

Customer Complaints Management Policy

Owner Integrity Services

CHD/2018/4317

Last Reviewed 23/01/2024

Version 2.00

1. Purpose

This policy describes how the department manages complaints in accordance with s.264 of the *Public Sector Act 2022* (PS Act), underpinned by the complaint management principles outlined in the Australian Standards *ISA 10002:2018 Guidelines for complaints handling in organisations*.

The policy applies to all our workers – temporary and permanent staff including consultants, contractors or any other person that provides us with services on a paid or voluntary basis.

The policy forms part of our customer service and governance arrangements.

2. Statement

Customer complaints are opportunities to identify policies, procedures and practices that may require improvement. The department is committed to a positive complaint management environment. The department encourages feedback, which may be anonymous, and applies a complaints management system that enables effective management of feedback and complaints in a fair, accountable, and responsive manner.

Complaints may be received from clients, including children, parents/carers and athletes such as those at the Queensland Academy of Sport, venues and precincts (including recreation centres), and sports grounds. In handling complaints relevant to this procedure, the department supports the [National Office for Child Safety handling process](#).

3. Principles

To achieve our objectives, the department is committed to these guiding principles in managing complaints:

- Recognise and respect everybody's right to provide feedback.
- Manage complaints objectively and deal with them fairly, respectfully, consistently, and transparently in accordance with natural justice, procedural fairness and without actual or perceived conflicting interests.
- Assess the nature of complaints, including human rights considerations, identify how and whom they should be dealt with.
- Monitor and analyse complaints to improve our work practices and complaints management system.
- Empower workers to effectively manage customer complaints by ensuring they are aware of the department's Customer Complaints Management Procedure.
- Where appropriate offer remedies that are fair to all parties, minimising the possibility of ongoing disputes.
- Handle complaints in a way that is culturally appropriate and responsive to special needs of those involved.
- Deal with complaints confidentially to the extent possible and with personal information in accordance with the *Information Privacy Act 2009*.
- Complainants are to conduct themselves in a reasonable manner.
- Maintain communication with the complainant and provide outcome advice.
- Complaints will be recorded and reported in accordance with legislative requirements.

4. Authority

The application of this policy enables the department to meet its obligations under the:

- [Public Sector Act 2022](#)
- [Public Sector Ethics Act 1994](#)
- [Public Interest Disclosure Act 2010](#)
- [Human Rights Act 2019](#)
- [Code of Conduct for the Queensland Public Service](#).



Section 264 of the PS Act requires the Public Sector Commission (PSC) to establish a complaints management system for customer complaints which complies with the Australian/New Zealand Standard - Guidelines for complaints management in organizations (AS/NZS 10002:2018). The Standard requires the department to establish a policy setting out our commitment to effective complaints management. This policy is supported by procedures that detail how complaints will be managed.

5. Scope

This policy applies to a written or verbal complaint made by a person (the complainant or other authorised person) who is directly affected by the service or action of the department and/or our workers.

A complaint is an expression of dissatisfaction in relation to a departmental policy or service, where a response or resolution is explicitly or implicitly expected or legally required. This includes actions of our workers, including those who are:

- permanent, fixed-term temporary and casual
- secondees from other agencies (including staffing under mobility arrangements)
- work placement staff (such as trainees, work experience students, cadets)
- non-executive employees engaged via contract
- senior officers and senior executives
- other persons who perform work for the department including
 - volunteers
 - contractors
 - sub-contractors
 - consultants
 - their employees (including labour hire staff) who are engaged via contract/agreement.

For application of this policy and/or supporting documents, the term 'worker' is used collectively to describe persons who perform work for the department.

A complaint includes actions of workers, such as:

- a decision, or a failure to make a decision
- an act or failure to act
- an act or decision that is not compatible with human rights
- the formulation of a proposal or intention
- the making of a recommendation
- customer service provided
- the handling of a complaint.

This procedure does not apply to complaints about:

- another agency or organisation
- complaints made by employees about decisions affecting their employment, for example, grievances, appeals (PS Act)
- where a matter has previously been investigated and all options are exhausted
- matters subject to legal proceedings, such as a tribunal, commission, a judicial court or referred for investigation to another agency such as the Queensland Police Service
- allegations of corrupt conduct made in accordance with the *Crime and Corruption Act 2001*
- complaints made by a public officer in accordance with the *Public Interest Disclosure Act 2010*
- complaints made in accordance with the *Right to Information Act 2009*
- complaints made in accordance with the *Information Privacy Act 2009*
- allegations of misconduct made against a worker in accordance with the PS Act
- complaints about the Director-General
- matters outside our direct responsibility
- a third-party agent or service provider where the matter is referred to the agent or service provider for direct investigation and/or response to the customer.

