Government of South Australia
Department for Education

Complaint management policy

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This document is mandated under the operational policy framework. Any edits must follow the process on the creating, updating and deleting operational policies page.

1. 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.

2. 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. This policy does not apply to complaints, grievances or employment related matters raised by current or former employees.

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3. Detail

The department maintains an effective and responsive customer feedback and complaint management system (CMS) to support consistent and high-quality management of feedback and complaints.

All complaints are taken seriously. When complaints are received, they are assessed, prioritised, documented and recorded. Resolution occurs at a local level (with the original decision maker) wherever able and as quickly as possible.

The department maintains good communication with customers throughout the process, including prompt acknowledgement, information about expected timeframes, outcomes and avenues of review. The department helps complainants to understand the basis on which a decision is made.

For specific requirements for schools and preschools about complaint management processes refer to:

- appendix 1: complaint management and reporting
- complaint management procedure (PDF 199 KB).

Schools and preschools must conform to this policy and the DPC Circular PC039 Complaint Management in the South Australian Public Sector.

A shorter version of this policy is available in draft on the simplified policies for schools and preschools page (staff login required), which schools can use and provide to parents and families.

3.1 Guiding principles

This policy is based on 7 principles:

3.1.1 Commitment

A commitment to resolving complaints and a culture that recognises an individual's right to complain. Feedback is valued on systems, service delivery, policies and staff. Complaint handling is focused on improvements, considering remedies to reaching a satisfactory outcome, possible review of policy and procedure, and not on assigning blame.

3.1.2 Accessibility

The provision of a complaints and feedback process that is culturally responsive, easily accessible and inclusive to everyone, particularly individuals who require assistance.

3.1.3 Transparency

How to make a complaint, where to complain and how the complaint is handled, is clear and publicly available.

3.1.4 Objectivity and fairness

Complaints are addressed with integrity, impartiality, within established timeframes, and assessed and prioritised in an equitable manner.

3.1.5 Privacy

Feedback and complaint information is handled according to DPC Circular PC012: Information Privacy Principles Instructions.

3.1.6 Accountability

Explanations are provided for decision making and complaint handling performance and subject to internal and external review processes.

3.1.7 Continuous improvement

Feedback and complaint data is acted on, learnt from and utilised to enable the identification of problems and the improvement of services.

3.2 Complaints out-of-scope

Where the complaint relates to a matter that is out-of-scope of this policy, the customer is advised and assisted to redirect their complaint to the appropriate authority or service.

This includes:

- employee disputes, grievances and staff conduct
- non departmental employees
- child protection matters
- private school issues.

More detailed information and who to contact in these cases can be found in Appendix 2: Complaints out-of-scope.

3.3 How to make a complaint to the department

The department endorses a 3-level approach to complaint handling recognised as best practice in the Australian Standard 10002:2022 Guidelines for complaint management in organisations (ISO 10002:2018, NEQ). Refer to raising a complaint with the department (PDF 232 KB) for a step-by-step process.

Appendix 1: Complaint management and reporting outlines the ways a complaint can be made about a school or preschool, types of support available and the role of Customer Feedback.

Complaints about a corporate office should be made directly with the decision maker or their manager. Customer Feedback does not resolve complaints related to a corporate office or staff member.

3.4 Managing unreasonable customer conduct

The department provides an inclusive and open customer feedback and complaint management process underpinned by the 7 principles outlined in the guiding principles section of this policy.

All customers are treated with fairness and respect. Behaviour that is aggressive, violent, disrespectful or abusive is not tolerated. The department will communicate with the complainant about how their

matter will be assessed, any assistance or information required to support the process, and the outcome of the complaint once complete.

Staff safety and wellbeing is paramount when dealing with unreasonable behaviour under the department's 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.

3.5 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.

3.6 Privacy

The department's disclosure of personal information is governed by the Government of South Australia's Information Privacy Principles Instructions (IPPs) and Information Sharing Guidelines (ISG).

In some instances when it is believed that a child or person is at risk of harm, information will be shared with third party service providers in accordance with the ISG and the Children and Young People (Safety) Act 2017.

When responding to a complaint, personal details or details of the complaint may need to be disclosed to other departmental staff on an as-need basis or to the Ombudsman SA on request. Only de-identified data is used for public reporting to protect the privacy of individuals.

4. Roles and responsibilities

4.1 Senior Executive Group

Promote a culture that values feedback and complaints and their effective resolution.

Ensure the department maintains an effective complaint management system.

Provide leadership and oversight to the complaint management system within their division, ensuring procedures and processes are in place and that all customer feedback and complaints are recorded, responded to and managed appropriately, and in a manner consistent with this policy.

