

Customer Complaints Management Policy

Reference number	TBA	Policy owner	Director, Human Resources
Contact officer	HR Business Partners	Contact details	HR Business Partners, People and Culture, Corporate Services HRBP@youthjustice.qld.gov.au
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Policy Statement

The Department of Youth Justice (the department) is committed to receiving and responding to all types of feedback, including complaints. Responding effectively and efficiently to feedback assists us to improve our services and deliver better outcomes.

The department strives to manage customer complaints in an accountable, transparent, timely and fair manner that is compatible with human rights. The department uses the Queensland Government webform to capture compliments and complaints, and record these in the department's Compliments and Complaints Register.

1. Purpose

This policy establishes the underlying principles and obligations of the department concerning the management and resolution of customer complaints.

2. Scope

2.1 Application

This policy applies to all employees working for the department regardless of whether they are permanent, temporary, full-time, part-time, or casual employees and/or on secondment from another department. It also applies to non-employees including contractors, students gaining work experience and volunteers. For the purposes of this policy, the term contractor includes temporary labour services (agency staff).

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

- a breach of human rights.

2.2 Exclusions

The following are excluded from the scope of application of this policy:

- employee grievances that are dealt with under the department's Employee grievance procedure
- 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 have been previously investigated by the department
- complaints where all internal review options/internal appeals processes have been exhausted
- complaints that are determined by the department to be frivolous or vexatious
- complaints about decisions that are made under a contract
- complaints about matters that are to be dealt with or have been dealt with in an external forum or court (e.g., a tribunal, a commission, a court, or another agency)
- administrative decisions made by the department (e.g., 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 of suspected corrupt conduct dealt with under the [Crime and Corruption Act 2001](#) and the department's corrupt conduct prevention reporting procedure
- complaints about access and amendment application decisions under Chapter 3, part 2 of the [Information Privacy Act 2009](#)
- public interest disclosures dealt with under the [Public Interest Disclosure Act 2010](#) and the government's [Public interest disclosure procedure](#)
- complaints about access application decisions dealt with under the [Right to Information 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 Legislative Delegations policy
- complaints about the department which are made to and dealt with by the Office of the Minister for the department. This includes complaints being responded to via ministerial correspondence
- complaints which are outside of the department's purview (i.e., where other agencies, or tiers of government, hold responsibility, expertise or have an established lead role for the subject/service provision of the complaint)
- complaints relating to youth detention centres. While the overarching principles apply to all complaints received, given the nature of youth detention service delivery, specific policies and procedures apply to those complaints. Please refer to the operational policy '[Youth detention – complaints management](#)' for further information.

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

3. Background and context

3.1 Background

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

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

3.2 Context

The department's customer complaint management system and complaint management policy are 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 Guideline.

The department is committed to the five 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.

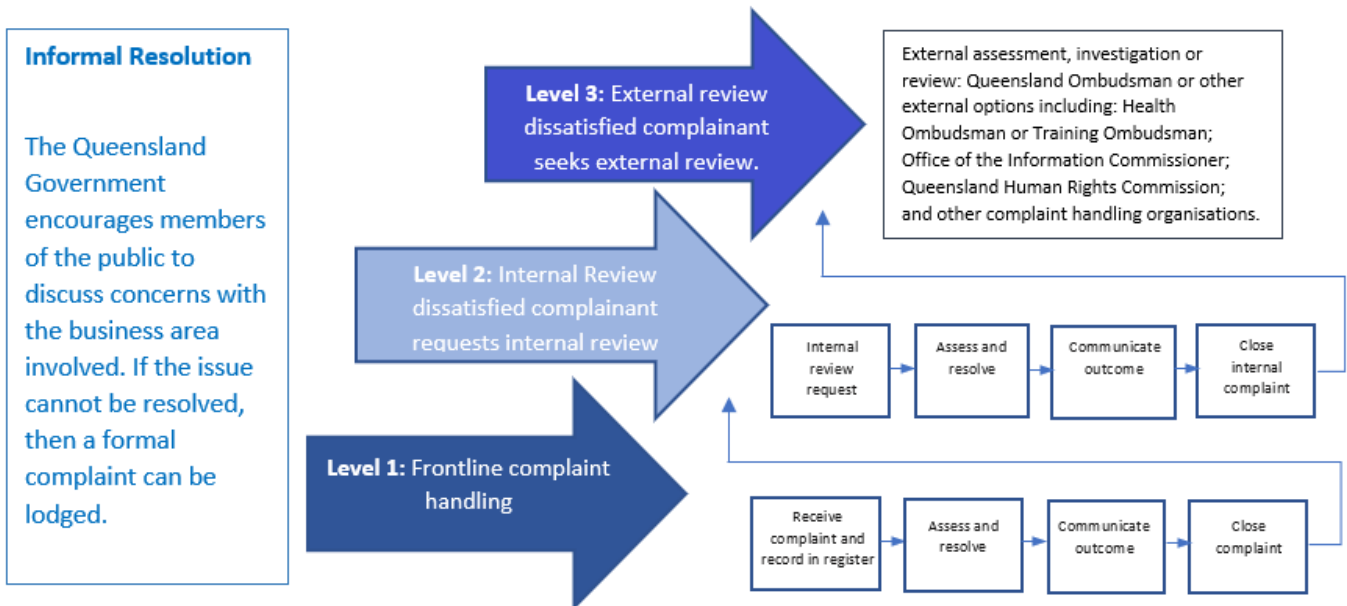
Improving services – Complaints improve existing, and inform new, quality services, with complaint management systems helping agencies prevent potential ongoing disputes.

