

MAKING A COMPLAINT ABOUT A TEACHER

Under the *Education (Queensland College of Teachers) Act 2005*

The Queensland College of Teachers (the College) is established under the *Education (Queensland College of Teachers) Act 2005* (the Act) as the agency responsible for the regulation of the teaching profession in Queensland. The Act gives the College the power to receive and investigate complaints against teachers where a ground for disciplinary action exists. A complaint must be in writing and contain particulars of the allegation. Section 88 of the Act allows the College to ask the complainant to provide further information or to verify the complaint by statutory declaration.

You should make your complaint first to the Principal, governing body of the school (such as a Board or Council), or to the employing authority that employs the teacher (such as the Department of Education, Training and the Arts). If you believe a ground for disciplinary action exists against the teacher in respect to their professional registration following the outcome of your complaint you can lodge a complaint with the College. It may not be possible for a complaint to first be raised with the teacher's employer (for example, if the teacher is no longer working at the school). In these circumstances you should advise the College why your complaint was not referred to the teacher's employer. To assist you to lodge a complaint, a Complaint Form is available from the College.

The Act limits the complaints that the College can deal with to those concerning allegations against teachers that would, if proven, be grounds for disciplinary action in respect to the teacher's registration to teach in Queensland (Section 92(1) of the Act).

In relation to a teacher's suitability to teach (which is a ground for disciplinary action under the Act), a person is not suitable to teach if the person behaves in a way that does not satisfy a standard of behaviour generally expected of a teacher; or otherwise behaves in a disgraceful or improper way. Examples of complaints that, if proven, may call into question a teacher's suitability to teach include:

- if a teacher becomes involved in an inappropriate relationship (sexual or otherwise) with a student
- if a teacher uses disciplinary methods, physical contact or other behaviour that causes any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.

Serious complaints that relate to a possible criminal offence should be referred to the Queensland Police Service.

If your complaint relates to a teacher's suitability to teach, it is important that you clearly outline in your

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complaint the circumstances that led to your complaint arising, dates or timeframes as to when events occurred, and the names and contact details of any witnesses.

If you wish to complain about more than one teacher, please complete one Complaint Form for each teacher. Copies of the complaint and any documents you provide to the College may be given to the teacher who is the subject of the complaint. You do not have to use the Complaint Form in order to lodge a complaint. If you wish, you can submit your complaint in a letter detailing the allegations in writing (the Complaint Form should be used as a guide to ensure you include all relevant information).

The College is not able to consider complaints in every circumstance, for example:

- Administrative matters (e.g. not providing report cards or feedback about a student's development; issues about school uniforms, or application of a policy, including curriculum) – these issues should be directed to the school or employing authority.
- Employee performance (e.g. allegations about a teacher's performance and/or management) – these matters should be directed to the school or employing authority.
- Family Court and child safety matters between a teacher and his/her children – in this circumstance independent legal advice should be sought and child safety concerns reported to a relevant authority such as the Queensland Police Service, the Department of Child Safety and/or the Commission for Children and Young People and Child Guardian.
- Criminal activity – these allegations should be directed to the Queensland Police Service.
- Official misconduct (e.g. conduct that could, if proved, be a criminal offence; or a disciplinary breach, providing reasonable grounds for terminating the person's services, if the person is or was a public servant) – these matters should be referred in the first instance to the Crime and Misconduct Commission¹.

The Complaint Form will help you to provide the College with information to assess your complaint and determine what action can be taken. Please complete all the questions on the Complaint Form. If you have any questions or require assistance in completing the Complaint Form, please telephone the College's Professional Conduct Unit on (07) 3377 4777 (local), 1300 720 944 (toll free) or +61 7 3377 4777 (international).

For further information about the College and the Act, visit our website at: <http://www.qct.edu.au>

¹ The Crime and Misconduct Commission has no jurisdiction over Non-government schools, but does in relation to State and Grammar schools