

# Customer Complaints Management Policy

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## Human Rights

Decision makers must act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to a decision, as required by section 58 of the [Human Rights Act 2019](#). For further information refer to the [Human Rights Commission](#).

## 1. Purpose

This policy establishes the underlying principles and obligations of the Department of Regional Development, Manufacturing and Water (the department) concerning the management and resolution of customer complaints.

This policy and the Customer Complaints Management Procedure have been developed in accordance with the:

- [Queensland Public service values](#) and the department's [charter of behaviours](#)
- Queensland Public Service Customer Complaint Management Framework and Guideline
- [Public Sector Act 2022](#), Part 9, section 264
- [Australian Standard Guidelines for complaint management in organisations AS10002:2022](#) (the standard)
- [Human Rights Act 2019](#)
- [Information Privacy Act 2009](#)

The department recognises that feedback, both positive (compliment) and negative (complaint), is important for the delivery of quality services. The department will utilise the Queensland Government webform to capture compliments and complaints and record the same in the DRDMW Compliments and Complaints Register.

## 2. Scope

### 2.1 Application

Subject to excluded complaints under section 2.2, complaints managed under this policy and associated procedure are those where a customer expresses dissatisfaction with, and is directly affected by a service, an action or a decision made by the department, its employees or persons it has engaged to provide services on its behalf and may include the following:

- the customer service provided
- a decision made or failure to make a decision
- an act or failure to act
- the formulation of a proposal or intention
- the making of a recommendation
- a breach of privacy and/or
- a breach of human rights.

## 2.2 Exclusions

The following types of complaints are not dealt with under this policy and the associate complaints management procedure and are managed through other relevant legislation, policies or complaints system:

- complaints of suspected corrupt conduct dealt with under the [Crime and Corruption Act 2001](#) and the department's corrupt conduct prevention reporting procedure.
- public interest disclosures dealt with under the [Public Interest Disclosure Act 2012](#) and the department's [Public interest and disclosure protocol](#).
- employee grievances that are dealt with under the department's [Employee grievance and protocol](#)
- employee appeals that are dealt with under chapter 7 of the [Public Sector Act 2022](#) and in accordance with the [Commission Chief Executive directive; Appeals \(07/20\)](#)
- complaints that are mainly contractual in nature
- complaints subject to legal proceedings
- administrative decisions made by the department (for example in its regulatory role) where there are statutory review rights or application for judicial review has been made.
- complaints about an alleged contravention of human rights made in conjunction with a complaint about an administrative decision that is subject to statutory review rights or an application for judicial review has been made.
- complaints about access application decisions dealt with under the [Right to Information Act 2009](#)
- complaints about access and amendment application decisions under Chapter 3, part 2 of the [Information Privacy Act 2009](#)
- complaints and concerns raised by suppliers or members of the public about procurement activities of other government departments which may be dealt with under the [Queensland Procurement Policy](#)
- complaints about other Queensland Government departments, agencies, other levels of government, and government owned corporations
- complaints about the department's Director-General which are managed in line with the complaints about the Director-General policy

- complaints about the department which are made to and dealt with by the Office of the Minister for Regional Development, Manufacturing and Water. This includes complaints being responded to via ministerial correspondence.

For information about where to refer the above-mentioned complaints see Appendix B of this policy.

For clarity, this policy does not provide another avenue of complaint. For example, where a complaint has been dealt with under policy (for example the department's employee grievance policy), the same complaint will not be dealt with under this policy.

### 3. Policy statement

Effective complaints management is fundamental to the provision of quality service and provides a mechanism for obtaining feedback from customers, resolving disputes and reforming policies and procedures.

The department's customer complaint management system (CMS) and complaint management policy is based on the guiding principles outlined in the Australian Standard Guidelines for complaint management in organisations AS 10002:2022 (the standard) and the Queensland Public Service Customer Complaints Management Framework and guidelines.

The department is committed to the 5 principles outlined in the Framework:

**Customer focused** – Customers should be able to make a complaint via clear and accessible agency complaint management systems, with complainants respected and responses addressing all issues raised.

