
COMPLAINTS MANAGEMENT POLICY

Review: 30 June 2012

Version: 1.1

1. PURPOSE

The purpose of this policy is to ensure the department has effective and consistent processes and systems to:

- receive, record, respond to and report about complaints regarding the service or actions of the department or its staff
- analyse information received through complaints to improve service delivery
- promote public confidence in the department by ensuring openness and transparency in the management of complaints.

2. AUTHORITY

Public Service Commission Directive – Complaints Management Systems
Public Service Act 2008

3. APPLICATION

This policy applies to all:

- permanent employees (full-time and part-time)
- temporary employees (full-time and part-time)
- employees on senior executive service and s122 contracts
- casual employees
- contractors performing work for the department
- volunteers, school-based trainees, scholarship holders, work-experience placements and other persons on placement.

4. ALLIED PROCEDURE

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

5. DEFINITIONS / GLOSSARY OF TERMS

Complainant - Person or organisation making a complaint.

Complaint - An expression of dissatisfaction made to the department by a customer, client or stakeholder about the service delivery, services, products, decisions or actions of the department or its staff that is **not** resolved at the point of service.

A complaint does not include:

- notifications of possible non-compliance by other organisations or individuals with legislation administered by the department. These matters will be referred to the Compliance and Investigations unit
- allegations of official misconduct in accordance with the *Crime and Misconduct Act 2001*
- public interest disclosures made in accordance with the *Public Interest Disclosure Act 2010*
- grievances and appeals by departmental employees related to their employment with the department, which will be managed in accordance with relevant legislation, directives, and human resources policies and procedures
- complaints subject to any legislative requirements that apply to the management of particular types of decisions and appeals, e.g. objections or appeals under the *Land Valuation Act 2010*, *Vegetation Management Act 1999* or *Sustainable Planning Act 2009*
- legal disputes, which will be handled as a separate process
- matters of government or departmental policy which are unrelated to an individual case
- complaints sent directly to the responsible Minister.

Complaints management system - The policy, procedures, personnel and technology used by the department to receive, record, respond to and report about complaints.

Official misconduct – Conduct concerned with the performance of a person's duties that is not honest or impartial, a breach of the trust placed in the person, or a misuse of information or material acquired through the person's position and that could, if proved, be –

(a) a criminal offence; or

(b) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or was the holder of an appointment.

Public interest disclosure – In accordance with the *Public Interest Disclosure Act 2010*.

- A public officer may make a disclosure about:
 - (a) the conduct of another person that could, if proved, be -
 - (i) official misconduct; or
 - (ii) maladministration that adversely affects a person's interests in a substantial and specific way; or
 - (b) a substantial misuse of public resources; or
 - (c) a substantial and specific danger to public health or safety; or
 - (d) a substantial and specific danger to the environment.

- Any person may make a disclosure about:
 - (a) a substantial and specific danger to the health or safety of a person with a disability; or
 - (b) a substantial and specific danger to the environment; or
 - (c) a reprisal.

6. POLICY STATEMENT

DERM is committed to providing all customers, clients and stakeholders with high quality service delivery. Feedback is an important accountability mechanism and is highly valued as a means of monitoring our service efficiency and effectiveness and identifying areas for continuous improvement.

Customers, clients and stakeholders can express either satisfaction or dissatisfaction with services delivered by the department and/or its staff. This could be in relation to the services or products we deliver or have not delivered, a decision we have made or not made, or the actions of our employees.

Every effort will be made to informally resolve an issue or problem to the satisfaction of the customer, client or stakeholder at the time of initial contact with the department. If the department cannot respond to the matter informally to the satisfaction of the customer, client or stakeholder at the time of initial contact, the matter may be recorded as a complaint.

DERM is committed to ensuring that all complaints are managed in a responsive, efficient, effective and fair manner and that complainants are treated with respect throughout the complaints process.

This policy does not replace, modify or revoke any legislative requirements that apply to the management of particular types of complaints and appeals.

7. PRINCIPLES

All complaints will be managed in accordance with the following principles:

Visibility and access

Information will be readily available regarding how to make and lodge a complaint and how the department manages complaints on the department's website, at each DERM business centre and publicly accessible office, and by telephoning the department. This will include information regarding timeframes for resolution and how the complainant will be informed of the progress and resolution of the complaint.

DERM will provide reasonable assistance to complainants throughout the complaints process.

Responsiveness

All staff and contractors working with the public on behalf of the department will be made aware of and have access to the complaints management policy and procedure through the intranet and as part of standard induction training. Staff with roles in handling complaints, including customer service staff, will be appropriately trained.

Where complaint handling is a significant part of an employee's role, achievement of procedural timeframes will be included in the employee's Achievement and Development Planning Agreement.

Complaints can be lodged in writing using the online complaint form available on the department's website or handwritten complaint form, or by email or letter. Complaints can also be submitted orally by telephone or face to face at any DERM business centre or publicly accessible office. Oral complaints will be documented by the staff member who receives the complaint.

All complaints will be acknowledged and responded to in an appropriate and timely manner, consistent with the Complaints Management Procedure.

The department will monitor the progress of individual complaints and inform the complainant of any developments that may affect the intended timeframe for resolution.

Assessment and action

DERM will ensure all complaints are dealt with fairly and objectively and the nature of the complaint is assessed to identify the most appropriate manner in which it can be resolved.

The department may use mediation, negotiation and informal resolution as alternative options to an investigation where appropriate.

The department will, if necessary, refer complaints to other agencies for resolution.

Personal information collected from complainants will be handled in accordance with the *Information Privacy Act 2009*.

Feedback

Complainants will be informed of any decision made regarding their complaint as soon as possible after the conclusion of the assessment or investigation.

The department will inform complainants of any mechanisms available to review the resolution of their complaint should they remain dissatisfied.

DERM will monitor complaints data to identify potential opportunities for improvement.

Monitoring effectiveness

DERM will maintain systems to ensure that all information and actions relating to a complaint are recorded to meet statutory and departmental reporting requirements.

DERM will monitor and analyse complaints data to identify trends and the time taken to resolve complaints.

8. GRIEVANCES AND APPEALS

If a complainant is not satisfied with the department's response to a complaint, the complainant may contact the Queensland Ombudsman to request an independent review of the matter.

9. EFFECTIVE DATE

This policy applies from date of approval.

10. TRANSITIONAL ARRANGEMENTS

Complaints processes in progress at the time of approval of this departmental policy will continue in accordance with the previous Complaints Management Policy.

11. FURTHER INFORMATION

For further information, please contact the Director, Executive and Administration Services, telephone 3330 5436.

12. APPROVAL

New departmental policy and procedure	Amendment to existing departmental policy and procedure
<p>Signed:</p> <p>John Bradley Director-General Department of Environment and Resource Management</p> <p>Date: 21 June 2010</p>	<p>Signed:</p> <p>Danielle Anderson Assistant Director-General, Corporate Services Department of Environment and Resource Management</p> <p>Date: 22 March 2011</p>

VERSION HISTORY

Date	Action	Description / comments
21 June 2010	Version 1	New DERM policy
22 March 2011	Version 1.1	Minor changes to definition of matters that are not complaints, and to update references to <i>Land Valuation Act 2010</i> and <i>Public Interest Disclosure Act 2010</i> .