

Internal review of complaints – guidelines and procedures

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These guidelines and procedures must be read with the Complaint resolution policy and the Complaint resolution guidelines and procedures.

Educators can access supporting resources on the [Policy and advisory library](#) (staff access only).

1. Summary

The Northern Territory (NT) Department of Education (the department) is committed to positive partnerships with students, families and our school communities. We welcome feedback and complaints as opportunities to learn, grow and improve.

These procedures for internal review of complaints apply to all NT Government schools and all corporate business units of the department. The internal review process requires an impartial examination of whether the original complaint resolution process was fair, and the outcome reached reasonable in the circumstances.

All complainants are provided information about how to request an internal review of their complaint. All requests for internal review, including requests for a review of a decision to impose restrictions on access to services, must be managed in line with these guidelines and procedures.

2. Definitions

These definitions are specific to internal review of complaints and are additional to the definitions provided in the Complaint resolution for schools and corporate guidelines and procedures.

| Term | Definition |
|-----------------|---|
| Review officer | The person responsible for internally reviewing a complaint. The review officer must be someone who was not involved in the original complaint. |
| Suitable person | A person with the skills, knowledge and experience relevant to the internal review. |

3. Roles and responsibilities

These responsibilities are specific to internal review of complaints and are additional to the roles and responsibilities described in the Complaint resolution for schools and corporate guidelines and procedures.

3.1. All staff

All staff are responsible for:

- ensuring all requests for an internal review of a complaint are sent to the Resolution Unit for triage
- cooperating with the internal review process.

3.2. Original complaint manager

The original complaint manager, and other staff involved in handling or deciding the original complaint, are responsible for:

- cooperating with the internal review process
- providing relevant information and material to the review officer when required.

3.3. Review officer

The review officer is responsible for:

- ensuring they were not involved in managing the original complaint
- ensuring they have the necessary skills, knowledge and experience to review the complaint
- reviewing the complaint against relevant department policy, guidelines and procedures
- declaring any perceived, potential or actual conflict of interest.

3.4. Line managers

Line managers are responsible for:

- working with principals, corporate leaders and the Resolution Unit to triage and assign requests for internal review
- ensuring the assigned review officer has the necessary skill, knowledge and experience to review the complaint effectively and efficiently
- providing guidance, support and oversight to review officers
- supporting timely escalation of internal reviews as required.

3.5. Principals and corporate leaders

Principals and corporate leaders are also responsible for:

- ensuring internal reviews conducted in their school or corporate business area are managed in line with the internal review procedure
- supporting professional development of staff in internal review processes.

3.6. Resolution Unit

The Resolution Unit is responsible for:

- receiving, acknowledging and recording all requests for internal review
- working with principals, corporate leaders and line managers to triage and assign requests for internal review
- conducting or coordinating internal reviews
- recording and reporting on internal review outcomes, including recommendations for further action.

4. Guidelines

4.1. Reporting responsibilities

An internal review of a complaint may identify issues that require immediate action, including making a report to another branch, division, department, or body.

All staff must:

- Understand their reporting obligations and the process for making reports under relevant legislation, directives, and policies
- Seek immediate advice from their line manager or other senior person if they are unsure whether an issue of complaint requires immediate action.

| Quick links | |
|--|--|
| To report | Go to |
| Harm or abuse of a child or young person | Mandatory reporting of harm and exploitation of children guidelines or call the child protection hotline on 1800 700 250 |
| Improper conduct of public officers or bodies | Mandatory reporting directions and guidelines of the Independent Commissioner Against Corruption. Call 1800 250 918 or email report.submission@icac.nt.gov.au |
| An approved early childhood education and care service or provider | Serious incidents and some complaints about possible breaches of the <i>Education and Care Service (National Uniform Legislation) Act 2011</i> require mandatory notification to Quality Education and Care Northern Territory (QECNT) within 24 hours. See the Notification Decision Tool or call QECNT on 08 8999 3561 or qualityecnt.det.@education.nt.gov.au |
| Suspected fraud | Fraud control policy and procedure |
| Criminal behaviour | NT Police on 131 444 or Crime Stoppers on 1800 333 000 |
| Teacher misconduct | Allegations of sexual misconduct policy and Report alleged misconduct of a teacher |
| Sexual behaviour in children | Sexual behaviour in children guidelines provide guidance on discerning and responding to harmful or concerning sexual behaviour in children and young people |
| Work health and safety incidents | Safety responsibilities, reporting and review guidelines |

4.2. Accessibility and support

As part of a review, contact may need to be made with the parties to a complaint to gather further information or to clarify issues.