A complaint assessed as a Public Interest Disclosure (PID) made under the *Public Interest Disclosure Act 2010* (PID Act) is to be managed in accordance with the department's procedure for the Management of Public Interest Disclosures.

A complaint which includes an allegation/s of corrupt conduct as defined under section 15 of the *Crime and Corruption Act 2001* (CC Act) is to be managed in accordance with the department's Corrupt Conduct Management Policy.

An employee complaint made to the department about a chief executive will be managed in accordance with the Managing Employee Complaints directive. If the complaint is assessed as a PID, the complainant will be entitled to the protections under the PID Act and if the complaint contains allegations of corrupt conduct, the complaint must be referred to the Crime and Corruption Commission (CCC).

For clarity, the following are not considered complaints:

- questions, enquiries and requests for information or action
- feedback obtained during public consultation processes
- feedback received about matters outside the direct responsibility of the department
- feedback received about another agency or organisation
- complaints that are primarily contractual disputes or are in relation to matters subject to legal proceedings.

6. Our timeframes

Complaints will be resolved within the timeframes that apply to the following level of complexity:

Simple complaints are typically resolved within 24 hours if possible. These are complaints that have no risk or detriment to the client or the department and are resolved at the point of service by a department worker with oversight by the Director or Manager of the business unit.

Standard complaints are resolved within a maximum of 30 business days of receipt of the complaint, although attempts should be made by workers to complete them expeditiously. This type of complaint has minimal risk or detriment to the client or the department and usually one single issue or concern.

Significant /complex complaints may require more than 30 business days due to the medium or high level of risk/detriment to the client or the department and multiple and/or serious issues that usually requires an extensive investigation.

Acknowledgement - the department will acknowledge receipt of the complaint within three business days of receiving it. The acknowledgment will be sent in the same format as it was received, for example, if the complaint was received and responded to over the phone.

Privacy and human rights complaints - a complaint that the department has breached an individual's privacy or a complaint about a matter affecting a relevant human right must be resolved within 45 business days of receipt.

7. How to make a complaint

Complaints may be made verbally (in person or phone) or in writing (email or post) by the complainant (or another authorised person). An online complaints form is available through the Queensland Government contact portal [QGOV](#) and is available for anyone to use. Further information is available on the [department's website](#).

Anonymous complaints, and those provided by an authorised third party are afforded the same consideration as other complaints.

The complaint is to be made within 12 months from the time from which the grounds of the complaint arose. If the complaint is submitted outside the 12-month timeframe, exceptional circumstances will need to be submitted explaining why the complaint is submitted outside this timeframe. Exceptional circumstances include situations which are out of the ordinary, unusual, special, or uncommon (for example, ill-health and/or personal issues impacting on the complainant's ability to address the concerns).

The assessment of a complaint will consider any exceptional circumstances and the seriousness and complexity of the complaint.

In accordance with the *Human Rights Act 2019*, assessment of human rights complaints will only occur for acts or decisions made on or after 1 January 2020.

7.1 Complaints management model

Step 1: Worker – receipt and first contact resolution

Step 2: Integrity Services – coordinates assessment, resolution and outcome advice

Step 3: Internal Review Officer – conducts a merit review at request of complainant

Step 4: External review requested by complainant (external review bodies include Queensland Ombudsman, Office of the Information Commissioner).

Integrity Services is responsible for the coordination and oversight of the customer complaints management system.

Departmental workers (receiving officers) will try to resolve the complaint at first point of contact, if possible, for example on the phone or in person (Step 1). Otherwise, your complaint will be referred to Integrity Services for assessment and management; written advice will be provided to you on the outcome of your complaint (Step 2).

If dissatisfied with the outcome or how the complaint was handled, a complainant may seek an internal review by a senior officer within 20 business days of the decision on the complaint (Step 3). If dissatisfied with the internal review, which will be conducted within 20 business days, an external review by an independent external review body may be sought (Step 4).