**Timely and fair** – Complaint handling processes are clear, impartial and confidential, with timely acknowledgements and responses.

**Clear communication** – There are clear and communicated expectations and standards for all parties involved in a complaint.

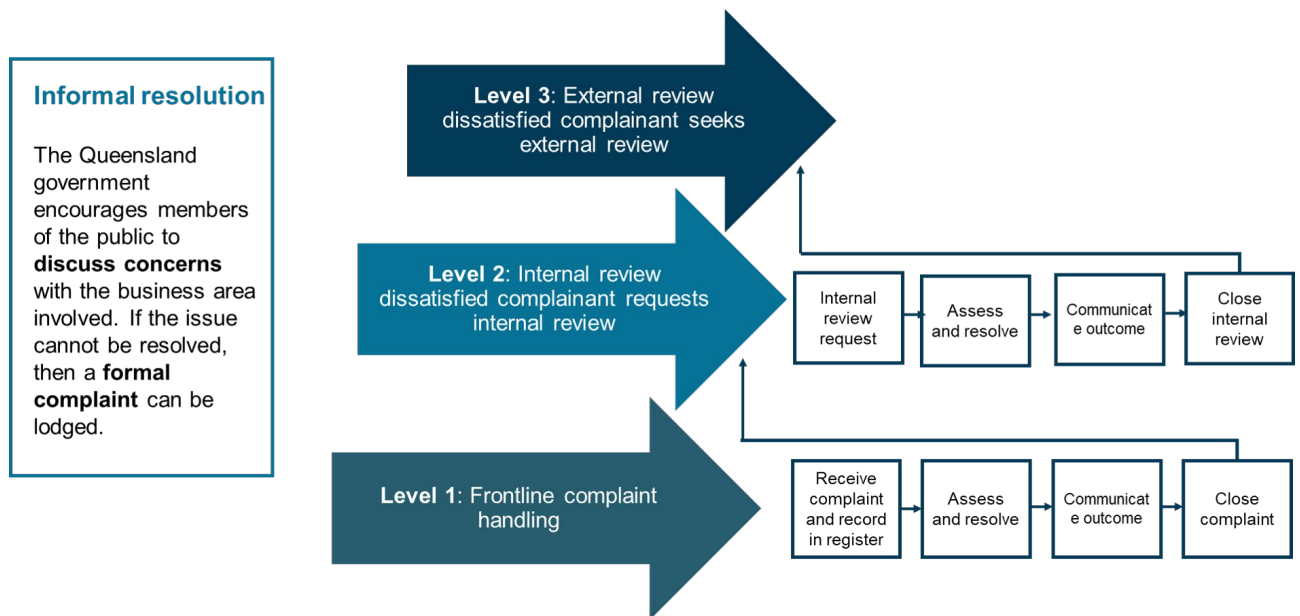
**Accountable** – Agency roles and responsibilities for complaint management are clear and publicly available.

**Improving services** – Complaints improve existing, and inform new, quality services, with complaint management systems helping agencies prevent potential ongoing disputes.

### 3.1 Customer complaint levels

The Queensland Government encourages members of the public to discuss their concerns with the business area involved. If the concern is unable to be resolved, a formal complaint can be lodged. The department has adopted 3 levels of complaint handling:

**Figure 1: Overview of customer complaint process**



The DRDMW Customer Complaints process is outlined in full in Appendix C of the DRDMW Customer Complaints Procedure.

### 3.2 Customer complaint - Level 1

Most complaints received by the department will be handled and resolved at this stage. Detailed information about frontline complaint handling is available from the Queensland Ombudsman.

The department will provide a final response taking no more than 30 business days from the date the complaint is received. For all timeframes refer to section 4.2.

Where a complaint is not resolved initially, the department must provide complainants with information about their internal review rights as part of their complaint response at Level 1.

Requests for an internal review should be made in writing within 20 business days of receipt of the complaint outcome advice by emailing [info@rdmw.qld.gov.au](mailto:info@rdmw.qld.gov.au).

