

## Feedback and Complaints Policy

### 1. Purpose

The purpose of this policy is to ensure that client feedback, including compliments, suggestions and complaints, contributes to the continual improvement of the TRBWA's service to the community, and that client feedback to the TRBWA is appropriately heard. This may include concerns raised by applicants and registrants during or in the context of case management of registration applications.

### 2. Scope

This policy applies to all staff and contractors performing duties which assist the TRBWA to fulfil its functions. It does not provide detailed advice as to appeals or external reviews of complaints about the administration of applications; neither does this policy provide provision for the handling of a ministerial.

### 3. Background

Client feedback, including compliments, suggestions and complaints, contribute to the accountability of the TRBWA's service to the public, assists with the continuous improvement of service delivery and helps to identify ways in which the TRBWA might better meet the needs of the community. Complaint handling standards in Australia include the Australian Complaint Handling Standard ISO AS10002-2006. Most Western Australian public sector agencies are also required to have a complaints management system in place, as required by Public Sector Commissioner's Circular 2009-27 – Complaints Management.

Registration with the TRBWA entitles teachers to teach in educational venues in Western Australia. The establishment of an internal mechanism for dealing with complaints regarding application processes needs to be viewed in the context of an applicant's right to review by the State Administrative Tribunal, of decisions pursuant to s.124 of the *Teacher Registration Act 2012* (WA) (Act).

In line with the TRBWA Privacy Policy, the TRBWA will ensure that the TRBWA's collection, use and disclosure of personal information are consistent with its obligations under the Act, the *Privacy Act 1988* (Cth) and Australian Privacy Principles.

When considering or acting upon feedback and complaints received, the Board must regard best interests of children as the paramount consideration.

### 4. Definitions

Client Feedback	An expression of satisfaction or dissatisfaction about the services or processes of the TRBWA, made to the TRBWA by, or on behalf of, an individual client, group, or member of the public.
Complaint	An expression of dissatisfaction about the services or processes of the TRBWA, where a resolution is explicitly or implicitly expected, made by, or on behalf of, an individual client, group, or member of the public.

Appeal	An appeal against a decision under s.124 of the Act). Appeals do not fall within the scope of this policy. Appeals must be made in the manner prescribed, via the processes established for the hearing of appeals against decisions made under that Act.
Reviewable decision	Per Section 124(2) of the Act  <b>reviewable decision</b> means a decision of —  (a) the Board to refuse an application by the person under Part 3 for the grant of registration; or (b) the Board to refuse an application by the person under Part 3 for the renewal of registration; or (c) the Board to impose a condition on the person’s registration under section 26 when granting or renewing that registration; or (d) the Board to impose, modify or cancel a condition under section 26 during the currency of the teacher’s registration; or (e) the Board to cancel the person’s registration under section 27; or (f) a disciplinary committee to make an order against the person under section 70; or the Board to make an order against the person under section 80.

## 5. Policy

The TRBWA’s handling of client feedback is based on the following principles:

- Client feedback helps us to review the performance of our service to the community.
- Complaints will be acknowledged, heard, and responded to as soon as practicable.
- Information about our handling of client feedback will be visible to the community.
- The personal information of clients, staff and contractors will be dealt with confidentially.
- The complaints process will be fair, transparent and capable of review.
- Information about the complaints process will be visible and accessible.
- The handling of a complaint under this policy shall not take away from the external rights of review to the State Administrative Tribunal where TRBWA decision-making has been completed in respect of a reviewable decision.

### 5.1 Client Feedback and Complaints

The TRBWA will seek to respond to client feedback and complaints, when a response is required or requested, at the earliest opportunity, through the delivery of an efficient, responsive and professional service to the community. Depending on the nature of the feedback or complaint, the kinds of direct responses available to client feedback and complaints as part of routine service delivery include:

- giving assistance in relation to a problem or query which prompted the contact
- providing information about the matter queried or of concern, and/or
- describing how similar feedback has been used to improve the TRBWA’s services.

If it is not clear from the terms of a client’s enquiry whether the comments, feedback or concerns directed to the TRBWA need to be dealt with as client feedback or complaint requiring

a formal response, CSOs can provide advice about the TRBWA's handling of client feedback and complaints. This would ordinarily be by reference to the TRBWA Complaints and Feedback section of the TRBWA website <http://www.trb.wa.gov.au/about-us/feedback>.

