open to feedback • whether action taken by BKI was proportionate, necessary and appropriate in the circumstances. 	BKI's decision, action or practice did / did not reflect good customer service or communication.

² For example: the feedback is that BKI did not assess a student's eligibility to participate in course, conduct a pre-training review sufficiently or accept a recognition of prior learning application in circumstances where it should of; the feedback is that BKI released information about a student to the wrong person.

3.3 Service Delivery

In the case of generic feedback, the specific timeframes for each tier referred to above vary depending on the circumstances and applicable obligations. These timeframes are specified in subsidiary policies to this overarching *BKI Complaint Handling Framework*, such as the *BKI Student Complaints Policy* – in the case of student complaints, and *BKI General (Non-Student) Complaints Policy* – in the case of other complaints, supplier complaints, and internal complaints.

Generally, BKI aims to:

- Acknowledge within 10 days, unless the complaint is urgent and needs a faster response.
- Action and resolve sensitive feedback within applicable timeframes (such as Child Safety, which requires a 48 hour consideration timeframe)
- Deal with straight forward complaints within 28 days
- Decide at 28 day mark whether escalation to Executive is needed.

3.4 Outcomes to feedback

The person assessing feedback should be empowered to decide whether our service delivery falls short of one or more of the above expectations. They should record what they think about the substance of the feedback and whether a remedy or improvement is needed. As part of deciding whether a remedy is needed, the person should consider what may have prompted the feedback and if it is a complaint, how similar complaints can be prevented in the future.

The possible outcomes in response to feedback are:

Confirm our decision / action	BKI reviewed the decision / action made and confirms that it supports our existing strategies, obligations and expectations.
Make new decision / retake action	BKI reviewed the decision / action made and agrees that the decision / action was wrong. It changes or proposes to change it decision or to take a different action
Practice change	BKI reviewed the decision / action and decides there is room for improvement. Feedback may have pointed to problems that are systemic (rooted in policy, procedure or practice). BKI commits to changing or improving a policy, communication, procedure or action.
Remedy to person providing the feedback	BKI reviews the decision / action and provides a specific remedy to the student. We should collect information about what remedy we provide to the student. For example, BKI provides the student a refund, change in placement condition or an apology.
Training to staff	BKI commits to train relevant staff in applicable expectations and practices.

3. What external bodies may review the outcome?

The external bodies which may review the outcome are outlined in the following table.

	External body	Websites
Student complaint relating	Victorian Ombudsman	https://www.ombudsman.vic.gov.au/

to course / study		Complaints@ombudsman.vic.gov.au
	VET Student Loan – Commonwealth Ombudsman	https://vet.ombudsman.gov.au/
	Australian Skills Quality Authority (ASQA)	https://www.asqa.gov.au/complaints/complaints-about-training-providers <u>Note: ASQA receives complaints from the public as intelligence only. This intelligence informs its regulatory effort. This means that it does not resolve individual complaints.</u>
	Department of Education and Training (Victoria)	https://www.education.vic.gov.au/about/contact/Pages/complaintslanding.aspx
	Victorian Registration & Qualifications Authority	https://www.vrqa.vic.gov.au/complaints/Pages/making-a-complaint.aspx
Other customer complaints	Victorian Ombudsman	https://www.ombudsman.vic.gov.au/
Supplier complaint	Victorian Ombudsman	https://www.ombudsman.vic.gov.au/
	Victorian Small Business Commissioner (Dispute Resolution)	https://www.vsbcc.vic.gov.au/
Privacy / Data Protection complaints	Office of the Victorian Information Commissioner	https://ovic.vic.gov.au/
Improper Conduct complaints	Victorian Ombudsman	https://www.ombudsman.vic.gov.au/
	Independent Broad-based Anti-corruption Commission	https://www.ibac.vic.gov.au/
Public Interest Disclosures	Independent Broad-based Anti-corruption Commission	https://www.ibac.vic.gov.au/
Equal Opportunity complaints	Victorian Equal Opportunity and Human Rights Commission	https://www.humanrights.vic.gov.au/
Human Rights complaints	Victorian Ombudsman	https://www.ombudsman.vic.gov.au/
Complaints about terms and conditions of employment	Fair Work Commission	https://www.fwc.gov.au/
	Fair Work Ombudsman	https://www.fairwork.gov.au/

4. Related Policies and Procedures

The specific categories, and the relevant policies, are shown in the following table. These policies provide a general indication and do not replace the need to take into account other overarching and relating policies. Staff assessing feedback should take into account the individual circumstances of the feedback and identify applicable obligations and frameworks. Consultation with Risk & Integrity is welcome to understanding relating policies and procedures and how they apply to feedback.

Complaint Category and Relevant Policy	
Privacy / Data Protection	Privacy Policy
VCAL / International / Corrections Students	Academic Governance Policies and Procedures
Improper Conduct	Improper Conduct Policy and Procedure
Complaints about Employment matters	Human Resources Policies and Procedures

5. Managing and Responding to Challenging Behaviour

The vast majority of people are reasonable in their dealings with BKI. However, a small percentage may exhibit challenging behaviour. Challenging behavior can present itself in many different ways, including:

- i. Unreasonable persistence
- ii. Unreasonable demands
- iii. Unreasonable lack of cooperation
- iv. Unreasonable arguments
- v. Unreasonable behaviors

The above behaviours may be caused by or contributed to by underlying mental health conditions. Where a disability or mental health condition presents as a contributor to challenging behavior, BKI has an obligation under the *Charter of Human Rights and Responsibilities Act 2006* (Vic) to ensure that any limitations or restrictions placed on people in the way they interact with BKI is reasonable and proportionate, while protecting the safety and wellbeing of staff and facilitating fair educational outcomes.

Staff dealing with people who demonstrate challenging behaviour are generally not professionally trained in mental health responses and are not expected to tolerate abusive behaviour. For strategies on how to engage with a people who may be exhibiting challenging behaviour and the options available, consultation with Risk & Integrity is welcome.

6. Step 3 – Recording and reporting: Learning and improving

BKI records and regularly analyses feedback, identifies trends, and revises its practices accordingly as part of its commitment to continuous improvement and innovation.

At a minimum, a six monthly report on the number of complaints received falling within each category, trends identified, and the resulting remedies and improvements³ is prepared by the *Risk & Integrity Team* for consideration by the Chief Executive and Board. The purpose of this reporting is to facilitate consideration of emerging themes and enable targeted decision-making regarding the allocation of resources and development of strategies and programs.

7. Reviewing this framework

BKI will review this framework, and the subsidiary policies relating to complaint handling, every three years, whenever relevant legislation changes, and whenever relevant material or guidance is released by the Victorian Ombudsman or other bodies.

³ Remedies and improvements refers to the outcome of feedback. This includes where BKI; confirms its decision / action, makes a new decision or retakes action, provides a specific remedy (such as an apology) or commits to changing its practice / training its staff.