

## RJC independent complaints and appeals examiner scheme

This note should be read by anyone wanting to:

- Make a complaint to the Restorative Justice Council (RJC) about one of its members; or
- Appeal against a decision made by the RJC.

### When can I make a complaint or appeal to the RJC?

The RJC will investigate a complaint if you have:

- Evidence that an RJC registered trainer, practitioner or organisation has broken an RJC rule or requirement; and
- You have reported your complaint directly to the RJC member more than 28 days ago; and
  - There has been no response; or
  - You are unhappy with the response.

The RJC will investigate an appeal if you have evidence that:

- The RJC did not follow relevant standards; or
- The RJC did not follow relevant procedures.

### Who will deal with my complaint or appeal?

All complaints and appeals will be reviewed by the chief executive officer. If a complaint or appeal meets the above criteria it will be investigated by the RJC's independent complaints and appeals examiner (ICAE).

The ICAE reviews complaints and appeals in an independent, fair and transparent way.

### How will my complaint or appeal be investigated?

The investigation by the ICAE could include the following activities:

- Speaking with an RJC member.
- Speaking with RJC staff.
- Speaking with witnesses.
- Reviewing evidence entered with original complaint or appeal.
- Requesting further evidence.
- Requesting specialist advice.

If an RJC member does not comply with a request from the ICAE they will be temporarily removed from the RJC register until they respond.

If the ICAE does not receive a response to a request within the specified timeline, the RJC registered member will be permanently removed from the register.

### What are the possible outcomes of the complaint or appeal?

The ICAE can respond to a complaint in the following ways:

- Reject the complaint due to lack of evidence.
- Accept the complaint and recommend that the RJC member issues an apology and:
  - Ask for a plan to address the identified weaknesses. Membership can be removed until a plan has been submitted.
- Accept the complaint and permanently remove RJC membership.

The ICAE will respond to an appeal in one of the following ways:

- Reject the appeal due to lack of evidence.
- Accept the appeal because RJC procedures were not followed. The RJC will reconsider the application free of charge.
- Accept the appeal because RJC standards were not applied. The RJC will register the appellant on the relevant register or award the relevant approval, accreditation or quality mark.

