

# Public sector commission customer complaints management policy

## Policy Statement

The Public Sector Commission (PSC) is committed to a positive complaint management environment. We encourage feedback and our complaints management system allows us to effectively manage all feedback and complaints in an accountable, transparent, timely and fair manner. The PSC recognises that effective complaints management is essential to improving our customer service.

## 2. Objectives

The objectives of this policy are to ensure:

- A readily accessible complaints process and information for all persons regardless of background and circumstances.
- Fair, accountable, transparent and responsive management of complaints.
- All complainants are managed equitably.
- Business improvement opportunities are identified and implemented.

## 3. Authority

Section 264 of the Public Sector Act 2022 (PS Act) requires the PSC to establish a complaints management system for customer complaints which complies with the [Australian/New Zealand Standard - Guidelines for complaints management in organizations \(AS/NZS 10002- 2018\)](#). The Standard requires the PSC to establish a policy setting out our commitment to effective complaints management. This policy is supported by procedures that detail how complaints will be managed.

## 4. Principles

The complaint management principles underlying this policy reflect the [Australian/New Zealand Standard - Guidelines for complaints management in organizations \(AS/NZS 10002- 2018\)](#), [s.264 of the Public Service Act 2008 and the Human Rights Act 2019](#). To achieve our objectives, the PSC is committed to these guiding principles in managing complaints:

Principles	This means we will...
Enabling complaints people focus	<ul style="list-style-type: none"> <li>• Recognise and respect everybody's right to provide feedback.</li> <li>• Demonstrate a commitment to addressing feedback in a timely manner and without charge.</li> <li>• Involve the complainant in the process as far as is practicable and appropriate.</li> </ul>
Visibility and access	<ul style="list-style-type: none"> <li>• Record, track, acknowledge and process complaints in a timely manner, in accordance with the relevant PSC complaint procedure.</li> <li>• Manage the expectations of complainants by ensuring the complainant is aware of the process, timeframes, their likely involvement, the possible outcomes of the complaint and any other necessary information.</li> <li>• Assess the nature of complaints, including any human rights considerations, how they should be dealt with and by whom.</li> </ul>
Managing complaints responsiveness	<ul style="list-style-type: none"> <li>• Record, track, acknowledge and process complaints in a timely manner, in accordance with the relevant PSC complaint procedure.</li> <li>• Manage the expectations of complainants by ensuring the complainant is aware of the process, timeframes, their likely involvement, the possible outcomes of the complaint and any other necessary information.</li> <li>• Assess the nature of complaints, including any human rights considerations, how they should be dealt with and by whom.</li> </ul>
Objectivity and fairness	<ul style="list-style-type: none"> <li>• Manage complaints objectively and deal with them fairly, respectfully, consistently, in accordance with the principles of natural justice and without actual or perceived conflicting interests.</li> <li>• Take all reasonable steps to ensure that a complainant is not adversely affected.</li> <li>• Protect the rights of officers where they are the subject of a complaint.</li> <li>• Deal with complaints confidentially to the extent possible and with personal information in accordance with the Information Privacy Act 2009.</li> <li>• Manage unreasonable complainant behaviour and consider the merits of each complaint.</li> </ul>
Feedback and decision	<ul style="list-style-type: none"> <li>• Provide adequate and timely feedback on complaints to all parties.</li> <li>• Provide a clear explanation of the final decision and any recommendations.</li> <li>• Notify complainants of their internal and external review options</li> </ul>
Monitoring and reporting	<ul style="list-style-type: none"> <li>• Record and report complaints in accordance with legislative and other requirements.</li> <li>• Monitor the time taken to resolve complaints.</li> <li>• Monitor and analyse complaints feedback and trends to improve our complaints management system.</li> <li>• Commit to using complaints as an essential tool for continuous improvement.</li> </ul>
Staff awareness training	<ul style="list-style-type: none"> <li>• Empower staff to effectively manage customer complaints by ensuring that all staff are aware of the PSC's Customer Complaints Management System and procedures.</li> <li>• Providing training at induction and on an annual basis</li> </ul>
Remedies	<ul style="list-style-type: none"> <li>• Attempt informal resolution and compromise wherever possible.</li> <li>• Offer remedies that are fair to all parties, minimising the possibility of ongoing dispute.</li> </ul>

## 5. Application

This policy and associated procedures apply to all temporary and permanent PSC staff, including consultants, contractors, students or any other person who provides services on a paid or voluntary basis.

## 6. Scope

This policy applies to a written or verbal complaint made by a person (the complainant or other authorised person) who is directly affected by the service or action of the PSC and/or our staff.

