

COMPLAINTS MANAGEMENT POLICY

Title: Complaints Management

Policy Statement:

The Department of Child Safety, Youth and Women (the department) is committed to effective complaints management by managing complaints in an accountable, transparent, timely and fair manner.

The department recognises that effective complaints management is integral to good client service; it values all complaints and encourages a people-focused and proactive approach to complaints management.

Principles:

The complaints management principles underpinning this policy reflect the Australian/New Zealand Standard AS/NZS 10002-2014 *Guidelines for complaint management in organizations*, and s.219A of the *Public Service Act 2008* – which prescribes the need for a complaints management system in all Queensland Government agencies.

The department is committed to the following complaints management principles:

- provision of a free and accessible complaints process that supports natural justice and procedural fairness for all persons with no reprisals or detriment from making a complaint
- people have the right to be supported by a friend, an advocate, an interpreter, a community elder or Independent Entity
- provision of information about where to lodge a complaint, how to make a complaint and how complaints will be managed, including referring complaints to external agencies, where required
- opportunity for complaints to be made anonymously, with complainants advised of the limitations of an anonymous complaint
- provision of clear information about what can or cannot be achieved by a complaints process, and providing assistance to anyone who wishes to make a complaint
- responding to complainants in a respectful, fair, objective and timely manner that respects the privacy of personal information
- communicating with parties about the progress of the complaint
- providing a clear explanation of the outcome of a decision, any recommendations, review options and any available external review mechanisms

- employees adhering to the department's record keeping policy and procedure including the use of the departmentally approved complaints management IT system to monitor and review the progress of the complaint
- departmental employees receiving complaints must be treated with respect; abusive, aggressive or disrespectful behaviour towards staff during their interactions will not be tolerated
- all complaints are dealt with and adhere to the requirements under the *Human Rights Act 2019* to ensure human rights are considered and embedded into existing complaints processes and complaints management practice
- the department's complaints management practice is culturally responsive and safe for Aboriginal peoples and Torres Strait Islander peoples.

Objectives:

The objectives of this policy are to ensure:

- fair, accountable, transparent and culturally responsive management of complaints about the department's functions
- complaints are handled promptly and as close to the source as possible
- effective monitoring of complaints
- identification and implementation of business improvement opportunities.

Scope:

This policy should be read in conjunction with the department's Complaints Management Procedure.

Definition

A **complaint** is an expression of dissatisfaction that requires a response or resolution about:

- a decision made or not made by the department, or
- the department's products, services, or staff.

In scope

The Complaints Management Policy applies to all employees of the Department of Child Safety, Youth and Women as defined by the *Public Service Act 2008*.

This policy also applies to other parties not defined by the *Public Service Act 2008* who have been authorised by the department, through formal agreement, to perform activities or duties or provide a service or services on behalf of the department.

This policy applies where a person expresses dissatisfaction about:

- a decision the department has made or not made
- the service the department has provided or not provided
- a service that is funded or contracted by the department
- the behaviour or performance of the department's employees, including contracted persons
- an act or practice of the department in relation to the individual's personal information that may be a breach of the department's obligations under the *Information Privacy Act 2009*.

A complaint about a decision or action of the Department must be made no later than 12 months after the complainant was notified or made aware of the decision or action. Complaints made outside this time period will only be reviewed if the department considers that exceptional circumstances warrant consideration of the out-of-time complaint.

The one exception to this timeframe concerns complaints in relation to permanent guardians (Section 80B of the *Child Protection Act 1999*). If a decision is made by the department not to deal with the complaint, the complainant has 28 days from the date when formal written advice by the department of its decision is received, to seek a review of the department's decision by the Queensland Civil and Administrative Tribunal.

