

# Client complaints management Policy

## 1. Policy Statement

The Department of Justice and Attorney-General (DJAG) is committed to delivering high quality services that respond to our clients and the community's needs. DJAG values the benefits gained from effective complaint handling and assessing feedback received.

Client feedback is encouraged as complaints provide an opportunity to learn and improve service delivery. This helps ensure continued development and delivery of people-focused, high-quality services.

We believe our clients should be able to give both positive and negative feedback about our services and the way that we provide them.

## 2. Objectives

DJAG's Client complaints management system (CCMS) incorporates:

- this overarching policy that outlines guiding principles, a three-level tiered complaints approach and the seven stages of the complaint lifecycle, and
- all supporting related policies, procedures, practices, systems, staff roles and resources DJAG uses to manage client complaints.

This policy aims to ensure our CCMS:

- is client-friendly and responsive
- respects, protects and promotes human rights, and
- is delivered meaningfully to build our knowledge and continuously improve our business.

## 3. Authority

This policy adheres to section 264 of the *Public Sector Act 2022*, is compatible with the *Human Rights Act 2019*, the *Queensland Public Service Customer Complaint Management Framework* and the *Queensland Public Service Customer Complaint Management Guideline*, the Queensland Ombudsman's guidelines and meets the guiding principles of the Australian Standard *Guidelines for complaint management in organisations 10002:2022*.

## 4. Principles

In line with the *Queensland Public Service Customer Complaint Management Framework*, DJAG's guiding complaints management principles are:

- **Customer focused** – People 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 CMSs helping agencies prevent potential ongoing disputes.

## 5. Who does this policy apply to?

This policy applies to all DJAG employees, including temporary staff, contractors and consultants and any other individual who provides a service on behalf of DJAG, on a paid or voluntary basis.

## 6. Responsibility

The DJAG Executive Leadership Team (ELT) is responsible for the endorsement of this policy which is applicable to all supporting resources of the CCMS.

Post endorsement, any significant shifts in process or responsibilities will be presented to the ELT for consideration and endorsement.

The DJAG CCMS and relevant reporting requirement are supported by the Strategy and Governance Branch.

Staff may also have complaints handling responsibilities as defined in the DJAG Client Complaints Management Procedures to support implementation of this policy.

## 7. In scope

A complaint is the verbal or written expression of dissatisfaction about the policies, products, projects or services provided by us and/or our staff.

A client complaint made to DJAG may contain issues regarding one or more of the below:

- a decision, or failure to make a decision,
- an act, or the failure to act,
- staff conduct, or the service delivery provided by DJAG staff, or
- a policy or procedure.

### 7.1 Human rights – client complaints

The *Human Rights Act 2019* (HR Act) requires DJAG to:

- deliver services in a manner compatible with human rights,
- consider human rights in all circumstances, and
- make decisions that are compatible with human rights.

If the complainant believes their human rights have been limited due to an action or decision of DJAG or DJAG staff, this will be investigated during the complaints management process.

If the complainant does not mention a breach of human rights, but a potential human rights issue is described in the complaint, DJAG will initiate an investigation of the human rights issue.

### 7.2 Information Privacy – client complaints

The *Information Privacy Act 2009* (IP Act) defines how Queensland Government agencies manage the personal information they hold.

A complaint about a breach of privacy is in scope of the policy, however if the department makes a decision in relation to your Right to Information or Information Privacy application for access to documents, this is out of scope of this policy. These out-of-scope decisions include a decision to refuse you access to, or amendment of, documents, that no documents exist or can be located, or not to waive charges.

On receipt of an in-scope privacy complaint, the relevant business area must provide Right to Information and Privacy, DJAG, with a copy of the complaint and any relevant documents.

If the complaint does not mention a privacy breach specifically, but a potential privacy issue is identified, the potential privacy issue must be referred to RTI and Privacy.

### 7.3 Victims' Rights – client complaints

The *Victims' Commissioner and Sexual Violence Review Board Act 2024* defines the rights of a victim which must be upheld by Queensland Government entities and provides direction on the reporting and referral of related complaints.

A complaint about a breach of an affected victim's (as defined in the *Victims' Commissioner and Sexual Violence Review Board Act 2024*) Charter Right is in scope of the policy, however, complaints about actions or decisions of the Victims' Commissioner or Office of the Victims' Commissioner are out of scope.

If the complainant does not mention a breach of a Charter of Victims' Right, but a potential breach is described in the complaint, DJAG will initiate an investigation of the Charter of Victims' Rights breach.

