

Complaint resolution – policy

Contents

1. Policy	3
2. Purpose	3
3. Scope	3
3.1. Complaints in scope.....	3
3.2. Complaints out of scope.....	4
4. Complaint resolution principles	4
5. Implementation in schools and corporate	5
6. Three-level model of complaint resolution	5
6.1. Level 1 – Local resolution.....	5
6.2. Level 2 – Internal review	5
6.3. Level 3 – External review	5
7. Further information	5
7.1. Protections for complainants.....	5
7.2. Students with disability.....	6
7.3. Anonymous complaints.....	6
7.4. Privacy information.....	6
7.5. Unreasonable conduct by complainants	6
7.6. Complaint data.....	6
8. Related legislation and other documents	7
8.1. Legislation and regulations.....	7
8.2. Standards, principles and strategies	7

Read this policy with the Complaint resolution in schools and corporate guidelines and procedures.

1. Policy

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.

This policy forms part of the Complaint resolution framework and provides guidance to staff on the management and resolution of complaints from members of the school community. The policy is underpinned by the NT Public Sector values of commitment to service, ethical practice, respect, accountability, impartiality and diversity. The policy applies to all NT government schools and all corporate business areas of the department.

Complaints can be made by any member of the school community and received by any member of staff. A complaint is defined as an expression of dissatisfaction with a program, service, decision or action of the department where a response or resolution to the complaint is expected or legally required.

The department has guidelines and procedures to ensure complaints are managed effectively and as close to the point of service or the original decision maker as possible. We consider the individual needs and circumstances of complainants and take a flexible and responsive approach to receiving and resolving complaints.

Complaints can be made in person, in writing, by phone or on-line via the department's website. All parties to a complaint, including children and students, are informed of their rights and responsibilities in the complaint resolution process. The department will resolve complaints with a focus on child and student wellbeing and with the aim of keeping them engaged in learning.

2. Purpose

The department's approach to complaint resolution aligns with the [NT Education Engagement Strategy 2022-2031](#) and the department's ongoing focus on quality and responsive educational programs and services.

This policy is based on the [Standards Australia Guidelines for complaint management in organisations AS10002:2022](#) and incorporates the [National Principles for Child Safe Organisations](#).

Where a school operates a preschool service or other education and care service regulated under the [National Quality Framework](#), the [Education and Care Services National Regulations](#) require the department to ensure policies and procedures are in place for dealing effectively with complaints.

3. Scope

3.1. Complaints in scope

This policy applies to complaints about:

- programs and services provided by an NT government school or corporate business area of the department

- decisions and actions of NT government school staff, corporate staff, or school representative bodies¹
- NT government school or department policies, procedures or practices.

3.2. Complaints out of scope

Some complaints, or parts of a complaint, may be out of scope and will need to be referred elsewhere.

This policy does not apply to complaints about:

- vocational education and training not provided by the department
- non-government schools
- early childhood education and care services not provided by the department
- higher education
- employment related complaints or grievances, including SRB employees
- compensation claims
- a breach of privacy
- procurement related complaints.

See the [Where else can I make my complaint quick guide](#) for further information.

4. Complaint resolution principles

The department demonstrates its commitment to effective complaint resolution by:

- valuing feedback and complaints as part of our learning culture
- having clear complaint resolution processes
- empowering and supporting staff managing complaints
- being accessible and responsive, with an emphasis on child safety principles
- acting fairly
- being open and accountable
- communicating early and often
- maintaining confidentiality
- using complaint data to learn, grow and improve.

¹ School representative bodies (SRB) are incorporated entities and separate legal entities to the department. SRB processes give effect to the department's Complaint resolution policy and the associated guidelines for the receipt and handling of complaints about the decisions or actions of an SRB or SRB member. The status of an SRB as a separate legal entity to the department must be taken into account when determining complaint outcomes.

5. Implementation in schools and corporate

Principals and corporate leaders are responsible for the effective implementation and operation of this policy and related guidelines in their school or corporate business unit. Operating procedures and administrative arrangements, including decision making protocols, must be established in each school and corporate business area and communicated to relevant staff.

6. Three-level model of complaint resolution

This policy provides the department with an effective three-level complaint resolution process consistent with the Standards Australia Guidelines for complaint management in organisations AS10002:2022.

6.1. Level 1 – Local resolution

All complaints are resolved as close to the point of service or original decision maker as possible. Staff managing Level 1 complaints seek support and escalate complaints through their line manager when necessary. A level 1 complaint must be finalised before a Level 2 internal review can commence.

6.2. Level 2 – Internal review

All complainants are informed in writing of the outcome of their complaint and their right to ask the department to review their complaint if they are dissatisfied with the outcome or the way their complaint was handled.