A complainant who is dissatisfied with the department's response to their complaint about a human rights matter can make a complaint to the Queensland Human Rights Commission.

The external review bodies which may accept your complaint include the:

- Office of the Queensland Ombudsman
- Office of the Information Commissioner (for complaints about breaches of privacy).

7.2 Different procedures may apply to some customer complaints

The department is required to address certain types of complaints in specific ways. Integrity Services will assess and address an incoming complaint as per the following table.

Type of complaint	The complaint is governed by this policy and...
Complaints about department products, services and conduct of workers	Customer complaints management procedure
Complaint that the department has breached an individual's privacy	<i>Information Privacy Act 2009, Human Rights Act 2019</i> and the department's Customer Complaints Procedure
Complaints about breaches of human rights	<i>Human Rights Act 2019</i> and the Queensland Government Guide: <i>Handling Human Rights Complaints</i>
A complaint assessed as a public interest disclosure (PID) in accordance with the <i>Public Interest Disclosure Act 2010</i>	The department's Making and Managing a Public Interest Disclosure Policy and Procedure and the <i>Public Interest Disclosure Act 2010</i>
A complaint which is an allegation about 'corrupt conduct' as defined under section 15 of the <i>Crime and Corruption Commission Act 2001</i>	The department's Corrupt Conduct Management Policy and Procedure. The complaint may be referred to the CCC for investigation or investigated by the PSC and reported to the CCC if required under the <i>Crime and Corruption Commission Act 2001</i>

8. Managing unreasonable complainant behaviour

The department recognises that in managing complaints fairly, efficiently, and effectively, all parties to a complaint (for example, complainants, complaint handlers and any people who are the subject of the complaint) have certain rights and responsibilities. The department will ensure that our work health and safety responsibilities and duty of care obligations are met.

This obligation extends to departmental workers who deal with complaints. The department will ensure appropriate strategies are in place for managing unreasonable complainant conduct fairly, ethically, and reasonably (for example, unreasonable persistence, demands, lack of cooperation, unreasonable arguments and behaviour).

9. Role Responsibilities

Integrity Services is responsible for the management of customer complaints. The Manager of Integrity Services will:

- coordinate the management of all complaints from initial assessment to finalisation of the complaint
- undertake an initial assessment of the complaint and consider whether the complaint may:
 - also be a public interest disclosure (PID) under the PID Act
 - also include an allegation of 'corrupt conduct' under the CC Act
 - potentially include a breach of human rights
- manage any PID or allegation of corrupt conduct in accordance with the respective policy and procedures
- acknowledge receipt and provide advice about the complaint process and timeframes to the complainant
- refer all or part of the complaint to the appropriate division for resolution
- ensure all records are kept confidential and secure and complaints are appropriately recorded in the complaints register
- provide reports to senior management and meet annual reporting requirements (section 264 PS Act)
- provide information, training and support to workers on customer complaint management processes.

Deputy Director-General, Corporate Services is responsible for:

- conducting an annual review of compliance with the policy and associated procedures
- reviewing the policy and procedures at least every two years
- promoting department wide awareness of the Complaints Policy and Customer Complaints Management Procedure.

Divisional leads, Executive Directors, General Managers, Directors, Managers (Workers - conducting an internal review); (Workers – investigating a complaint) are responsible for:

- overseeing first point of service contact resolution of customer complaints by workers in their teams, ensuring reporting of resolved complaints and/or referral of unresolved point of service customer complaints to Integrity Services
- responding to customer complaints referred by Integrity Services and investigating complaints if appropriate
- conducting internal reviews of decisions on customer complaints as requested and in accordance with the procedure.

Workers (receiving a complaint) will:

- possess a working knowledge of the department's Customer Complaints Management Procedure to ensure customer complaints are managed appropriately
- receive complaints at the first point of contact in consultation with Executive Director/Director/Manager
- resolve complaints or refer unresolved complaint to Integrity Services to manage
- record complaint details and resolution or reasons for referral in a local register.

