

Receiving and Responding to Feedback (Compliments and Complaints)

1.0 Purpose

The Institute recognises providing feedback should be easy and that people have the right to raise concerns.

This procedure provides people and groups with a process to raise and resolve concerns promptly, fairly, and equitably, while applying principles of natural justice and protection from victimisation and discrimination.

The Institute will always consider feedback provided, regardless of who it is provided by or whether it is provided anonymously. It will, however, generally only communicate the outcome of feedback to the person the feedback relates. Feedback received is used to respond to concerns, address mistakes and improve Institute services.

2.0 Scope

This procedure applies to anyone who provides feedback to the Institute and sits alongside Bendigo Kangan Institute's internal *Feedback Framework*. Feedback can be provided to BKI by anyone, whether they are a student, member of the public, employee, contractor, 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*.

3.0 References

- Feedback Framework and Policy
- Privacy and Freedom of Information Policy
- Records Management Policy
- Code of Student Behaviour Policy
- Employee Code of Conduct
- Appeals Policy
- Assessment Appeals Policy
- VCAL Policy
- Student Welfare and Accessibility Policy
- ESOS Framework and CRICOS Registration Policy
- International Students Transfers between Registered Providers Policy
- International Student Management and Welfare Policy
- *Child Wellbeing and Safety Act 2005* (Vic); Child Safe Standards 5 and 7; Bendigo Kangan Institute Child Safety Policy
- Delegation of Authority Policy
- Wildlife and Small Institutions Animal Ethics Committee Procedures for complaints

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Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022 Page 1 of 18

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4.0 The Four Tier Approach

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

The Four Tiered Approach can be varied for specific feedback depending on the nature of the feedback and in response to legislative or other obligatory requirements.



The above tiers are detailed in the Institute's *Feedback Policy (Compliments and Complaints)*.

5.0 Confidentiality and privacy

All records relating to complaints are confidential and subject to the Institute's *Privacy and FOI Procedure*, which includes information about people can request access to information and records.

Receiving and Responding to Feedback (Compliments and Complaints)

6.0 Procedural Steps for Receiving and Responding to Feedback

No.	Phases and steps	Name of role who actions
1.	Receiving, recording and acknowledging feedback	
1.1	<p>The Institute accepts feedback across all communication mediums that are directed to a BKI staff member; telephone, face-to-face, online forums, email and letter.</p> <p>The Institute does not require a person to complete its online <i>Feedback / Complaints</i> form where they have individual circumstances that mean completing the form might be challenging for them. This might include people who are under 18 years' old, who have a disability, who are from a culturally or linguistically diverse background or are experiencing vulnerability.</p>	All Staff
1.2	When feedback is submitted via <i>Feedback / Complaints</i> form, an email is automatically generated acknowledging receipt of the complaint/feedback, providing a timeframe for a response and a reference number.	System generated
1.3	The Institute encourages feedback to be provided using the Institute's <i>Feedback / Complaints</i> form, available on its websites. If a person provides feedback and does not use the <i>Feedback / Complaints</i> online form, the Institute staff member dealing with the feedback will initiate the consideration of feedback by completing the online form.	Staff member receiving feedback
2.	Compliments: Initial Action, Recording and Processing of Feedback	
2.1	Share feedback with the relevant area and record via <i>Feedback / Complaints</i> form (if not already done by the person providing the feedback).	Employee receiving the feedback
3.	Emergency Services	
3.1	If there is a real possibility of immediate harm to a person or there is an emergency, it is expected that action would be taken immediately by contacting emerging services	Employee receiving the feedback