Review officers must:

- provide or facilitate support to complainants, including children or students, who require assistance to participate in the review process
- identify and address any barriers to effective communication with complainants
- use [interpreting and translating services](#), including [Aboriginal interpreter services](#) when required.

4.3. Privacy and confidentiality

Schools and corporate business areas must:

- keep information obtained as part of an internal process confidential and protect the privacy of the parties to the review. Read the [Information privacy policy](#).
- share information when required to meet reporting obligations or legislative requirements, for example, when there is a risk of harm or exploitation of children. Read about [Information sharing](#).

Privacy considerations may also affect the information the department can share with the complainant about the action taken following an internal review.

4.4. Natural justice - procedural fairness

The principles of natural justice, sometimes referred to as procedural fairness, require that a person who may be negatively affected by a proposed decision is provided a right of reply before a final decision is made.

This means that:

- the person must be informed of any adverse information and other relevant information that may be considered by the decision maker
- the person must be given a reasonable opportunity to respond and provide further information
- the decision maker must impartially consider any submissions or further information received prior to making a final decision
- a decision maker must not have a personal interest in the outcome of a decision, and he or she must make the decision in a fair and considered manner.

To learn more, read the [Good decision-making guide](#).

4.5. Declining or discontinuing a request for review

The Resolution Unit receives all requests for an internal review. A request for review may be declined if the request:

- is outside the scope of the complaint resolution policy
- does not include the reasons for the request, and they remain unclear after a reasonable attempt has been made to obtain them from the complainant
- lacks substance, credibility or is not made in good faith
- the person making the request is assessed as having an insufficient interest in the matter
- the request is not made within 20 business days of the complainant being informed in writing of the outcome of the original complaint
- has been the subject of a previous request for review to the department
- is being, or has been, reviewed by an external body, for example the Ombudsman's Office
- is abusive, threatening, misleading or in some other way unreasonable.

An accepted request for an internal review may be discontinued, and no further action taken, if:

- the complainant withdraws the request for review
- there has been insufficient contact from the complainant, after reasonable enquiries, to undertake the review
- further review of the complaint is considered unnecessary, unjustified, or an inappropriate use of public resources
- the complainant engages in unreasonable complainant conduct. [Error! Reference source not found.](#) For more information, refer to the Managing unreasonable conduct by a complainant guidelines and procedures.

4.6. Good record keeping

It is a requirement of the NT public sector [Code of conduct](#) that all staff take reasonable steps to ensure that information and knowledge relied upon to make decisions or take action is evidence based, transparent, correct, and current.

Principals and corporate leaders must:

- ensure internal review records are maintained in a confidential and secure location
- ensure records contain sufficient detail to support case management continuity in the event the review is reassigned, referred, escalated or externally reviewed
- ensure review documentation complies with the Information Privacy Principles as detailed in Schedule 2 of the [Information Act 2002](#), the relevant [General records disposal schedules](#), [NTG records management standards](#) and any other legal requirements for the collection, storage and use of information.

4.7. Timeframes

All timeframes in the Complaint resolution framework are measured in business days. Business days are Monday to Friday, except public holidays and mandatory stand down dates for the department.

Date of receipt is the date the request for review is first received by the department; it is not the date the review is received by a particular person, school, or corporate business unit.

| Activity | Business days |
|---|--|
| Request for internal review | Must be made within 20 days of the complainant being informed in writing of the outcome to the complaint |
| Acknowledge receipt of the request in writing | Within 3 days of receipt |
| Contact the complainant | As soon as practicable, but must be within 10 days of receipt of the request for review |
| Provide updates | Often, but no less than every 15 days |
| Finalise the internal review | Within 60 days of receipt |
| Communicate the outcome of the review | As soon as practicable, but must be within 10 days of the date of outcome decision |
| Request feedback | 10 days after notice of the review outcome to the parties |

5. Procedures

Internal reviews follow the same five stage process as complaint resolution: Engage, Assess, Act, Close and Learn, as shown in Figure 1.