A complaint is an expression of dissatisfaction in relation to a PSC policy or service, where a response or resolution is explicitly or implicitly expected or legally required. This includes actions of PSC employees, such as:

- a decision, or a failure to make a decision
- an act or failure to act
- an act or decision that is not compatible with human rights
- the formulation of a proposal or intention
- the making of a recommendation
- customer service provided
- the handling of a complaint.

This policy does not apply to complaints about:

- another agency or organisation
- a chief executive of another public sector entity
- matters outside our direct responsibility
- a third-party agent or service provider where the matter is referred to the agent or service provider for direct investigation and/or response to the customer.

These complaints should be made to the agency or organisation which is the subject of the complaint, or as follows.

A complaint assessed as a public interest disclosure (PID) made under the Public Interest Disclosure Act 2010 (PID Act) is to be managed in accordance with the PSC Procedure for the Management of Public Interest Disclosures.

A complaint which includes an allegation/s of corrupt conduct as defined under section 15 of the Crime and Corruption Act 2001 is to be managed in accordance with the PSC Corrupt Conduct Complaints Policy.

An employee complaint made to the PSC Public Sector Commissioner about a chief executive of an agency is to be managed in accordance with the Managing Employee Complaints directive. If the complaint is assessed as a PID, the complainant will be entitled to the protections under the PID Act and if the complaint contains allegations of corrupt conduct, the complaint must be referred to the Crime and Corruption Commission (CCC).

## 7. How to make a complaint

Complaints may be made verbally (in person or phone) or in writing (email or post) by the complainant (or another authorised person). An online complaints form is available if you wish to use this as a guide. Further information is available on the PSC website.

Anonymous complaints, and those provided by an authorised third party are afforded the same consideration as other complaints.

The complaint is to be made within twelve months from the time from which the grounds of the complaint arose. If the complaint is submitted outside the twelve-month timeframe, exceptional circumstances will need to be provided explaining why the complaint is submitted outside this timeframe. Exceptional circumstances include situations which are out of the ordinary, unusual, special, or uncommon (for example, ill-health and /or personal issues impacting on the complainant's ability to address the concerns).

The assessment of the complaint will consider any exceptional circumstances and the seriousness and complexity of the complaint.

In accordance with the Human Rights Act 2019, assessment of human rights complaints will only occur for acts or decisions made on or after 1 January 2020.

## 8. Our time frames

Complaints will be resolved within the timeframes that apply to the following level of complexity:

**Simple complaints** are resolved within 24 hours if possible. These are complaints that have no risk or detriment to the client or the PSC and are resolved at the point of service by a PSC staff member with oversight by the Director/ Manager of the business unit.

**Standard complaints** are resolved within a maximum of 20 working days of receipt of the complaint. This type of complaint has minimal risk or detriment to the client or the PSC and usually one single issue or concern.

**Significant /complex complaints** may require more than 30 working days due to the medium or high level of risk/detriment to the client or the PSC and multiple and/or serious issues that usually requires an extensive investigation.

**Privacy and human rights complaints** - a complaint that the PSC has breached an individual's privacy or a complaint about a matter affecting a relevant human right must be resolved within 45 working days of receipt.

## 9. Complaints management model

Step 1: Officer – receipt and first contact resolution

Step 2: PSC Complaints Coordinator – coordinates assessment, resolution and outcome advice

Step 3: Internal Review Officer – conducts a merit review at request of complainant

Step 4: External review requested by complainant (external review bodies include Queensland Ombudsman, Office of the Information Commissioner)

The PSC Complaints Coordinator is the officer responsible for the coordination and oversight of our customer complaints management system.

PSC staff members (receiving officers) will try to resolve your complaint at your first point of contact, if possible, for example on the phone or in person (Step 1). Otherwise, your complaint will be referred to the PSC Complaints Coordinator for assessment and management, and written advice will be provided to you on the outcome of your complaint (Step 2).

If you are dissatisfied with the outcome of your complaint or how the complaint was handled, you may seek an internal review by a senior PSC officer within twelve months of the decision on the complaint (Step 3). If you are dissatisfied with the internal review you may seek an external review by an independent external review body (Step 4).

A complainant who is dissatisfied with the PSC response to their complaint about a human rights matter can make a complaint to the Queensland Human Rights Commission.

