

Customer complaints policy and procedure

1. Purpose

This policy and procedure is designed to ensure that customer complaints about departmental products, services, decisions and actions are managed through an effective and consistent process that meets the requirements of the *Public Sector Act 2022* to establish and implement a system for dealing with customer complaints, the Queensland Public Service Customer Complaint Management Guideline (the Guideline), and the Australian Standard 10002:2022: Guidelines in complaints management for organisations.

2. Policy statement

The department recognises the importance and value of listening to all types of feedback and responding to complaints. It accepts customer complaints as an opportunity to improve performance, systems, procedures and processes to ensure a high level of customer service.

The department is committed to ensuring all customer complaints are managed in a responsive, efficient, effective and fair manner. Complainants will be treated with respect and will receive a professional level of service throughout the complaint management process.

3. Guiding principles

The department is committed to the guiding principles of customer complaint management outlined in the Guideline.

- » **Customer focused** – The complaints process aims to be accessible, fair and responsive to customers. The department will take all reasonable steps to ensure someone who makes a complaint is not adversely affected because they have made a complaint.
- » **Timely and fair** – All complaints will be handled in a clear, timely and impartial way. Appropriate confidentiality is to be observed in the management of the complaint and the privacy of personal information is respected and maintained.
- » **Clear communication** – Communication will be clear and respectful. Parties to a complaint will be informed of the status of the complaint throughout the process. The department will maintain appropriate records of complaints and publicly report complaint statistics in accordance with its legislative obligations.
- » **Accountable** – Agency roles and responsibilities for complaint management are clear and publicly available. Departmental employees and contractors are accountable for their acts, omissions and decisions. Complaints are to be viewed as an opportunity to review business processes and to improve existing, and inform new, quality services to avoid future customer complaints.
- » **Improving services** – Complaints improve existing and inform new, quality services, with complaint management systems helping the department to prevent potential ongoing disputes.

Human rights will be considered at every stage of the complaints process.

Rights of a victim of violent crime to make a complaint will be considered during the complaint process.

4. Scope

Complaints managed under this document are those where a customer expresses dissatisfaction with, and is apparently 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.

For the purpose of this document, the following features are also characteristic of a customer complaint:

- » there is a clear expectation communicated by the customer that there is an act and / or omission by the department which has directly affected them; and
- » the customer is aggrieved about that act and / or omission; and
- » a reasonable person would conclude the customer had an expectation from their communication that the department will respond to the act and/or omission in a way that requires further departmental action, such as a written response to the customer from the department.

The following are not classified as a customer complaint:

- » Questions, enquiries and requests for information or action.
- » Feedback obtained:
 - during public consultation processes
 - about matters outside the direct responsibility of the department, or
 - about another agency or department.
- » Complaints that are subject to legal proceedings or are primarily contractual disputes.

This document does not cover customer complaints about the Office of Industrial Relations (OIR)¹.

This document does not modify or revoke any legislative requirements or appeal processes that apply to managing particular types of complaints (e.g. human rights complaints, privacy complaints, right to information, criminal conduct, corrupt conduct and public interest disclosures).

If the complaint is not a customer complaint, it must still be actioned either as standard correspondence or under the other relevant complaints process.

This document is to be read in conjunction with the Managing unreasonable complainant conduct procedure.

5. Accountability

The Director-General is accountable for ensuring the department complies with the requirements under this document and is supported by functional areas of the department in managing customer complaints.

6. Responsibilities

6.1 Complainant

Complainants will:

- » Clearly outline the issue or problem, including all relevant information and the outcome sought.
- » Cooperate with departmental employees in a timely, respectful and reasonable way.
- » Understand that complex complaints can take time to assess, manage and resolve.
- » Inform the department of any changes affecting their complaint.
- » Understand that some decisions cannot be overturned or changed using the customer complaints process.
- » Understand that abusive, aggressive or disrespectful conduct will not be tolerated.
- » Understand that the department will manage customer complaints under the steps set out in this document.

