

Complaints management procedures

Complaints about a non-State school

Complaints about a non-State school's governing body

Complaints about an unaccredited school/place

Non-State Schools Accreditation Board



Queensland
Government

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PART 1 — PREAMBLES

1. Application of procedures

These procedures apply to complaints made to the Non-State Schools Accreditation Board (the 'Board') about a matter referred to in clause 5 below. They set out the way in which complaints must be made. They also set out the way in which the Non-State Schools Accreditation Board Secretariat (the 'Secretariat') administers complaints and how the Board deals with them.

2. Commencement

These procedures commenced on 1 January 2018.

3. Legislation

The *Education (Accreditation of Non-State Schools) Act 2017* (the 'Accreditation Act') and the *Education (Accreditation of Non-State Schools) Regulation 2017* (the 'Accreditation Regulation') establish a regulatory framework for the accreditation of non-State schools and the eligibility for government funding of governing bodies of accredited non-State schools.

PART 2 — MAKING COMPLAINTS

4. Subject matter of complaints

A complaint may be made to, or dealt with by, the Board only so far as the complaint relates to a matter set out in clause 5 of these procedures.

5. Basis of complaint and who may make a complaint

A complaint may be made to the Board about a matter relevant to:

- a non-State school or its governing body about the school's accreditation and the governing body's eligibility for government funding for the school; and
- contraventions of, or noncompliance with, the Accreditation Act, including a place being operated as an unaccredited school, or held out to be an accredited school when it is not an accredited school.

The complaint may be made by:

- a student who attends or who attended the non-State school relevant to the governing body;
- any person acting for, or in the interests of, a student mentioned immediately above;
- any person acting for, or in the interests of, the non-State school or the proposed non-State school;
- a person acting as a representative of another person, provided they are acting with the consent of the affected party; or
- any other interested person.

Under the Accreditation Regulation, all non-State schools must have, and implement, a complaints management process. This will be comprised of written processes about receiving, assessing, investigating and otherwise dealing with complaints made by staff, students or parents/guardians. Any complaints about non-State schools may be directed to the school in the first instance for action under this process.

6. Identity of complainant

A person making a complaint will be requested to give the Board:

- the person's name and address;
- any other information relating to the person's identity that the Board reasonably requires; and
- the outcome being sought.

The Board, however, will accept anonymous complaints and complaints from representatives (acting with consent on behalf of affected parties).

For anonymous complaints, should additional information be required to action the complaint, the absence of identifying and contact information may mean action cannot be taken.

7. Complaint may be made in writing or orally

A person may make a complaint to the Board:

- in writing, whether by submitting a document through the Board's website, by sending an email or through another form of communication; or
- orally, whether in person or by telephone or through another form of communication.

If a person makes a complaint orally, the Board may provide help to that person to make the complaint in writing.

The Board will provide all reasonable assistance, if required, to help complainants. This may include translator and interpreter services or services for people with hearing, vision or speech impairments.

8. Receiving complaints

A person lodging a complaint through the Board's website will receive an automatic receipt from the website.

All complaints will be acknowledged by the Secretariat in written form upon receipt, where contact details are provided. The acknowledgement will include information on timelines and the Board's contact details along with a link to the Board's website for further information.

PART 3 — CONSIDERATION OF COMPLAINTS

9. Assessment of complaints

The Board will assess the complaint based on the following:

- the content of the complaint;
- whether the complaint falls under the Board's jurisdiction under the Accreditation Act;
- the evidence submitted in support of the complaint; and
- any relevant Board records.

If the Board needs more information from the complainant or another person or entity to properly assess a complaint, the Board is to seek the information as soon as practicable.

10. Action following assessment

After assessing a complaint, the Board must, at its discretion, take one or more of the following actions:

- seek to resolve the complaint in a way the Board considers appropriate;
- investigate the complaint;
- refer the complaint to another government agency responsible for regulating the matter, or another appropriate entity that has jurisdiction in respect of the subject matter of the complaint; or
- decide to take no further action.

11. Grounds for not dealing with complaint

The Board must not deal with a complaint, or continue dealing with a complaint, if the Board is satisfied of any of the following:

- the complaint does not fall within the Board's jurisdiction;
- the complaint is trivial, frivolous or vexatious;
- the complaint is not made in good faith, or lacks substance;
- the subject matter of the complaint has already been adequately dealt with by the Board;
- any dealing, or further dealing, with the complaint is unnecessary; or unjustifiable in all the circumstances of the case; or
- the complainant has failed, without reasonable excuse, to cooperate satisfactorily with attempts made or arranged by the Board to resolve the complaint.

The Board may decide not to deal with a complaint, or may stop dealing with a complaint, if:

- the complainant does not comply with a request by the Board for information about the complaint;
- the complainant withdraws the complaint;
- the subject matter of the complaint:
 - is before, or has already been decided by, a court, tribunal, inquest or like entity established at law; or
 - is, or has been, otherwise the subject of legal proceedings; or
- the Board considers it would be inappropriate to deal with, or continue to deal with, the complaint, having regard to:
 - the resources available to the Board to deal with the complaint; or
 - the relevance of the subject matter of the complaint to a matter set out in clause 5 of these procedures.

If the Board decides:

- not to deal with a complaint; or
- not to continue dealing with a complaint;

and the Board knows the name and contact details of the complainant, the Board must give written notice of the decision, and the reasons for the decision, to the complainant as soon as practicable.

PART 4 — INVESTIGATING COMPLAINTS

12. Board may investigate a complaint

The Board may investigate a complaint after assessing it under these procedures.

13. Procedure

Subject to the Accreditation Act and these procedures, the Board may conduct an investigation in the way the Board considers appropriate.

The Board, when conducting an investigation:

- must act as expeditiously as possible;
- may inform itself on any matter relevant to the investigation in any way it considers appropriate; and
- must comply with the principles of procedural fairness and natural justice.

14. Action following investigation

After investigating a complaint, the Board must take one or more of the following actions:

- decide to take no further action;
- make a recommendation to any party to the complaint that the Board considers appropriate in the circumstances; and/or
- deal further with the matter under an authority conferred on the Board by the Accreditation Act.

15. Review

If a person making an enquiry or complaint to the Board is dissatisfied with the Board's response, they may lodge a complaint with the Board about the decision or they may refer the matter to the Queensland Ombudsman.

PART 5 — IMPLEMENTATION

16. Staff training

All Secretariat staff will receive internal training on induction and at least once a year on the Complaints Management System or specific aspects of it.

External training will also be provided, as required, in areas relevant to the Complaints Management System.

17. Reviews and updates

These procedures are to be reviewed at least each three years.

Any changes to these procedures must be approved by the Board.

Secretariat staff will be notified when any changes are made.