It should be noted that where a response identifies potential information privacy and human rights issues arising during investigation of the customer complaint, complainants should be advised that an external review/oversight in relation to these issues may be available to a complainant prior to completion of an agency’s internal review process.

### 3.3 Internal review - Level 2

Internal review (Level 2) of a complaint outcome occurs at the request of a complainant. It is a merits review of the original complaint process and outcome to ensure compliance with relevant policies and procedures and the right outcome was reached. Only one internal review process is required.

It is not a re-investigation of a complaint, but an impartial review of a decision made about a complaint undertaken by an appropriate officer, independent from the original process.

Complainants should be advised that they have 20 business days from receipt of the complaint response to seek internal review. Requests received outside this timeframe should still be considered when there are reasonable grounds to do so.

The department should communicate the following minimum internal review requirements clearly to complainants, including:

- the timeframe for lodgement of a complainant's internal review request with the agency
- how the complainant's submission should be made e.g. in writing
- that the complainant needs to outline why they are asking for an internal review
- what the complainant's responsibilities are as part of an internal review
- what outcomes are being sought by the complainant.

### 3.4 External review - Level 3

External review occurs at the request of the complainant once they have progressed through the department's customer complaints management process and any other right of review. It is completed by an external oversight agency such as the Queensland Ombudsman.

External review processes are managed by the appropriate oversight or complaint handling organisation. In addition to advising complainants of their external review rights, the department will work with external oversight organisations to assist with their investigations as needed.

A request that the department's decision be reviewed can be made to the Queensland Ombudsman on

Telephone: 1300 068 908

Email [ombudsman@ombudsman.qld.gov.au](mailto:ombudsman@ombudsman.qld.gov.au)

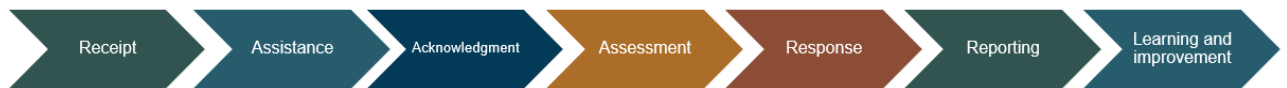
Web: [make a complaint](#)

## 4. Customer complaint management stages

The department's complaints management process will follow the customer complaints management stages as outlined in the Queensland Public Service Customer Complaints Management Framework.

A customer complaint will go through 7 stages during its life cycle. While the progression of **these stages will not always be linear**, each step ensures that complaints are received and appropriately investigated, complainants are kept up to date with the progress of the complaint and the agency continues to learn and improve. Stages through the life cycle of a complaint include:

**Figure 2: The seven stages of the complaint cycle**



### 4.1 Summary of stages

The stages of the lifecycle of a complaint are summarised in the table below:

#### Description of stages

Stage	Description
Receipt	The department provides multiple and flexible methods for making complaints
Assistance	Access to the department's complaint management system is equitable with reasonable assistance and adjustments provided on assistance
Acknowledgment	Complaints are acknowledged in a timely manner (within <b>3 business days</b> ) and information is provided to the complainant about proposed timeframes, complaint processes and relevant department contact information
Assessment	Complaints are initially assessed to determine whether the matters raised fall within the department's jurisdiction; the scope of the customer complaint policy; and to determine whether there are any human rights raised
Response	A final response to the complainant should be provided not more than <b>30 business days</b> from the complaint being received. Early resolution of complaints is strongly encouraged, and the department will proactively communicate with complainants if a timeframe for response is not likely to be met. The department has 45 business days to respond to a Human Rights complaint.
Reporting	In addition to mandatory reporting under section 264(3) of the <i>Public Service Act 2022</i> , the department will provide trend reporting and analysis of customer complaints to senior management
Learning and improvement	Feedback on the Customer Complaints Management process should be sought regularly from customers.  Learnings from customer complaints should be used to inform business improvements and be shared across the department.