4. Making a complaint

4.1 Customer complaint levels and steps involved

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 three levels of complaint handling:

Figure 1: Overview of customer complaint process



4.2 How to make a complaint

Information on how to make a complaint is provided on the [department's website](#), including how to access assistance if you need an interpreter, are deaf or have a hearing or speech impediment.

Feedback and complaints about a department product, service, procedure, practice or policy can be submitted either:

- online via the [Queensland Government portal](#) (preferred option)
- by mail to Department of Youth Justice, PO Box 3405, BRISBANE CITY QLD 4001
- by phone to the Queensland Government switchboard (within Australia): 13 QGOV (13 74 68)

You can submit feedback and complaints anonymously if you wish. However, please be aware that if you submit anonymously, we cannot contact you to get further information or to tell you the outcome of your submission.

Youth detention complaints

If your complaint is about a youth detention centre, including complaints from parents, carers, friends and others; or young people in detention or who have left detention, visit [Complain about a youth detention centre](#).

4.3 Timeframes for dealing with customer complaints

The response times under this policy align with the whole-of-government Customer Complaints Management Framework recommended timeframes as outlined below.

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**

* *Business day means 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.*

NOTE: Timeframes in relation to youth detention centre complaints are as per the Youth Detention Centre Complaints Management Operational Policy.

4.4 If customers are dissatisfied with the outcome of their first contact resolution, the next steps are:

- Submit a formal complaint which will trigger an internal assessment (i.e. a Level 1 response), resulting in a formal resolution response to your complaint. Further, you will be provided with information about your internal review rights if you are not satisfied with the Level 1 complaint response.
- An internal review (a Level 2 response) by the department – If you are not satisfied with the Level 1 complaint response, you can request an internal review.
- This is a merits review and is a consideration of whether, based on the information/facts available at the time, the decision made was the correct one. The department's outcome response to your internal review request will also advise about your external review rights if you are not satisfied with the outcome of the internal review.
- External review (Level 3 response) by an external review body – If you are still not satisfied with the internal review outcome response, then you can ask for an external review. Your complaint will be investigated by an external body independent of the department. The investigation will assess the handling of your complaint by the department. A Level 3 response will only occur after you progress your complaint through the department's complaints process in the first instance and have exhausted any other internal right of review.
- Review processes for youth detention centre complaints will be as per the Youth Detention Centre Complaints Management Operational Policy, noting that young people may choose to escalate a complaint to an external review body after receiving the first outcome (not awaiting a second internal review).

5. Reporting

Section 264(3) of the *Public Sector Act 2022* 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 above, detailed reporting should be provided to senior management, such as divisional heads and Boards of Management, on a regular basis and at a minimum every six months.

6. Human right complaints

The department is committed to considering human rights. The *Human Rights Act 2019* (HR Act) protects and promotes 23 human rights, reflecting four 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 decide in a way that is compatible with human rights; and
- properly consider relevant human rights when deciding.

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 complaint containing an allegation of a breach of the HR Act 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.

7. Delegations

Delegations are to be exercised in accordance with the department's Human Resource, Financial, Procurement, Contract Signing and Business Support Delegations. Delegation Schedules are reviewed on a regular basis to ensure they remain current and relevant to the operational needs of the department. It is recommended that delegate authority levels are confirmed prior to exercising any powers in relation to this policy and supporting procedures.