¹ Please visit [OIR website](#)

6.2 Employees

Regardless of their role in the customer complaints process, all employees will:

- » Provide assistance to complainants to make their complaint (if required).
- » Treat all complainants in a manner, with courtesy, compassion, respect, dignity and with equity, taking into account the complainant's needs.
- » Deal with a customer complaint according to this document.
- » Treat a victim of violent crime complaint in accordance with section 12 'Victims of Violent Crime' of this policy and procedure.

6.3 Responsible Officer / Contact Officer

Each customer complaint will be managed by a Responsible Officer / Contact Officer. They will:

- » Ensure the customer complaint is acknowledged within the required timeframe and relevant information provided to the complainant.
- » Provide updates at regular agreed intervals.
- » Ensure complaints are dealt with fairly, objectively and in a timely manner.
- » Treat a victim of violent crime complaint in accordance with section 12 'Victims of Violent Crime' of this policy and procedure.
- » If required, conduct enquiries into a complaint on behalf of a decision-maker and make recommendations for the decision-maker's consideration.
- » Maintain accurate and appropriate records in line with record keeping responsibilities under the *Public Records Act 2002*.

6.4 Decision-maker

The decision-maker will:

- » Ensure complaints are dealt with fairly, objectively and in a timely manner.
- » Make a decision.
- » Provide an outcome to the complainant.
- » Treat a victim of violent crime complaint in accordance with section 12 'Victims of Violent Crime' of this policy and procedure.

7. Procedure

Level 1

Initial complaint handling

- Receipt of the complaint (multiple avenues available)
- Assistance offered, if needed
- Acknowledge complaint within 3 business days
- Assess the complaint
- Respond to complainant within 30 business days including review rights (unless communicated there is a delay)

Level 2

Internal Review

- Internal review requested within 20 business days of receiving the decision
- Internal review conducted by an equivalent or more senior level officer (to the original decision maker) who was not involved in the original complaint process
- Outcome provided within 20 business days (unless communicated there is a delay)
- Complainants advised if there is an appropriate external review body relevant to their complaint

Level 3

External Review

- External review conducted by an agency independent of the department, for example, the Queensland Ombudsman.
- The department will work with external oversight organisations to assist their investigations as required

Level 1: Initial complaint handling

Receipt of complaint

There are a range of avenues for lodging a customer complaint with the department, including:

- » through the [Qld Government online complaint portal](#)
- » by phone to 13 QGov (13 74 68) (the whole of Qld Government phone service)
- » Translating and Interpreting Service (TIS National) – please call 1800 512 451
- » National Relay Service (NRS)
 - Teletypewriter: phone 13 36 77 and ask for 13 74 68 (QGOV)
 - Voice relay: phone 1300 555 727 and ask for 13 74 68 (QGOV)
 - Internet relay (NRS chat): log into the [internet relay call \(NRS chat\) page](#) and type in 13 74 68 (QGOV)
- » by post to:
 - Complaints
 - Department of State Development, Infrastructure and Planning
 - PO Box 15009 City East, Qld 4002
- » by email to complaints@dsdilgp.qld.gov.au
- » telephone, mail or email directly with the Director-General's office or Minister's office
- » anonymously – the department will only address the content where there is sufficient information to do so
- » on behalf of another person with that person's consent.

Complaints are not accepted through the department's social media channels.

Assistance for complainants

Vulnerability will be considered at all stages of a complaint and support offered to a complainant where possible. Vulnerability may include factors such as age, disability, impairment, rural/remote location, socioeconomic circumstances, homelessness, or issues accessing digital services.

Assistance may include referring a customer to translating services or other support agencies. A customer may choose to be supported by an advocate, friend, family member or community elder.

Provide assistance to a victim of violent crime, with respect, courtesy, compassion and dignity, taking into account the victim's needs, and ensuring the victim is informed, at the earliest practicable opportunity, about the services and remedies available, in accordance with section 12 'Victims of Violent Crime' of this policy and procedure.

