



The Public Trustee of Queensland

The Public Trustee Complaints Management Policy

December 2012

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Document Information

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1. Purpose

The purpose of this policy is to ensure that The Public Trustee of Queensland (PTQ) complies with requirements of *Directive 13/06 Complaints Management Systems* issued by Public Service Commission (PSC) and to outline the principles for managing complaints within the Office.

2. Application

This policy applies to all business areas and employees of PTQ. As required by *PSC Directive 13/06* section 6.7, this complaints management policy applies to complaints both internal and external to PTQ.

However, this policy does not replace or interfere with legislation or policy dealing with complaints about privacy, right to information, staff grievances, public interest disclosure, official misconduct, criminal conduct or illegality, or matters specifically dealt with through other legislative and/or appeal processes.

3. Policy Statement

PTQ is committed to providing our clients with professional and accessible services in a responsive manner in line with our strategic objectives. PTQ has been serving Queenslanders since 1916 and is governed by the *Public Trustee Act 1978*. Operating as a corporation sole, we provide financial, trustee and legal services to the people of Queensland.

PTQ supports the implementation of an effective complaints management system to ensure that complaints received by the Office are managed in an accountable, transparent, timely and meaningful way and that complainants are treated with respect throughout the complaints resolution process. PTQ considers complaints as opportunities to identify areas requiring improvement.

The process for managing complaints covered by this policy is detailed in the PTQ's Complaints Management Procedure.

4. Legislative and policy basis

This policy is based on *PSC Directive No. 13/06* and should be read in conjunction with PTQ's Complaints Management Procedure.

5. What is a Complaint?

According to PSC directive 13/06 a "complaint" is a written or verbal expression of dissatisfaction about a service or actions of an agency or its staff. For the purpose of this policy complaints are categorised as minor, moderate and major. These categories are defined as follows:

- Minor complaints - assessed as having minimal risk or detriment to the complainant or to PTQ. These complaints involve minimal investigation. Can be assessed as a low priority or non-urgent where the risk may result in insignificant or unimportant consequences.
- Moderate complaints - assessed as having a moderate degree of risk or detriment to the complainant or to PTQ. These complaints may involve detailed investigation. Can be assessed as a high priority or urgent where the risk may result in important or significant consequences.

- Major complaints - assessed as being serious or significant, with a high level of risk or detriment to the complainant or to PTQ. These complaints may involve extensive investigation. Can be assessed as a high priority or urgent where the risk may result in serious or very significant consequences

Some complaints may amount to public interest disclosures under the *Public Interest Disclosure Act 2010* or impact of the PTQ's legislative obligations under the *Public Sector Ethics Act 1994* (code of conduct) or the *Crime and Misconduct Act 2001* (our duty to report official misconduct). Such matters will be dealt with in accordance with the relevant legislation and with the PTQ's policies.

PTQ is committed to ensuring complaints referring to fraud are managed in accordance with PTQ's Fraud and Corruption Control Policy.

6. Principles

All employees are required to implement the principles of complaints handling in accordance with this Policy and the PTQ's Procedure for the review of Complaints in compliance with the requirements of PSC *Directive No. 13/06 - Complaints Management System*.

In line with *Directive No 13/06*, all complaints are to be managed according the principles of:

- 1.1 visibility and access
- 1.2 responsiveness
- 1.3 assessment and action
- 1.4 feedback
- 1.5 monitoring effectiveness
- 1.6 Review and evaluation

Principles	Application
1.1 Visibility and Access	<ul style="list-style-type: none"> • information on the complaints process is readily available on the PTQ's intranet and internet • any member of the public, clients or PTQ staff may lodge a complaint to PTQ • PTQ's complaints policy and procedure and related information on how to make complaints are published on PTQ's internet: http://www.pt.qld.gov.au/contact/contact-us/compliments-and-complaints/ and on our Policy Register: http://www.pt.qld.gov.au/about/our-policies/ • complainants can lodge their complaints in writing (preferable), verbally by telephoning toll free number 1800 014 536 from 8:15 am to 5:00 pm or in person to any of PTQ regional offices. A list of PTQ Office locations is available at: http://www.pt.qld.gov.au/contact/locations/ <p>All written complaints should be addressed to:</p> <p style="text-align: center;">The Public Trustee GPO Box 1449</p>

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	<p>Brisbane QLD 4001</p> <p>Or via email to complainants@pt.qld.gov.au or by completing the online complaints form available at http://www.pt.qld.gov.au/contact/contact-us/please-let-us-know/</p> <ul style="list-style-type: none"> • reasonable assistance will be provided to people with special needs, including people with a disability and those from culturally and linguistically diverse backgrounds • Anonymous complaints will be accepted; although a person making an anonymous complaint should disclose as much information as possible to enable PTQ to respond or action appropriately.
<p>1.2 Responsiveness</p>	<ul style="list-style-type: none"> • complaints received by the office are to be resolved in a timely manner • all staff will be made aware of the practical applications of the Complaints Management Policy and Procedure through training • employees handling complaints are to be provided with training on the Complaints Management System through training programs • complainants are to be provided with timely advice about the receipt of the complaints and the progress of resolution i.e. an acknowledgement letter is to be sent on receipt of their complaint
<p>1.3 Assessment and Action</p>	<ul style="list-style-type: none"> • complaints received by PTQ should be managed fairly, objectively and consistently in accordance with the principles of Natural Justice. Natural justice refers to procedural fairness, ensuring a fair decision is reached by an objective decision maker. The following two rules of natural justice must be observed when reviewing/investigating complaints: <ul style="list-style-type: none"> ○ The “hearing rule” which states that a person or body deciding a particular matter ensure the affected person know the case against them and has the opportunity to present their case before any decision is made ○ The “rule against bias” which states that a decision-maker should have no personal interest throughout the process. Care should also be exercised to exclude perceived bias from the process. • complaints received are to be recorded and assessed to determine the nature of the complaint (and complaint category) and how the complaint will be managed • in instances where it is assessed and determined that PTQ is not the appropriate agency to deal with a given complaint, the Executive Director of the relevant program area will refer the complaint to appropriate external agencies. The complainant should be advised immediately of this action. This must be approved by the Public Trustee of Queensland.
<p>1.4 Feedback</p>	<ul style="list-style-type: none"> • progress of the complaint is to be monitored until the outcome is communicated to the complainants • employees handling the complaints are to ensure that timely feedback on the outcome of the complaint is provided to the complainant. For all