10. Definitions and glossary of terms

Term	Description
Authorised person	Where a complaint is received from a third party, it will likely be necessary for the department to satisfy itself that the third party has been authorised by the complainant (the directly affected person) to act on their behalf for the purposes of perusing the complaint. Refer to the Queensland Ombudsman's 'Representative complaints' for further advice.
Customer complaint	A complaint about the service or action of a department, or its workers, by a person who is apparently directly affected by the service or action (section 264(4) of the PS Act).
Children (child)	A child is an individual under 18 years.
Corrupt conduct	Has a specific meaning per section 15 of the CC Act.
Department	The Queensland State Government (home) agency responsible for the governance of this document.
Employee	As defined by Section 13 of the PS Act, a public service employee is: (1) is a person employed under chapter 4 or 5 in a public service entity as— (a) a general employee; or (b) a fixed term temporary employee; or (c) a casual employee; or (d) an officer (e) a senior officer (f) a senior executive (g) a chief executive.
Integrity Services	For this procedure, the business unit responsible for managing customer complaints and has oversight of the process. Assesses complaints, including Public Interest Disclosures and allegations of corrupt conduct and manages appropriately in accordance with department policies.
Investigation	An investigation occurs when it is decided that an investigation should be conducted either internally (for example, by the relevant division, HR or Integrity Services) or by an external investigator. An investigation can be defined as the unbiased gathering and evaluation of evidence.
Manager/Supervisor	Any person whose duties involve or include managing or supervising others in the performance of their duties, irrespective of their formal title.
Natural Justice	A right recognised and defined by law that involves two key elements: <ul style="list-style-type: none"> • Hearing Rule: the worker is to be informed of the substance of any allegation, provided with reasonable opportunity to respond to the allegation/s or decisions affecting them, and for their response to be genuinely considered prior to a decision being made that could be detrimental to their interests. • Bias Rule: decision-makers are to be objective, act fairly and be free of bias and have no vested or direct personal interest in the outcome of a matter.
Worker – receiving	The worker who receives the complaint at first contact in Step 1 of the CMS process and either resolves the complaint or refers to Integrity Services.

Worker – internal review	The senior officer nominated by the relevant division’s Executive Director or Director to conduct an internal review. The internal review officer must not have been involved in the complaint or investigation process.
Worker - investigating	The senior officer with the appropriate authority and expertise in their role to investigate the complaint.
Procedural fairness	<p>Providing a worker who might be adversely affected by a decision a ‘fair hearing’ before the decision is made. Generally, a fair hearing involves disclosure, a reasonable opportunity to respond and impartiality.</p> <p>The affected worker should be notified of the key issues and given enough information to participate meaningfully in the decision-making process. Reasonable steps should be taken to notify the affected worker.</p> <p>The affected worker should be given a reasonable opportunity and time to respond. The decision-maker should genuinely consider the affected worker’s submission in making their decision.</p> <p>The decision-maker should be seen to be impartial and open to persuasion on the information and arguments presented.</p> <p>Derived from the principles of natural justice (refer definition) requires a process leading to a decision is fair as follows:</p> <ul style="list-style-type: none"> • decision makers act fairly and provide reasons for decisions • the worker affected is given a fair hearing • all parties to the matter have the opportunity to put their case where an adverse decision of finding is made • all relevant arguments and relevant material are considered, and irrelevant arguments and material is excluded.
Misconduct	As defined under section 91(5) of the PS Act misconduct means— (a) inappropriate or improper conduct in an official capacity; or (b) inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the public sector entity in which the employee is employed.
Subject Officer	Means a person subject of a complaint.

11. Related Documents

This departmental policy should be read in conjunction with the Customer Complaints Management Procedure.

12. References

- [Queensland Public Service Customer Complaint Management Framework](#)
- [Queensland Public Service Customer Complaint Management Guideline](#)

13. Further information

Should you require any further information or clarification, please contact:

Manager, Integrity Services
Telephone: (07) 3516 0728
Email: complaints@dtis.qld.gov.au

14. Review

This procedure will be reviewed biennially by the Manager of Integrity Services to maintain relevance, accuracy, effectiveness, and continuous improvement.

15. Approval

Andrew Hopper
Director-General
Department of Tourism and Sport
Date: 31 January 2024

16. Version history

Date	Version	Action	Description / comments
28 April 2021	1.00	New document.	Approved by the Director-General.
31 January 2024	2.00	The policy has been updated following the release of the PSC Customer Complaint Management Guideline and Framework in July 2023, PS Act and Australian Standards <i>ISA 10002:2018</i> .	Approved by the Director-General.

17. Keywords

CHD/2018/4317; complaints; employee complaints; customer complaints; public interest disclosures; code of conduct; complaints management