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 2 of 18

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4.	Allocating complaints																			
4.1	<ul style="list-style-type: none"> • In most cases, complaints are allocated to the area to which the complaint relates. This enables that area to consider how to resolve, investigate and remedy the complaint. • The senior leader of that area assigns an 'Allocated Officer' to consider and respond to the complaint. • Some complaints activate certain obligations and should be referred to specific internal areas. This does not mean the referred area responds to the complaint. These areas provide supporting advice and determine whether any issues need to be externally reported. <table border="0" style="width: 100%;"> <thead> <tr> <th data-bbox="386 758 781 821">Type of feedback (Complaints)</th> <th data-bbox="781 758 1263 821">Where it goes</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 856 781 905">Course / study / Student accessibility</td> <td data-bbox="781 856 1263 1024"> Relevant staff with decision-making authority, such as: <ul style="list-style-type: none"> • Teachers • Education Managers • Lead Educators • Directors </td> </tr> <tr> <td data-bbox="386 1100 781 1129"></td> <td data-bbox="781 1066 1263 1096">Consult with Student Services as appropriate.</td> </tr> <tr> <td data-bbox="386 1150 781 1199">Refunds / Certificates / VET Student Loans / Apprenticeship</td> <td data-bbox="781 1150 1263 1180">Office of the Registrar</td> </tr> <tr> <td data-bbox="386 1247 781 1295">Child-safety <i>Sensitive</i></td> <td data-bbox="781 1247 1263 1295">Student Services / Child Safety Officer</td> </tr> <tr> <td data-bbox="386 1344 781 1373">Supplier / commercial</td> <td data-bbox="781 1344 1263 1373">Chief Operating Officer</td> </tr> <tr> <td data-bbox="386 1430 781 1478">Privacy / data protection <i>Sensitive</i></td> <td data-bbox="781 1430 1263 1459">Governance, Risk and Compliance</td> </tr> <tr> <td data-bbox="386 1535 781 1612">Improper Conduct / SpeakUp <i>Sensitive</i></td> <td data-bbox="781 1535 1263 1583">Head, Governance Risk and reports Compliance</td> </tr> <tr> <td data-bbox="386 1646 781 1703">Complaints about an employee Terms and Conditions of employment</td> <td data-bbox="781 1646 1263 1738">Initial consultation with People Operations/ Business Partner required</td> </tr> </tbody> </table>	Type of feedback (Complaints)	Where it goes	Course / study / Student accessibility	Relevant staff with decision-making authority, such as: <ul style="list-style-type: none"> • Teachers • Education Managers • Lead Educators • Directors 		Consult with Student Services as appropriate.	Refunds / Certificates / VET Student Loans / Apprenticeship	Office of the Registrar	Child-safety <i>Sensitive</i>	Student Services / Child Safety Officer	Supplier / commercial	Chief Operating Officer	Privacy / data protection <i>Sensitive</i>	Governance, Risk and Compliance	Improper Conduct / SpeakUp <i>Sensitive</i>	Head, Governance Risk and reports Compliance	Complaints about an employee Terms and Conditions of employment	Initial consultation with People Operations/ Business Partner required	Quality Partner – Complaints management / Person receiving the feedback
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Version No: 3.3

Issue Date: 08 Jun 2022

Page 3 of 18

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4.	Allocating complaints	
4.1	Safety Head, Health Safety and Wellbeing	Quality Partner – Complaints management / Person receiving the feedback
5.	Withdrawing complaints	
5.1	If a person chooses to withdraw a complaint/feedback they are advised they are welcome to resubmit it if further issues arise in relation to the same or subsequent matters.	Allocated officer
6.	Decide on approach	
6.1	<ul style="list-style-type: none"> Decide on a Front-line resolution or Investigation response. Decide on whether any of the supports outlines in section 16 are necessary, including alternative dispute resolution Consult Governance Risk and Compliance if unsure. 	Allocated officer