Although not every individual instance of client feedback or complaint received by the TRBWA will require a formal response, the TRBWA will seek to record, analyse, and report on client feedback and complaints, however received, as part of continuous improvement processes. Consistent with its commitment to continuous improvement, the TRBWA will also make opportunities available to officers to raise suggestions that could help to improve the client experience.

## 5.2 Feedback

Client feedback, including compliments and suggestions, can be provided to the TRBWA in several ways:

- By accessing the TRBWA Feedback Form on the TRBWA website [www.trb.wa.gov.au](http://www.trb.wa.gov.au)
- by email directed to [feedback@trb.wa.gov.au](mailto:feedback@trb.wa.gov.au)
- by phone on (08) 9230 0600
- by post to PO Box 1416, Osborne Park DC, WA, 6916
- in person at the TRBWA offices, Level 9, 20 Walters Drive, Osborne Park, WA, 6017.

There may be instances where a staff member needs to record a client's verbal feedback on their behalf, such as if the person for accessibility reasons cannot make use of a written feedback process. A copy of the feedback that has been transcribed will be provided to that person to ensure the feedback has been accurately recorded.

Not all individual instances of client feedback received by the TRBWA will require a formal response. However, the TRBWA will still seek to record, analyse, and report on client feedback, however received, as part of continuous improvement processes.

Staff members and contractors have a right to a safe working environment. If client feedback is expressed in a manner which is intimidating, or a cause of upset or offence, officers may conclude the contact.

## 5.3 Complaints

Client complaints are important in terms of TRBWA's accountability to the public and require acknowledgement and response, unless a client has expressly indicated a preference not to receive a response, or the complaint has been made anonymously.

Complaints can be provided to the TRBWA in several ways:

- By accessing the TRBWA Feedback Form on the TRBWA website [www.trb.wa.gov.au](http://www.trb.wa.gov.au)
- By email directed to [feedback@trb.wa.gov.au](mailto:feedback@trb.wa.gov.au)
- by phone on (08) 9230 0600
- by post to PO Box 1416, Osborne Park DC, WA, 6916
- in person at the TRBWA offices, Level 9, 20 Walters Drive, Osborne Park, WA, 6017.

Complaints to the TRBWA can be appropriately made in any of the following circumstances, where:

- a client has sought to resolve a concern by contacting our service delivery staff
- a client explicitly or implicitly is seeking a resolution to a concern
- a client would like their feedback to be identified as a complaint
- a client has a concern which is complex and may require more time to review
- a client has a complaint regarding the feedback and complaints process
- a client wishes to provide evidence in support of their complaint or their expected resolution
- a client would wish to be provided with information about avenues of complaint available once the TRBWA's internal handling of the complaint has been finalised.

There may be instances where a staff member needs to record a client's verbal complaint on their behalf, such as if the person for accessibility reasons cannot make use of a written complaint process. A copy of the complaint that has been transcribed will be provided to that person to ensure the complaint has been accurately recorded.

Staff members and contractors have a right to a safe working environment. If client feedback is expressed in a manner which is intimidating, or a cause of upset or offence, officers may conclude the contact.

#### **5.4 Complaints about the Administration of Applications for Registration**

Complaints regarding the administration of an application for registration must be made in writing by the complainant. Written records relating to the complaint should be held on the teacher's registration file. Having regard to accessibility requirements, and the effectiveness of this complaints process generally:

- a written complaint may be formulated by a TRBWA officer based on a verbal complaint by a complainant. In such cases, the written complaint formulated by the TRBWA officer should be sent to the complainant at the outset, to verify that it is a complete and accurate summary of the complaint; and
- complaints may be made by a third-party on behalf of an applicant, providing that the onus would then be on the TRBWA to establish at the outset that the applicant (by written consent) does not object to the TRBWA disclosing particulars of the administration of the application to that third-party.

#### **5.5 Process Summary**

TRBWA will seek to respond to feedback and complaints at the earliest practicable opportunity, with a level of formality that is consistent with the feedback or complaint.

Feedback and complaints received verbally or by email will be acknowledged within 3 working days or 5 working days if received by post (unless it is clear that the feedback or complaint would be unable to be acknowledged within that time).

