

Complaints management policy

1 Purpose

This policy establishes the underlying principles and obligations of the Department of Communities, Housing and Digital Economy (the department) concerning the management and resolution of complaints. This policy has been developed in accordance with [Public Service Act 2008](#) which requires agencies to establish and implement a system for dealing with customer complaints as well as the [Human Rights Act 2019](#). This policy and the Complaints management procedure have been developed in accordance with Australian/New Zealand Standard 10002:2014: Guidelines for complaint management in organisations.

This policy applies to all employees working for the department regardless of whether they are permanent, temporary, full-time, part-time, or casual employees and/or on secondment from another department.

This policy applies to all complaints where a person/complainant expresses dissatisfaction with, and is directly affected by, a service, action or decision made by the department, its staff, or persons it has engaged to provide services on its behalf.

For clarity, this policy does not provide another avenue of complaint. Where a complainant has a matter dealt with under another policy, the same matter will not be dealt with under this policy.

2 Policy Statement

The Department Communities Housing and Digital Economy is committed to high quality customer services that take a people focused and proactive approach to complaints management. We will ensure that complaints received are dealt with fairly, promptly and in an efficient and confidential manner, that is compatible with human rights. We value all complaints and acknowledge that effective complaints management is fundamental to the provision of quality service and provides a mechanism for obtaining feedback from clients, resolving disputes and reforming policies and procedures.

The department is committed to effectively handling complaints promptly and professionally, including complaints made anonymously.

The department's complaints management system is based on the following principles:

People focus	<ul style="list-style-type: none">• Everybody has a right to complain.• DCHDE is committed to a proactive complaints management system which seeks feedback about complaints.• Issues raised are addressed in a reasonable timeframe.• Persons raising complaints are treated with respect and are, where appropriate and practicable, actively involved in the complaint's resolution process.• DCHDE as a whole-of-government service provider adopts a one government approach to complaints management and if a complaint is received that belongs to another department, the department will, with full disclosure, refer the matter to the appropriate department in a timely manner.
No charges	<ul style="list-style-type: none">• Persons raising a complaint will not be charged for accessing the department's complaints management system.
Visibility and transparency	<ul style="list-style-type: none">• Information on how to make a complaint is publicised on the departments' websites and frontline service delivery locations including in accessible formats.• DCHDE will provide explanations for policies, procedures and decisions in its communication with complainants and staff.

Accessibility	<ul style="list-style-type: none"> The department will also ensure that persons who may require assistance to lodge a complaint are provided with support and will accept representations from authorised representatives of complainants as appropriate.
Responsiveness	<ul style="list-style-type: none"> Complaints are promptly acknowledged and assessed. Where timeframes cannot be met, the department commits to internal escalation processes to manage timeliness of outcomes. Where complaints are received that belong to another department, the complaint will be referred to the appropriate department and the complainant advised of the details of the receiving department. Responses to complaints will be determined by the seriousness, frequency and consequences of the complaint.
Objectivity and fairness	<ul style="list-style-type: none"> Complaints are managed in an objective, fair, equitable and unbiased manner. Principles of natural justice and procedural fairness will be applied to the management of complaints. Reviews of decisions will be made by people other than the original decision maker. Complaints will be managed in a way that is compatible with human rights.
Continuous improvement	<ul style="list-style-type: none"> The department commits to learning from complaints as part of continual improvement. The department is investigating a whole-of-department recording and monitoring system to ensure best practice in complaints management and to identify opportunities for prevention of complaints.
Staff empowerment	<ul style="list-style-type: none"> The department commits to ensuring staff are informed of the department's complaints management system and that staff required to respond to complaints are provided with appropriate complaints management training.
Privacy and disclosure	<ul style="list-style-type: none"> Personally identifiable information about any individual should only be disclosed or used in compliance with all relevant privacy laws i.e., the Information Privacy Act 2009 and ethical obligations when managing a complaint. The department also acknowledges Section 25 of the <i>Human Rights Act 2019</i> which states that a person has a right not to have the person's privacy, family, home, or correspondence unlawfully or arbitrarily interfered with; and not to have the person's reputation unlawfully attacked.

