

Non-State Schools Accreditation Board

Policy for managing complaints

**about the Board,
a committee of the Board,
a member of the Board or committee,
or a person appointed by the Board as an
authorised person**

January 2020

Effective: 1 January 2020
Version: 1.1
Reference: 25/1241634

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Part 1 — Policy background

1. Policy commitment statement

Non-State schooling is a vital and expanding component of Queensland education. It is essential that it retains the high standing in which it is held by the community.

The Non-State Schools Accreditation Board (the 'Board') is an independent statutory body continued in existence under the *Education (Accreditation of Non-State Schools) Act 2017* (the 'Accreditation Act').

The Board was established under the now repealed *Education (Accreditation of Non-State Schools) Act 2001*.

The Board is responsible for, amongst other things:

- deciding the accreditation of non-State schools
- deciding the eligibility for government funding of governing bodies for accredited non-State schools
- monitoring whether the governing bodies of accredited schools are suitable to continue to be a school's governing body
- monitoring whether accredited schools continue to comply with the statutory accreditation criteria
- monitoring whether the governing bodies of non-State schools that are eligible for government funding for the schools continue to meet the government funding eligibility criteria and
- investigating whether a place is being operated as an unaccredited school.

The Board must record and analyse information about enquiries and complaints so it can improve its service and systems.

2. Policy ownership

The Board is responsible for approving this policy.

3. Application / scope of policy

This policy applies to complaints about services delivered by:

- the Board
- a committee of the Board
- a member of the Board or committee or
- a person appointed by the Board as an authorised person.

Complaints made to the Board about its performance are managed under *the Public Service Act 2008*.

4. Objectives

The objectives of this policy are to ensure:

- consistency in the handling of complaints by providing a framework for the Board to work within
- that information on how to lodge a complaint with the Board, and its processes for dealing with complaints, are readily available
- that all complaints are dealt with in an open, fair and professional manner and
- that complaints are effectively monitored and reviewed to assist with identifying business improvement opportunities.

Part 2 — About the Non-State Schools Accreditation Board

5. Legislation

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

The objects of the Accreditation Act are:

- to uphold the standards of education at non-State schools
- to maintain public confidence in the operation of non-State schools and
- to foster educational choices in Queensland.

6. Functions of the Board

The prescribed functions of the Board include:

- to assess applications for accreditation of non-State schools
- to accredit non-State schools
- to assess and decide applications about governing bodies' eligibility for government funding
- to keep a register of accredited schools
- to monitor whether accredited schools continue to comply with the accreditation criteria
- to monitor whether the governing bodies of accredited schools are suitable to continue to be a school's governing body
- to monitor whether the governing bodies of non-State schools that are eligible for government funding for the schools continue to meet the government funding eligibility criteria
- to monitor and enforce compliance with the Accreditation Act and
- to conduct investigations about contraventions of, or noncompliance with, the Accreditation Act.

7. Decisions of the Board

In performing its functions, the Board makes a range of statutory decisions, including:

- whether to accredit a non-State school
- whether to grant a non-State school governing body eligibility for government funding for the school
- whether an accredited non-State school continues to comply with the prescribed accreditation criteria
- whether the governing body of a non-State school that is eligible for government funding for the school continues to meet the prescribed government funding eligibility criteria and
- whether the governing body of a non-State school is suitable to continue to be a school's governing body.

8. Dissatisfaction with a Board decision

Under certain circumstances, the Board may issue an 'information notice' to a proposed governing body, or governing body, of a school.

A proposed governing body, or governing body, of a school that is given, or is entitled to be given, an 'information notice' about a decision may apply to the Queensland Civil and Administrative Tribunal ('QCAT') for a review of the decision.

QCAT deals with applications for review under the *Queensland Civil and Administrative Tribunal Act 2009*.

In respect of Board matters not within the ambit of QCAT, if a person making an enquiry or complaint to the Board is dissatisfied with the Board's response, they may refer the matter to the [Queensland Ombudsman](#), or, if the complaint concerns human rights, to the Queensland Human Rights Commission.

Part 3 — Principles of complaints management

The following principles apply in respect of the Board's actions concerning the management of complaints:

Fair treatment

Complaints will be dealt with promptly, professionally, and in a fair, objective and equitable manner reflecting principles of procedural fairness.

Confidentiality

Complaints will be dealt with in a confidential manner that is respectful to both the complainant and the respondent. All personal information will be handled in accordance with the principles contained in the *Information Privacy Act 2009*.

