

Complaints Management Procedure for Q-Ride

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Terms and abbreviations

Term, abbreviations and acronyms	Definition
accredited rider trainer	a person who holds an approval under Part 2 of the Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015 (AOP Regulation) as an accredited person with the function of a rider trainer
AOP Regulation	the Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015
ART	accredited rider trainer
ASQA	Australian Skills Quality Authority
audit	a verification activity aimed at evaluating the conformance or non-conformance of a RSP or an ART against the requirements outlined in the <i>Business Rules for Providing Q-Ride Training, Guidelines for Q-Ride Senior Trainers</i> and the Q-Ride training curricula
business rules	the <i>Business Rules for Providing Q-Ride Training</i> authorised by section 93 of the Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015
code of conduct	TMR's <i>Code of Conduct for Queensland accredited driver trainers (2015)</i>
complaint	the verbal or written expression of dissatisfaction about the provision of Q-Ride training
learner rider	a person who is undertaking rider training within the Q-Ride scheme
Q-Ride certificate	a student who has successfully completed a Q-Ride training course will be issued with a Q-Ride Competency Declaration Certificate which can be submitted to TMR for a licence outcome
Q-Ride scheme	administered by the Department of Transport and Main Roads (TMR) for students to progress through the motorcycle graduated licensing scheme in Queensland
Q-Ride Senior Trainer	an accredited rider trainer who has successfully completed and passed a Q-Ride Practical Assessment Workshop delivered by TMR
Q-Ride training	Q-Ride training courses are provided by TMR-approved registered service providers and delivered by accredited rider trainers
Q-Ride training courses	the three Q-Ride motorcycle training courses: Pre-learner, Restricted (RE) and Unrestricted (R), that form a standardised competency-based training and assessment program in Queensland's motorcycle licensing system

registered service provider a person or entity approved by TMR as a registered service provided to deliver Q-Ride training

RSP registered service provider

student a learner rider or returning rider who is eligible to receive Q-Ride training

TMR the Department of Transport and Main Roads

Policy statement

The Q-Ride scheme, administered by the Department of Transport and Main Roads (TMR), is the most direct way to improve safety outcomes for motorcycle riders by providing learner riders with the relevant skills and experience to ride a motorcycle safely on the road. Once a learner rider has successfully completed a Q-Ride training course, they are issued with a Q-Ride Competency Declaration Certificate (Q-Ride certificate) which they can submit to TMR for a licence outcome.

The importance of learner riders being adequately trained and assessed by accredited rider trainers (ARTs) cannot be understated. Q-Ride Registered Service Providers (RSPs) and ARTs provide a valuable and critical role to the public on behalf of TMR, and the public place a high degree of trust in TMR to ensure quality training outcomes are achieved and that the integrity of the Q-Ride scheme and Queensland's motorcycle licensing system is maintained.

As the regulator, TMR has a responsibility to assess and investigate complaints relating to the delivery of the Q-Ride scheme. TMR must decide on appropriate complaint outcomes, including no further action, education, audit or compliance action. TMR has clear responsibility to take action, with legislative grounds to amend, suspend or cancel approvals, on this basis.

The purpose of this complaints management procedure for the Q-Ride scheme is to ensure that a consistent and responsive process is in place to support the effective and prompt resolution of complaints received about the delivery of the Q-Ride scheme and support the achievement of TMR's objectives for the scheme – the entry of safe and skilled new motorcycle riders on Queensland roads.

It is consistent with the information, practices and procedures outlined in TMR's Complaints Management Policy (for further information, visit the TMR website: [Compliments and complaints](#)). This procedure provides information specific to managing complaints relating to the delivery of the Q-Ride scheme.

Objective

This complaints management procedure provides a consistent and effective approach to manage the prompt resolution of complaints received about the delivery of Q-Ride training.