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 4 of 18

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No.	Phases and steps	Name of role who actions
7.	Communicate with the person who provided the feedback	Allocated officer
7.1	<p>10 days or earlier:</p> <ul style="list-style-type: none"> Tell a person if their feedback will take longer than 10 business days to respond to, why and when they can expect to receive a further update. <p>At reasonable intervals and at least monthly</p> <ul style="list-style-type: none"> Provide updates at reasonable intervals (at least every 10 working days); tell the person when they can expect to hear from you and what the process looks like. <p>21 days:</p> <ul style="list-style-type: none"> Deal with and respond to straight forward complaints within 21 days. Decide at 21 days whether escalation or an investigation is needed. If a complaint remains unresolved at 21 days after submission, advise the person who provided the feedback that they can request an internal review. 	Allocated officer
8.	Assess Feedback	
8.1	<p>Triage: Simple non-contentious Complaints</p> <p>For simple complaints with a quick service solution, use the <i>Evaluation Tool</i> issued by Governance Risk and Compliance to:</p> <ul style="list-style-type: none"> Record what the complaint was about and any obligations it relates to The service solution that was provided to the person making the complaint. <p>The assessment of feedback must be professional, fair and transparent. Where a person makes a complaint, they will be able to share their experience and can use a support person.</p>	Allocated officer

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Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022

Page 5 of 18

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No.	Phases and steps	Name of rolewho actions
8.	Assess Feedback	
8.2	<p>Assessment: other complaints and remaining issues</p> <p>For non-simple complaints that cannot be resolved with a quick service response, use the <i>Evaluation Tool</i> to identify, assess and record:</p> <ul style="list-style-type: none"> Any compliance obligations the feedback relates whether BKI has acted lawfully, reasonably, flexibly where appropriate fairly, equitability and in accordance with procedural requirements whether BKI has met service delivery and communication expectations the underlying root cause to the complaint and whether the complaint was caused by people, systems, procedures, practices or a combination the outcome of the complaint; confirm decision / action as correct; make a new decision / retake an action; practice change; remedy to the person providing feedback. 	Allocated officer
9.	Anonymous Feedback	
9.1	Investigate anonymous feedback in the same way you would investigate feedback that is not anonymous as far as possible.	Allocated officer
10.	Rectification	
10.1	<ul style="list-style-type: none"> Implement countermeasures to correct the problem at root cause and notify relevant stakeholders. If the complaints process results in a decision or recommendation in favour of the person who made the complaint, implement the relevant action and advise the person who made the complaint of this action in writing / by email. 	Allocated officer engages internal stakeholders to facilitate

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 6 of 18

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No.	Phases and steps	Name of role who actions
11.	Closure	
11.1	<ul style="list-style-type: none"> • For complaints; provide the person an opportunity to comment or provide information before making a final decision that impacts them. • Provide information about what the Institute did in response to the feedback and what the outcome was, including any changes that made or intended to be made, subject to confidentiality. • Provide reasons for decisions made as a result of considering feedback. • Apologise where mistakes have been made and explain the steps that will be taken to remedy the mistakes. • Tell the person what their options to request an Internal Review or seek and External Review as per section 12 and 13. • Communicate outcome to person who provided the feedback, drawing upon the Institute’s <i>Feedback Communication Templates</i>, available in the intranet. • Provide a written record to the person who made the complaint of the decision made, reasons and internal / external review options within 10 days of an outcome being determined. 	Allocated officer
11.2	<ul style="list-style-type: none"> • Monitors progress and consideration of feedback • Record closure of a complaint in the system once satisfied the matter has been satisfactorily addressed. 	Quality Partner – Complaints Management
12.	Internal Reviews (appeals)	
12.1	<p>Requesting an Internal Review (appeal):</p> <p>A person who has made a complaint can request an internal review of a decision associated with the consideration of a complaint if:</p> <ul style="list-style-type: none"> • 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. <p>Requests for internal review can be made by contacting the Office of the</p>	The person who made the complaint

Executive Owner: Chief Governance and Quality Officer

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 7 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

