

Complaints Management Policy

1. Purpose

This policy describes the Electoral Commission of Queensland's (ECQ's) intent regarding responses to complaints in accordance with the *Public Service Act 2008*.

It is underpinned by the following principles:

- Accountability
- Visibility and access
- Responsiveness

This policy sets the direction for customer complaint management in ECQ.

2. Policy Statement

ECQ acknowledges the rights of the community to provide feedback, both positive and negative, regarding the services provided. To enable this feedback, ECQ will develop and maintain a complaints management process in keeping with the Queensland Government's objective of delivering quality front line services.

Complaints received by ECQ will be dealt with fairly, promptly and professionally.

Information gathered from the complaints process will be used by ECQ as input to our continuous improvement program.

3. Scope

The policy applies to complaints received by ECQ from

What is a complaint?

Under the *Public Service Act 2008*, section 219A (4), a customer complaint:

- a) means 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; and
- b) includes, for example, a complaint about any of the following—
 - i. a decision made, or a failure to make a decision, by a public service employee of the department; Client complaint management policy Department of Justice and Attorney-General Page 4 of 12
 - ii. an act, or failure to act, of the department;
 - iii. the formulation of a proposal or intention by the department;
 - iv. the making of a recommendation by the department;
 - v. the customer service provided by a public service employee of the department.

For the purposes of this policy, a complaint is also an expression of dissatisfaction about a breach of privacy. However, this policy does not replace or interfere with legislation or policy dealing with complaints about privacy, right to information, official misconduct or mal-administration, criminal

conduct or illegality, or matters specifically dealt with through other legislative and / or appeal processes.

ECQ may refuse to investigate all or part of a complaint if it is seen to be abusive, trivial, unreasonable, misleading or untrue, or where the complainant refuses to cooperate with ECQ's efforts to investigate.

If an investigation is not pursued, the complainant will (wherever practicable) be advised that ECQ is not proceeding with that complaint or aspect of the complaint.

3.1. What is not a complaint?

The following will not be treated as a complaint:

- general feedback such as suggestions about how services can be improved or maintained;
- enquiries that ECQ regards as business-as-usual, provision-of-information services;
- comments or queries by social media seeking to disrupt or damage ECQ;
- matters that are out of ECQ's authority or control, i.e. decisions or actions by entities outside the jurisdiction of ECQ);
- employee complaints, which are addressed separately in the *ECQ Employee Complaints Policy (2015)*;
- complaints about misconduct by ECQ including illegal activities such as fraud and corruption, which are subject to investigation by external authorities; or
- public interest disclosure matters (whistle-blowers), which are addressed separately in the *ECQ Public Interest Disclosure Policy (2017)*.

3.2. Receiving complaints

All complainants will be treated with dignity and respect.

ECQ requires all complaints to be submitted in writing. Complainants contacting ECQ by phone or in person will be directed to provide a written complaint.

If the complainant is unable to submit a complaint in writing, an ECQ officer will record the details of the complaint to be submitted on their behalf.

3.3. Anonymous Complaints

An anonymous complaint can be received and every effort will be made to resolve it.

ECQ will assess the complaint but it may be difficult to investigate without consultation with the complainant. Consequently, these complaints will be processed as Complex complaints (Refer Table 1 below).

4. Complaint Categories & Response Times

Complaint categories and response times are as detailed in Table 1 below. Response times may be shortened at the discretion of the Responsible Officer (refer

Table 2) if delays could adversely impact the complainant or ECQ. However, delegations must be adhered to.

Table 1: Complaint categories

Category	Description	Timeframe	
		Initial Response	Resolution
	Simple, non-complex matters that can be managed at first point of contact. E.g. : <ul style="list-style-type: none"> relates to ECQ's following of a process or procedure, excluding breaches of policy or legislation. matters where the complainant was referred to a different authority, e.g. whistle-blowers. 	Immediate	14 Days
Complex	Basis is multiple relating issues and/or is serious in nature, or has the potential to become serious, e.g.: <ul style="list-style-type: none"> may come to the attention of the local media. involves unacceptable behaviour of an ECQ contractor or employee; anonymous complaints; relates to a minor breach of policy or legislation. 	5 working days	30 working days
	Serious and/or complex matters that are likely to require a formal investigation by either internal or external authorities. E.g. <ul style="list-style-type: none"> is of significant public interest and/or likely to come to the attention of wide media audience, or already has (including social media); relates to a significant breach of legislation of policy; has the potential for investigation (of ECQ) by external authorities; 	14 working days	45 working days

5. Delegations

The Electoral Commissioner will appoint a Complaints Management Officer, who will be responsible for ongoing oversight of the complaints management process and maintenance of the Complaint Register.

Any ECQ officer becomes the Responsible Officer when assigned a complaint.

Responsible Officers can also receive and resolve simple complaints at first point of contact. An assessment is to be made as to whether a complaint resolved at first point of contact is recorded in the Complaints Register. (AS/NZ 10002:2014, s8.3)

For complex and significant complaints, investigations may be conducted by any person, at the discretion of the approving officer but the complaint response **cannot be released to the complainant** until approved by the Electoral Commissioner or his delegate. Officers with the delegation to approve responses to complainants are as detailed in

Table 2 below, along with officers able to decide that a complaint should not be investigated.

Table 2: Complaint process delegations

Category	Responsible Officer	Approving Officer	
		Decision not to investigate complaint	
	Lead Investigation and Release Response	Named	Anonymous
	Complaint recipient	Director	Director
Complex	Director	Executive	Director
	Executive	Executive	Director

6. Review

The Electoral Commissioner may select and appoint an internal or external Review Officer for the review of any complaint or appoint another person or persons to investigate the complaint at their discretion.

Complainants may request that the Electoral Commissioner review any complaint response. The Electoral Commissioner may or may not conduct that review at their sole discretion, and may delegate the review to other internal or external entities.

7. Reporting

The Complaints Manager will provide a report to the Senior Management Team (SMT) twice annually. The report will include a summary of complaints received, actions taken, apparent trends and lessons learned / improvements made.

Complaint information will also be included in ECQ's Annual Report.

8. Regulatory Framework

The policy is drafted in compliance with Section 219A of the Queensland *Public Service Act 2008*, which requires ECQ to establish a system for dealing with customer complaints.

The policy and procedures have been developed according to the Queensland *Public Service Act 2008*, *Guidelines for complaints management in organizations AS/NZS 1002:2014* and the Queensland Ombudsman's *Policy and Procedure Guide for Complaints Management (2016)*.

The management of complaints and complainant information is subject to the *Information Privacy Act 2009* and *Right to Information Act 2009*.

9. Policy Review

This policy will be reviewed annually by the Complaints Manager or as requested by the Electoral Commissioner.

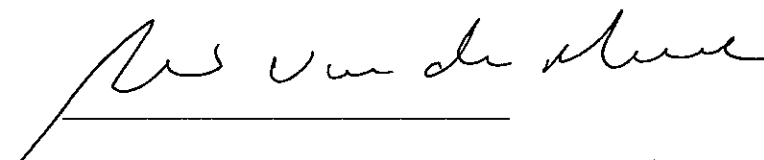
10. Version history

The following outlines the high level changes that have been made to each version of this document and who made them.

Version	Notes	Author	Date of Change
1.1	Draft – review of ECQ – Complaints Management Policy (2015)	Susan Jones Integrity	June 2017
2.0	Major re-write	Susan Jones	July 2017

11. Approval

Walter van der Merwe
Electoral Commissioner



23/11/2017