

# Complaint Handling, Mediation and Advocacy

## Complaint Handling, Mediation and Advocacy

The South Australian Skills Commission (the Commission) provides a range of complaint handling, mediation, and advocacy services. The services are provided free of charge and are confidential and impartial.

The following parties may raise a complaint or dispute with the Commission:

- apprentices and trainees
- students (domestic or international)
- employers
- training and education providers
- parents or guardians or an apprentice or trainee, where applicable.

Traineeship and Apprenticeship Services, as the delegated regulator of the apprenticeship and traineeship system in South Australia, may also raise issues for dispute resolution where identified through the course of regulating the system.

## Accessing services

All parties accessing the Commission's complaint handling, mediation and advocacy services are expected to:

- attempt to resolve the matter with the other party, under the Commission's guidance and directions
- provide full contact details, including physical address, mobile number and email
- provide copies of relevant correspondence, documentation, and evidence to the Commission
- maintain appropriate contact with the Commission
- maintain confidentiality
- not disseminate information or advice provided by the Commission
- not misuse confidential information
- make and attend appointments, as required
- comply with any other requirement of the Commission in relation to the dispute resolution.

Complainants may request confidentiality, however the Commission will be limited in what action it can take in these circumstances.

## Complaint handling

The Commission will provide an independent complaint handling service and investigate complaints relating to the provision of apprenticeships and traineeships, vocational education and training, higher education, and international education.

The independent complaint handling process may include:

- an investigation of a complaint
- negotiation and mediation of matters arising out of a complaint
- making recommendations to the parties in relation to complaints
- notifying the parties of the outcome of the complaint within a reasonable timeframe.

## Advocacy

Whilst the majority of advocacy undertaken by the Commission involves speaking for and negotiating on behalf of individual students and apprentices or trainees, the Commission may also provide advocacy for employers and training and education providers where the matters relate to delivery of education and training or training contracts.

The Commission may also provide advocacy services for parties involved in proceedings before the South Australian Employment Tribunal (SAET).

## Mediation

Mediation aims to resolve disputes in a fair and timely manner and encourages all parties to act in good faith during discussions or negotiations in order to reach an outcome that is satisfactory for all involved.

Mediation services may arise from:

- a complaint
- training contract disputes (such as the termination or suspension of a training contract, or the substitution of an employer)
- disagreement between the parties in relation to the payment of a fee accompanying transfer of a training contract.

## Dispute resolution

Before assessing an application for the termination or suspension of a training contract, or the substitution of an employer in relation to a training contract, the parties to the contract may be required to undertake dispute resolution.

Refer to the [South Australian Skills Standards](#) for full details about complaint handling, mediation and advocacy.

To contact the Commission call **1800 006 488**, visit [www.skillscommission.sa.gov.au](http://www.skillscommission.sa.gov.au), or email [skillscommission@sa.gov.au](mailto:skillscommission@sa.gov.au)