Ensure escalation and internal review processes are in place within divisions.

Identify opportunities and systemic issues and implement corrective actions and improvements.

Provide central support and coordination for the department's complaint management system, including corporate policy, reporting and performance monitoring.

4.2 Principals, preschool directors, education directors, directors and managers

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 complaint 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.

4.3 Director, Customer and Information Services

Establish a robust process to manage, monitor and report on feedback and complaints managed by Customer Feedback. Monitor, review and evaluate this policy and ensure it is accessible to the public on the department website.

4.4 Manager, Customer Feedback

Provide high-level leadership, direction and effective operational management of the Customer Feedback team in managing school and preschool complaints and department feedback.

Liaise with key stakeholders on departmental complaint management practice.

Provide high-level complaint management policy and operational advice to executives, school and preschool leaders.

4.5 All staff

Ensure they are familiar with the policy and act accordingly.

Understand and comply with the department's complaint management system.

Help people who wish to make complaints, and record in line with local processes.

5. Definitions

Term	Definition
complaint management system	Encompasses all aspects of the policies, procedures, practices, staff and infrastructure used by the department in the management of complaints.
Complaint	A complaint is an expression of dissatisfaction made to or about an agency, relating to its products, services, employees or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.
Customer	Parent, carer or community member directly affected by a decision or action of the department.

Term	Definition
Customer Feedback	A central team that manages level 2 complaints related to schools and preschools received from a parent, guardian or community member who is directly affected by a decision or action taken and department feedback.
facilitated negotiation	Parties to a dispute identify the issues they want to negotiate. The Facilitator may advise on or determine the process of facilitation.
feedback	An opinion, comment or expression of interest or concern, made directly or indirectly to or about the agency, about its products, services, employees or its handling of a complaint. A response is not explicitly or implicitly expected or legally required. Feedback can be either positive or negative.
original decision-maker	The department employee who made the original decision.
Ombudsman of South Australia (OSA)	An independent agency that investigates complaints made about government agencies.

6. Supporting information

6.1 Forms and tools

Online form for general enquiries, feedback or complaints

6.2 Resources

Help to make a complaint

Raising a complaint with the department (PDF 232 KB)

6.3 Policies

Aboriginal Education Strategy 2019 to 2029 (PDF 6.6 MB)

Behaviour support policy (PDF 165 KB)

Complaint management procedure (PDF 199 KB)

Department of the Premier and Cabinet Circular PC012: Information Privacy Principles (IPPS) Instructions

Employee complaints procedure (PDF 421 KB) (staff login required)

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

Information Sharing Guidelines (ISG)

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

6.4 Legislation

Children and Young People (Safety) Act 2017 (SA)

Education and Children's Services Regulations 2020 (SA)

Education and Early Childhood Services (Registration and Standards) Regulations 2025 (SA)

Freedom of Information Act 1991 (SA)

State Records Act 1997 (SA)

Teachers Registration and Standards Act 2004 (SA)

7. Record history

7.1 Approvals

OP number: 036
File number: DE25/12852
Version: 2.7
Policy Officer: Senior Manager, Customer Feedback
Policy Sponsor: Director, Customer and Information Services
Senior Executive: Chief Operating Officer
Approved by: Director, Customer and Information Services
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7.2 Revision record

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Version: 2.6
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Approved date: 12 March 2024
Amendment(s): Updated hyperlinks and 'support for making a complaint' appendix incorporated with existing 'help to make a complaint' web page.

Version: 2.5
Approved by: Director, Customer and Information Services
Approval date: 27 June 2023
Amendment(s): Adjusted language for clarity and updated hyperlinks.

Version: 2.4
Approved by: A/Director, Customer and Information Services
Approved date: 24 August 2021
Amendment(s): Clarified the definition of the Customer Feedback Team.

Version: 2.3
Approved by: Director, Customer and Information Services
Approval date: 23 February 2021

Amendment(s): Added information about support persons and advocates into the 'support to make a complaint' webpage and updated hyperlinks.

Version: 2.2
Approved by: A/Director, Customer and Information Services
Approved date: 18 November 2020
Amendment(s): Updated hyperlinks and added policy version number to critical policy webpages.

Version: 2.1
Approved by: Director, Customer and Information Services
Approval date: 13 May 2020
Amendment(s): Edits to reflect new changes to the Act 2019 and Regulation 2020.

Version: 2.0
Approved by: Chief Operating Officer, Office for the Chief Executive
Approved date: 6 December 2019
Amendment(s): Added unreasonable conduct and guiding principles. New branding applied to document, published as page on department's public website. Edited for plain English in consultation with Communications directorate.