Generally, the TRBWA will seek to respond to feedback and complaints within 20 business days. Expiration of this period of time, or the period of time for the acknowledgement of the feedback or complaint, will not be taken to invalidate the handling of the feedback or complaint. Rather, we will use these periods to evaluate the timeliness of our feedback and complaint handling.

## 5.6 Feedback and Complaints Data

All formal feedback and complaints received will be maintained in a Feedback and Complaints Register.

## 5.7 Reporting of Data

As a matter of course, statistical information about TRBWA's handling of client feedback and complaints will be reported to the Teacher Registration Board of Western Australia (Board). Under ordinary circumstances, no personal information (or information which tends to identify individuals) will be reported to the Board.

From time to time, non-identifying information that would assist people to understand how client feedback and complaints have resulted in improvements to TRBWA services or processes will be published to the TRBWA website. No personal information (or information which tends to identify individuals) will be published.

## 5.8 Other Applicable Policies or Processes

In certain cases other TRBWA procedures or practices may take precedence over this policy. Depending on the circumstances, the appropriate response to client feedback may be limited to giving advice about the relevant TRBWA policy, procedure or process.

### Appeals

One of the TRBWA's main functions is to register teachers in Western Australia who meet all legal requirements. There is a right of review for reviewable decisions under s.124 of the Act. This right of review does not fall within the scope of this policy.

### WA Ombudsman

The WA Ombudsman's responsibilities include investigation of the administrative practices of Western Australian agencies, including complaint handling practices. The WA Ombudsman's jurisdiction would not ordinarily extend to the hearing of complaints, where a right of appeal would be available to a Court or Tribunal.

In this context, the TRBWA's response to a complaint reviewed under this policy should observe the following principle at minimum concerning the communication of rights of external review at the completion of the complaint handling:

- if the application process in dispute would ultimately give rise to a reviewable decision, information should be provided to the effect that the TRBWA's administration of the application is reviewable by appeal to the SAT, once the reviewable decision relevant to the application has been made;
- otherwise, or as well, information should be provided about the role of the WA Ombudsman in the response to the complaint, the context of the role of the WA Ombudsman in hearing complaints about the administrative practices of public sector agencies, including complaint handling practices.

## Allegations about Teachers

Another of the TRBWA's main functions is to administer the disciplinary and impairment review processes described under the Act. Complaints about registered teachers are not heard under the TRBWA Feedback and Complaints policy.

All complaints about teachers should be directed to the:

Assistant Director, Investigations and Compliance  
Teacher Registration Board of Western Australia

- by post to: PO Box 1390, Osborne Park DC, WA, 6916
- by email to: [icb@des.wa.gov.au](mailto:icb@des.wa.gov.au)
- by telephone to: 08 9230 0601

## Allegations of Misconduct

The Department of Education Services (WA) is the employing authority for staff and contractors performing services which enable the TRBWA to fulfil its functions.

If as a result of our assessment of your complaint, we make a judgement that your complaint contains allegations about the conduct of a staff member or contractor performing services for the TRBWA, your complaint will be referred to the DES Executive Director, Corporate Governance and Strategic Resources, for further processing in a manner consistent with the DES Procedures Manual for Complaints about the Conduct of Staff and Contractors.

Written complaints about the department's staff and contractors should be sent to [complaints@des.wa.gov.au](mailto:complaints@des.wa.gov.au).

## Public Interest Disclosures

Making a complaint as a Public Interest Disclosure (PID) provides certain protections for those who are making a complaint, and for those who are subject to a complaint. However, in order for a complaint to be a Public Interest Disclosure, certain conditions need to be met.

You must contact one of our PID Officers before making a complaint as a Public Interest Disclosure, as making a PID brings additional responsibilities, as well as protections. We would like to take the opportunity to explain these matters to you. Details for our PID Officers can be found at <http://www.trb.wa.gov.au/about-us/feedback>.

## 6. Supporting information

- Complaints and Feedback Webpage – <http://www.trb.wa.gov.au/about-us/feedback>
- TRBWA Privacy Policy
- TRBWA Feedback Form
- Feedback and complaints Register
- Informal feedback tally sheet
- Informal feedback spreadsheet
- Responding to feedback and complaints flowchart

## 7. Change History

Approved	Version	Details	Approved By
08/10/14	1.0	Feedback and Complaints Policy	Board, TRBWA
24/03/15	1.1	Contact details updated	Director, TRBWA
Next Review Date		1 year from initial approval, then each 3 years	