2.1 Internal review of complaint outcomes

If a complainant is dissatisfied with how their complaint has been dealt with, they can request that their complaint be reviewed by the department. A request for internal review needs to be submitted within three months of the date of the decision which is the subject of the internal review being requested.

2.2 External review of complaint outcomes

If a complainant is dissatisfied with any action taken by the department in relation to a complaint, they may request that the department's decision be reviewed by the Queensland Ombudsman or the Queensland Human Rights Commission (if the complaint contains human rights issues).

2.3 Complaints the department will not action

The department will not accept or action complaints about matters:

- already dealt with or currently being dealt with by the department, another department or agency, a court or tribunal
- that are impractical to investigate, or
- that appear to be frivolous, vexatious, misconceived or lacking in substance.

A determination to not action or accept a matter under this section will be made by the decision-maker for the relevant level of the complaint. A full list of complaints out of scope for this policy are contained in the Complaints management procedure.

2.4 Unreasonable complainant conduct

Departmental employees are expected to interact with complainants in a professional, respectful, and courteous manner. Complainants are expected to treat employees the same way.

Unreasonable complainant conduct is behaviour by a complainant which, because of its nature or frequency, raises substantial health, safety, resource, or equity issues for the parties to a complaint including the complainant, staff or other service users. Examples of unreasonable complainant conduct can include but are not limited to:

- persistence – making excessive calls or sending excessive emails
- demands – asking for more reviews than provided for in the policy or demanding different outcomes without evidence the original decision was wrong
- lack of cooperation – refusing to identify the issues of the complaint or providing misleading information
- arguments – expressing irrational claims or making vexatious complaints or denying responsibility for own actions
- behaviours – making self-harm threats or threatening harm to others, using abusive language or threatening violence

The department is committed to addressing valid issues however it will manage unreasonable complainant conduct in a manner consistent with the department's obligation to ensure a healthy and safe work environment.

2.5 Human Rights Act 2019

The [Human Rights Act 2019](#) requires departmental employees to give proper consideration to human rights when making decisions and to act and make decisions in a way that is compatible with human rights. Individuals can complain to the agency they believe has breached their human rights, and then to the Queensland Human Rights Commission.

Further information on how human rights will be assessed and managed in the complaints management system are included in the Complaints management procedure.

3 Responsibilities

- 3.1 The Director of the Governance, Planning and Reporting Branch (GPR) is responsible for the Complaints management policy and procedure in the department. This role is supported by the Divisional Complaints Management Officers (DCMO) who manage the tactical response to complaints within their divisions and the Manager Right to Information and Privacy. Staff may also have complaints handling responsibilities as defined in the Complaints management procedures.
- 3.2 Compliance with this policy is mandatory.
- 3.3 We aim to address complaints as quickly as reasonably possible. The department has assigned levels to complaints, which assist in identifying the seriousness of the complaint, the likely consequences of the complaint and the timeframe for resolution of the complaint.

Where needed, the department will provide an acknowledgement of the complaint within five working days and a response within 25 working days. If an issue is complex, a more detailed investigation may be needed. This may take up to 45 working days and the complainant will be informed of progress during that time, as needed.

4 Delegations

The department is establishing a centralised recording system for complaints. The nominated DCMO is responsible for ensuring each complaint is registered and that all associated actions are recorded including resolution outcomes and identified continuous improvement actions.

5 Reporting

5.1 Internal reporting

The DCMO will provide a quarterly report to the Divisional Head for review and action on the number of complaints received, categories of complaints, KPIs on timeframes, resolutions, identified business improvement strategies and monitoring of implementation of identified strategies.

GPR will provide a six-monthly report to the Board of Management on complaints data including identification of trends to aid in risk management and strategic, operational, and business planning activities.

Internal reporting must identify the complaints where a human right has been engaged as specified in the [Human Rights Act 2019](#).