Acknowledgement of complaint

The department will provide a formal acknowledgement within 3 business days unless a complaint is received anonymously. The acknowledgement will provide the complainant with:

- » a department reference/tracking number
- » agency contact information including the name of the officer who will be handling the complaint
- » the proposed timeframe for response, and
- » information about the complaints process and the likely involvement of the complainant through the process.

Complainants will be provided details about how their complaint will be handled by the department and will be kept up to date throughout the complaints process.

Assessment of complaint

An initial assessment of a complaint will consider:

- » if the matter/s raised in the complaint are within the scope of this document
- » the severity/complexity of the complaint
- » if more than one issue is raised in the complaint, whether each issue should be dealt with separately
- » the impact on the individual, general public or the department
- » any health and/or safety implications
- » outcomes sought by the complainant
- » if other organisations need to be involved
- » any human rights issues raised by the complainant. If human rights are identified, a human rights assessment will be conducted according to the Human Rights Act and departmental processes.
- » if the complainant is identified as being a victim of violent crime, ensure the victim is treated in accordance with section 12 'Victims of Violent Crime' of this policy and procedure.

If for any reason the department is unable to deal with all or part of the complaint, complainants will be advised as soon as possible.

Where a complaint is not an issue this department can help with, consent will be sought from the customer to refer the complaint to another department or entity.

Where a complaint also raises concerns about other department/s, consent will be sought from the complainant to share the complaint, including personal details of the complainant (if provided), with other relevant department/s (unless there are legislative obligations or other reasons under Privacy Principles of the Information Privacy Act). In this circumstance, the departments will work together to provide a clear and coordinated response to the complainant.

Where complaints are copied to multiple departments at the same time, the department may contact the other departments to coordinate a response.

Responding to the complaint

A final response to a complaint will be provided within **30 business days** after receipt by the department. If the timeframe cannot be met, the complainant will be advised of this at the earliest possible opportunity, providing a reason for the delay and the proposed new timeframe for response.

The response will include:

- » the decision made in response to the issues raised
- » clear and accurate reasons why the decision was made, including reference to evidence reviewed as well as any relevant policies, legislation and directives relied on in making the decision
- » any actions taken as a result of the complaint (subject to privacy considerations), including any remedies or business improvements
- » information about review options or appeal rights available to the complainant and relevant contact details, and
- » the decision maker's name, position and authority to make the decision.

Level 2: Internal review

If the complainant is not happy with the decision made about their complaint, or they have not received a decision in the allocated timeframe, the complainant may request an internal review within **20 business days** of receipt of the decision, or the date the decision should have been provided. The information should outline why an internal review is being requested and the outcome being sought.

Details on how to lodge a request for an internal review will be provided in the original decision letter.

An internal review is not a reinvestigation of a complaint but an impartial review of a decision made about a complaint, and will be undertaken by an employee of the department who is independent from the original complaint process, and at the same level or higher than the decision maker for the initial decision.

An internal review response must be provided within **20 business days**, unless otherwise communicated by the department to the complainant.

Support can be made available to assist a complainant to apply for an internal review if required.

Level 3: External review

If a complainant is unhappy with the decision of an internal review, they may seek a review of that decision from an external body such as the Queensland Ombudsman. Details of the relevant external body will be provided to the complainant in their internal review decision letter.

The external review process investigates the handling of a complaint by the department. This process is only available to complainants once they have exhausted the department's customer complaints process, including internal review.

8. Timeframes for response

Action	Timeframe
Acknowledgement of complaint	3 business days of the date the complaint was received
Response to complaint	30 business days (unless communicated there is a delay)
Response to human rights and privacy complaints	45 business days
Request for internal review	20 business days
Response to internal review	20 business days (unless communicated there is a delay)

9. Reporting

The department is required to publish customer complaint data as follows:

- » the number of customer complaints on its website by 30 September each year (as per s264(3) of the *Public Sector Act 2022*), and
- » the number of complaints that relate to a victim of violent crime is to be included in the department's annual report.