Out of Scope

The following complaints are deemed to be out of scope of the department's complaints management process, and will be managed in accordance with the relevant legislation, and the appropriate departmental policies and procedures:

- matters currently being dealt with or have been previously dealt with by a court, tribunal or external complaints agency
- matters that concern employer-employee and organisational governance concerns of a funded, non-government service provider, except where these have an impact on the provider's ability to deliver client services in accordance with its funded agreement / contract
- matters that have already been subject to an Internal Review and an outcome has been determined
- allegations of suspected harm or risk of harm to a child, which will be actioned immediately by urgent referral to the Regional Intake Service or Child Safety Service Centre.

Complaints Management Model:

The department's complaints management model is a three stage process, which includes the option for an external review.

Complaint Management Process ¹		
Phase 1	Phase 2	Phase 3
Complaints Management	Internal Review	External Review

1. For further details on the Complaints Management Process refer to the Complaints Management Procedure or Guidelines

Complaints Management

- Consistent with the principle of local resolution, all frontline staff are to address less serious complaints (low complexity complaints) where appropriate.
- In scenarios where local resolution of a less serious complaint is not feasible, frontline staff are to refer the complaint to either a Regional Office or the central Complaints Unit.
- Serious complaints (medium and high complexity complaints) are to be managed by either a Regional Office or by the central Complaints Unit.
- Complaints of a systemic nature are to be managed by the central Complaints Unit.
- Irrespective of where the complaint is received, all complaints must be entered into the department's electronic complaints management system (Resolve).
- Service Centres are to alert the relevant Regional Senior Advisor when they are in receipt of a less serious complaint so that the Senior Advisor can record the complaint and its outcomes in the department's electronic complaints management system.

Internal Review

If a complainant is dissatisfied with the complaint management process undertaken to manage a complaint or with the department's decision making process, an internal review can be requested within 12 months of the outcome being provided to the complainant. An internal review is conducted by the department's central Complaints Unit.

External Review

If the complainant remains dissatisfied after progressing through Stages 1 and 2, they can pursue external options e.g. alternative dispute resolution, complaints agency such as the Queensland Ombudsman, or other avenues of appeal or review.

The exception to the above concerns complaints in relation to permanent guardians (as per section 80B of the *Child Protection Act 1999*). If a complainant is dissatisfied with a decision made by the department not to deal with a complaint in relation to permanent guardians, the complainant has 28 days from the date when formal written advice by the department of its decision is received, to seek a (external) review of the department's decision by the Queensland Civil and Administrative Tribunal.

Reporting:

A report detailing the performance of the complaints management system will be made available through the department's Annual Report which is published by 30 September each year. This will be aligned with the reporting requirements, as set out in the *Public Service Act 2008*, and the Australian/New Zealand Standard AS/NZS 10002-2014 - *Guidelines for complaint management in organizations*.

Regular de-identified complaints reports will also be made available to departmental staff for analysis to identify trends, systemic issues and potential improvements.

Review and Auditing:

The department is committed to continually improving its services and will monitor agreed system improvements resulting from the internal review and auditing of complaints, and through the conduct of annual complainant surveying.

Regular reviews and self-audits of the effectiveness of the entire complaints management system will occur and include an evaluation of the major elements of the system. This includes compliance with the policy, procedure and guidelines including complaints capture, recording and internal reporting, time taken to manage complaints and correctness of complaint outcomes.

The Complaints Management Policy and associated procedures will be reviewed every two years.

Roles and Responsibilities:

Director-General is responsible for:

- establishing a system that manages complaints effectively and efficiently.

DCSYW Business Units:

- receiving and handling complaints in accordance with the department's complaints management policy and procedure
- maintaining an awareness of complaints management processes available to clients of the department and promoting their access to these
- adhering to approved quality assurance checks and approvals in their handling of complaints
- seeking guidance and support when necessary from their immediate line manager, relevant Senior Advisor, or the central Complaints Unit, in their handling of complaints
- maintaining accurate and complete complaint records by using the departmentally approved system to record the receipt, assessment, management, and outcome of complaints, including any recommendations made
- ensuring that they handle complaints with independence and impartiality
- implementation of the operational complaints management policy and associated operational policy and procedures for the handling of local complaints

- ensuring the complaints process is effectively administered, including appropriate referral of:
 - systemic complaints to the central Complaints Unit
 - serious officer conduct matters, not in keeping with the department's Code of Conduct (i.e. CaPE category 3¹), to the department's Professional Standards for assessment and possible referral to the Crime and Corruption Commission, and
 - complaints concerning alleged criminal offences to the Queensland Police Service
- ensuring that complaints are handled with independence and impartiality, and that these are factored when determining how best to respond to the complaint.