Principles	Application
	<p>moderate and major complaints, the response must be in writing.</p> <ul style="list-style-type: none"> • the complaint outcome should provide meaningful and accurate advice to the complainant i.e. the decision and reasons • if a complainant is not satisfied with the outcome of their complaint they will be advised of the internal review option in accordance with PTQ Complaints Management Procedure • if the resolution is not satisfactory to the complainants, information will be provided about available external review options
1.5 Monitoring Effectiveness	<ul style="list-style-type: none"> • Executive Directors/Directors and Regional Managers are responsible for implementing the Complaints Management Policy and Procedure within their area of responsibility • complaint trends and systemic issues will be analysed and reported to Executive Management Group on a regular basis to inform the continuous improvement process within PTQ. This reporting will include time taken to resolve various types of complaints • aggregate complaints data will be compiled by the Director, Governance and Executive Directorate to meet any statutory, policy and procedural reporting requirements
1.6 Review and Evaluation	<ul style="list-style-type: none"> • the operation of PTQ complaints management system including the policy and procedure will be reviewed and evaluated by the Director, Governance and Executive Directorate regularly (at least annually)

7. Roles and Responsibilities

Significant responsibilities associated with this policy are outlined below. For more detailed procedural responsibilities, please refer to the PTQ Complaints Management Procedure.

The Public Trustee is ultimately responsible under the *Public Service Act 2008* for:

- compliance with *PSC Directive 13/06 – Complaints Management System* and delegating administrative duties for the management of the complaints process to designated officers
- maintaining a complaints management system that deals effectively with complaints received, including appropriate reporting to other agencies and the community

The Director Governance and Executive Directorate will be responsible for:

- analysing and reporting complaints management statistics to the Public Trustee and Audit and Risk Management Committee as required
- providing consolidated reports to the Executive Management Group on trend analysis, including the identification of issues and the provision of recommendations for improvement to business policies, procedures, systems and practices
- providing training to employees who have complaints handling responsibilities

- monitoring and evaluating of the effectiveness of complaints management system within the Office
- reviewing complaints management policy and procedure and supporting documentation on a regular basis.

Executive Directors are responsible for:

- coordinating and conducting reviews for major complaints determined by a Director, which fall within their area of responsibility
- managing complaints escalated from Directors
- ensuring that the complainant are provided with written notification of the final resolution

Directors and Regional managers are responsible for:

- assessing, recording, monitoring and tracking complaints concerning their area of responsibility using the complaints management system
- ensuring that complaints are resolved within specified timeframes
- reviewing minor complaints that not resolved at the stage1 of the complaints management process
- investigating, determining and assigning the investigation and resolution of complaints to officers in their area of responsibility
- keeping complainants apprised of the progress of complaints
- keeping written notification of outcomes of complainants, including reason/s for those outcomes
- recording sufficient detail in relation to complaint outcomes on the complaints management system
- co-ordinating and conducting reviews of minor and moderate complaints which were investigated and determined by an assigned officer
- ensuring that complainant are provided with written notification of the finalisation of complaints.

All employees are responsible for:

- complying with this policy and procedure and the Code of Conduct for the Queensland Public Service
- ensuring that all complaints received (either on a complaint form, via phone or at the service delivery points) are dealt with in accordance with this policy and Office's complaints management procedure.

8. Confidentiality

All complaints are to be treated in the strictest confidence and in accordance with the privacy principles contained in the *Information Privacy Act 2009 (Qld)*.

Approval and Implementation

Approval Officer: Peter Carne, The Public Trustee of Queensland

Approval date: 21/12/2012

Effective from: 21/12/2012

Definitions

Term	Definition
The Public Trustee of Queensland	Refers to the organisation or the appointed statutory individual
Complainant	Refers to any person who lodges a complaint with the Public Trustee of Queensland, including clients
Complaint management system	Refers to policy, procedures, personnel and technology used by an agency in receiving, responding to and reporting about complaints

REFERENCES

Legislation and Regulations

Public Service Act 2008

Crime and Misconduct Act 2001

Public Sector Ethics Act 1994

Public Interest Disclosure Act 2010

Queensland Government Documents

Public Service Commission, *Directive No. 13/06 Complaints Management System*

Queensland Ombudsman, *Developing Effective Complaints Management Policy and Procedures*

Queensland Ombudsman, *Effective Complaints Management Fact Sheets, 1-16 Information Privacy Act 2009*

PTQ documents

Fraud and Corruption Policy

Risk Management Policy and Procedure

The Public Trustee Strategic Plan 2012-2016