

## Fair procedures

This information sheet provides information on the requirements of the fair procedures process. Matters requiring decision by the Department of Education and Training (DET) will be dealt with as quickly as possible.

### Information to get you started

#### What is it?

DET has certain decision making responsibilities relating to vocational education and training in Queensland, including the regulation and administration of apprenticeships and traineeships. Relevant sections of the *Vocational Education, Training and Employment Act 2000* (the Act) require that these decisions be made only by 'fair procedures' as prescribed under a regulation.

#### *Show cause notice*

Under fair procedures DET must give the person affected by a proposed action the opportunity to show why that action should not be taken. This is known as '**natural justice**', i.e. that parties have the opportunity to respond to any allegations regarding the matter. Depending on the nature of the matter under consideration, the '**affected person**' may be the employer, the apprentice or trainee (and the parent/guardian where applicable), or the holder of a completion certificate.

Before making the decision, DET will give the affected person a signed **show cause notice** stating:

- the proposed action under the relevant section of the Act
- the grounds for proposed action
- an outline of the facts and circumstances that are the basis of the grounds
- an invitation to the affected person to show within a stated reasonable time (not less than **14 days** after the notice is issued) why the proposed action should not be taken.

DET may ask the affected person to provide additional documents or information considered necessary to decide the matter.

#### Important information

##### *Response to show cause notice*

The closing date for responses will be stated in the show cause notice. Written responses are preferred, however oral responses will be accepted. The recipient of the show cause notice may:

- request assistance from another person
- provide additional information or material in their response.

##### *Notification of decision*

The matter will be decided by DET when either a response to the show cause notice is received from all affected persons, or the time allowed for response has elapsed, whichever occurs earlier.

An '**information notice**' will be sent to the affected person/s to formally notify them of the decision. Please note that decisions made by DET are subject to appeal, refer to the [appeal against a decision information sheet](#).

#### Who to contact?

For further information, contact Apprenticeships Info on 1800 210 210.