Version: 1.0
Approved by: Director, Customer and Information Services
Approved date: 25 October 2018
Amendment(s): Updated to reflect the repeal of the *Children's Protection Act 1993* on 22 October 2018 and changed Manager title to 'Customer Feedback'.

8. Contact

General Enquiries

Phone: 8226 1000

Portal: General Enquiries, Feedback and Complaints

Complaints

Free call: 1800 677 435

Portal: Lodge online via online feedback and complaints form

9. Appendix 1: Complaint management and reporting

9.1 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.

9.1.1 Level 1: frontline complaint handling and early resolution

If a complainant is not happy with a decision made or action taken by a school, preschool or corporate office they must 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. A member of leadership must be contacted at a school or preschool and had an opportunity to respond prior to raising with the department.

9.1.2 Level 2: central complaint resolution

Where all options for resolution have been explored at the school or preschool level including a member of leadership, Customer Feedback is the next level of contact.

The role of Customer Feedback is to give advice about the issues behind a school or preschool decision and to confirm if relevant departmental policies and procedures have been followed. Customer Feedback work with schools and preschools and relevant department areas to help all parties in exploring appropriate options for resolution.

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.

Customer Feedback are not a disciplinary or investigative body and does not manage complaints that fall outside the scope of schools and preschools

If a complainant has raised their concern directly with a corporate/education office and a manager or team leader or other relevant area of the department and remain dissatisfied with the response, the matter can be lodged with Customer Feedback for referral to the appropriate executive for escalation.

9.1.3 Level 3: external complaint resolution

Customers may seek an external review or advice from an independent body if all avenues to resolve the complaint have been used and the matter remains unresolved. An external review can be sought through the Ombudsman SA.

Refer to appendix 3: internal and external review options for school and preschool complaints for more details.

9.2 How to make a complaint or provide feedback to Customer Feedback

Anyone who has been affected by a decision or action at a school or preschool (including a failure to make a decision or act) can make a complaint.

You can lodge a complaint about a school or preschool to Customer Feedback:

- by phone, (free call 1800 677 435)
- in writing by using the online form

Refer to tips to make a complaint or give feedback to the department before making a complaint.

For more information refer to:

- make a complaint or give feedback about a school or preschool
- give feedback, compliments or suggestions about the department.
- raising a complaint with the department (PDF 232 KB).

Anyone can provide feedback to Customer Feedback about departmental services. All feedback, compliments or suggestions are passed on to the appropriate area or person. The difference between a complaint and feedback is outlined in our complaint management policy.

If you need help to make a complaint refer to help to make a complaint.

We accept anonymous complaints and feedback. If there is enough information, we will action and/or respond. However, if there is little information and no contact details, the matter may not be able to be followed up.

9.3 Reporting on performance

To measure the performance of the department, regular reports are gathered on:

- Level 1 complaints: principals, preschool directors and team leaders monitor and record complaint handling compliance, statistics and trends. Particulars of the volume, nature and results of complaint handling, including whether resolution occurred locally or was referred to Customer Feedback is reported annually by schools and preschools.
- Level 2 complaints: Customer Feedback provide a quarterly report to the department's Senior Executive Group and to relevant executives monthly. Customer Feedback complaint data is also published in the department's annual report.

An analysis of these reports is undertaken regularly to identify and monitor trends, review the quality of service and make improvements.

9.4 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 can include repeatedly contacting staff with phone calls, visits, 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

- guiding and supporting the school to manage ongoing communication and to assist with the development of communication strategies or a site managed communication restriction for a period of time.
- a once-off negotiation meeting facilitated by Customer Feedback staff (parties to a dispute identify the issues they want to negotiate or mediate) - the facilitator may advise on or determine the process of facilitation)

If schools and preschools need help with managing misbehaviour by persons on school or preschool premises, refer to the managing protections for teachers, staff and students procedure (PDF 262 KB).

9.5 Managing unreasonable conduct towards a corporate office

If there is unreasonable customer conduct towards staff, a staff member may:

- identify the unreasonable behaviour to the customer
- ask the customer to change their behaviour
- state the possible consequences if the behaviour continues (identify the limits)
- advise that a call or meeting will be terminated if the behaviour continues
- contact the police if needed.

If the unreasonable behaviour continues, the staff member will document the behaviour and advise their Line Manager or Leader. Depending on the severity and frequency of the behaviour, the Line Manager or Leader may consider changing or limiting access to the officer and/or corporate office.