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12.	Internal Reviews (appeals)	
12.1	<p>Chief Executive Office or expressing this request to a BKI staff member.</p> <p>A person requesting an internal review must make clear <i>why</i> they consider the person who considered their feedback has made the wrong decision. Grounds for internal review / appeal include:</p> <ul style="list-style-type: none"> • BKI policies and procedures were not followed and this resulted in a genuine disadvantage to a person subject to a decision • There is new information that could not reasonably have been provided at the time of the original decision and would probably have affected the decision • The decision is clearly wrong or the outcome is disproportionate • There was bias or a conflict of interest on part of the original decision-maker. 	
12.1	<p>Referring requests for internal review:</p> <p>Requests for internal reviews are referred to Governance, Risk and Compliance.</p>	Office of the CEO / Original allocated officer
12.2	<p>Assessing requests for Internal Review:</p> <p>Determines or delegate the determination of whether:</p> <ul style="list-style-type: none"> • An internal review is not necessary because the original complaint handling process is underway or a complaint handling process has not yet been initiated; refer the request to the relevant area for frontline resolution or investigation. • An internal review is not needed but the allocated officer should take further action. • There is grounds for an internal review. • Some other action is necessary. 	Head of Governance Risk and Compliance

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 8 of 18

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12.3	<p>Allocating internal reviews</p> <ul style="list-style-type: none"> Where internal reviews are conducted, they are allocated to an independent decision-maker who was not originally involved in the initial decision to which the complaint relates. This could be a different business unit or a different person within the same business unit that the complaint relates Where appropriate, Governance Risk and Compliance facilitates an internal review in response to a regulator enquiry 	Head, Governance Risk and Compliance
12.4	<p>Conducting internal reviews:</p> <p>The Internal Reviewer considers whether the original decision-maker:</p> <ul style="list-style-type: none"> identified and addressed all relevant issues and obligations sought and considered appropriate information applied relevant obligations, policies and procedures made the correct decision based on the Institute's obligations, policies and procedures adequately explained the decision to the person with the complaint <p>The Internal Reviewer also provides the person who made the complaint an opportunity to present additional information not already considered.</p> <p>At the end of an internal review, the Internal Reviewer may recommend:</p> <ul style="list-style-type: none"> reallocation of the complaint to the same or a different person for further action internal escalation of an issue no further action is needed; follow the <i>Closure</i> steps 	Internal Reviewer

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 9 of 18

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 10 of 18

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14.	Record keeping: All Feedback							
14.1	<p>For all aspects of the feedback process, compile relevant information including:</p> <ul style="list-style-type: none"> • the <i>Evaluation Tool</i>, • file notes and records of conversations • correspondence to and from the person who provided the feedback and any regulators, and • any other relevant information or evidence. <p>Save the information against the complaint file in the Institute’s complaint handling system. A written record of feedback received under this procedure and their outcomes are maintained for seven years.</p> <p>Note: the Institute adopts permission setting within its feedback register to maintain confidentiality and privacy in accordance with its obligations.</p>	Allocated officer						

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Version No: 3.3

Issue Date: 08 Jun 2022

Page 11 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

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15.	Continuous Improvement: Reporting and Monitoring	
15.1	<p>Where feedback identifies a need to improve an aspect of the Institute’s operations, policies or procedures, an action is registered on the Institute’s continuous improvement register and its implementation is monitored.</p> <p>Governance Risk and Compliance generates a quarterly report, with input from the Quality Partner – Complaints Management for the Executive team. This includes qualitative and quantitative insights on key themes and outcomes to inform opportunities for continuous improvement.</p>	Head of Governance Risk and Compliance
16.	Support Services	
16.1	<p>A person who provides feedback – or a BKI staff member that feedback relates - may appoint a support person to assist them through the process and provide them with moral and emotional support. BKI is committed to adopting reasonable adjustments to ensure persons with disability and specific needs can provide feedback and be heard.</p> <p>Advice and assistance in relation to a complaint or feedback may be sought at any time from the following:</p> <ul style="list-style-type: none"> • Governance Risk and Compliance • Child Safety Officer (under 18’s); see specifically <i>Child Wellbeing and Safety Act 2005</i> (Vic); Child Safe Standards 5 and 7. • Student Counsellor (NB: Counsellors cannot act as a third party, attend meetings, represent complainants or respondents). • Disability Liaison Officer. • BKI Teaching staff and or Lead Educators. <p>When considering feedback, an option to consider is engaging an external alternative dispute resolution provider to assist in resolving a complaint. Either party can request this via the Dispute Settlement Centre.</p> <p>On a case-by-case basis, the Institute will consider the engagement of an accredited arbitrator or mediator, to which all parties to the complaint must agree. Each party shall bear their own costs associated with bringing an optional support person to any alternative dispute resolution process. This dispute resolution process can be useful where, for instance, there is an ongoing relationship and/or where the cause of the feedback appears to be based on relationships, interpersonal interactions and/or communication.</p>	Allocated officer to consider the relevance of Support Services.