If a complaint is referred to another entity to deal with and is identified as a Charter of Victims' Rights complaint, this must be captured within complaints reporting.

## 8. Out of scope complaints

This policy does not apply to the items listed in [Appendix 2 Out of scope complaints](#), as these matters are governed by other legislative review or appeal processes.

If at any time throughout the client complaints management process it is determined that a client complaint is out of scope, the complaint should be considered under the appropriate framework.

### 8.1 Public Interest Disclosures

While Public Interest Disclosures (PID) are not considered under the CCMS, a whistle blower can use the CCMS to lodge a PID about potential corrupt conduct, maladministration, or the misuse of public resources. The receiving business area is to refer the PID to the DJAG Ethical Standards Unit for consideration and outcome. The complaint is not recorded in the client complaints register.

## 9. Service standards

DJAG aims to address complaints as quickly as reasonably possible.

An acknowledgement of a complaint should be sent within three business days of the complaint being received by an agency.

A final response to a complaint should be provided within 30 business days after the complaint was originally received by the agency.

If the complaint includes multiple issues, is complex in nature, or involves a privacy, victims' rights or human rights complaint, a more detailed investigation may be needed. If a managing officer determines that a timeframe for a response is not likely to be met, the officer should proactively advise the complainant of this at the earliest opportunity and advise them of the new expected timeframe and officer contact details should they require further information.

## 10. How we manage complaints

### 10.1 Complaints life cycle

DJAG follows the seven stages of complaint life cycle, as outlined by the *Queensland Public Service Customer Complaint Management Framework*. 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 their complaint and DJAG continues to learn and improve. These seven stages include:

- Stage 1: Receipt
- Stage 2: Assistance
- Stage 3: Acknowledgement
- Stage 4: Assessment
- Stage 5: Response
- Stage 6: Reporting, and

- Stage 7: Learning and improvement.

For further information about the complaints life cycle, please see our departmental Client Complaints Management Procedure.

### 10.2 Three level model

Our client complaints approach is also based on a three-tiered approach for accountability:

- Level 1 – Initial complaint handling – early resolution
- Level 2 – Internal review – if the client is unsatisfied with the outcome, and
- Level 3 – External review – conducted by the relevant external oversight body.

#### 10.2.1 Initial handling

DJAG staff can receive initial complaints lodged online, via email, via social media, in writing, over the phone, in person (verbally or in writing), or received by Ministerial or Director-General correspondence or contact.

Early resolution is when the complaint is managed by the receiving officer and they resolve the complaint at the point of receipt. Where possible, complaints received will be handled and resolved at this stage. If they aren't able to be resolved at the early resolution stage, a standard complaint management process will follow as per 10.1 above.

#### 10.2.2 Internal review

If the complaint remains unresolved or the client is unsatisfied with the decision made, they can request an internal review with us. Complainants should be advised that they have 20 business days from receipt of the complaint outcome to seek internal review. Requests received outside this timeframe should still be considered when there are reasonable grounds to do so.

The internal review response must be finalised within 20 business days. If this timeframe will not be met, the complainant must be notified and advised on the progress of in the internal review and provide an amended timeframe for the response.

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

- the timeframe for lodgement of a complainant's internal review request
- how the complainant's submission should be made, e.g., in writing, taking into account the complainant's known support needs
- 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, and
- what supports are available to assist complainants to apply for an internal review.

The receiving officer must refer the complaint to a managing officer or an investigating officer for an internal review to commence. An internal review will assess the outcome of the complaint, if the processes taken to investigate the complaint were appropriate and fulsome; and the appropriateness of the original decision.

Internal reviews are not required for Human rights complaints, as the Queensland Human Rights Commission can review the complaint after the first outcome has been made.

For a Charter of Victims' Rights complaint, the complainant should be offered the option of DJAG conducting an internal review or the complaint being referred to the Office of the Victims' Commissioner to conduct a review.

#### 10.2.3 External review

If a client is unsatisfied with an internal review decision, they must be advised of their right to contact the Queensland Ombudsman, Queensland Human Rights Commission or other relevant external review body (such as the Crime and Corruption Commission) to request consideration of an external review. The timeframe to process an application for an external review of a complaint is determined by each oversight body.

The complainant has 12 months from the DJAG Internal review completion date to lodge an external review with the Queensland Ombudsman and/or the QHRC. This lodgement timeframe is determined by each oversight body.

### 10.3 Record keeping

All complaints that fall within the scope of this policy are to be recorded in the business area's client complaints register. This does not include complaints resolved at the point of service, which does not need to be recorded on the register.

