

# Department of Communities, Disability Services and Seniors

## PROCEDURE

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**Title:** Complaints Management Procedure

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### Purpose

#### 1. Purpose

This procedure is to be read in conjunction with the Department's Complaints Management Policy and has been developed to provide guidance to officers in complaint management handling to ensure all complaints are managed consistently and within agreed timeframes.

All complaints must be entered into the departments Complaint Management System – RESOLVE to ensure consistent monitoring and reporting of complaints.

#### 2. Complaint channels

Complaints can be received by a staff member or the Complaints and Investigations Unit and can be received through a number of channels, including:

- Telephone
- Email
- Fax
- In person
- Letter
- Correspondence to the Minister or Member of Parliament

#### 3. Issue definition

An **issue** is a concern or worry by a customer regarding the department's products, services or staff that **can be managed routinely**, as a request for service.

#### 4. General Considerations

After a complaint has been received, general considerations in dealing with the matter include:

- Define whether the matter is an issue or complaint? If the concern/worry is assessed as being an issue this should be dealt with as part of day-to-day management
- Who is the subject of the complaint?
- What is the specific service delivery issue being raised?
- Define the complaint complexity e.g. a low, medium or high complexity matter?
- Who should deal with the complaint?
- What outcome/s is the complainant seeking?
- Is there relevant supporting information and submission?
- Does further information need to be requested?

## Defining the complaint complexity

Once the concern/worry is defined as a Complaint the officer needs to determine the level of complexity.

**Low complexity complaints** are matters that cannot be resolved with the complainant and needs intervention by the Manager or unit staff and can be concluded as soon as practicable.

Low complexity complaints require no investigation and can be easily addressed through the provision of information, or through negotiating a desired outcome, perhaps through face-to-face or over the phone; a written response may not be required.

Low complexity complaints should be managed at the local unit level and should take no more than 15 business days.

**Medium complexity complaints** may require some research into the matter; it might also require some negotiation/facilitated discussion with the complainants or consultation with other areas of the department.

Medium complexity complaints typically include complaint issues that relate to a single incident or a decision or a client. Minimal investigation or fact finding of the complaint issues may be required. Typically, medium complexity complaints contain a small number of issues. A written response is generally required.

These complaints are managed at the relevant unit or Complaints and Investigations Unit and should be completed within 45 business days.

**High complexity complaints** are matters where there are a large number of complaint issues; or where the complaint issues may refer to possible systemic concerns. These matters will typically involve complainants providing very detailed and lengthy background information that requires the department time to address.

The matters can be of a very complex nature which may involve working with a number of units in the department or external departments in order to reach an outcome. Formal investigation may be required, involving assessment of information, and may involve interviews or discussions with staff and other relevant persons, including external jurisdictions (e.g. Queensland Police Service, Office of the Adult Guardian, Community Visitor etc.)

These complaints are managed by the Complaints and Investigations Unit and may take up to six months to complete.

## 5. Who should deal with the complaint?

When a complaint is received, a determination is to be made in relation to who should handle the complaint. This determination will depend on how the complaint is classified. The table below provides guidance to officers in making this determination.

| Complaint Type                                  | Complaints Unit | DCCSDS Unit                     | Timeframe (indicative only)  |
|---|-----------------|---------------------------------|--|
| Low   | No              | Yes                             | 5 – 15 business days   |
| Medium  | Yes             |                                 | 15 – 45 business days  |
| High  | Yes             |                                 | 30 business days- up to 6 months   |
| Public Interest Disclosure (PID)                | Yes             |                                 | 30 business days   |
| Privacy Information breach                      | Yes             | Refer to Privacy Unit           | Response only, to client within 45 days. If deemed a complaint will be managed as above. |
| Staff Conduct breach                            | No              | Refer to Ethical Standards      | As determined by Ethical Standards   |
| Non-Compliance breach                           | No              | Refer to Compliance Unit        | As determined by Compliance Unit   |
| Suspected harm to a child under 18 years        | No              | CSSC or Regional Intake Service | Immediate  |
| Harm to any person that may involve criminality | No              | Refer to QPS                    | Immediate  |

## 6. How to manage the complaint

In the first instance all complaints will be managed by the work area relevant to the decision made or where service was delivered. However, if the complainant believes that a complaint cannot be resolved at the local level or at the service level, the complainant may escalate the matter to the Complaints and Investigations Unit, which manages the department's central complaints function.

The department recognises the importance of fully understanding the complainant's complaint issues. Upon receiving a complaint, the allocated officer will take reasonable steps to understand the nature of the complaint by clarifying and seeking any necessary additional information from the complainant. Contextual information will also be obtained from departmental records if available and other relevant persons to facilitate assessment and appropriate response. All complaints will be managed using the department's complaints management system – RESOLVE.

The way in which a complaint is managed will depend on how it is classified and how it was received. Staff managing complaints will ensure that complainants are kept informed about the steps involved in the complaints management process, anticipated timeframes and any other factors affecting the progress of a complaint.

The department requires timely resolution of complaints; however recognises that legitimate delays in the assessment, investigation or decision making process can occur. Reasons for delays in the resolution of complaints will be promptly communicated to the complainant.

Complaints can be managed through a number of processes including

- Alternative response
- Investigation
- Internal review
- A combination of any of the three
- Referral to the NDIA for NDIS related complaints or issues

- External review

### **7.1 Alternative response**

An alternative response might be a facilitated discussion, a face-to-face meeting, an informal discussion over the phone between the departmental officer and the complainant or an explanation of departmental legislation/policy/procedure that results in a resolution to the complaint.

