

Non-State Schools Accreditation Board Complaints management procedures

Complaints about the Non-State Schools Accreditation Board,
Non-State Schools Eligibility for Government Funding Committee,
other Committees of the Board, Members of the Board and
Committees, and Authorised Officers

Effective 3 August 2006
Updated 4 June 2015

Ref: 11/364101

Table of Contents

PART 1—PREAMBLES	3
1. Application of procedures.....	3
2. Commencement.....	3
3. Legislation	3
PART 2—MAKING COMPLAINTS	3
4. Subject matter of complaints	3
5. Basis of complaint and who may make a complaint.....	3
6. Identity of complainant	3
7. Complaint may be made in writing or orally.....	3
8. Receiving written complaints.....	4
9. Receiving oral complaints	4
PART 3—CONSIDERATION OF COMPLAINTS.....	5
10. Assessment of complaints	5
11. Action following assessment.....	5
12. Grounds for not dealing with complaint.....	5
PART 4—INVESTIGATING COMPLAINTS	6
13. Board may investigate a complaint	6
14. Procedure	6
15. Action following investigation	6
16. Review	6
PART 5—REGISTER OF COMPLAINTS AND OUTCOMES	6
17. Register of complaints and outcomes to be kept	6
18. Analysis of data.....	7
PART 6 – IMPLEMENTATION.....	7
19. Staff training.....	7
20. Reviews and Updates	7

PART 1—PREAMBLES

1. Application of procedures

These procedures apply to complaints made to the Non-State Schools Accreditation Board (the “Board”) in relation to:

- (1) the Board;
- (2) the Non-State Schools Eligibility for Government Funding Committee (the “Funding Committee”);
- (3) another committee of the Board (a “committee”);
- (4) a member of the Board, the Funding Committee or a committee (a “member”); or
- (5) an authorised person within the meaning of that term in the [Education \(Accreditation of Non-State Schools\) Act 2001](#) (the “Act”).

These procedures set out the way in which complaints must be made and the way in which the Board deals with complaints.

2. Commencement

These procedures commenced on 3 August 2006 and were reviewed on 4 June 2015.

3. Legislation

The [Act](#) and the [Education \(Accreditation of Non-State Schools\) Regulation 2001](#) (the ‘Regulation’) establish a regulatory framework for the accreditation and government funding of Queensland’s non-state schools. The legislation commenced on 1 January 2002.

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) a decision, or failure to make a decision; or
- (b) an action, or failure to take action;

of an entity as set out in clause 1 of these procedures, for which a person is not entitled to receive an information notice for a decision under the [Act](#).

The complaint may be made by:

- (a) the chairperson of a governing body of a non-state school;
- (b) the principal of a non-state school; or
- (c) any other interested person.

6. Identity of complainant

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

- (a) the person’s name and address; and
- (b) any other information relating to the person’s identity that the Board reasonably requires.

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

7. Complaint may be made in writing or orally

A person may make a complaint to the Board:

- (a) in writing, whether by submitting a document, by sending a facsimile, through the Board's website, by sending an email or through another form of communication; or
- (b) 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 written complaints

A person lodging a complaint through the Board's website will automatically receive an acknowledgement with a unique identification number. The acknowledgement will contain information on timelines, processes and the Board's contact details.

All other written complaints will be acknowledged in either written form or over the telephone. The acknowledgement will include information on timelines, processes and the Board's contact details.

All complaints received will be logged in the Board's database.

9. Receiving oral complaints

The officer receiving the complaint should:

- (a) request the name and contact details of the complainant;
- (b) point out that it is open to the person to submit a complaint in writing, and that submitting a complaint in writing will minimise the possibility of any miscommunications;

- (c) communicate effectively by:
 - (i) giving brief, noncommittal and non-judgmental responses to the person;
 - (ii) being attentive to what the person is saying;
 - (iii) being careful not to interrupt the person;
 - (iv) eliciting clear, accurate and factual information from the person, and seeking a submission from the person of any material relevant to the complaint;
 - (v) acknowledging the person in a way that invites the communication to continue; and
 - (vi) adopting language which is neutral, for example, using expressions like "tell me more about it" as an invitation to the person to say more;
- (d) not get involved in a disagreement or an argument with the person, or pass judgement on the complaint being raised by the person;
- (e) not interrogate the person or give the person advice, guidance, direction or counsel;
- (f) be disengaged from the matter or issue forming the complaint;
- (g) inform the person about the process involved, including timeframes; and
- (h) log the conversation on the Board's database.