If a complaint is referred to another entity to deal with and is identified as a Charter of Victims' Rights complaint, this must be captured within complaints reporting.

All complaint files are to be managed as per the *Public Records Act 2002*, *Public Sector Act 2022* and the *Information Privacy Act 2009*. Records are to be maintained as per the as per the [Queensland Government General Retention and Disposal Schedule](#) (GRDS), reference 1074 - routine client complaints.

### 10.4 Training requirements

All DJAG staff are required to complete the mandatory *Evolve Client Complaints eBriefing* and all investigating officers and managing officers are encouraged to complete the complaints management training offered by the Office of the Queensland Ombudsman.

The related processes for this policy are outlined in detail in the supporting departmental Client Complaints Management Procedure.

## 11. Managing unreasonable conduct or vexatious complaints

DJAG's [Managing unreasonable conduct or vexatious complaints by complainants' policy](#) defines unreasonable conduct by complainants as any behaviour by a current or former complainant which, because of its nature or frequency, raises a disproportionate impact on health, safety, resources or equity issues for DJAG staff and our clients.

If the complainant's behaviour has been assessed under the policy and deemed unreasonable or vexatious, DJAG will either limit or cease contact with the complainant, as per the *Unreasonable conduct by complainant procedure*.

## 12. Reporting responsibilities

The Strategy and Governance Branch is responsible for collation, reporting and the external publication of DJAG's complaints data, as defined under the *Public Sector Act 2022*, the *Victims' Commissioner and Sexual Violence Review Board Act 2024* and the *Human Rights Act 2019*. The complaints data that is provided quarterly by business areas is used to create these reports.

## 13. Contact for policy

The Strategy and Governance Branch is responsible for ongoing maintenance and oversight of the DJAG Client complaints management system. Any questions relating to this policy and its application can be emailed to [governance@justice.qld.gov.au](mailto:governance@justice.qld.gov.au).

## 14. Policy review

An administrative review of this policy will be conducted every two years and a comprehensive review every five years, or in the case of significant changes in legislation, directives, audit recommendations or significant organisational change.

### 14.1 Revision history

Revision date	Summary of Amendments	Approved/prepared by	Version
19/11/2012	Improvements suggested by Queensland Ombudsman and Internal Audit	Director, Corporate Governance Unit	1.0
08/02/2013	Feedback included	Corporate Governance Unit	2.0
30/06/2015	To incorporate legislation changes to Public Service Act 2008; respond to the Carmody Inquiry Child Protection recommendations; Response to audit by Queensland Ombudsman in 2013	Corporate Governance Unit	3.0
09/11/2016	Annual review	Director, Corporate Governance Unit	4.0
03/03/2017	Revision	Director, Corporate Governance Unit	4.1
14/08/2017	Update to links	Director, Corporate Governance Unit	4.2
06/09/2019	Comprehensive review	Director, Budget	4.3
12/12/2019	Updated to include Human Rights complaints information	Assistant Director-General	4.4
07/02/2024	Comprehensive review of the client complaints management system and policy	Board of Management	5.0
21/08/2024	Update to include Charter of Victims' Rights complaints	Executive Director, Strategy and Governance	5.1

## 15. Licence



This policy is licensed by the State of Queensland: Department of Justice and Attorney-General under a Creative Commons Attribution (CC BY) 4.0 *International licence*.