Trend reporting and analysis of customer complaints is regularly provided to senior management for review and appropriate action.

10. Learning and continual improvement

Complaints provide valuable information that assists the department to learn and improve operations.

Audits of the customer complaint management system will be conducted to ensure conformity with procedures. Feedback may be sought from customers about their experience with the complaints process. Feedback can also be provided anonymously.

11. Human rights compatibility

The department is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When making a decision about a customer complaint, decision-makers must comply with this obligation.

Further information on the Human Rights Act is available from the [Queensland Human Rights Commission](#).

12. Victims of violent crime

The [Charter of Victims' Rights](#) (the Charter) describes the treatment victims of violent crime (including domestic, family and sexual violence) should receive from Queensland Government agencies and their officers, and funded non-government agencies that provide services to victims of crime. The Charter establishes general rights, rights relating to the criminal justice system, and the right to make a complaint.

When dealing with a complaint made by a victim of violent crime, the department must:

- » Treat victims with respect, courtesy, compassion and dignity. We do this by having regard to their feelings and wishes; being polite; showing empathy, kindness and genuine concern; and treating each person as someone worthy and valued.
- » Uphold the victim's privacy. We do this by informing the victim that their details will not be shared unless they give consent or it is required by law; not discussing a victim's information with colleagues unless for an authorised purpose; and protecting their information in line with the *Privacy Act 2009*.
- » Provide the victim, as soon as practically possible, with information of services and remedies. Such information includes [victim support services](#), counselling, [support at court](#), [financial assistance available under the Victims of Crime Assistance Act 2009 \(Qld\)](#) and [making a complaint about their rights under the Charter](#).

If contacted by someone making a complaint as a victim of a crime, the department must:

- » record the contact as a Charter rights complaint
- » in that record, identify which specific right the complaint relates to
- » record the complaint details and how the department resolved it (or what action was taken to refer the complainant to appropriate services), and
- » ensure the record is available for annual reporting.

Under the [Victims of Crime Assistance Act 2009](#), the department has an obligation to act and make decisions in a way that is compatible with victim of violent crime (including domestic and family violence) rights and, when making a decision, to give proper consideration to victim of crime rights. When making a decision about a customer complaint, decision-makers must comply with this obligation.

If a victim of violent crime feels that the department has breached any of these rights in dealings with the victim, the victim may complain to the Victim's Commissioner about the treatment they received.

13. Definitions

Unless otherwise defined, terms have the meaning as set out in the *Public Sector Act 2022* and in the Queensland Public Service *Customer Complaint Management Guideline*.

Refer to **Appendix A** for definitions of key terms referred to in this document.

14. Related documents, forms and templates

- » Australian Standard 10002:2022: *Guidelines in complaints management for organisations*
- » [Complaints about the Coordinator-General policy](#)
- » [Complaints about the Director-General policy](#)

- » [Queensland Public Service Customer Complaint Management Framework and Customer Complaint Management Guideline](#)
- » [Managing unreasonable complainant procedure](#)
- » [Public interest disclosure management program](#)
- » [Public Sector Act 2022](#)
- » [Public Sector Ethics Act 1994](#)
- » [Queensland Public Service Code of Conduct](#)
- » [Reporting corrupt conduct procedure](#)
- » [Victims of Crime Assistance Act 2009](#)
- » [Charter of Victims' Rights](#)

15. References

- » [Crime and Corruption Act 2001](#)
- » [Human Rights Act 2019](#)
- » [Information Privacy Act 2009](#)
- » [Public Interest Disclosure Act 2010](#)
- » [Public Records Act 2002](#)
- » [Right to Information Act 2009](#)
- » [Victims of Crime Assistance Act 2009](#)

16. Further information

For further information or clarification, please email complaints@dsdilgp.qld.gov.au.

