

Department of Families, Seniors, Disability Services and Child Safety

Disability Services POLICY

Title: Complaints Management

1. Policy Statement

Disability Services is committed to managing complaints about its functions in an accountable, transparent, timely and fair manner. Disability Services recognises that effective complaints management is good business practice and integral to good client service.

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.

2. Principles

In line with the *Queensland Public Service Customer Complaint Management Framework*, Disability Services' 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 complaint management systems helping agencies prevent potential ongoing disputes.

3. Authority

This policy adheres to Part 3 of the *Disability Services Act 2006*; section 264 of the *Public Sector Act 2022* and is compatible with the *Human Rights Act 2019*, the Queensland Public Service Customer Complaint Management Framework, the Queensland Public Service Customer Complaint

Management Guideline and meets the guiding principles of the Australian Standard *Guidelines for complaint management in organisations 10002:2022*.

This policy is also consistent with the *National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018*.

4. Objectives

This objectives of this policy are to ensure:

- fair, accountable, transparent and responsive management of complaints about Disability Services' functions, including employees, third-party providers, contractors, clinicians, students undertaking work experience and volunteers engaged in delivering services on behalf of Disability Services, including those funded or contracted in connection with the NDIS
- identification and correction of errors or omissions
- effective monitoring of complaints
- identification and implementation of business improvement opportunities.

5. Scope of policy

This policy applies to all staff working in the Disability Services Division of the Department of Families, Seniors, Disability Services and Child Safety (the department), including permanent, part-time and casual employees, as well as those on secondment from other divisions or departments. It applies to funded service providers, contractors, clinicians, students undertaking work experience and volunteers engaged in delivering services on behalf of Disability Services, including those funded or contracted in connection with the NDIS.

To support implementation of this policy, there are three procedures for managing complaints which differ according to the functions that the complaint relates to:

- NDIS service provider functions
- Non-NDIS service provider functions
- Forensic Disability Service functions.

The term 'complaint' is defined in section 12 of this policy. In summary, a complaint is the verbal or written expression of dissatisfaction about the policies, products, projects or services provided by Disability Services.

A complaint made to Disability Services may contain issues regarding one or more of the following:

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

5.1 Human Rights complaints

Under the *Human Rights Act 2019*, Disability Services must:

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

If a person believes their human rights have been limited due to an action or decision of Disability Services, this will be investigated during the complaints management process.

Disability Services will assess all complaints to determine if a human right may have been breached. If the complainant does not raise a breach of human rights but a potential human rights issue is described in the complaint, Disability Services will initiate an investigation of the human rights issue.

5.2 Victims' Rights complaints

The *Victims' Commissioner and Sexual Violence Review Board Act 2024* defines the Charter of Victims' Rights which must be upheld by Queensland Government entities, including Disability Services, and provides direction on the reporting and referral of related complaints.

A person can make a complaint if they think Disability Services has not acted in accordance with the Charter of Victims' Rights.

5.3 Privacy complaints

The *Information Privacy Act 2009* defines how Queensland Government agencies, including Disability Services, manage the personal information they hold.

A person can make a complaint if they think Disability Services has breached their privacy.

If a complainant does not mention a privacy breach, but a potential breach is described in the complaint, Disability Services will refer the privacy breach to the department's Information Privacy Team for investigation.

5.4 National Disability Insurance Scheme complaints

This policy applies to complaints received about Disability Services' service areas that are delivering NDIS services – including supported independent living, specialist disability accommodation and specialist behaviour support services and all associated functions.

While Disability Services cannot investigate or resolve complaints about other NDIS service providers, Disability Services will accept a complaint from a person about a matter relating to the NDIS, including NDIS providers, or an issue relating to a person's disability that is the responsibility of another agency. Disability Services will assess the complaint and take the most appropriate action, which may include:

- referring the complaint to the National Disability Insurance Agency
- referring the complaint to the NDIS Quality and Safeguards Commission
- referring the complaint to another appropriate agency, including a State or Commonwealth agency
- providing the complainant advice or other assistance as appropriate, to support them in resolving their concerns.

