

10.17 Complaints management

Purpose

This procedure outlines the process for responding to complaints about staff behaviour, services provided and determinations made by the department and funded services.

Key steps

1. Intake
 2. Complaint Management process
 3. Alternative response
 4. Investigation
 5. Internal review
 6. Privacy complaints
 7. Public Interest Disclosure
 8. Conduct and Performance Excellence (CaPE)
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Standards

1. Staff are aware of, and are guided by, the Complaints Management policy, and procedure and guidelines.
 2. Clients and members of the community are informed of the department's complaint mechanisms.
 3. Complaints are taken seriously and managed in an accountable, transparent and meaningful way according to the Complaints Management policy, procedure and guidelines.
 4. Complaints are recorded according to the department's recordkeeping policy.
 5. Complainants are kept informed about the progress of the complaint and advised of the complaint process and outcomes, including the factors that informed outcomes achieved.
 6. Matters that fall outside of the complaints management process as outlined in the Complaints Management policy are explained to the complainant and progressed/referred accordingly.
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Authority

- Australian/New Zealand Standard AS/NZS 10002-2014 Guidelines for complaint management in organizations
- *Child Protection Act 1999*
- Communities Policy: Recordkeeping
- *Public Sector Ethics Act 1994*
- *Public Service Act 2008*

- *Victims of Crime Assistance Act 2009*
- *Disabilities Services Act 2006*
- *Guide, Hearing and Assistance Dogs Act 2009*
- *Ombudsman Act 2001*
- *Information Privacy Act 2009*
- *Public Interest Disclosure Act 2010*

Key steps - Complaints management

1. Intake

2. Complaints Management process

- 2.1 Point of service delivery response
- 2.2 Regional response
- 2.3 Complaints Unit response

3. Alternative response

4. Investigation

5. Internal review

6. Privacy complaints

7. Public Interest Disclosure

8. Conduct and Performance Excellence (CaPE)

1. Intake

A complaint may be raised about the following:

- determinations made by the department and funded services
- services provided (or not provided) by the department and funded services
- the behaviour of departmental employees
- the behaviour of employees of departmentally Funded Non Government Service Providers (FNGSPs) or staff that is considered to directly impact upon clients of the department.

A complaint may relate to a region, CSSC, RIS, the CSAHSC, Adoption Services Complaints Unit (CU) or other departmental workgroup.

Complaints made to the department may be accepted verbally and in writing through a variety of channels, including:

- in person
- by telephone (including SMS)
- by letter
- by fax
- by email
- by audio CD or tape
- by Webchat
- to Minister/Director-General.

Departmental staff will assist people from culturally and linguistically diverse backgrounds, those with visual or hearing impairment or learning disability and those who cannot read or write to make a complaint.

All complaint matters are to be recorded according to the [Recordkeeping](#) policy, and as outlined in the [Complaints Management](#) policy, procedure and [guidelines](#).

Exceptions to complaints management

All concerns received by the CU about harm or risk of harm to a child are **immediately referred** to the relevant RIS or CSSC. Departmental officers from the CU or Senior Advisors are not authorised officers under the *Child Protection Act 1999* and therefore are not authorised to receive, record and assess child protection concerns.

Responses to some types of matters are covered by Child Safety specific policies and procedures **other than** the Complaints Management policy. For these matters refer to the [Complaints Management](#) policy and procedure.

While these matters are not subject to the complaints management process, it may be appropriate to provide complainants with information about current departmental policies and procedures that relate to their complaint.

2. Complaints Management process

The primary function of Intake is to determine whether the matter raised is a complaint or an issue.

A **complaint** is an expression of dissatisfaction about the department's products, services, or staff that requires a response or resolution which **cannot be managed routinely**.

An **issue** is a matter raised about the dissatisfaction of the department's products, services or staff that can be managed routinely.

Where complaints are assessed to be complex or sensitive in nature, negotiation is to occur with the Senior Advisor or CU regarding the most appropriate means to progress the matter.

Where necessary, engage an interpreter service to assist the complainant throughout the complaints management process. To access an interpreter, refer to the [Ethnic Communities Council of Queensland](#) websites.

The complainant has the right to a support person at any stage of the complaints management process. Support people may include a friend, advocate, community elder or anyone else the complainant nominates as their support person. CSSC managers, staff of CU and Senior Advisors **must** explain the confidentiality provisions and requirements of the *Child Protection Act 1999* to support persons or an interpreter, if applicable.

Ensure that the complainant is kept informed about the steps involved in the complaints process, anticipated timeframes and any other factors affecting the progress of a complaint. Reasons for delays in responding to complaints will be promptly communicated to the complainant.