The procedure provides Q-Ride scheme stakeholders, including learner riders, RSPs, ARTs and members of the public, with a framework of what they can expect when they submit a complaint to TMR. It also informs stakeholders of what TMR can advise them about the progress of an investigation and the outcome of a complaint.

The procedure clarifies the type of Q-Ride scheme complaints that TMR may investigate, such as complaints relating to TMR's *Code of Conduct for Queensland accredited driver trainers* (December 2015) (code of conduct). It also clarifies the types of complaints that TMR considers out of scope for investigation, such as complaints relating to fees or other types of defamatory conduct.

Scope

What is a complaint?

A complaint is the **verbal or written expression** of dissatisfaction about the delivery of the Q-Ride scheme, where there are implications for learner rider safety and/or public safety.

A complaint relating to the Q-Ride scheme may be anonymous. TMR may receive complaints in person, by telephone, letter, email, facsimile or by way of TMR's online complaint form. This procedure covers external complaints made to TMR by Q-Ride students, members of the public, ARTs and RSPs.

What is in scope?

This complaints management procedure applies to the Q-Ride scheme which includes RSPs, ARTs, Q-Ride Senior Trainers, students undertaking a Q-Ride course or members of the public.

TMR will investigate complaints about RSPs, ARTs and Senior Trainers with respect to their:

- compliance with the business rules and other conditions of their accreditation or approval
- delivery of Q-Ride training
- compliance with the code of conduct, including inappropriate behaviour.

TMR will also investigate complaints raising:

- broader issues about the effectiveness of the regulation of the Q-Ride scheme
- serious allegations, including criminal conduct
- allegations about the conduct of TMR staff.

What is out of scope?

TMR does not have authority to investigate and action matters it assesses as being outside the scope of TMR's role as regulator of the Q-Ride scheme, as defined in the AOP Regulation, business rules and code of conduct.

Where TMR receives a complaint that is more appropriately considered through other mechanisms, TMR may advise the complainant to refer their complaint or may seek the complainant's permission to do so on their behalf.

For example:

- complaints about a RSP's daily operations (such as poor customer service) should be referred to the RSP
- complaints about a RSP's conduct as a private business demonstrating unfair business practices should be referred to the Office of Fair Trading (Queensland)
- complaints about an ART's or RSP's conduct considered defamatory in nature should be referred to the Queensland Human Rights Commission.

Complaints about an ART's or RSP's conduct considered criminal in nature should be referred to the Queensland Police Service (QPS). However, as these matters may also be relevant to a trainer's compliance with the code of conduct (such as complaints about inappropriate behaviour) customers may also report these matters directly to TMR. TMR takes such complaints very seriously and has clear responsibility to take action, with legislative grounds to amend, suspend or cancel approvals, on this basis.

Benefits

This procedure will benefit Q-Ride stakeholders, including students, ARTs, RSPs and members of the public and TMR by:

- ensuring a consistent approach to complaints management
- providing an effective way to manage complaints
- providing accurate and timely decision making
- working with the rider training industry and community to identify complaint trends, system issues, and corrective action
- continuing to improve Q-Ride scheme policies and procedures

- increasing industry confidence and compliance
- providing assurance that TMR will provide a fair, accountable and transparent response to complaints management for the Q-Ride scheme
- clearly linking to related complaints management frameworks.

Complaints management process

TMR will follow this process for managing all complaints relating to the Q-Ride scheme:

Step 1 – Receiving and assessing a complaint

- receive written information and assess if the information is a question, enquiry, request for information, feedback or a complaint
- determine if the complaint is in scope
- determine if the complaint appears genuine, has substance and is credible
- determine if some or all parts of the complaint be referred to a third party or other agency (as set out in 'Out of scope')
- if appropriate, advise the complainant to raise the complaint with the Q-Ride RSP and ART for resolution in the first instance (note: for complaints that are sensitive in nature, where the customer may be uncomfortable doing so, TMR will manage the complaint, without providing this advice)
- decide to investigate the complaint
- decide to take no further action
- complaints of a serious nature will be reviewed by the Manager (Industry Accreditation and Licensing).