17. Management of information including personal information

All information should be managed in accordance with the [Public Records Act 2002](#), and the whole-of-Government [Records Governance policy](#). In addition, personal information should be managed in accordance with the [Information Privacy Act 2009](#).

Personal information will only be used in compliance with relevant privacy laws and ethical obligations when managing a complaint. De-identified complaint data may be shared where required by legislation such as the [Right to Information Act 2009](#).

A victim of violent crime's personal information, including the victim's address and telephone number, will not be disclosed unless authorised by law, as per the Charter of Victims' Rights in accordance with [Victims of Crime Assistance Act 2009](#).

18. Document control

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1.0	16/06/2024	New policy and procedure - alignment with AS 10002:2022: Guidelines in complaints management for organisations and the Queensland Public Service Customer Complaint Management Framework and Guideline.	IWR, Corporate	Deputy Director-General, Corporate
1.1	30/08/2024	Minor update – inclusion of responsibilities in relation to victims of violent crime	IWR, Corporate	Executive Director, People and Performance

Appendix A: Definitions

The key terms referred to in this procedure are as follows:

Term	Definition
Accessibility	» The degree to which a product, system or service is available to as many people as possible.
Agency	» A public service entity as per section 9 of the <i>Public Sector Act 2022</i> .
Business day	» A day other than a Saturday, Sunday or public holiday.
Complainant	» A complainant is a customer or their representative, or an organisational representative who makes a complaint to the department. A representative must be authorised to make a complaint on behalf of the customer or organisation e.g. parent, relative or person with enduring power of attorney, or officer of an organisation.
Customer	» A customer is a person or organisation who is apparently directly affected by a service or action by the department.
Customer Complaint	» Under 264(4) of the Public Sector Act 2022 a customer complaint is defined as '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 may include: <ul style="list-style-type: none"> » a decision made, or a failure to make a decision, by an employee of the department » an act, or failure to act, of the department » the formulation of a proposal or intention by the department » the making of a recommendation of the department » the customer service provided by an employee of the department.
Decision-maker – Initial complaint	» Departmental officer at manager level and above who is impartial to the matter.
Decision-maker – Internal review	» Departmental officer at least as senior as the original decision maker and independent of the original process.
External review	» A review avenue available to a complainant if they are unhappy with an internal review decision. An external review will only occur after the complainant has progressed through the department's customer complaint process.
Internal review	» A review of a decision a complainant has received on a customer complaint. A merits-based review of whether, based on the information/facts available at the time, the decision made was the correct one (including whether the actions and decisions were lawful, reasonable, fair and not improperly discriminatory). It is not a reinvestigation of a complaint but an impartial review of a decision made about a complaint undertaken by an officer at least as senior as the original decision maker and independent of the original process.
Responsible officer/ Contact officer	» Employee of the agency assigned to be the contact person for the complainant and responsible for managing the complaint as per this document.



Term	Definition
Unreasonable complainant conduct	» 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, agency staff or other service users. Please see (Managing unreasonable complainant procedure) (document under development).
Victim	<ul style="list-style-type: none"> » Victims who have rights under the Charter of Victims' Rights: ss 5 and 6, <i>Victims of Crime Assistance Act 2009</i> (Qld). » A victim is a person who has suffered harm: <ul style="list-style-type: none"> » because a violent crime is committed against the person; or » because the person is a family member or dependant of a person who has died or suffered harm because a violent crime is committed against that person; or » because they are a family member of an unborn baby who died as a result of a crime. » because they as a direct result of intervening to help a person who has died or suffered harm because a violent crime is committed against that person.
Violent crime	<ul style="list-style-type: none"> » A violent crime includes: <ul style="list-style-type: none"> » homicide » sexual violence » threats of violence » physical violence » domestic and family violence
Vulnerability	» Being especially susceptible to detriment due to circumstances including disability, age, literacy levels, gender, trauma, stress and location – rural/remote and/or homelessness (AS 10002:2022, p.3)