The *Youth Justice Act 1992* also carries specific delegations in relation to complaints management.

8. Key Responsibilities

Role	Responsibilities
Complainant	<ul style="list-style-type: none"> • Provide clear information regarding the concern/s about which they are complaining. • Provide all information relevant to their complaint. • Be clear at the start about the desired outcome or solution. Be respectful. • Cooperate with the department if they no longer require assistance, including if they choose to withdraw their complaint.
Employees as Receiving Officers	<ul style="list-style-type: none"> • Receive complaints. • Classify/categorise complaints. • Resolve at point of service, if possible; records in register, and forwards complaint to appropriate service area, Manager, or delegated officer.
Delegated officer	<ul style="list-style-type: none"> • Exercise delegated functions and powers in accordance with the department's human resources delegations, all relevant statutory provisions, whole-of-government policy and directives and principles of procedural fairness.
Managers and supervisors	<ul style="list-style-type: none"> • Ensure employees under their supervision are aware of the requirements of this policy. • Manage complaints in accordance with this policy and any associated procedures. • Maintain an awareness of complaints management processes available to clients of the department and promoting access to these. • Seeking guidance and support, when necessary, from their immediate line manager, relevant regional Senior Advisor, or Complaints Unit, in the management of complaints.
Regional Directors / Executive Directors/ Deputy Directors-General	<ul style="list-style-type: none"> • Ensure employees under their supervision are aware of the requirements of this policy. • Carry out internal reviews of complaints, as needed, in accordance with this policy and any associated procedures.
Strategy and Governance	<ul style="list-style-type: none"> • Maintain the complaints management policy and procedure. • Facilitate the annual public and high-level departmental reporting of complaints data.
Director-General (accountable officer)	<ul style="list-style-type: none"> • Establishment of a system that manages complaints effectively and efficiently.

9. Definitions

Unless otherwise defined in this policy, the terms in this policy have the meaning as set out in the *Acts Interpretation Act 1954* (Qld), or in relevant Directives or other related whole of government policy/standards.

The following is a list of the key words or phrases used in this policy and its related procedure/s and guideline/s:

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

Complaint is an expression of dissatisfaction made to or about an agency related to its services or actions, or its staff (AS 10002:2022, p.2).

Customer is a person or organisation who is directly affected by a service or action by an agency.

Customer complaint (see section 264(4) of the PS Act) means a complaint about the service or action of a public sector entity, or its staff, by a person who is 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.

Directly Affected means greater than the concerns of a bystander who has no interest in the outcome; where a person's right or interests would be affected if the action stood or continued.

10. Related documents and templates

- Queensland Public Service Customer Complaint Management [Framework](#)
- Queensland Public Service Customer Complaint Management [Guideline](#)
- [Complaints management – course resource](#), Queensland Ombudsman
- Queensland Public Service [Code of Conduct](#)

11. References

- [Guidelines for complaint management in organisations - AS/NZS 10002:2014](#)
- [Human Rights Act 2019](#)
- [Industrial Relations Act 2016](#)
- [Information Privacy Act 2009](#)
- [Public Sector Act 2022](#)
- [Youth Justice Act 1992](#)

12. Privacy Statement and Storage of information

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

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](#).

Document Control

Version	Notes	Author	Date of approval
1.0	Initial release of new policy	Director, Human Resources	3/5/2024

Appendix A: Contacts for complaints not covered by this policy.

Nature of Complaint	Contact	Relevant links
Fraud and Corruption conduct	DYJ HR People and Culture, Corporate Service Email: HRBP@youthjustice.qld.gov.au Or contact the Queensland's Crime and Corruption Commission	www.ccc.qld.gov.au/corruption/report-corruption
Public Interest disclosures	Local Manager in the first instance, then contact the Public Interest Disclosure Co-ordinator workplacerelations@rdmw.qld.gov.au	
Individual employee grievances	DYJ HR People and Culture, Corporate Services Email: HRBP@youthjustice.qld.gov.au	
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	Human Rights Commission QHRC: Complaints
Contractual complaints	Local manager in first instance	
Complaints subject to legal proceedings	Local manager in first instance, then Legal services	
Complaints under the Right to Information Act 2009	Office of the Information Commissioner website	Right to Information Act 2009 Chapter 3, Part 2
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: 13 74 68	
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 Head of Corporate as the department's nominated person or directly to the Crime and Corruption Commission (CCC).	
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.	