The external review bodies which may accept your complaint include the:

- Office of the Queensland Ombudsman
- Office of the Information Commissioner (for complaints about breaches of privacy)

## 10. Different procedures may apply to some customer complaints

PSC is required to address certain types of complaints in specific ways. The PSC Complaints Coordinator will assess and address an incoming complaint as per the below table.

Type of complaint	The complaint is governed by this policy and...
Complaints about PSC products, services and conduct of employees.	The PSC Customer Complaints Procedure
Complaint that PSC has breached an individual's privacy	Information Privacy Act 2009, Human Rights Act 2019 and the PSC Customer Complaints Procedure
Complaints about breaches of human rights	Human Rights Act 2019 and the Queensland Government Guide: Handling Human Rights Complaints
A complaint assessed as a public interest disclosure (PID) in accordance with the Public Interest Disclosure Act 2010.	The PSC Process for the Management of Public Interest Disclosures and the Public Interest Disclosure Act 2010.
A complaint which is an allegation about 'corrupt conduct' as defined under s.15 of the Crime and Corruption Commission Act 2001.	The PSC Corrupt Conduct Complaints Policy. The complaint may be referred to the CCC for investigation or investigated by PSC and reported to the CCC if required under the Crime and Corruption Commission Act 2001.

The PSC Customer Complaints Management Procedure sets out how customer complaints are managed and should be read in conjunction with this policy.

## 11. Managing unreasonable complainant behaviour

The PSC recognises that in managing complaints fairly, efficiently, and effectively, all parties to a complaint (for example, complainants, complaint handlers and any people the subject of the complaint) have certain rights and responsibilities. The PSC will ensure that our work health and safety responsibilities and duty of care obligations are met.

This obligation extends to PSC staff who deal with complaints. The PSC will ensure appropriate strategies are in place for managing unreasonable complainant conduct fairly, ethically, and reasonably (for example, unreasonable persistence, demands, lack of cooperation, unreasonable arguments and behaviour).

## 12. Roles and responsibilities

### Director, Business Service (PSC Complaints Coordinator)

- Is the PSC Complaints Coordinator and has responsibility for managing customer complaints in accordance with this policy and associated procedures.
- Provides reports to senior management and meets annual reporting requirements (section 264 *Public Sector Act 2022 (PS Act)* and section 97 Human Rights Act 2019).
- Is the delegated PID Coordinator and is responsible for managing these complaints in accordance with the relevant legislation and procedure.
- Coordinates training sessions for PSC staff and maintains a register of training provided to each staff member.

### Deputy Commissioner

- Conducts internal reviews of decisions relating to public interest disclosures and complaints about corrupt conduct.
- Conducts annual review of compliance with the policy and associated procedures.
- Reviews policy and procedures at least every two years.
- Oversees PSC staff awareness of PSC Customer Complaints Policy and procedures.

### Executive Directors / Directors (Officers – internal review); (Officers – investigating)

- Oversees first point of service contact resolution of customer complaints by employees within their teams and reporting of resolved or referral of unresolved point of service customer complaints to the PSC Complaints Coordinator.
- Responds to customer complaints referred by PSC Complaints Coordinator and investigate complaint if appropriate.
- Conducts internal review of decisions on customer complaints as requested and in accordance with this Policy and associated Procedure.

### Employees (Officers – receiving)

- Develops a working knowledge of the PSC Customer Complaints Management Policy and Procedure to ensure customer complaints are appropriately managed.
- Receives complaints at the first point of contact; in consultation with Executive Director/Director resolves or refers unresolved complaint to PSC Complaints Coordinator to manage.
- Records complaint details and resolution or reasons for referral in Record of Complaint template.

## 13. Glossary

PSC is required to address certain types of complaints in specific ways. The PSC Complaints Coordinator will assess and address an incoming complaint as per the below table.

<b>Term</b>	<b>Definitions</b>
Customer complaint	A complaint about the service or action of a department, or its staff, by a person who is apparently directly affected by the service or action [section 264(4) Public Sector Act 2022 (PS Act)]
Officer - receiving	The PSC staff member who receives the complaint at first contact in Step 1 of the CMS process and either resolves the complaint or refers to PSC Coordinator for management through their Executive Director/ Director.
Officer – internal review	The senior officer nominated by the PSC Complaints Coordinator to conduct an internal review who is not involved in the complaint or investigation process
Officer - investigating	The senior officer with the appropriate authority and expertise in their role to investigate the complaint.
PSC Complaints Coordinator	The officer responsible for managing PSC customer complaints and has oversight of all steps in the process. Assesses complaints including Public Interest Disclosures and allegations of corrupt conduct and manages appropriately in accordance with PSC policies.