Step 2 – Complaint investigation process

- identify the relevant matters raised within a complaint
- if applicable – seek the consent of the complainant to raise the matter with the RSP or ART
- gather all relevant information (including contacting the stakeholders concerned to request further information)
- determine and rely upon the relevant facts, documentation, legislation, and policy (factual findings must be based on sufficient, relevant, and reliable information)
- apply procedural fairness, that is, providing a person who may be adversely affected by a decision a reasonable opportunity and time to respond
- identify if any human rights may be relevant to a complaint
- impartially consider all parties' submissions
- analyse and weigh information for value and reliability (more serious issues will require stronger evidence to meet this standard)
- disregard any irrelevant factors
- apply legislation to make an informed decision, including the reasons for the decision and any applicable review rights
- decisions will be made by an officer with appropriate delegation and suitability (no conflicts of interest)
- all investigations documents, including emails, letters, reports, notes, briefs, and recordings associated with a complaint, will be retained in accordance with TMR's recordkeeping practices.

Step 3 – Complaint timeframe and responses

- complaints will be acknowledged within five (5) working days and generally responded to within 15 working days
- more complex complaints may require an investigation which can take up to 45 working days
- the complainant will be provided with updates throughout an investigation process
- the complainant will be advised when a complaint and investigation (where applicable) has been finalised and will be provided with an adequate explanation of the outcome
- the outcome may include advising if the complaint was substantiated, the reasons for this determination, and measure/s to be taken by TMR as a result of the complaint
- the outcome of a complaint may consist of no further action, education, audit, or compliance/disciplinary action against an accredited rider trainer or a registered service provider
- TMR will not disclose specific details of the outcome of an investigation to a complainant, including resulting disciplinary or compliance actions. This is due to information privacy legislation obligations (refer to the 'Linked documents' section).

Frivolous and/or vexatious complaints

TMR has a responsibility to assess and manage complaints relating to the Q-Ride scheme to support road safety. This complaints management procedure supports the effective management of complaints to demonstrate to all parties that a complaint has been seriously considered that appropriate action was taken, and that the outcome is in line with the range of available outcomes and established policy.

There may be a small number of persons who choose to misuse complaints processes. TMR will assess all complaints and will not take any further action in relation to complaints where it is found that it is lacking in substance or credibility or has previously been dealt with.

Information privacy

The Information Privacy Act 2009 (IP Act) regulates the way in which Queensland government agencies, including TMR, must manage personal information. TMR is required to manage personal information in line with the Information Privacy Principles relating to collection, storage, use, and disclosure as set out in the IP Act.

For this reason, a complainant will be advised that their complaint has been investigated, appropriate action has been taken, and that the matter is considered finalised. TMR is unable to disclose specific details of the outcome of an investigation to a complainant or other third party.

Where any parties wish to apply for access to documents held by TMR, an application can be made under the Right to Information Act 2009 (Qld) (RTI Act). The RTI Act is intended to provide members of the community a right of access to information held by or under the control of government. This right of access is subject to limited exclusions, including grounds for refusal of access. For advice about applying for access to complaint and investigation documents, contact the Right to Information, Privacy and Complaints Management team on 3066 7108 or contactrti@tmr.qld.gov.au.

Linked documents

- TMR Complaints Management Policy: [Complaints Management Policy January 2020](#)

- TMR online form for compliments and complaints: [Online form](#)
- Information Privacy: [Information privacy](#)
- Information Privacy Principles: [Information Privacy Principles](#)
- Code of conduct (current version)
- Q-Ride Business Rules: [Information and resources for Q-Ride registered service providers](#)

Contact

If you have any questions about this procedure or the Q-Ride scheme, contact TMR's Industry Accreditation and Licensing (IAL) team for advice at Qride@tmr.qld.gov.au.