Figure 1: Five stage process for conducting internal reviews



5.1. Engage

5.1.1. Receive the request

When a complaint is closed, complainants are provided information about how to request an internal review of their complaint.

All requests for internal review received by school or corporate staff must be forwarded to the Resolution Unit at resolution.doe@education.nt.gov.au for triage.

5.1.2. Accept or decline the request

The Resolution Unit may decline to accept a request for review in certain circumstances. For more information, refer to section 4.6 in these guidelines – [Declining or discontinuing a request for internal review](#).

The Resolution Unit must:

- explain to the complainant the reasons for declining to accept a request for review
- provide information about any other complaint options. Use the Where else can I make my complaint quick guide on the Policy advisory library
- support and when required facilitate referral of the complainant to another complaint body
- close all discontinued complaints in line with section 5.4 of these guidelines – [Close](#).

5.1.3. Create a review record

Principals and corporate leaders must:

- ensure all reviews are well recorded.
- ensure the review record is kept confidential and stored in a secure location.

5.1.4. Acknowledge the request

The Resolution Unit must:

- acknowledge the request for review in writing within 3 business days of the request being received by the department.

Written acknowledgement of the request for review should include:

- an explanation of internal review process and the role of the review officer
- advice that the internal review process is confidential, within the limits of the law, and will be conducted within the limits of the department's Information privacy policy
- immediate expectation management of the outcome sought, if necessary
- timeframes for further communication about the review process
- a copy of the Individual rights and mutual responsibilities in complaint resolution information sheet.

5.2. Assess

5.2.1. Triage the request

The Resolution Unit must:

- engage with the relevant school or corporate business unit to establish priorities and assign a review officer.

In deciding next steps, the Resolution Unit takes into consideration:

- the nature and extent of the issues raised
- the reasons for the request for review
- the complexity, sensitivity or risk associated with the request for review
- the individual needs and circumstances of the parties to the review
- any perceived, potential or actual conflicts of interest
- the outcome decision and the reasons for the decision on the original complaint
- any action that may have already been taken because of the complaint
- stakeholders who may need to be involved or informed
- whether expert advice or formal investigation is likely to be required
- who needs to be informed or briefed about the request for review.

5.2.2. Assign a review officer

The Resolution Unit must:

- engage with principals and corporate leaders to triage requests for review
- decide with principals and corporate leaders who will act as the review officer
- share information and records with the review officer.

Review officers must:

- have skill, knowledge and experience relevant to the internal review process
- have had no involvement in the management of the original complaint
- declare and manage any other potential, perceived or actual conflict of interest
- seek information, advice, and enabling support when required.

Line managers must:

- provide guidance, support, and oversight to the review officer
- consult the Resolution Unit on any decision to reassign the review to another person
- document the reasons for the change in review officer in the complaint record
- ensure all relevant records are made available to the new review officer in a timely manner.

5.2.3. Communicate early

Review officers should:

- contact the complainant within 10 business days of the department receiving the request for review
- seek to understand the complainant's reasons for requesting a review
- clarify with the complainant the internal review process and the role of the review officer
- clarify desired outcomes and manage expectations
- invite the complainant to provide further information they consider relevant
- provide estimated timeframes for completion of the review
- explore alternative dispute resolution options such as case conferencing, mediation or conflict coaching, if appropriate to do so
- provide the complainant with the review officer's contact details.

5.3. Act

5.3.1. Make a plan

Complaint managers should plan their approach to internal review and give consideration to:

- the reasons for the request for internal review
- sources of any further information or material required to review the complaint
- the nature and extent of any departures from relevant legislation, policy, guidelines or procedures in the original handling of the complaint
- how identified risks will be managed
- the actions already taken to resolve the complaint
- mode and frequency of communication with relevant parties
- any areas of improvement in department policy, processes or practices
- recommendations for remedial or improvement actions.

The Complaint assessment plan is a tool to help review officers gather and analyse information, assess risk and coordinate review tasks and activities.

5.3.2. Ask for help when needed

A positive risk culture encourages collaboration on internal reviews when further information, expertise or experience is needed.

Review officers should consult with their line manager about uncertainties or concerns as they arise.