5.2 External reporting

GPR will collate and provide data from the departmental complaints management register regarding human rights complaints in accordance with s. 97(2)(b) of the [Human Rights Act 2019](#) for inclusion in the department's annual report and as otherwise required.

GPR will arrange the publication of the following complaints information for each financial year according to section 219A of the [Public Service Act 2008](#):

- a. the number of complaints received by the department in the year
- b. the number of those complaints resulting in further action
- c. the number of those complaints resulting in no further action.

The department will advise the Victim Service Coordinator of the outcome of complaints made by victims of crime for entering into the Victim Assist Queensland Complaints register. Details of the Victim Service Coordinator can be found in the Complaints management procedure.

6 Human Rights

The policy has been reviewed for compatibility with human rights under the [Human Rights Act 2019](#). The policy was not found to limit any human rights under the Act therefore, it is reasonable to conclude the policy is compatible with human rights.

7 Approval

This policy was approved by the Director-General on 30 June 2022.

Attachment 1: Contacts

Attachment 2: References

Attachment 3: Definitions

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Version Control

Version	Date	Comments
1	September 2016	Previous reference ISU:PY:2016:44
2	December 2019	Previous reference ISU:2020:05
3	June 2022	Policy updated and approved

Attachment 1: Contacts

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Attachment 2: References

The requirements set out in this document are based on, and are consistent with, relevant Government legislation, regulations, directives, information standards and/or policies at the time of publication.

Legislation and regulations

[*Crime and Corruption Act 2001*](#)
[*Information Privacy Act 2009*](#)
[*Public Interest Disclosure Act 2010*](#)
[*Public Service Act 2008*](#)
[*Right to Information Act 2009*](#)
[*Victims of Crime Assistance Act 2009*](#)
[*Human Rights Act 2019*](#)

Department of Communities, Housing and Digital Economy documents

[Complaints management procedure](#)
[Employee complaints policy](#)
[Employee complaints guideline](#)
[Prevention and management of corrupt conduct and public interest disclosure policy](#)

Other Resources

Australian/New Zealand Standard AS/NZS 10002 –2014 Guidelines for complaint management in organization.

Attachment 3: Definitions

Term	Description
Anonymous complaint	The identity of the person making the complaint is unknown.
Procedure	The sequence of actions or instructions to be followed when implementing policy to solve a problem or accomplish a task.
Complainant	Any person or organisation who would like to make a complaint. This includes a member of the public, stakeholder or staff member acting as a member of the community.
Complaint	An expression of dissatisfaction about the service or actions of the department, its employees or persons providing services on behalf of the department where a response or resolution is explicitly or implicitly expected or legally required. A complaint is not a question, an enquiry or a request for information or re-work, unless the person specifies that they wish to make a complaint.
DCMO	Divisional Complaints Management Officer responsible for allocating, overseeing and reporting complaints.
Human Rights Complaint	A complaint about an alleged contravention of section 58(1) of the Human Rights Act 2019, that we have: <ul style="list-style-type: none"> acted or made a decision that is not compatible with human rights; or in making a decision, failed to give proper consideration to a human right relevant to the decision.
Customer	Any person who is on the receiving end of: <ul style="list-style-type: none"> decision made or a failure to make a decision by a public service employee of the department an act or failure to act of the department the formulation of a proposal or intention by the department the making of a recommendation by the department breach of privacy the customer service provided by a public service employee of the department
Staff or staff member	All temporary and permanent employees, consultants, contractors, volunteers and students.
Responsible Officer	Employee assigned responsibility to undertake review into complaint or an internal review, up to and including making decision on complaint/internal review outcome
Victim	Is (as per section 5 of the Victims of Crime Assistance Act 2009) a person who has suffered harm: <ul style="list-style-type: none"> because a crime is committed against the person or because the person is a family member or dependant of a person who has died or suffered harm because a crime is committed against that person or as a direct result of intervening to help a person who has died or suffered harm because a crime is committed against that person.