



QCAT

Queensland Civil and Administrative Tribunal

QCAT Complaints Management Policy

1. Purpose

This policy explains how QCAT receives and manages complaints. It sets out what to expect when you make a complaint, and how we use complaints to make our services better.

We cannot respond to complaints about Tribunal Member's conduct or a decision a Tribunal Member has made in your case. Those are handled by a different process. That policy is available on the [QCAT website](#).

2. Policy Statement

QCAT is committed to professionalism, integrity and impartiality of its staff and decision-makers and values the right of parties to have access to a quality service.

We take every complaint seriously. We respond fairly, promptly and openly. This means we make our approach easy to understand and we will answer any questions you have.

QCAT is people focused and we value feedback and complaints from the people we serve. This is because we use complaints as feedback to help us to improve services.

Making a complaint will not disadvantage you or affect the outcome of your matter. We treat your complaint confidentially and only share information when needed to resolve it. If you need help – including an interpreter, disability support or any other form of assistance – please contact us.

3. What is a complaint under this policy?

A complaint is feedback you give us when you are not happy with something we have done, or not done, or how you have been treated, and you want us to respond.

In simple terms: you are making a complaint when you tell us you are not happy with something and want us to do something about it.

Anyone can make a complaint. We support people to do this, including with any support a person needs to provide that feedback, such as an interpreter, accessibility and with cultural needs. We may need to withhold some details from a response to meet our privacy obligations.

4. QCAT commitment to this policy

We can help with complaints about:

- decisions on applications or failure or refusal to make a decision
- policies or procedures
- staff contact
- service delivery.

Some complaints are handled under a different process. We will tell you if your complaint falls into one of these categories and help you find the right pathway. Some examples include allegations of corrupt conduct, breaches of human rights, or breaches of guardianship matters. They must be handled under a different policy and under a different process. These may fall under one of the below acts and legislation:

- Corrupt conduct under the *Crime and Corruption Act 2001*
- Functions, obligations and powers under Queensland's Guardianship legislation and the United Nations Convention on the Rights of Persons with Disabilities

- *Human Rights Act 2019*
- *Public Interest Disclosure Act 2010*
- *Public Sector Act 2022*
- Complaints about another agency or service provider
- Ministerial complaints

5. Guiding Principles

These principles reflect our values, and commitment to a fair, accessible and accountable complaints process.

Enabling – making it easy to complain

We make it easy to complain by:

- making sure you will not be disadvantaged for making a complaint
- publishing clear information on how and where to complain
- making it easy and free for everyone, including children, young people and people who need extra support
- making adjustments when we identify someone needs help
- acting promptly when someone needs a different kind of support.

Responding – taking action to resolve the complaint

When we respond to your complaint, we will:

- be fair, prompt and open
- protect your privacy and keep your information confidential
- tell you clearly what is happening, including timeframes and your options if you are not satisfied.

Accountability – learning from complaint feedback to improve services

We learn from complaints by:

- identifying how we can better protect human rights throughout the process
- using complaint data to find patterns and improve our services, not just resolve individual cases
- being clear with staff about their responsibilities
- reviewing this policy annually, or sooner if the law or our practices change.

6. QCAT's Complaint Management Process

If you would like to contact QCAT staff for help directly we can assist you to make a complaint or give you information about our processes and procedures. QCAT cannot give advice about a decision made by a Member for a hearing or individual case. If you need legal advice, we can refer you to a community legal service or advocacy organisation.

You can make a complaint by phone, email, letter or online complaint form. Details are at www.qcat.qld.gov.au/about-qcat/feedback.

Anyone can make a complaint including anonymously, please note we may not be able to respond or fully investigate your complaint if it is anonymous. This is because we may not be able to ask further questions or seek further information from the complainant to help resolve the complaint.

QCAT manages complaints at three levels:

Level 1 – *Early resolution: local resolution by staff, focused on outcomes.*

Level 2 – *Investigation: investigating the issues and identifying where improvements can be made.*

Level 3 – *Internal review: a systemic review of the complaints process and outcome.*

If you are not satisfied with the response in levels 1 and 2, you can ask for a review from Senior Leadership from QCAT.

If you are not satisfied with the response after level 3, you can contact the Queensland Ombudsman (07 3005 7000, www.ombudsman.qld.gov.au) or the Queensland Human Rights Commission (1300 130 670, www.qhrc.qld.gov.au).

Every complaint will receive a response. We aim to acknowledge your complaint within 5 business days.

7. Learning and continuous improvement

We record all complaint outcomes and use them to improve our services. We report regularly to our leadership team to identify trends and fix systemic issues. Learnings are shared with relevant teams. We review this policy annually, or sooner if the legislation or our practices change.

8. National Principles for Child Safe Organisations

This policy reflects the National Principles for Child Safe Organisations. In practice, this means staff take extra care when a complaint involves a child or young person – including using language and processes that are easy for them to understand. Any concern regarding a child's safety is escalated appropriately. This empowers staff to identify issues and make improvements that support the safety and wellbeing of children and young people.

9. Human Rights Act

This policy may limit an adult's human right to privacy and reputation in accordance with the *Human Rights Act 2019*. In practice, this means QCAT may withhold certain details in a complaint response – for example, a third party's name, or personal information. Staff will only do this when it is necessary and proportionate. The decision-maker must consider whether limiting the right is justified to protect the safety and wellbeing of the adult or others, and to support quality service delivery.

10. Relevant Legislation

- *Queensland Civil and Administrative Tribunal Act 2009*
- *Crime and Corruption Act 2001*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Public Interest Disclosure Act 2010*
- *Public Sector Ethics Act 1994*
- *Public Sector Act 2022*
- *Right to Information Act 2009*