Complaints Unit is responsible for:

- facilitating the development of the complaints management policy and procedure, and the delivery of an effective complaints management system
- providing specialist complaints management advice, training and support to relevant service delivery and business areas of the department
- providing effective complaints management capability for centrally investigated/managed complaints and internal reviews
- conducting internal reviews where the Service Centre and/or regional office has conducted an investigation or alternate response, and the client is not satisfied with the process
- ensuring that complaints received, assessed and managed centrally by the Complaints Unit are handled with independence and impartiality, and that these significant factors help to determine how the complaint will be responded to and by whom
- ensure that appropriate oversight and quality assurance checks and approvals are adhered to during the conduct of complaints management by the department's central Complaints Unit
- oversight of the department's complaints management system and information, and accessibility portals/options (web pages, fact sheets etc.) pertaining to the department's complaints process
- ensuring that recommendations made through investigation reports, internal and external reviews that were agreed to by Regional Executive Directors / Regional Directors / Directors are finalised
- facilitating the annual public and internal reporting of complaints data, including the analysis of reporting including provision of trend data to identify areas of improvement
- referring matters to external agencies for action where appropriate
- facilitating reviews and audits of the effectiveness of the department's complaints management system including its policy, procedure, guidelines and recording requirements.

¹ A CaPE category 3 complaint concerns serious misconduct i.e. conduct or behaviour that is inconsistent with conduct or professional standards and practices expected of a public sector employee as described in the *Code of Conduct for the Queensland Public Service*, and that is wilful, reckless or malicious; conduct that, if proven, will warrant the commencement of a discipline process; conduct that, if proven, reasonably raises the possibility of termination of employment; conduct that is a breach of criminal law; serious neglect of performance of duties.

Senior Advisors are responsible for:

- receiving, recording, assessing and managing complaints
- where appropriate and required, referring:
 - systemic and more serious and complex complaints to the department's central Complaints Unit for management, and
 - serious officer conduct matters, not in keeping with the department's Code of Conduct (i.e. CaPE category 3), to the department's Professional Standards for assessment and possible referral to the Crime and Corruption Commission.
- where appropriate, referring matters deemed not in scope of the department's complaints management framework to the appropriate external agency for actioning
- maintaining accurate complaint records of complaints received regionally or at a Service Centre level, by using the departmentally approved system to record the receipt, assessment, management, and outcome of complaints, including any recommendations made
- ensuring appropriate adherence to regionally approved quality assurance checks and approvals of complaints received and managed at a regional and Service Centre level
- ensuring the complaints process is effectively adhered to and administered
- ensuring that complaints are handled with independence and impartiality, and that these are factored when determining how best to respond to the complaint and by whom
- regional analysis of complaints management data to identify regional trends and areas of improvement for the region
- providing complaints management advice and support to relevant regional and service delivery areas within their region
- Implementing recommendations, agreed by the Regional Executive Director / Regional Director / Director, made through investigation reports and internal reviews to improve service delivery, within the agreed timeframes.

Date of approval: 16 December 2019

Date of operation: 16 December 2019

Date to be reviewed: 1 December 2021

Office: Complaints Unit, Department of Child Safety, Youth and Women

Help Contact: 1800 080 464

Links:

Complaints Management Procedure

AS/NZS 10002-2014 - Guidelines for complaint management in organizations

Public Service Act 2008

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