### **7.2 Investigation**

An investigation is a process whereby the department investigates complaints made by complainants. The complaint issues need to be tested and assessed against departmental legislation, policy, procedure, standards, or service agreements and should result in findings being made.

### **7.3 Internal Review**

An internal review is a systemic 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.

### **7.4 Referral to the National Disability Insurance Agency (NDIA)**

For NDIS related complaint raised to the Minister or state representative, referrals are to be sent to the NDIA.

### **7.5 External Review**

An external review is conducted by an external agency to the department, for example the Queensland Ombudsman. This is usually the final step in progressing a complaint in Queensland Government.

## **7. How to manage other complaint types**

### **8.1 Anonymous complaints**

These matters are assessed against the same criteria as any other complaints. When assessing complaints, particular considerations include the nature and complexity of the complaint, the quantity and quality of information and the capability of a productive outcome.

### **8.2 Privacy Complaints**

Complaints concerning a possible breach of privacy will be managed in accordance with the relevant departmental privacy policy. Consultation will occur with the department's Right to Information, Information Privacy and Screening Unit when the complaint has been identified as a possible privacy complaint.

### **8.3 Staff conduct**

Allegations concerning the conduct of staff will be managed in accordance with relevant departmental human resource management policies. If corrupt conduct is suspected, consultation

will occur with the department's Ethical Standards Unit for consideration and possible referral to the Crime and Corruption Commission.

#### **8.4 Non-compliance**

Allegations concerning, non-compliance with financial responsibilities or with the *Community Services Act 2007* for departmentally funded non-government service provider's (NGO's). If non-compliance is suspected, the department's Compliance Unit will manage the matter.

#### **8.5 Suspected harm**

Allegations of suspected harm or risk of harm to a child will be referred immediately to the relevant Child Safety Service Centre for action. Allegations of suspected harm or risk of harm to another person, will be referred immediately to the Queensland Police.

### **8. System improvement monitoring**

The department's complaints management tool (RESOLVE) is the primary tool for the collection of data. A current and accurate record of complaints received by the Complaints and Investigation Unit must be maintained, to:

- enable staff to query active/closed records
- enable staff to manage complaints across the department
- ensure data quality and integrity
- monitor the time taken to resolve complaints
- provide non-identifiable reports on patterns and trends to relevant stakeholders
- provide data for inclusion in departmental performance reporting as required
- ensure consistency and integrity of complaints management data

The department is committed to continually improving its service delivery. Information from the complaints management system will be analysed and meaningful feedback will be provided to staff about the nature, causes and outcomes of complaints.

Recommendations from complaints management processes relating to operational and/or systemic process improvements, that have been agreed to by the relevant Assistant Director-General or Executive Director, will be monitored until implemented.

### **9. Reporting**

#### **10.1 Quarterly reporting**

The Complaints and Investigation Unit will develop quarterly trend reports and undertake analysis, in consultation with other divisions with the department to identify areas for improvement. These reports will be provided to the Deputy Director General – Communities, Disability Services and Seniors and Disability to share with DCDSS Board of Management and will identify a particular focus area for the next quarter.

#### **10.3 Focus Reports**

Based on the analysis provided by the Quarterly Reports, a focus report will be developed which will elaborate on specific areas of concern. These focus reports will be provided to divisions within the department for discussion in regard to possible opportunities for improvement and reported back to the Board of Management at the next opportunity.

#### **10.4 Annual reporting**

A report will be provided to the Board of Management annually, and will form the basis of information to be provided within the department's Annual Report, which is due in September of each year. The information provided within the department's annual report, will meet the annual reporting requirements as determined by the *Public Service Act 2008* and the Australian/New Zealand Standard AS/NZS 10002-2014 Guidelines for complaints management in organizations.

#### **10. Continuous improvement**

On an annual basis, the department will undertake a survey of its complainants to understand client satisfaction with the complaints management process. The results of the survey will be reported in the department's Annual report.

The department will implement a self-audit process to test that the complaints management processes are being followed as per the DCCSDS Complaints Management Policy and Procedure.

#### **11. Authority**

*Public Service Act 2008*

*Disability Services Act 2006*

*Guide, Hearing and Assistance Dogs Act 2009*

*Ombudsman Act 2001*

*Public Interest Disclosures Act 2010*

*Information Privacy Act 2009*

#### **12. Related legislation, procedures, and guidelines**

Complaints management procedure

Complaints management guidelines

Australian/New Zealand Standard AS/NZS 1002-2014 Guidelines for complaints management in organizations

Office of the Queensland Ombudsman provides guidelines and advice on the policy development of Complaints Management Systems for Queensland Government Agencies.

Code of conduct for the Queensland Public Service

*Child Protection Act 1999*

*Public Sector Ethics Act 1994*

*Guardianship and Administration Act 2000*

*Aged Care Act 1997*

*Residential Tenancies and Rooming Accommodation Act 2008*

*Crime and Corruption Act 2001*

*Crime and Misconduct Act 2001*

*Civil Liability Act 2003*

*Victims of Crime Assistance Act 2009*

*Mental Health Act 2000*

*Domestic and Family Violence Protection Act 1989*  
*Family and Child Commission Act 2014*  
*Workplace Health and Safety Act 1995*  
*Human Services Quality Standards*  
*Community Services Act 2006*  
*Home and Community Care Act 1985*  
*Forensic Disability Act 2011*  
*NDIS Queensland Complaints Process*  
*Public Sector Ethics Act 1994*

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**Records File No.:** <If applicable>  
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**Office:** Office of Disability Connect Queensland  
**Help Contact:** Complaints and Investigation Unit

**Links**

Complaints Management Policy

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