Line managers, School Operations and the Resolution Unit provide guidance and support to review officers as required.

5.3.3. Informing other parties

To be procedurally fair, the parties to the original complaint may need to be informed of the internal review and be invited to provide further information.

Review officers must:

- take all reasonable steps to prevent reprisals against the complainant
- take appropriate action to inform line managers of serious concerns about an employee's performance or conduct.

Line managers must:

- provide staff involved in a complaint process with information about additional support and employee assistance programs as required
- take appropriate action when serious issues of employee conduct or performance arise from a complaint.

5.3.4. Communicate often

Open and frequent communication is central to the service experience of all parties involved in an internal review process.

Review officers must:

- update the complainant on the progress of the review on a regular basis and at least every 15 business days
- when appropriate to do so, keep other parties updated on progress of the review.

5.3.5. Provide a timeframe

The department aims to finalise internal reviews within complaints within 60 business days. However, some complex reviews may take longer to finalise. Timeframes may also be impacted by school holiday periods, availability of staff and other workplace priorities.

Review officers must:

- aim to finalise the review within 60 business days
- provide complainants with the reasons for any delays should they occur and provide a revised timeframe for completion.

5.3.6. Gather and analyse information

Review officers may access department records to follow logical lines of inquiry for the purpose of reviewing a complaint.

All staff must:

- promptly cooperate with reasonable requests from a review officer for assistance or information.

When conducting the review, the review officer may:

- review previously available information, documentation and material
- review the actions taken and decisions made on the original complaint
- review the original complaint resolution process against relevant legislation, policies, or other requirements, including the department's complaint resolution policy, guidelines and procedures
- gather and analyse new information
- interview complainants, staff and other individuals involved in the original complaint
- evaluate the factors that contributed to the request for review
- assess the merit of the decision made
- formulate resolution options and recommendations.

5.3.7. Provide natural justice – procedural fairness

If the rights or interests of a person may be negatively affected by the outcome of an internal review, that person must be afforded a right of reply before a final decision is made. Natural justice helps ensure the internal review process and its outcomes are fair and reasonable in the circumstances. Learn more in section 4.4 of these guidelines – [Natural justice and procedural fairness](#).

5.3.8. Decide the outcome

The review officer must decide the outcome of the internal review.

Outcomes of an internal review may include:

- providing the complainant further information or advice
- providing an explanation or more detailed reasons for a decision, action, or inaction by the department
- an amended or different decision on the original complaint
- an apology
- an offer of mediation, conflict coaching or other alternative dispute resolution process
- changes to work practices or a service provided by the department
- a review of programs, policies, procedures or guidelines
- professional development initiatives
- referral for appropriate action to a relevant delegate
- other remedial or improvement action.

The outcome of an internal review could also be a decision to take no further action.

The reasons for a decision to take no further action may include:

- the review officer is satisfied that the complaint resolution process followed relevant policy, guidelines and procedures and resulted in a reasonable outcome
- the review officer is satisfied that the action or inaction taken to address the original issues of complaint was fair and reasonable in the circumstances.

Note: The resolution, or outcome, of a complaint may not always be to the satisfaction of all parties.

5.4. Close

5.4.1. Quality check

Before finalising the review, the review officer must be satisfied that:

- the department's legislative and reporting obligations have been met
- the internal review process was conducted in line with the department's Internal review of complaints guidelines and procedures
- the outcome of the review will be communicated in writing to the relevant parties
- an adequate record has been made of the internal review process and its outcomes.

5.4.2. Communicate the outcome

The review officer must:

- inform the complainant in writing of the outcome of the internal review within 10 business days of the outcome being decided
- communicate the outcome of the review with other relevant parties
- have regard to the department's Information privacy policy when deciding the information to be provided to parties to a review
- provide a copy of the review outcome letter to the Resolution Unit for information.

When appropriate to do so, review officers should communicate directly with complainants and verbally foreshadow outcomes ahead of providing the outcome in writing.

The review outcome letter should:

- explain the action taken in response to the request for review
- state the outcome of the internal review process
- provide reasons for the outcome decision
- detail the information taken into consideration in reaching a decision
- identify any actions already taken by the department to resolve the complaint
- if appropriate to do so, include any documentation that would support an understanding of the reasons for decision, such as relevant legislation, policy or other material relied upon to make the decision

- if appropriate to do so, provide details of recommendations for further action
- provide information about how the complainant may seek an independent external review of their complaint.