Ensure that the decision about a complaint is made as soon as possible following assessment of the complaint.

2.1 Point of service delivery response

CSSC and RIS staff, or if applicable, staff from another Child Safety workgroup, are responsible for managing all low complexity complaints relevant to their service provision and their complainants. It is the role of point of service staff to address any matters as they arise in the course of contact with potential complainants, and to maintain accurate and complete records. It is the responsibility of the Service Centre to advise their region of all complaints raised so that they can be entered into RESOLVE. All complaints need to be recorded in the department's complaint system RESOLVE.

The CSSC, RIS or other departmental workgroup manager is responsible for managing all complaints that have been brought to their attention, and initiating a process to achieve a timely and appropriate outcome when assessed as a low complex complaint. It is their responsibility to advise their region of the complaints raised to ensure that they are entered into RESOLVE

2.2 Regional response

Where a matter is assessed to be a medium or high complex complaint it may be referred to the regional Senior Advisor for progression. The Senior Advisor will either:

- work collaboratively with the CSSC or RIS to achieve a timely and appropriate outcome
- refer the matter to the CU, where they believe there is a conflict of interest, or a perceived conflict of interest, or there has been a previous attempt to address the matter and the complainant remains .
- In consultation with the CU, at any stage in the complaint management process, a regional level officer may seek to refer the matter to the CU, if they believe impartiality or a perceived conflict of interest may exist.

All complaints need to be recorded in the complaint management system RESOLVE.

2.3 Complaints Unit response

Where a matter is referred to the CU, the staff of the CU will where appropriate, work collaboratively with the CSSC or RIS, the Senior Advisor, or other departmental workgroup, to address the matter in a timely and appropriate manner.

Where a complainant contacts the CU directly, the CU will determine the level at which the response to the matter will occur. Where a Senior Advisor, CSSC or other workgroup contacts the CU, negotiation will occur to determine the appropriate response.

If a complaints management process has already occurred in the CSSC, RIS, other Child Safety workgroup or region, and the complainant remains dissatisfied with the complaints management process undertaken, they can request an **internal review**. The request for an internal review should outline the reasons the complainant is dissatisfied with the complaints process used to manage their complaint. If the complainant's request does not include such information, it should be requested by the officer allocated the complainant's request for an internal review. If there are not sufficient grounds to support an internal review, then the CU will advise the complainant and the region.

3. Alternative response

An alternative response offers a more timely way to address a complaint. Alternative responses can be conducted via phone, meeting or as a written response or a combination of the three.

Please see section 3 of the guidelines.

4. Investigation

An investigation is a process where the complaint matters are tested and assessed against relevant department legislation, policy, procedure, standards or services agreements that result in findings being made.

Investigation can be conducted at the regional level or the CU level and will be of a medium or high complex complaint matters.

Please see section 4 of the guidelines.

5. Internal review

An internal review is a systematic way of looking back on how a prior complaint management process or determination was conducted. The grounds need to be tested and assessed against relevant legislation and/or departmental policies and procedures, and should result in findings being made.

Please see section 5 or the guidelines.

6. Privacy Complaints

Privacy complaints will be managed by the CU. The complainant will be required to complete the privacy complaint form themselves or will be assisted to complete the form. The form will then be referred to the Privacy Unit for assessment.

Please see section 6 of the guidelines.

7. Public Interest Disclosure

The Queensland Ombudsman administers the *Public Interest Disclosure Act 2010* (PID Act). The PID Act provides unique protections from reprisal for public officers disclosing information in the public interest to an appropriate entity about:

- Suspected corrupt conduct
- maladministration
- substantial misuse of public resources
- a substantial and specific danger to the health or safety of a person with a disability
- a substantial and specific danger to the public health or safety, or the environment
- a reprisal.

PIDs are managed centrally and when a PID is raised the service centres and regions need to provide this information to the CU for entry into RESOLVE

8. Conduct and Performance Excellence (CaPE)

The department is required to report to the Public Service Commissioner on the number of performance improvement plans (CaPE category 2 or 3) implemented on a quarterly basis. Managers/Supervisors are responsible for advising Human Resources and Ethical Standards of all formal performance improvement plans (CaPE category 2 or 3) that have been implemented.

Resources

Departmental resources

- Complaints Management policy
- Complaints Management procedure
- Complaints Management guidelines
- Compliments and Complaints feedback website

External resources

- Office of the Public Guardian
- Ethnic Communities Council of Queensland
- Office of the Queensland Ombudsman