6. Out of scope complaints

This policy does not apply to certain actions or decisions, including the following:

- decisions made by a court, tribunal or external complaints agency
- concerns about the actions or decisions of department staff in other parts of the department (this policy only applies to Disability Services)
- funded, non-government service provider matters that concern employer-employee and organisational governance concerns
- allegations of suspected harm or risk of harm to a child, (which will be actioned by immediate referral to a Child Safety Regional Intake Service)
- matters subject to review under the *Right to Information Act 2009*
- matters concerning the outcome of National Redress Scheme for Institutional Child Sexual Abuse applications, and
- allegations against employees including corrupt conduct and serious misconduct or maladministration, (which will be referred to Professional Standards in the department's People and Culture team).

Complaints about the actions or decisions of department staff in other parts of the department that are out-of-scope of this policy can be made at [Compliments and complaints](#).

7. Timeframes for complaint management

Disability Services will address complaints as quickly as is reasonably possible.

An acknowledgement of a complaint will be sent within three business days of the complaint being received by Disability Services.

A final response to a complaint will be provided within 30 business days after the complaint was received by Disability Services.

If the complaint includes multiple issues or is complex in nature, a more detailed investigation may be required. If the officer managing the complaint determines that a timeframe for a response is not likely to be met, that officer will proactively advise the complainant of this at the earliest opportunity and advise of the new expected timeframe.

8. Overview of process for complaint management

8.1 Complaints life cycle

Complaints will go through seven stages during their life cycle. 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. Throughout the complaint management life cycle, Disability Services will ensure that procedural fairness is provided to complainants.

The seven stages of the life cycle of a complaint are described more fully in the relevant procedure and include:

- Stage 1: Receipt
- Stage 2: Assistance
- Stage 3: Acknowledgement
- Stage 4: Assessment
- Stage 5: Response
- Stage 6: Reporting
- Stage 7: Learning and improvement.

8.2 Model of complaint handling

Disability Services has a three-tier model of complaint handling.

The model includes:

- Level 1 – Initial complaint handling – early local resolution.
- Level 2 – Internal review – if the complainant is unsatisfied with the outcome at level 1.
- Level 3 – External review – conducted by the relevant external oversight body if the complainant is unsatisfied with the outcome at level 2.

Level 1 – Initial complaints handling

Disability Services staff will receive initial complaints lodged online, by email, in writing, over the phone, in person or received by Ministerial or Director-General correspondence or contact.

Early resolution covers complaints received at the first point of contact by Disability Services staff. Most complaints should be resolved by frontline Disability Services staff, supported with appropriate procedures and training.

Every attempt will be made by Disability Services staff to resolve the complaint during the initial complaints handling stage. An outcome will be provided to the complainant within the required timeframe. Where a complaint is not resolved initially, Disability Services will provide the complainant with information about their internal review rights as part of the level 1 complaint response.

Level 2 – Internal review

If a complaint is unresolved or the complainant is unsatisfied with a decision made at level 1, they can request an internal review.

An internal review is a merits review that involves a consideration of whether, based on the information/facts available at the time, the decision made was the correct one. It is not a re-investigation of a complaint, but an impartial review of a decision made about a complaint undertaken by an appropriate officer (i.e. either at the same level as the first decision-maker or more senior), independent from the original process.

Complainants will be advised that they have 20 business days from receipt of the level 1 complaint outcome response to their complaint to seek internal review. Requests received outside this timeframe may still be considered when there are reasonable grounds to do so. The internal review outcome will be provided to the complainant within 20 business days, and the complainant will be proactively advised if this timeframe will not be met. In this situation, Disability Services will provide the complainant with advice on progress and an amended timeframe for the response.

Complainants will be advised of the following internal review requirements:

- the timeframe for lodgement of the internal review request
- how the complainant's submission should be made, 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
- what supports are available to assist the complainant to apply for an internal review.

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 provided.

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

Level 3 – External review

If a client is unsatisfied with an internal review decision, they will be advised of their right to contact the Queensland Ombudsman. The complainant will be advised they have 12 months from the Disability Services internal review completion date to lodge an external review with the Queensland Ombudsman.