Internal reviews are an impartial examination of whether the original complaint resolution process was fair, and the outcome reached was reasonable in the circumstances. Reviews must be conducted by a suitable person who has not been involved in the original complaint.

All complainants are informed in writing of the outcome of the internal review and the options for external review of their complaint should they remain dissatisfied.

6.3. Level 3 – External review

Complainants have the right to seek an independent review of their complaint by an external complaint or review body. The department's Resolution Unit receives all referrals from external review bodies and coordinates the department's response, in line with requirements set by the external body.

7. Further information

7.1. Protections for complainants

Everyone has the right to make a complaint, and to feel safe when they do so.

The department will take all reasonable steps to ensure complainants are not adversely affected because of a complaint made by them or on their behalf. We make the complaint process safe by maintaining confidentiality, within the limits of the law, and involving complainants as far as practicable in decisions about how their complaint will be handled.

A person making a complaint under legislation may also be entitled to protections under that Act; for example, under the *Anti-Discrimination Act 1992*, the *Ombudsman Act 2009* or the *Children’s Commissioner Act 2013*. A person making an allegation of improper conduct, including fraudulent and corrupt conduct, may also have access to protections under the *Independent Commissioner Against Corruption Act 2017*.

7.2. Students with disability

Students with disability have rights under the *Disability Discrimination Act 1992* (Cth) and the *Disability Standards for Education 2005* (Cth) (the disability standards). The disability standards clarify the obligation of education and training providers to ensure that students with disability can access and participate in education on the same basis as other students. The department will ensure that students with disability are also able to access and participate in complaint resolution on the same basis as other students.

7.3. Anonymous complaints

Complaints may be made to the department anonymously. A complainant may elect to be remain completely anonymous or ask that their identity be withheld in certain circumstances. All complaints, including anonymous complaints, are managed in line with the department’s complaint resolution guidelines and procedures. However, our ability to resolve an anonymous complaint may be impacted if further information or clarification is needed and the department is unable to contact the complainant.

7.4. Privacy information

Information provided as part of the complaint process must be treated as confidential and stored securely. The department must handle personal information in accordance with the [Information privacy principles](#) as detailed in Schedule 2 of the *Information Act 2002*. Information may only be shared outside of the complaint process where necessary and allowed by law, for example, if there is a risk of harm or exploitation of a child.

7.5. Unreasonable conduct by complainants

The department may decline to accept a complaint if it is abusive, threatening or in some other way unreasonable. Unreasonable conduct by a complainant will be managed in line with the department’s *Managing unreasonable conduct by a complainant guidelines and procedures*.

7.6. Complaint data

De-identified complaint data is used by the department to identify opportunities to improve operational effectiveness and service standards and published annually in the department’s annual report.

8. Related legislation and other documents

8.1. Legislation and regulations

Northern Territory Government

- *Anti-Discrimination Act 1992* – <https://legislation.nt.gov.au/Legislation/antidiscrimination-act-1992>
- *Education Act 2015* – <https://legislation.nt.gov.au/Legislation/EDUCATION-ACT-2015>
 - *Education Regulations 2015* – <https://legislation.nt.gov.au/Legislation/EDUCATION-REGULATIONS-2015>
- *Education and Care Services (National Uniform Legislation) Act 2011* is the legislation that adopts the National Law. The Schedule to the *Education and Care Services National Law Act 2010 (Vic)* sets out the National Law – <https://legislation.nt.gov.au/Legislation/EDUCATION-AND-CARE-SERVICES-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>
 - *Education and Care Services National Regulations* – <https://legislation.nsw.gov.au/view/html/inforce/current/sl-2011-0653>
 - *National Quality Framework* – <http://www.acecqa.gov.au/national-quality-framework>
- *Independent Commissioner Against Corruption Act 2017* – <https://legislation.nt.gov.au/Legislation/independent-commissioner-against-corruption-act-2017>
- *Information Act 2002* – <https://legislation.nt.gov.au/en/Legislation/information-act-2002>
- *Ombudsman Act 2009* – <https://legislation.nt.gov.au/en/Legislation/ombudsman-act-2009>

Australian Government

- *Disability Discrimination Act 1992 (Cth)* – <https://www.legislation.gov.au/Series/C2004A04426>
 - *Disability Standards for Education 2005* – <https://www.education.gov.au/disability-standards-education-2005>

8.2. Standards, principles and strategies

- Australian Standard Guidelines for complaint management in organisations AS10002:2022 – https://infostore.saiglobal.com/en-au/standards/as-10002-2022-111525_saig_as_as_3124267/
- National Principles for Child Safe Organisations – <https://childsafefhumanrights.gov.au/national-principles>
- NT Education Engagement Strategy 2022-2031 – <https://education.nt.gov.au/statistics-research-and-strategies/education-engagement-strategy>

Acronyms	Full form
NT	Northern Territory
SRB	School Representative Body

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