PART 3—CONSIDERATION OF COMPLAINTS

10. Assessment of complaints

- (1) The Board must assess the complaint:
- (a) if the Board seeks more information under subclause (2) of this clause — within 35 days of obtaining the information;
 - (b) otherwise — within 35 days of receiving the complaint.

(2) 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.

The Board will assess the complaint based on the following:

- (a) the content of the complaint;
- (b) the evidence submitted in support of the complaint; and
- (c) any relevant Board records.

11. Action following assessment

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

- (a) seek to resolve the complaint in a way the Board considers appropriate;
- (b) investigate the complaint; or
- (c) decide, under clause 12 of these procedures, not to deal with the complaint.

12. 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:

- (a) the complaint is trivial, frivolous or vexatious;
- (b) the complaint is not made in good faith, or lacks substance;

- (c) the subject matter of the complaint has already been adequately dealt with by the Board;
- (d) any dealing, or further dealing, with the complaint is unnecessary; or unjustifiable in all the circumstances of the case; or
- (e) 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:

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

If the Board decides:

- (a) not to deal with a complaint; or
- (b) 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

13. Board may investigate a complaint

The Board may investigate a complaint after assessing it under clause 10 of these procedures.

14. Procedure

Subject to the [Act](#) and these procedures, if the Board decides to investigate the complaint, it shall appoint an investigator.

The appointed investigator should be:

- (a) senior to the original decision maker;
- (b) have no prior involvement;
- (c) have no conflict of interests; and
- (d) have suitable experience; and knowledge to conduct the review.

When an investigator is appointed, the Board shall:

- (a) provide the investigator with details of the complaint to be investigated and the timeframe which the Board considers appropriate for the completion of the investigation;
- (b) notify the complainant that an investigator has been appointed. This notification must include information on the process, expected timeframe, frequency of progress updates and the Board's contact details; and
- (c) provide the person or body whose decision or action is the subject of the investigation with details of the complaint and advise that an investigator has been appointed to investigate it.

For the purposes of investigating a complaint, the investigator shall act independently, based on information and evidence obtained during the course of the investigation and shall use his/her own knowledge and expertise in assessing the complaint.

15. Action following investigation

- (1) At the completion of the investigation, the investigator shall submit a report to the Board for its consideration.
- (2) After considering an investigator's report, the Board may resolve to take such action considered necessary to resolve the matter, having regard to the [Act](#), including the making of any recommendations. The Board will then advise the complainant and the person or body whose decision or action was the subject of the complaint. This advice will include any decisions taken and reasons for them.
- (3) Before taking any such action or making any recommendation, the Board shall provide any person or organisation whose interests are likely to be affected with an adequate opportunity to respond to matters raised in the report.

16. Review

If a person making an enquiry or complaint is dissatisfied with the Board's response, they may refer the matter to the Ombudsman, other than where the person making the enquiry or complaint is a person dissatisfied with a decision of the Board which is subject to review under chapter 4 of the [Act](#).

PART 5—REGISTER OF COMPLAINTS AND OUTCOMES

17. Register of complaints and outcomes to be kept

The Board must keep a register of complaints and outcomes.

The register must contain each of the following details for a complaint:

- (a) the name and contact details of the complainant (if known);
- (b) the date on which the complaint is made under clause 7 of these procedures;

- (c) the name of any person/body that is the subject of the complaint;
- (d) a brief description of the complaint;
- (e) any action taken by the Board under clause 11 of these procedures after assessing a complaint;
- (f) if the Board decides not to deal with the complaint under clause 12 of these procedures — the ground(s) under that clause on which the Board makes that decision;
- (g) if the Board decides to investigate the complaint:
 - (i) the date on which the Board made that decision; and
 - (ii) the name of the person appointed to conduct the investigation; and
- (h) a brief description of the outcome of the complaint.

18. Analysis of data

Analysis of data will be completed and reported to the Board at least on a quarterly basis. Data will be collated as per clause 5 of these procedures and analysed to give information on trends and areas of concern. This will be used to identify areas of business improvement and make appropriate recommendations.

PART 6 – IMPLEMENTATION

19. Staff training

All intake officers will receive internal training 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 (for example privacy). New officers will receive training as part of the induction process.

20. Reviews and Updates

These procedures, and all elements of the Board's Complaints Management System, are to be reviewed every three years and updated as appropriate. Staff feedback will be included in these reviews.

Any changes to these procedures must be approved by the Board. Intake officers will be notified of the changes through email and training, as appropriate.