## 4.2 Timeframes

The response times required by the policy align with time frames in the whole-of-government Customer Complaints Management Framework and they include:

### Response times

Action	Timeframe
Acknowledgement of complaints	Within 3 business days* of the date the complaint was received
Response to non-complex complaints	30 business days
Response to human rights complaints	45 business days
Complainant request for an internal review	Within 20 business days
Response to internal review	Target 30 business days**

\* a day other than a Saturday, Sunday or public holiday at the address of the complainant as applicable

\*\* the nature and complexity of the original complaint will determine the response time of the review.

## 4.3 Privacy statement

All complaints will be treated in the strictest confidence and in accordance with the privacy principles contained in the *Information Privacy Act (2009) (Qld)*.

# 5. Other department responsibilities

The department also has further responsibilities for customer complaint management under legislation and this is aligned with best practice as outlined below:

## 5.1 Reporting

Section 264(3) of the PS Act requires agencies to publish information annually on the number of customer complaints:

- received by the entity in the year
- resulting in further action
- resulting in no further action.

In addition to mandatory complaint reporting outlined in 6.20 above, detailed reporting should be provided to senior management, such as Deputy Director Generals (DDGs)/Head of Corporate (HOC) and the Departmental Leadership Team (DLT), on a regular basis and at a minimum every 6 months.

## 5.2 Managing unreasonable conduct

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

Unreasonable conduct by a complainant is any behaviour which, because of its nature or frequency, raises substantial health, safety, or resource 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 the following:

- 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 concerns or providing disorganised information
- arguments – expressing irrational claims or making vexatious complaints or denying responsibility for own actions
- behaviours – making self-harm threats or threatening to harm others, using abusive language or threatening to use violence.

The department is committed to addressing valid concerns. However, the department will manage unreasonable complainant conduct in accordance with [Queensland Ombudsman resources for managing unreasonable conduct](#) and will not tolerate complainant conduct that presents a risk to employee's health and safety.

For more information about the management of unreasonable conduct refer to the [Queensland Ombudsman resources for managing unreasonable conduct](#).

## 5.3 Human rights complaints

The *Human Rights Act 2019* (HR Act) protects and promotes 23 human rights, reflecting 4 basic principles: freedom, respect, equality and dignity.

Under section 58(1) of the HR Act all public entities, which includes government employees, must:

- act and make a decision in a way that is compatible with human rights; and
- properly consider relevant human rights when making a decision.
- A human rights complaint is an allegation that a person's human rights have:
  - been unjustifiably limited by an act or decision of a public entity, or
  - not been properly considered in the making of a decision.

A human rights complaint may relate to either limb or both limbs of s 58(1) of the HR Act.

The allegation need only raise human rights in a broad way. A complaint need not identify the HR Act specifically nor identify a particular section of the HR Act. It is sufficient for a complaint to set out the facts and circumstances of the alleged contravention of section 58(1) of the HR Act.

### 5.3.1 Making a human rights complaint

If an individual believes the department has breached their human rights, they can make a customer complaint through the department's complaints management process.

Individuals must complain about a breach of human rights to the department before they complain to the Queensland Human Rights Commission (QHRC). The department has 45 business days to respond to the complaint.



After this time, if the individual has not received a response or the response is inadequate, the person can complain to the Queensland Human Rights Commission (QHRC) in accordance with the HR Act. In exceptional circumstances, however, the QHRC may accept a complaint before the 45-day period has ended.

In these cases, the QHRC may accept complaints that include enough details to indicate that a public entity has acted or made a decision in a way that is not compatible with human rights or has failed to give proper consideration to the human rights relevant to the decision.

The complaints framework set out under the HR Act means that Human rights complaints made to the Department are not subject to the 3 levels of complaint described under the Customer Complaints Management Policy.

When a human rights complaint cannot be resolved, the department must provide the complainant with information on their right to complain to the QHRC under the HR Act.