## Appendix 1: Resources

Queensland Legislation	
<i>Anti-Discrimination Act 1991</i>	<a href="#">View - Queensland Legislation - Queensland Government</a>
<i>Human Rights Act 2019</i>	<a href="#">View - Queensland Legislation - Queensland Government</a>
<i>Information Privacy Act 2009</i>	<a href="#">View - Queensland Legislation - Queensland Government</a>
<i>Privacy Act 1988 (Cth)</i>	<a href="#">View – Commonwealth Legislation - Austlii</a>
<i>Public Interest Disclosure Act 2010</i>	<a href="#">View – Queensland Legislation – Queensland Government</a>
<i>Public Sector Act 2022</i>	<a href="#">View - Queensland Legislation - Queensland Government</a>
<i>Victims of Crime Assistance Act 2009</i>	<a href="#">View - Queensland Legislation - Queensland Government</a>
Queensland Government Framework	
Queensland Government	<i>Queensland Public Service Customer Complaint Management Framework and Guideline</i>
Standards	
International Standard	<i>Quality management – Customer satisfaction – Guidelines for complaint handling in organizations (ISO 10002:2018)</i>
Australian Standard	<i>Guidelines for complaint management in organizations (AS 10002:2022)</i>
International Standard	<i>Customer Vulnerability – Requirements and guidelines for the design and deliver of inclusive service (ISO 22458:2022)</i>
Queensland Ombudsman	
Complaints process	<a href="#">Complaints process - Queensland Ombudsman</a>
Training	<a href="#">Queensland Ombudsman – Training Courses</a>
Resources	<a href="#">Queensland Ombudsman – Public administration resources</a>
New South Wales Ombudsman resources	<a href="#">Managing unreasonable conduct by complainant resources</a>
Queensland Human Rights Commission (Human Rights and Anti-Discrimination)	
Queensland Human Rights Commission	<a href="#">QHRC: Queensland Human Rights Commission</a>
Queensland Human Rights Commission	
Queensland Government	<a href="#">Guide: Handling human rights complaints</a>
Queensland Government	<a href="#">Human Rights - DJAG General Manager's Toolkit</a>
Queensland Government	<a href="#">Human Rights – Guide Human rights in decision making</a>
Office of the Information Commissioner Queensland	
Office of the Information Commissioner Queensland	<a href="#">OIC: Office of the Information Commissioner</a>
Queensland Government – Contact the Queensland Government	<a href="#">Contact us   Queensland Government (www.qld.gov.au)</a>



## Appendix 2: Complaints outside the scope of this policy

This policy does not include a range of decisions made under specific legislation, including decisions made by the following:

- judicial officers appointed to the Supreme (including Court of Appeal), District and Land and Magistrates Courts
- members and adjudicators appointed to the Queensland Civil and Administrative Tribunal
- a prosecutor about a legal or court proceeding
- courts transcription or recording services
- a registrar or Justice of the Peace acting in a quasi-judicial role
- the Public Guardian
- a referee under the *Building Units and Group Titles Act 1980*
- an adjudicator under the *Body Corporate and Community Management Act 1997*
- a dispute resolution officer, the commissioner or commissioner's delegate exercising their functions under Chapter 7, Part 1, section 303 of the *Body Corporate and Community Management Act 1997*
- Blue Card eligibility decisions made under Chapter 8 of the *Working with Children (Risk Management and Screening) Act 2000*
- the Director of Child Protection Litigation or Director's delegate exercising powers and functions of the Director under the *Director of Child Protection Litigation Act 2016*,
- the Legal Services Commissioner or the commissioner's delegate about complaints under the *Legal Profession Act 2007*, and
- the Victims' Commissioner or the commissioner's delegate about complaints under the *Victims' Commissioner and Sexual Violence Review Board Act 2024*.

Other matters outside the scope of this policy are:

- a licensing decision (e.g. for a motor dealers licence)
- an inspector's decision (e.g. a liquor, gaming, or fair-trading decision)
- a grant funding decision (e.g. Community Benefits Fund)
- complaints about a lawyer<sup>1</sup>
- decisions about assistance under the *Victims of Crime Act 2009*
- consumer complaints about faulty goods or unscrupulous traders
- allegations against employees involving suspected misconduct, including corrupt conduct, maladministration or public interest disclosures
- DJAG employee complaints made by current public sector employees, and
- a decision to deny access to information under the RTI Act or the IP Act, or complaints about a decision regarding the outcome of a privacy assessment.

See DJAG's complaints webpage at: <https://www.justice.qld.gov.au/about-us/contact/compliments-complaints/out-of-scope> for information about resolving out-of-scope matters.

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<sup>1</sup> Complaints against a government legal officer by their clients fall within the scope of this policy, excluding complaints assessed as within the jurisdiction of the Legal Services Commission.



## Appendix 3 – DJAG’s Client complaints privacy statement

### Complaints privacy statement

The Department of Justice and Attorney-General (‘the department’) is collecting your personal information for the purposes of identifying and dealing with your complaint in accordance with our *Client complaints management policy*.

Your personal information will be disclosed to the relevant agency/s, integrity body or statutory body to investigate and respond to your complaint.

Every effort is made to ensure your complaint is only provided to the correct business area, but in some circumstances the receiving area may need to send your complaint to another business area in the department.

Your personal information will not be provided to any person you are complaining about, unless specifically required to ensure your complaint is appropriately dealt with.

Limited personal information may be used for related research, policy or planning functions. Unless authorised or required by law, your personal information will not otherwise be disclosed to any other third party without your consent.

The department’s processes ensure that your personal information remains protected in accordance with the [Information Privacy Act 2009](#) (Qld) and [DJAG’s Privacy plan](#).