



The Public Trustee

Complaints Management Policy

February 2021

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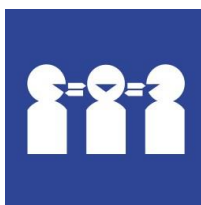
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Effective date

This policy will take effect from 1 March 2021.

Compliance

Compliance with this policy is **mandatory**.

Document Information

Approved

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Contact

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1.0 Policy Statement

The Public Trustee is committed to providing customers with customer-centric, fair and equitable customer experiences. We are committed to building a culture of customer-focused professionals and encourage a people-focused and proactive approach to complaints management.

The Public Trustee values all complaints, and is committed to ensuring our complaints management process is accessible, fair and responsive, where we work with our customers to drive business decisions and improvements.

This Policy

- Meets our legislative obligations
- Explains how customers, stakeholders and members of the public raise complaints
- Guides staff on the management of and response to complaints.

2.0 Scope

2.1 What is a Complaint under this Policy?

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

This includes:

- past, current or proposed policies, products, projects or services
- past or current staff, including the customer service provided by staff
- actions or decisions made, including proposing an action, making a recommendation and failing to take an action or make a decision.

This policy covers external complaints made to us by customers, members of the public, stakeholders or staff members acting as members of the community. Certain specific complaints are excluded from this policy as they are managed under particular legislation or contractual requirements, are out of scope, or have been granted an exemption.

This policy is supported by our Complaints Management Procedures.

2.2 What is our commitment under this Policy?

- We are committed to providing high standards of service and listening to those who interact with us.
- We strive to respond constructively and resolve complaints at their earliest stage. When that can't happen, we treat seriously the issues that remain unresolved.
- All staff have a role in actively supporting stakeholders to be heard and helping the Public Trustee understand, acknowledge and appropriately resolve concerns raised.

3.0 Applicability

This policy applies to all staff including temporary and permanent employees, consultants, contractors, students or any other person who provides us with services on a paid or voluntary basis.

4.0 Complaints management process

The Public Trustee's complaints management process operates at three levels, in line with the Australian/New Zealand Standard. These levels are:

- Front-line complaints
- Simple complaints
- Complaints requiring investigation.

A complaint of any level can progress through the Public Trustee's three complaints management stages.

The following diagram outlines the key requirements in each complaints management stage.

1A Initial Resolution

Frontline Receiving Officer:

- Solves or addresses the issue/s in the first phone or face to face contact.
- Records the details and resolution of the complaint, if needed.
- Reports the complaint and any issues or actions or improvements if needed.

OR:

- Refers the complaint to a Receiving/Investigating Officer.

1B Initial Resolution

Receiving Officer (Complaints Team):

- Helps the customer with making their complaint.
- Assesses and classifies the complaint.
- Explains the process for an internal review or external review, if needed.
- Records the complaint from when it was received to when it was finalised.
- Closes the complaint with any corrective actions identified.
- Reports the complaint and any issues, actions or improvements.

Investigating Officer:

- Investigates and takes action.
- Offers remedies or solutions that are fair and reasonable to all involved.
- Communicates with the customer and meets service standards.

2 Internal Review

Internal Review Officer:

- Manages the complaint as per the previous stage.
- Ensures they are independent of the original decision or action and at an equal or more senior level to the original decision maker.
- Clarifies the grounds for the review.
- Undertakes a merits review.
- Explains the process for a customer advocate or external review if needed.

3 External Review

Complaints Team

- Assists the Queensland Ombudsman or other external agency.
- Responds to any requests for information or copies of complaint documents.

5.0 Guiding Principles

The complaint management principles in this policy reflect the Australian/New Zealand Standard AS/NZS 10002-2014 Guidelines for complaint management in organisations, and s.219A of the *Public Service Act 2008*.

The *Public Service Act 2008* requires all Queensland Government agencies to have a transparent complaints management system, including annual reporting.

Principles	This means we...
<p>1. People focus</p>	<ul style="list-style-type: none"> • Treat customers and staff with respect. • Recognise that everyone has a right to complain. • Recognise that customers have the right to be supported by a friend, advocate, interpreter, community elder or other support person of their choice. • Accept complaints made anonymously and on behalf of someone else. • Involve the customer in the process if possible and appropriate. • Protect privacy and confidentiality. • Respect and protect human rights. • Ensure customers do not suffer reprisal.
<p>2. Visibility and access</p>	<ul style="list-style-type: none"> • Accept complaints orally and in writing via a range of formats. • Assist customers to make a complaint, in particular children, people with a disability or impairment or from a culturally and linguistically diverse background. • Ensure there is no charge to make a complaint. • Publicise information about how and where to complain on our website. • Ensure complaints information is available upon request from our staff and in our public offices. • Provide information to staff and raise awareness via a range of communication channels.
<p>3. Objectivity and fairness</p>	<ul style="list-style-type: none"> • Systematically and consistently assess and classify complaints. • Disclose any conflict of interest. • Identify any human rights that may be relevant to a complaint. • Give proper consideration to any relevant human rights before we make a decision. • Gather sufficient and relevant evidence to make a decision. • Apply natural justice during the investigation. • Offer remedies that are fair and reasonable to all parties. • Offer similar remedies to all customers in a similar situation. • Advise customers about their internal and external review options, if needed.