Transparent process

Complainants will have easy access to information about how to complain and how the Board deals with complaints.

Ease of lodgement

Complainants will be able to lodge complaints either in written or oral form (including anonymously) through multiple methods and without charge.

Influence business processes

Complaints data will be regularly reported upon and will be taken into account for the Board's continuous business improvement.

Part 4 — Management of complaints

9. Assessing complaints

The Board must assess each complaint, and decide on an appropriate course of action.

Appropriate actions may include seeking further information, investigation, referral to another agency, or a decision not to progress the complaint.

When a course of action is decided, the complainant must be notified. The complainant should be notified of the process for dealing with the complaint and that outcomes of complaints cannot always be conveyed due to confidentiality provisions of the Accreditation Act.

When a complaint is finalised, the complainant must be notified promptly.

When the Board receives a complaint about human rights, it must assess the complaint, taking into account the following:

- did the act or decision impact on a human right (for example, the right to privacy, freedom of religion, or the right to education)?
- what is the nature of any right engaged (for example, the value underlying the right to education is empowerment)?
- was there a proper purpose for the act or decision (for example, protecting the human rights of others or preserving the public revenue)?
- did the act or decision help to achieve that purpose?
- were there any alternative means available to achieve the purpose, but which would have had a less restrictive impact on human rights?
- has a fair balance been struck between the benefits gained from achieving the proper purpose, as against the harm caused to the human right from achieving that purpose?

The Board must keep a written record of its consideration of whether a human right was engaged, and, if so, whether the limit on the human right was justified.

Where a complaint concerns human rights, the Board will endeavour to respond within 45 business days. After that, the Queensland Human Rights Commission may receive the complaint (and may do so earlier in exceptional circumstances).

10. Complaints Register

The Board maintains records in accordance with the *Public Records Act 2002*.

The Complaints Register will be the primary tool for the collection of data. A current and accurate record of enquiries and complaints will be maintained to:

- ensure data quality and integrity
- identify any recurring or system-wide problems
- fulfil Queensland Government annual reporting requirements and
- provide de-identified reports where necessary.

Each complaint in the register will have a unique identifier.

11. Regular reporting

A status report of complaints is to be submitted to the Board at least on an annual basis.

12. Availability

The Board's website (www.nssab.qld.edu.au) provides information in relation to the Board, including information on complaints handling and how to lodge a complaint. Copies of this policy and the attendant procedures are available for download there.

If required, a printed copy of this information is available from the Non-State Schools Accreditation Board Secretariat (the 'Secretariat').

13. Safeguards against retribution

The Board is committed to processes that ensure, as far as is possible, that complainants are not victimised.

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.

Complaints will be dealt with in a confidential manner that is respectful to both the complainant and the respondent. Reasonable steps will be taken to protect personal information from loss, unauthorised access, use, disclosure or any other misuse during the complaint handling process. However, the Board cannot give an assurance of absolute confidentiality, given statutory obligations and principles of natural justice.

The Board treats protected information as defined in the Accreditation Act in accordance with that Act's associated confidentiality of information provisions.

Information contained in a complaint to the Board may be a 'public interest disclosure' under the *Public Interest Disclosure Act 2010*.

Personal information will be treated in accordance with the principles contained in the *Information Privacy Act 2009*.

14. Dealing with unreasonable complainant conduct

The Board is committed to being responsive to all complainants and treating them with respect and fairness. At the same time, the Board has to perform its functions in the most effective and efficient ways possible ensuring:

- the health, safety and well-being of staff and
- that resources are fairly allocated.

Unreasonable complainant conduct includes verbal abuse and threatening or offensive statements as well as unreasonable demands, including insistence on outcomes that are unattainable and refusal to accept final decisions.

Unreasonable complainant conduct will not influence the way in which the Board deals with a complaint. All parties must maintain a polite and respectful approach at all times.

Part 5 — Implementation

15. Compliance / policy alignment

This policy is consistent with the strategic goals of the Board and the *Code of Conduct*.

16. Authorisation

The Accreditation Act sets out the Board's functions (including investigatory) and forms the authority for this policy.

17. Effective date

This policy commenced on 1 January 2020 and is due for review by 1 January 2023.

18. Monitoring

The Board monitors the quality and effectiveness of its complaints management system through analysis and evaluation of its complaint data.

19. Training

Board members and Board Secretariat officers will receive training upon induction and regular training in the requirements of this policy and the attendant procedures.

20. Updates

The Board must approve any changes to this policy.