

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, where applicable.

Traineeship and Apprenticeship Services, as the delegated regulator of apprenticeships and traineeships 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 verbally or in writing
- 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
- follow all reasonable instructions
- comply with any other reasonable requirement of the Commission in relation to the dispute resolution.

Complaints can be confidential, 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 or international education.

The independent complaint handling process may include:

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

Advocacy

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 organisations where the matters relate to delivery of education and training or training contracts, including by providing advocacy services for parties in proceedings before the [South Australian Employment Tribunal \(SAET\)](#).

Mediation

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

Mediation services may arise from:

- a complaint
- training contract disputes (such as termination, suspension or substitution of an employer)
- referral of a matter by an employer where an apprentice or trainee has been suspended for wilful and serious misconduct (see [Training Contract Suspension fact sheet](#) for more information)
- disagreement between the parties in relation to a substitution of employer transfer fee.

Dispute resolution

Before assessing an application for termination, suspension, or substitution of an employer in relation to a training contract, those party to the training 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, or email skillscommission@sa.gov.au