8.1 Record keeping

All complaints that fall within the scope of this policy are to be recorded in an approved Disability Services complaints database. Complaints that are resolved at the point of service may not need to be recorded on the database where it is not reasonably practicable to record it at the time of receipt, if it is resolved immediately at the point of contact, or where the complainant has been provided with information about how to lodge a complaint.

At a minimum, the following information should be recorded for each complaint on receipt:

- contact information (where the complaint is anonymous, then 'Anonymous' will be recorded)
- issues raised
- outcome sought
- any other information required to respond to the complaint
- any support needed by the complainant.

All complaint files will to be managed as per the requirements of the *Public Records Act 2002*, *Public Sector Act 2022* and the *Information Privacy Act 2009*.

8.2 Training

All Disability Services staff are required to complete the mandatory iLearn courses *Complaints: A practical guide for all staff* and *Public entities and Queensland's Human Rights Act 2019*. Disability Services staff whose roles may include more complex or frequent complaints management responsibilities are encouraged to complete additional complaints and investigations training courses as relevant.

8.3 Vulnerability

Disability Services acknowledges that complainants are unique, with diverse needs, abilities and personal circumstances. Disability Services also recognises that there is potential for anyone to

become vulnerable due to temporary changes in circumstances. When receiving a complaint, Disability Services staff will take proactive action to identify complainants who may be vulnerable and consider how the complaint may be managed in a way to reduce and address vulnerability.

Vulnerability will be considered at all stages of a complaint and mitigated where possible.

Disability Services staff will proactively identify risk factors that may cause vulnerability, such as disability or impairment, mental health issues, age, low income, sudden change in circumstances, rural/remote factors, homelessness, issues access to digital services and will support vulnerable complainants through the complaint process.

9. Managing unreasonable conduct by complainants

Unreasonable conduct by a complainant is any behaviour which, because of its nature or frequency, raises substantial health, safety or resource issues. This could include unreasonable persistence, unreasonable demands, unreasonable lack of cooperation, unreasonable arguments and unreasonable behaviour.

Disability Services prioritises the health, safety and wellbeing of its staff. Disability Services will ensure there is a clear and proactive approach to managing unreasonable complainant conduct which ensures staff wellbeing while enabling complaints to be productively resolved.

The department's [Unreasonable Client Conduct Practice Kit](#) provides strategies for staff to follow to minimise and manage unreasonable conduct by complainants.

10. Governance

10.1 Reporting

A report detailing the performance of the complaints management system is made available through the department's Annual Report which is published by 30 September each year. This is aligned with the reporting requirements set out in the *Public Sector Act 2022* and the Australian Standard *AS 10002-2022 – Guidelines for complaint management in organisations*.

A report is provided to the Human Rights Commission yearly, outlining the outcome of complaints of alleged limitation of human rights raised within Disability Services.

Quarterly reporting is provided to the Public Service Commission about complaints regarding maladministration and misconduct.

10.2 Review and Auditing

Disability Services is committed to continually improving its services, including complaints management.

Regular reviews and self-audits of the effectiveness of the entire complaints management system will occur and include an evaluation of the major elements of the system. This includes compliance with the policy and associated procedures, complaints recording and internal reporting, time taken to manage complaints and correctness of complaint outcomes.

Disability Services invites complainants to provide feedback about the management of their complaint and provides relevant information about how to do so when communicating complaint outcomes.

This policy and associated procedures will be reviewed every three years or otherwise as required.

11.Roles and Responsibilities

Effective implementation of this policy requires clearly defined roles and responsibilities. This section outlines the key responsibilities for managing and reporting complaints about the actions or decisions of Disability Services staff.