More information on the QHRC is available at [www.qhrc.qld.gov.au/](http://www.qhrc.qld.gov.au/)

### 5.3.2 Assessing a human rights complaint

If the complaint falls within the terms of a Human Rights complaint, then DRDMW Complaints Coordinator will notify the DRDMW Human Rights representative in the DRDMW Legal Services Unit and follow the DRDMW Customer Complaints Management Procedure.

If the basis of the complaint is not clear, after an initial assessment of the complaint, the Department may ask the individual for details on how they believe the decision or action breached their human rights.

### 5.3.3 Learning from a human rights complaint

The Department aims to exercise its public functions in a way that is respectful of human rights and the inherent dignity of all individuals in Queensland.

## 5.4 Privacy complaints

Departmental staff are obliged to manage personal information in accordance with the [Information Privacy Act 2009](#).

Where a complaint is lodged about a privacy breach, the department's Privacy Services will advise on the approach to resolve the complaint. Privacy complaints will be immediately forwarded to [info@rdmw.qld.gov.au](mailto:info@rdmw.qld.gov.au) for inclusion in the Customer Compliments and Complaints Register and referral of the complaint to Privacy Services at Department of Environment and Science.

The relevant decision maker retains responsibility for resolving the complaint. If a complainant is dissatisfied with the department's resolution of their privacy complaint, or they have not received a response to their privacy complaint within 45 days, they can lodge a complaint with the Office of the Information Commissioner.

The Office of the Information Commissioner can be contacted on:

Telephone: 07 3405 1111

Email: [Enquiries@oic.qld.gov.au](mailto:Enquiries@oic.qld.gov.au)

## 6. Responsibilities and accountabilities

Role		Responsibilities
Complainant		<p>Provide clear information regarding the concern/s about which they are complaining.</p> <p>Provide all information relevant to their complaint.</p> <p>Be clear at the start about the desired outcome or solution.</p> <p>Be respectful.</p> <p>Cooperate with the department if they no longer require assistance, including if they choose to withdraw their complaint.</p>
DRDMW Complaints Coordinator	Manager, Executive Services, Cabinet and Executive Services	<p>Acknowledge the compliments or customer complaints</p> <p>Triage complaints/compliments.</p> <p>Refer out of scope complaints to appropriate areas as per Appendix B of this policy.</p> <p>Record complaints/compliments.</p> <p>Administer complaints process.</p> <p>Maintain register.</p> <p>Provide in a secure manner any material requested by an external reviewer.</p>
Business Complaints Coordinator	Executive managers of each business group	<p>Assign complaint to a Responsible Officer with the capability and capacity to make the necessary enquiries. This may be an external resource if complexity or available resources require.</p> <p>Ensure the DRDMW Complaints Coordinator (info@rdmw.qld.gov.au) is advised of complaints received through various public facing channels i.e. service counters in regions or verbal complaints made.</p> <p>Refer out of scope complaints to appropriate areas as per Appendix B of this policy.</p>
Responsible officers	Identified DRDMW officers with capability and capacity to make necessary enquiries	<p>Conduct enquiries into a complaint on behalf of a decision maker and makes recommendation/s for decision maker consideration.</p> <p>Deal with complaints fairly, objectively and in a timely manner and in accordance with this policy and associated procedure.</p> <p>Consider if Human Rights of the complainant have been impacted.</p>
Complaint decision maker	Executive Directors, DDGs/HoC	<p>Ensure complaints are dealt with fairly, objectively and in a timely manner.</p> <p>Make decision.</p> <p>Respond to complainant.</p>
Governance Performance and Risk	Manager Governance, Performance and Risk, Corporate Services	<p>Review the department's Customer Complaints Management Policy and Procedure in consultation with the DRDMW Complaints Coordinator.</p> <p>Arrange publication of complaints data on the department's website in accordance with Part 9, section 264 of the <i>Public Sector Act 2022</i>.</p>

Role		Responsibilities
		Perform the role of Complaints Coordinator in Level 2 (internal review) complaint.
Group Managers	DDGs and HOC	Identify and implement any improvement opportunities arising from Customer Complaints.
Queensland Ombudsman	External reviewer	Manage Level 3 complaints when a complainant is dissatisfied with the outcome.
Employees	All DRDMW employees	Maintain awareness of the customer complaints management system and associated policy and procedures.  Advise DRDMW Complaints Coordinator (info@rdmw.qld.gov.au) upon receipt of complaints received through various public facing channels i.e. service counters in regions or verbal complaints made.  Provide any assistance requested by complainants lodging a customer complaint.