### What are the stages of making a complaint?

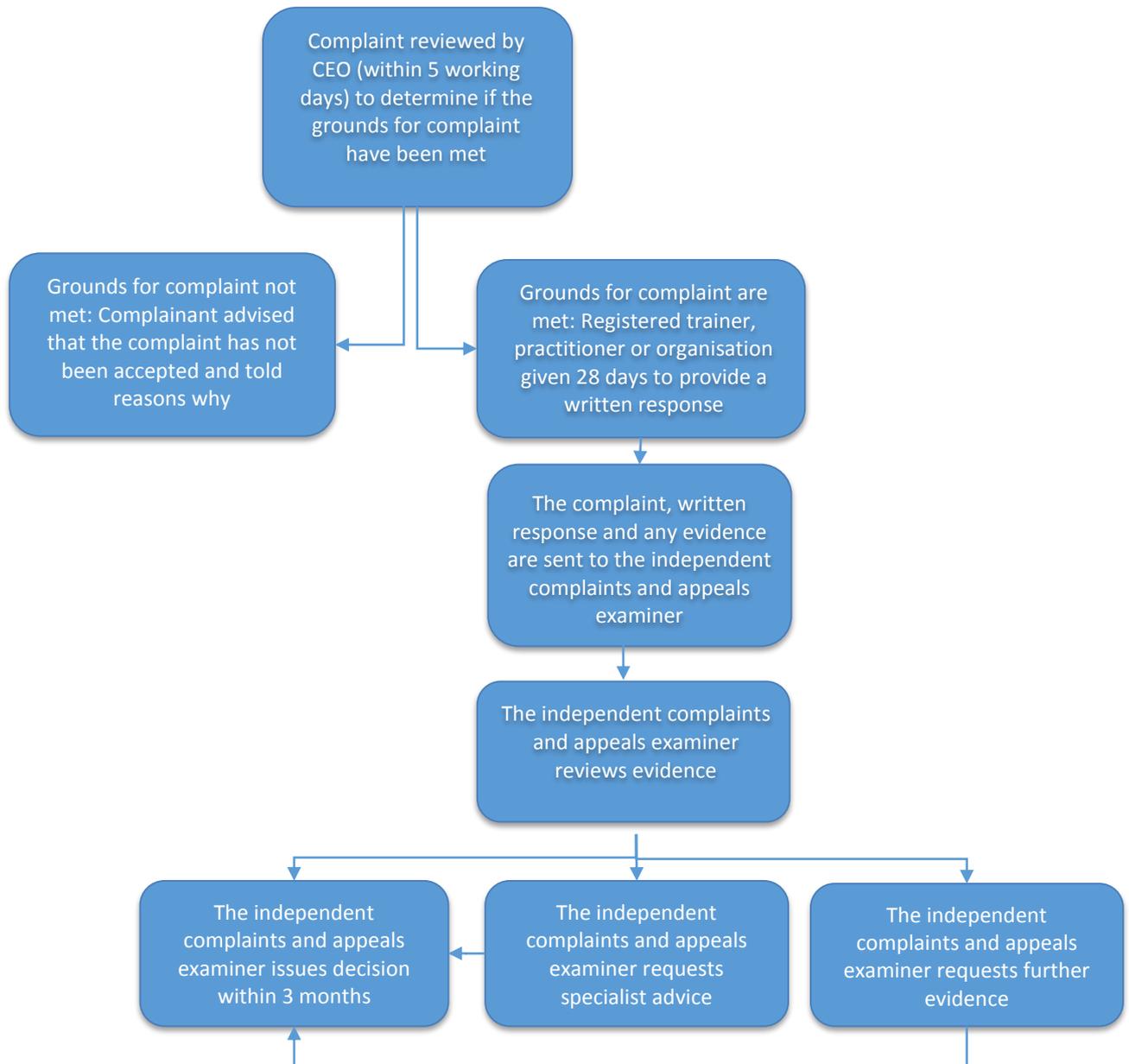
1. Complaints should be made by completing the [complaint form](#).
2. If you make a complaint, we will, within five working days:
  - Send you an email to let you know that we've received your complaint.
  - Pass your complaint to the chief executive officer who will decide if the complaint:
    - Can be investigated. If so, it will be sent to the ICAE; or
    - Cannot be investigated. If so, we will inform you of the reasons why.
3. Before the complaint is referred to the ICAE, we will contact the RJC member and ask them to respond within 28 working days.
4. The ICAE will investigate the complaint and consider an appropriate course of action within three months of receiving the complaint. The reasons for the decision will be clearly stated.
5. The decision of the ICAE is final.

### What are the stages of making an appeal?

1. All appeals should be submitted in writing to the chief executive officer.
2. If you make an appeal, we will, within five working days:
  - Send you an email to let you know that we've received your appeal; and
  - Review your appeal and decide if the appeal:
    - Can be investigated. If so, it will be sent to the ICAE; or
    - Cannot be investigated. If so, we will inform you of the reasons why.
3. The ICAE will investigate the appeal and consider an appropriate course of action within two months. The reasons for the decision will be clearly stated.
4. If the appeal is successful the appellant will be registered on the relevant register/s or awarded the relevant approval, accreditation or quality mark.
5. If the appeal is unsuccessful, the appellant can re-apply for registration, accreditation or approval three months from the date of the appeal decision. This will be treated as an entirely new application.
6. The decision of the ICAE is final.

### Process for managing complaints

The diagram below shows the process for dealing complaints through the independent complaints and appeals examiner.



### Process for managing appeals

The diagram below shows the process for dealing with appeals through the independent complaints and appeals examiner.