4. Responsiveness	<ul style="list-style-type: none"> Nominate an independent and more senior officer to conduct an internal review, if needed. May decline or refuse to investigate a complaint that is deemed to be unreasonable.
	<ul style="list-style-type: none"> Where possible, resolve complaints early and informally at the point of service. Take reasonable steps to understand the complaint and assess how best to manage it. Provide an acknowledgement, progress update or response in a timely manner. Provide a clear explanation of any decision or action taken. Monitor and record a complaint until it is finalised.
5. Feedback Reporting and	<ul style="list-style-type: none"> Use complaints information for business and staff development. Undertake quarterly and annual reporting to identify trends and issues. Publish complaints information on our website annually. Seek regular feedback about our complaints management process.
6. Accountability	<ul style="list-style-type: none"> Ensure responsibilities are clearly outlined to staff. Review our complaints management policy at least biennially.
7. Resources and training	<ul style="list-style-type: none"> Ensure adequate resources and training are available to staff. Empower staff to implement the Public Trustee's complaints management system as appropriate.

6.0 Different procedures apply to some complaints

The Public Trustee is required to address certain types of complaints in a specific way. The Public Trustee Complaints Coordinator will assess and address an incoming complaint as per the table below:

Type of complaint	The complaint is governed by this policy and...
Complaints about Public Trustee products, services and employees	Public Trustee Complaints Management Procedure.
A complaint which is an allegation about 'corrupt' conduct as defined under s. 15 of the <i>Crime and Corruption Act 2001</i> (CCC Act)	Public Trustee Reporting Corrupt Conduct Policy and the CC Act.
A complaint by a Public Trustee employee	Public Trustee Employee Complaints Management Policy.
A complaint assessed as a public interest disclosure (PID) in accordance with the <i>Public Interest Disclosure Act 2010</i> (PID Act)	Public Trustee Public Interest Disclosure Policy and Procedure, PID Act and PID Standards.

A Privacy complaint under the <i>Information Privacy Act 2009</i> (IP Act)	Public Trustee Information Privacy Complaints Management Policy and Procedure and the IP Act. A response will be provided within 45 business days.
A Human rights complaint under the <i>Human Rights Act 2019</i> (HR Act)	The Public Trustee Complaints Management Procedure and the HR Act.
A complaint about the Public Trustee and CEO.	Complaints about the Public Trustee of Queensland and Chief Executive Officer are referred to the Chief Operating Officer and are managed under the Public Trustee Complaints about the Public Official Policy.
A complaint about a matter that is subject to legal proceedings.	Matters subject to legal proceedings will be managed in consultation with Legal Services.
An anonymous complaint	The complaint will still be investigated, but no response can be provided to the complainant.
A complaint involving unreasonable complainant conduct	The complaint will be recorded but the Public Trustee may decide not to respond to the issues raised in the complaint.

7.0 Legislative and policy basis

- *Crime and Corruption Act 2001*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Public Service Act 2008*
- *Public Interest Disclosure Act 2010*
- Code of Conduct for the Queensland Public Service
- Guidelines for complaint management in organisations (AS/NZS 10002:2014)

8.0 Roles and responsibilities

The Senior Director, Governance and Risk is our nominated Complaints Coordinator. This role is supported by the Governance and Risk Team. Other Staff may also have complaints handling responsibilities as defined in the Complaints Management Procedure.

9.0 Review and consultation

The Public Trustee is committed to continuous improvement and will monitor agreed system enhancements resulting from the review of complaints.

The Complaints Co-ordinator will initiate regular reviews and self-audits of the effectiveness of the entire complaints management system. These will include an evaluation of the major elements of the system including:

- compliance with the policy;
- compliance with procedure and guidelines including complaints capture, recording and internal reporting;
- time taken to manage complaints;
- correctness of complaint outcomes;
- reporting to the Executive Leadership Team on the volume and type of complaints, themes and trends.

The Complaints Management Policy and associated procedures will be reviewed every two years.

10.0 Definitions

Term	Definition
Anonymous complaint	The identity of the complainant is not disclosed in the complaint or readily ascertainable from the Public Trustee's records
Complainant	Person, organisation or their representative (including clients, customers, service users, etc) making a complaint.
Complaint	An expression of dissatisfaction, either orally or in writing, from a customer or member of the public about the Public Trustee's products, services (including how a staff member provided the service and conduct), procedures, practices or policies.
Complaints Management system (CMS)	Encompasses all aspects of the policies, procedures, practices, staff, hardware and software used by the Public Trustee to manage complaints.
Human rights complaint	A complaint by an individual where the individual alleges an act or decision by an agency, which they believe has breached human rights under the <i>Human Rights Act 2019</i> .
Privacy complaint	A complaint where an individual alleges that their privacy has been breached by the agency not complying with the information privacy principles contained in the <i>Information Privacy Act 2009</i> .
Unreasonable complainant conduct	Unreasonable conduct by a complainant is any conduct which raises substantial health, safety, resource or equity issues for the Public Trustee, its staff and other customers. This conduct occurs where the complainant evidences no genuine intention to receive and process our response to the complaint, or the reasons for our response.