## 7. Definitions

In this policy the terms listed below have the following meanings.

**Accessibility** is the degree to which a product, system or service is available to as many people as possible.

**Agency** refers to a public service entity as per section 9 of the *Public Sector Act 2022*.

**Customer complaint** (see section 264(4) of the *Public Sector Act 2022*) is a complaint about the service or action of a public sector entity, or its staff, by a person who is apparently directly affected by the service or action. Examples of customer complaints include:

- a complaint about a decision made, or a failure to make a decision, by a public sector employee of the public sector entity
- a complaint about an act, or failure to act, of the public sector entity
- a complaint about the formulation of a proposal or intention of the public sector entity
- a complaint about the making of a recommendation by the public sector entity
- a complaint about the customer service provided by a public sector employee of the public sector entity.

**Complaint management system** consists of all policies, procedures, practices, systems, staff and resources used to manage complaints within an agency.

**Complainant** is a person, organisation or representative who makes a complaint to an agency.

**Customer** is a person or organisation who is the end recipient of goods, services, products, information, advice or ideas.

**External review** is a process available for specific types of complaints where an oversight agency, such as the Queensland Ombudsman, or other complaints handling organisation, investigates the handling of a complaint by an agency. An external review will only occur after the complainant has

progressed through the agency’s complaint process in the first instance and exhausted any other internal right of review.

**Internal review** is a merits review that reviews the complaint process and outcome to ensure it complied with policy or procedural requirements and that the outcome is the appropriate decision. It is not a re-investigation of the complaint; it is an impartial review of a decision made about a complaint undertaken by an appropriate officer independent from the original decision-maker.

**Responsible officer** a staff member assigned to conduct enquiries into a complaint on behalf of a decision maker.

**Unreasonable complainant conduct** is any behaviour which, because of its nature or frequency, raises substantial health, safety, resource or equity issues. Examples of unreasonable complainant conduct can include unreasonable persistence; unreasonable demands; unreasonable lack of cooperation; unreasonable arguments; and unreasonable behaviour.

**Business day** means a day other than a Saturday, Sunday or public holiday at the address of the complainant as applicable.

**Vulnerability** is a state of being especially susceptible to detriment due to circumstances including disability, age, literacy levels, gender, trauma and stress.

## 8. Document control

<b>Document owner</b>	Head of Corporate, Corporate Services
<b>Enquiries</b>	Director Governance Performance and Risk Corporate Services
<b>Publication details</b>	This policy is published in the following location: DRDMW Policy Register
<b>Next review</b>	December 2023

Version	Effective date	Reason	Author	Approver
1.00	01/07/2023	New policy – Aligned to WoG Framework	Maria Ceresa, Project Manager, GPR	Wietske Smith, Head of Corporate, Corporate Services