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022

Page 12 of 18

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Receiving and Responding to Compliments, Complaints and Feedback Procedure

7.0 Roles and Responsibilities

Role	Responsibilities
Allocated officer	<ul style="list-style-type: none"> Assess feedback using the Institute's <i>Evaluation Tool</i> Decide whether a complaint will be treated through front-line resolution or investigation. Decide on the outcome of the feedback in consultation with relevant stakeholders. Communicate with the person who provided the feedback throughout the process; explains the process, provides updates at reasonable intervals and advises of outcome. Draw upon <i>Feedback Communication Tools</i>. Save relevant records and information on the complaint file.
BKI employee receiving feedback	<ul style="list-style-type: none"> Encourage people to provide feedback using the Institute's <i>Feedback / Complaints</i> form available on its websites, where they are able. Where feedback is provided direct to a staff member, except in response to a survey, complete the online <i>Feedback / Complaints</i> form available on BKI's website. Feedback provided through surveys is aggregated and shared with the Executive. Where feedback provided in response to a survey relates to a specific staff member, course or team, this feedback is passed on directly to the relevant Head of Director unless it raises a sensitive issue (see 4.1).
Head of Brand and Acquisition	<ul style="list-style-type: none"> Make procedure available through publication in both the Student Handbook and on the Institute's websites: Bendigo TAFE Website: http://www.bendigotafe.edu.au/ Kangan Institute Website: https://www.kangan.edu.au/
Head of Governance Risk and Compliance	<p>In conjunction with their team:</p> <ul style="list-style-type: none"> Oversees the maintenance of this procedure. Provides guidance and support on complaint resolution and process. Develops business tools to support compliant resolution and continuous improvement. Facilitates quarterly thematic reporting. Monitors progress of action plans. Allocates internal reviews. Engages independent external reviewer and activates alternative dispute resolution processes, as relevant.
Senior leaders	<ul style="list-style-type: none"> Oversee the consideration and resolution of feedback allocated to area in accordance with this procedure. Assign an 'Allocated Officer' to the consideration of feedback.
Teaching Area	Maintain the students file and ensure that students are informed of the availability of policies and procedures as well as access to rights of review.

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No:3.3

Issue Date: 08 Jun 2022

Page 13 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

UNCONTROLLED IF PRINTED OR OBTAINED FROM ANY OTHER SOURCE.

Receiving and Responding to Compliments, Complaints and Feedback Procedure

Role	Responsibilities
Quality Partner – Complaints Management	<ul style="list-style-type: none"> Allocate feedback to relevant leaders for action based on the subject-matter of the feedback. Monitor progress against complaint resolution. Validate steps taken to resolve complaints Activate internal escalation of complaints to Governance Risk and Compliance at 21 days. Ensure relevant records are saved on complaint file.

8.0 Definitions

Word/Term	Definition
Complaint	<p>an expression of dissatisfaction with:</p> <ul style="list-style-type: none"> 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. <p><i>Examples of complaints include:</i></p> <ol style="list-style-type: none"> An issue arising from any decision, act, or omission which a person considers to be unjust, discriminatory, wrong or inconsistent with Institute policy or procedure. Concerns raised by a person who believes they are at a disadvantaged or impacted by a BKI decision or action. A concern about the conduct of a person and/or bullying behaviour. Concerns about the quality and / or accessibility of facilities, support services, curriculum, administrative procedures or decisions. Concerns about the handling of or access to personal information. Concerns about the terms and conditions of employment.
Compliment	An expression of praise, satisfaction or administration.
Feedback	Information about reactions to a product, a person’s performance of a task which is used as the basis for driving improvement. Feedback can come in the form of complaints or compliments.
Natural Justice	The ‘fair hearing’ and ‘no bias’ rules: all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right of representation by another person. A decision-maker in relation to their grievance should have no personal interest in the matter and should be unbiased in their decisions.