5.4.3. Inform complainants of their right to seek an external review

Complainants have a right to take their complaint to an external complaint or review body if they are dissatisfied with the outcome of the department's review, or the way the review was handled.

Review officers must ensure outcome letters to complainants include information about:

- their right to seek an external review of their complaint
- details of how to contact the Northern Territory Ombudsman.

Timeframes for making a complaint or seeking a review are set by the external body.

The Resolution Unit coordinates the department's response to referrals from external complaint or review bodies.

Learn more about External review and resolution on the Policy advisory library.

5.4.4. Close the complaint record

Review officers must:

- update and close the review record
- ensure the review record is kept confidential and securely stored.

Principals and corporate leaders should:

- track the internal reviews undertaken in their school or corporate business area using the complaint register on the Policy advisory library.

5.4.5. Seek feedback

Review officers must:

- request feedback from the parties about their review experience, unless there is good reason not to, for example, if action has been required to manage unreasonable complainant conduct
- seek feedback through channels suited to the individual needs and circumstances of the parties
- enter feedback received into the complaint record
- refer feedback to the appropriate person or business area for further action if this is required.

5.5. Learn

5.5.1. Act on recommendations

Review officers must:

- ensure appropriate action is taken to manage complaint outcomes, including recommendations for further action
- ensure that recommendations that relate to whole of school or broader systemic issues are referred or escalated to the appropriate person for further action
- document the action taken to refer or escalate complaint outcomes or recommendations.

5.5.2. Reflect and debrief

Debriefing can be formal or informal, depending on the experience of the staff member. It provides staff the opportunity to reflect on what went well, what could have gone better, and what could be done differently next time.

Line managers must:

- offer debriefing to all staff involved in the internal review process
- provide staff with information about additional support and employee assistance programs as required.

5.5.3. Assess professional learning and development needs

Line managers should:

- consider the learning and development needs of staff involved in the internal review of complaints
- support staff to build capability in internal review of complaints.

5.5.4. Look for ways to improve

Principals and corporate leaders should:

- proactively review internal review data to identify opportunities to improve performance, systems, and service standards within their areas of responsibility
- refer systemic issues arising from an internal review to the appropriate person or business area for a broader agency response.

6. Complaint resolution framework documents and resources

Complaint resolution policy, guidelines and supporting resources are available to educators on the Policy and advisory library (staff access only)

6.1. Overview infographics

- Complaint resolution framework placemat
- Effective complaint resolution process flowchart
- Feedback charter poster

6.2. Policy, guidelines, and procedures

- Complaint resolution policy
- Complaint resolution guidelines and procedures for schools and corporate
- Internal review of complaints guidelines and procedures
- Managing unreasonable conduct by a complainant guidelines and procedures

6.3. Complainant resources

- Individual rights and mutual responsibilities - information sheet
- 'Your complaint's journey' – leaflet
- 'Where else can I make my complaint?' – information sheet

6.4. Staff toolkit complaint resolution

- Acknowledgement of complaint email template
- Complaint record form
- Complaint register template
- Assigning and escalating complaints information sheet
- Complaint closure letter template

6.5. Staff toolkit managing unreasonable conduct by a complainant

- Scripts and strategies for managing unreasonable conduct by a complainant
- Unreasonable conduct incident form
- Managing unreasonable conduct process and decision-making checklist
- Restrict access to services warning letter email template
- Restrict access to services decision letter email template