## Appendix A      Contacts

Contact	
Governance Performance and Risk	Level 12, 1 William Street, Brisbane QLD 4000 GPO Box 2247 Brisbane QLD 4001 Email <a href="mailto:rdmwgpr@rdmw.qld.gov.au">rdmwgpr@rdmw.qld.gov.au</a>
Manager, Right to Information and Privacy Unit	Governance Performance and Risk Level 12, 1 William Street, Brisbane QLD 4000 GPO Box 2247 Brisbane QLD 4001 Email <a href="mailto:rdmwgpr@rdmw.qld.gov.au">rdmwgpr@rdmw.qld.gov.au</a>
Business and Corporate Services Privacy Services	Department of Environment and Science Level 31, 400 George Street, Brisbane QLD 4000 GPO Box 2454 Brisbane QLD 4001 Email: <a href="mailto:Privacy@des.qld.gov.au">Privacy@des.qld.gov.au</a>
Legal Services Unit	Level 33, 1 William Street, Brisbane QLD 4000 GPO Box 2247 Brisbane QLD 4001 Telephone: (07) 3199 7231.au Email: <a href="mailto:RDMW.legal@rdmw.qld.gov.au">RDMW.legal@rdmw.qld.gov.au</a>
Queensland Ombudsman	Queensland Ombudsman Level 18, 53 Albert Street, Brisbane QLD 4000 GPO Box 3314 Brisbane QLD 4001 Telephone: 07 3005 7000 Toll Free: 1800 068 908 Email: <a href="mailto:ombudsman@ombudsman.qld.gov.au">ombudsman@ombudsman.qld.gov.au</a>
Office of the Information Commissioner Queensland	Office of the Information Commissioner, Queensland Level 7, 133 Mary Street, Brisbane, QLD 4000 PO Box 10143, Adelaide Street, Brisbane QLD4000 Telephone: 07 3234 7373 Toll Free: 1800 642 753 Email: <a href="mailto:enquiries@oic.qld.gov.au">enquiries@oic.qld.gov.au</a>
Queensland Human Rights Commission	Level 20, 53 Albert Street, Brisbane, Qld, 4000 City East Post Shop, PO Box 15565, City East QLD 4002 Telephone: 1300 130 670 Email: <a href="mailto:enquiries@qhrc.qld.gov.au">enquiries@qhrc.qld.gov.au</a>

## Appendix B      Contacts for complaints not covered in this policy

Nature of complaint	Contact	Relevant links
Fraud and Corruption conduct	Email Crime and Corruption Commission Liaison Officer workplacerelements@rdmw.qld.gov.au. Or contact the <a href="#">Queensland's Crime and Corruption Commission directly</a> .	DRDMW intranet <a href="#">Managing corrupt conduct</a>
Public Interest disclosures	Speak to your manager in the first instance, then contact the Public Interest Disclosure Co-ordinator workplacerelements@rdmw.qld.gov.au.	DRDMW intranet <a href="#">Public interest disclosures</a>
Individual employee grievances	Workplace relations, Human Resources Email workplacerelements@rdmw.qld.gov.au.	DRDMW intranet <a href="#">Complaints and grievances</a>
Employee grievance appeals	For complainants dissatisfied with the outcome from the department Contact the Queensland Industrial Relations Commission (07) 3221 6074 qirc.registry@qirc.qld.gov.au	
Human rights complaints	Legal Services Unit Email: <a href="mailto:RDMW.legal@rdmw.qld.gov.au">RDMW.legal@rdmw.qld.gov.au</a>	Human Rights Commission <a href="#">QHRC : Complaints</a>
Contractual complaints	Local manager in first instance	
Complaints subject to legal proceedings	Local manager in first instance and consult with the General Counsel Legal Services Email: <a href="mailto:RDMW.legal@rdmw.qld.gov.au">RDMW.legal@rdmw.qld.gov.au</a>	
Complaints under the Right to Information Act 2009	Advise Governance Performance and Risk for referral to the Business and Corporate Partnership Privacy Services (Privacy@des.qld.gov.au)	<i>Right to Information Act 2009 Chapter 3, Part 2</i>
Complaints about procurement activities	Refer to the relevant agency in the first instance. If complainant remains dissatisfied contact the Compliance Branch, Queensland Government Procurement Telephone: 1300 10 50 30	
Complaints about the Director-General	Any complaint or concern which involves or may involve the Director-General as the department's public official can be made to the Manager, Human Resources as the department's nominated person or directly to the Crime and Corruption Commission (CCC)	<a href="#">DRDMW policy on Complaints about the Director-General</a>
Complaints in relation to regulator decisions	Decisions made as a delegate/ pursuant to a legislative instrument will be referred to the relevant administrative review process.	