Role	Responsibilities
Disability Services Executive Leadership Team	• Oversee the implementation of this policy and associated procedures • Ensure complaints management practices align with departmental objectives and legislative requirements. • Allocate adequate resources to support complaints management and reporting. • Provide strategic leadership and guidance to staff about complaints management. • Monitor and report on the effectiveness of complaints management practices and recommend improvements. • Provide clear and timely briefing to the Director-General and/or Minister's Office about relevant complaints.
Directors and Managers	• Manage complaints in accordance with this policy and associated procedures. • Maintain accurate records of complaints received within their directorate/team, by using the approved systems to record the receipt, assessment, management and outcome of complaints, including any recommendations made. • Ensure adherence to approved quality assurance checks and approval of complaint outcomes received and managed at a directorate level. • Implement recommendations, agreed to by the Executive Leadership Team member, which have been made through complaints management processes and internal reviews to improve service delivery, within the agreed timeframes. • Conduct regular reviews and self-audits to ensure compliance with this policy and associated procedures, complaints recording and internal reporting, time taken to manage complaints and correctness of complaint outcomes.
Staff	• Manage complaints in accordance with this policy and associated procedures. • Maintain an awareness of complaints management processes available and promoting access to these. • Seek guidance and support, when necessary, from their immediate line Manager or Director in the management of complaints.

12.Definitions:

To ensure clarity and consistency, the following definitions apply:

- **Complaint:** An expression of dissatisfaction made about Disability Services related to its services, actions or decisions of its staff, including funded third-party providers and contractors,

by a person who is directly affected, or acting on behalf of a person who is directly affected, by the service or action. Examples of complaints include:

- a complaint about a decision made, or a failure to make a decision, by a Disability Services employee
- a complaint about an act, or failure to act, by Disability Services
- a complaint about the formulation of a proposal or intention of Disability Services
- a complaint about the making of a recommendation by Disability Services
- a complaint about the service provided by a Disability Services employee
- a complaint about a NDIS service provided by Disability Services as a NDIS provider.
- **Complainant:** A person or organisation who is apparently directly affected by a service, action or decision of Disability Services staff and the staff of funded third-party providers and contractors.
- **Procedural fairness:** Often used interchangeably with the term 'natural justice', procedural fairness involves the right to be given a fair hearing during the complaint management process, and involves applying three rules:
 - *Notice rule:* providing the complainant (or other affected person) with sufficient information for the complainant to participate meaningfully in the complaint decision-making process
 - *Hearing rule:* the complainant (or other affected person) is given a reasonable opportunity to speak or respond, and any submission they provide is genuinely considered by the complaint decision-maker
 - *Bias rule:* the complaint decision-maker must act impartially and have no personal stake in the decision.
- **Third Party-Providers:** External organisations or individuals contracted or funded by the department to deliver disability services or supports.
- **Unreasonable complainant conduct:** Any behaviour which, because of its nature or frequency, raises substantial health, safety, resource or equity issues. Examples of unreasonable complainant conduct can include unreasonable persistence; unreasonable demands; unreasonable lack of cooperation; unreasonable arguments; and unreasonable behaviour.
- **Vulnerability:** A state of being especially susceptible to detriment due to circumstances including disability, age, literacy levels, gender, trauma, stress and location – rural/remote and/or homeless.

13. References

- AS 10002-2022 – *Guidelines for complaint management in organisations*
- [Queensland Public Service Customer Complaint Management Framework](#)
- [Queensland Public Service Customer Complaint Management Guideline](#)
- [National Disability Insurance Scheme \(Complaints Management and Resolution\) Rules 2018](#)
- [Disability Services Act 2006](#)
- [Forensic Disability Act 2011](#)

- [*Guide, Hearing and Assistance Dogs Act 2009*](#)
- [*Human Rights Act 2019*](#)
- [*Information Privacy Act 2009*](#)
- [*Public Interest Disclosure Act 2010*](#)
- [*Public Sector Act 2022*](#)
- [*Victims of Crime Assistance Act 2009*](#)
- [*Child Safe Organisations Act 2024*](#)

14.Delegations:

The Deputy Director-General, Disability Services is the owner of this policy and can delegate responsibility for all or part of this policy as required.

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Help Contact: ODDG_DSC@families.qld.gov.au

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28/04/2026	David McMurtrie	Director, Regulation and Advisory	Draft	
1/06/2026	Michelle Bullen	Senior Executive Director	Endorse	
09/06/2026	Max Wise	Deputy Director-General, Disability Services	Approve	

Prepared by	David McMurtrie
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