7. Related legislation and other documents

7.1. Legislation and regulations

- *Anti-Discrimination Act 1992* – <https://legislation.nt.gov.au/Legislation/antidiscrimination-act-1992>
- *Children’s Commissioner Act 2013* – <https://legislation.nt.gov.au/en/Legislation/childrens-commissioner-act-2013>
- *Disability Discrimination Act 1992 (Cth)* – <https://www.legislation.gov.au/Series/C2004A04426>
- *Education and Care Services (National Uniform Legislation) Act 2011* – <https://legislation.nt.gov.au/en/Legislation/EDUCATION-AND-CARE-SERVICES-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>
 - *Education and Care Services (National Uniform Legislation) (Infringement Notice) Regulations 2019* – <https://legislation.nt.gov.au/Legislation/EDUCATION-AND-CARE-SERVICES-NATIONAL-UNIFORM-LEGISLATION-INFRINGEMENT-NOTICE-REGULATIONS-2019>
- *Information Act 2002* – <https://legislation.nt.gov.au/en/Legislation/information-act-2002>
- *Independent Commissioner Against Corruption Act 2017* – <https://legislation.nt.gov.au/Legislation/independent-commissioner-against-corruption-act-2017>
- *Ombudsman Act 2009* – <https://legislation.nt.gov.au/en/Legislation/ombudsman-act-2009>
- *Public Sector Employment and Management Act 1993 (PSEMA)* – <https://legislation.nt.gov.au/Legislation/public-sector-employment-and-management-act-1993>
 - *Employment Instruction 3 – Natural Justice* – https://ocpe.nt.gov.au/_data/assets/pdf_file/0009/379314/ei-3-natural-justice.pdf
 - *Employment Instruction 12 – Code of Conduct* – https://ocpe.nt.gov.au/_data/assets/pdf_file/0006/379329/code-of-conduct-for-the-northern-territory-public-sector.pdf
- *Teacher Registration Act 2004* – <https://legislation.nt.gov.au/en/Legislation/teacher-registration-northern-territory-act-2004>
- *Work Health and Safety (National Uniform Legislation) Act 2011* – <https://legislation.nt.gov.au/Legislation/work-health-and-safety-national-uniform-legislation-act-2011>

7.2. Standards and principles

- *Australian Standard Guidelines for complaint management in organisations AS10002:2022* – <https://www.standards.org.au/standards-catalogue/sa-snz/publicsafety/qr-015/as--10002-colon-2022>
- *Disability Standards for Education 2005* – <https://www.education.gov.au/disability-standards-education-2005>
- *Mparntwe (Alice Springs) Education Declaration* – <https://www.education.gov.au/alice-springs-mparntwe-education-declaration>
- *National Principles for Child Safe Organisations* – <https://childsafe.humanrights.gov.au/national-principles>

7.3. Related policy, guidelines and resources

- Conflict of interest policy – https://education.nt.gov.au/policies/conduct#conflict_interest
- Education NT Strategy 2021-2025 – <https://education.nt.gov.au/statistics-research-and-strategies/strategic-plan>
- Employee assistance program – <https://www.teachintheterritory.nt.gov.au/educator-support/educator-wellbeing/employee-assistance-program-eap>
- Employee grievance – <https://elearn.ntschoools.net/policies/4714>
- General disposal schedules – <https://tfhc.nt.gov.au/heritage,-libraries-and-archives/library-and-archives-nt/government-recordkeeping/general-records-disposal-schedules>
- NTG records management standards – <https://dcdd.nt.gov.au/government-records/records-information-management-standards>
- Good decision making guide – <https://elearn.ntschoools.net/pal/delegations#resources15957>
- Information and privacy policies – <https://education.nt.gov.au/policies/conduct#privacy>
- Mandatory reporting of harm and exploitation of children guidelines – https://education.nt.gov.au/policies/health-safety#mandatory_reporting
- Sexual behaviour in children guidelines – https://education.nt.gov.au/policies/health-safety#sexual_behaviour

7.4. Acknowledgement

These guidelines and procedures and the associated Complaint resolution policy have been informed by reference materials published by the New South Wales Ombudsman, the Queensland Ombudsman and the Victorian Ombudsman. We gratefully acknowledge the work of these organisations in developing public resources designed to assist public sector bodies to create effective complaint management frameworks.

The department wishes to acknowledge and thank the following agencies for the insights, resources and reference materials that have informed the development of these guidelines and procedures:

- State and Territory Ombudsman Offices
- Commonwealth Ombudsman
- Departments of Education in other Australian jurisdictions
- National Office for Child Safety
- Standards Australia Guidelines of organization in complaint management AS10002/2022.

| Acronyms | Full form |
|----------|---|
| NT | Northern Territory |
| PSEMA | Public Sector Employment and Management Act |
| TRM | Territory Record Management system |

| | |
|------------------------|--|
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