All changes or restrictions to communication must be given in writing to the complainant, outlining the reasons for restriction. This must include:

- date
- time
- location and description of behaviour
- the duration and when the restriction will be reviewed.

Unreasonable conduct is defined in the complaint management policy.

10. 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.
- subject to civil litigation
- of managing school re-engagement processes. Refer to the attendance policy (PDF 666.7 KB) for more information
- regarding volunteers and service provider complaints,
- current or former employee disputes and grievances, or staff complaints of misconduct. These are managed through the employee complaints procedure (PDF 650.6 KB) (staff login required).

10.1 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 exclusions and expulsions, and control of trespass and misbehaviour on school premises as per the Education and Children's Services Regulations 2020. An appeal to the relevant authority may be made for exclusions and expulsions.

10.2 Non-Department for Education staff or bodies

The policy does not apply to non-Department for Education staff or bodies such as:

- governing and school councils or members (refer to the school level policy and procedure for more information)
- external agencies who may be using Department for Education premises.

10.3 Extreme incidents

Incidents categorised of extreme seriousness/severity are managed by the Incident Management Directorate (staff login required).

11. 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.

11.1 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).

If the senior officer or Manager determines that the matter has been assessed and reviewed fairly and in accordance with policy and procedure, you will be notified of this, 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 may be undertaken where the senior officer or Manager determines that there is evidence of a potential error of judgement or assessment, relevant policy or procedure may not been applied correctly or more information is required to make a more comprehensive determination The decision to proceed to a second-stage review must be endorsed by the Director, Customer and Information Services.

The final report of findings and recommendations is provided to the relevant senior executive or chief executive for endorsement. Relevant sections of the report relating to any errors in judgement or areas for improvement are usually provided to parties to the matter. Customer and Information Services will then follow up status and actions within an agreed timeframe to ensure any approved actions have been completed.

Once the final internal review report has been completed and relevant aspects communicated to all parties, you will be advised of your right to seek an external review via the office of the Ombudsman SA (see independent external reviews).

11.2 Applying for an internal review

You may request an internal review for up to 30 calendar days after Customer Feedback have advised in writing that a matter is finalised and no further evidence to support your matter has been submitted

You can request an internal review by completing an application for internal review (PDF 1 MB) and forwarding it to the Manager, Customer Feedback via the online feedback and complaint form. At the conclusion of submission, you can upload your application.

You need to:

- be specific about where you believe there is a breach of policy or procedure not previously identified

- explain why you believe there was an error in managing your case
- provide evidence in support of your request.

A request for an internal review:

- cannot be made solely because you are dissatisfied with the outcome
- is not a re-investigation of a matter already considered and closed if there is no new information/evidence.

11.3 Internal review report process

The internal review report process involves 7 steps. Aim to:

1. within 2 days: confirmation of receipt of the internal review request
2. within 7 days: a customer feedback officer will contact you to advise the outcome of the internal review request (i.e. the matter has been considered and will not progress further (see summary of 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

11.4 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.

11.5 Independent external reviews

11.5.1 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.

11.5.2 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.

11.5.3 Other options

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

- The Education Standards Board (ESB) is a State Government authority that regulates early childhood services and schools. If your complaint is in relation to compliance with the law, or you are unsure whether the ESB has the legislative capacity to respond to your complaint, contact them by email ESB.schools@sa.gov.au or phone 1800 882 413.
- If you want to work out if your complaint falls within responsibilities of the Teachers Registration Board (TRB) of SA, about conduct of a registered teacher, refer to the TRB complaint about a teacher information sheet found on the TRB web site. You can call them for an initial enquiry on (08) 8253 9700.

12. 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.

12.1 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 explanations including final decisions
    - bombarding staff with phone calls, visits, letters, and emails after being asked not to do so.
2. Unreasonable demands
    - issuing instructions or making demands to staff on how the complaint should be managed, its priority or the outcome that should be achieved
    - demanding services that can't be provided, when this has already been explained. For example revenge or punishment.
3. Unreasonable lack of cooperation
    - sending a constant stream of disorganised information without clearly defining the issues
    - providing little or no detail with a complaint
    - arguing frequently and with intensity that a particular solution is the correct one.
4. Unreasonable arguments
    - failing to follow a logical sequence
    - not supported by any evidence or based on conspiracy theories
    - false, malicious or inflammatory comments.
5. Unreasonable behaviours
    - swearing, yelling or derogatory, racist, sexist or defamatory remarks
    - harassment, intimidation, threats or violence
    - rude, confronting and threatening correspondence
    - emotional manipulation and stalking (online or in person).

12.2 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.

12.3 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.