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No:3.3

Issue Date: 08 Jun 2022

Page 14 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

UNCONTROLLED IF PRINTED OR OBTAINED FROM ANY OTHER SOURCE.

Receiving and Responding to Compliments, Complaints and Feedback Procedure

Word/Term	Definition
Fair procedure	<p>By providing feedback, a person has the opportunity to share their experience and concerns. BKI commits to considering all feedback in good faith and being open to receiving and learning from feedback.</p> <p>Where feedback relates to a BKI staff member, the allocated officer will generally share the feedback to the staff member concerned. Exceptions to this include where feedback is sensitive, raises potential improper conduct or whether the allocated officer determines it inappropriate based on the individual circumstances. The purpose of sharing feedback is to ensure an allocated officer is fully informed and to provide all parties with an opportunity to be heard on the matter, before a decision is made.</p> <p>Before making a decision, the allocated officer considers all relevant information.</p> <p>Where an allocated officer proposes to make a decision that adversely impacts the person providing feedback or a BKI staff member, the officer will provide that person with an opportunity to be heard on the proposed decision, before it is finalised. The officer will exercise an open mind in determining whether additional information changes their decision.</p>

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022

Page 15 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

UNCONTROLLED IF PRINTED OR OBTAINED FROM ANY OTHER SOURCE.

Receiving and Responding to Compliments, Complaints and Feedback Procedure

9.0 Version Control and Change History

Ver.	Issue Date	Document Custodian	Description of Change	Approval Authority
1.1	18 Jul 2018	Manager, Academic Governance and Quality	Link to student complaints and grievance policy and minor update of changes.	CEO
1.2	13 Nov 2018	Manager, Academic Governance and Quality	Minor change of reference to Appeals Panel rather than Committee to align with policy.	Executive Director Education Studies
1.3	10 Dec 2018	Manager, Academic Governance and Quality	Minor changes to clarify the costs associated with complaints and link to forms on the website.	Executive Director Education Studies
2.0	28 Aug 2019	Chief Academic Officer	Include appeals to VRQA and include students in correction facilities.	Board of Studies
2.1	05 Feb 2020	Chief Academic Officer	Include international student complaints and appeals.	Board of Studies
3.0	19 Aug 2021	Chief Governance and Quality Officer	Aligned procedure to <i>Feedback Framework 2021</i> .	CGQO
3.1	18 Jan 2022	Head of Legal, Governance, Risk and Compliance	Changes throughout to increase clarity and include a specific section about Fair Procedure.	Chief Governance and Quality Officer
3.2	15 Mar 2022	Head of Legal, Governance, Risk and Compliance	Changes throughout to include child safety, animal complaints and fair procedure. Strengthened types of feedback and where types of feedback are referred to.	Chief Governance and Quality Officer
3.3	08 Jun 2022	Head of Legal, Governance, Risk and Compliance	Minor changes to section 4.1 to add complaints about and employee.	Manager Risk and Assurance

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022

Page 16 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

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Receiving and Responding to Compliments, Complaints and Feedback Procedure

10.0 Document Owner and Approval Body

Document Custodian	Approval Authority	Approval Date	Issue Date	Scheduled Review Date
Head of Governance, Risk and Compliance	Chief Governance and Quality Officer	16 Feb 2022	15 Mar 2022	15 Feb 2024
Head of Governance, Risk and Compliance	Manager Risk and Assurance	06 Jun 2022	06 Jun 2022	15 Feb 2024

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

Version No: 3.3

Issue Date: 08 Jun 2022

Page 17 of 18

TO OBTAIN THE CURRENT VERSION OF THIS DOCUMENT PLEASE REFER TO THE CONTROLLED DOCUMENT ON THE BENDIGO KANGAN INSTITUTE POLICY AND PROCEDURE PORTAL.

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