

Purpose

This policy establishes the underlying principles and obligations of the OHO concerning management and resolution of complaints about the Office of the Health Ombudsman (OHO).

Application

This policy and its associated procedures apply to all OHO permanent and temporary employees as well as contractors, employment agency staff, work experience students and volunteers in the course of undertaking their duties with the OHO.

Legislative provisions

- *Crime and Corruption Act 2001*
- *Health Ombudsman Act 2013*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Public Interest Disclosure Act 2010*
- *Public Records Act 2023*
- *Public Sector Act 2022*
- *Victims Commissioner and Sexual Violence Review Board Act 2024*

Related resources

- Complaints about the OHO procedure
- OHO Unreasonable Complainant Conduct policy and procedure
- OHO Queensland Privacy Principles Privacy policy
- OHO Human Rights policy
- OHO Human Rights in decision making procedure
- OHO Individual Employee Grievances policy
- OHO Managing Corrupt Conduct policy
- OHO Public Interest Disclosure policy
- [Queensland Ombudsman – How to Complain](#)
- Guidelines for complaints handling in organizations ISO 10002:2018
- Guidelines for complaint management in organizations AS 10002:2022
- Customer vulnerability – Requirements and guidelines for the design and delivery of inclusive service ISO 22458
- [Office of the Victims' Commissioner Charter of Victims' Rights](#)



- [Office of the Victims' Commissioner Guide to the Charter of Victims' Rights](#)
- [Office of the Information Commissioner – Tips for resolving privacy complaints](#)
- [Queensland Public Service Customer Complaint Management Framework](#)
- [Queensland Public Service Customer Complaint Management Guideline](#)
- [Queensland Government Guide: Handling human rights complaints](#)

Policy statement

The OHO strives to manage complaints about the OHO in a way that is accessible, responsive, fair, transparent and in a manner that is compatible with human rights.

The OHO is committed to using the information from complaints to inform practice and quality improvement. Responding effectively to complaints about the OHO is also important to the OHO's role in maintaining public confidence in the health service complaints management system.

Scope

Subject to excluded complaints listed under [Exclusions](#), complaints managed under this policy and associated procedures are those where a written or verbal complaint is made by a person (or authorised third party) who is apparently directly affected by the service or action of the OHO and/or our employees where a response or resolution is explicitly or implicitly expected or legally required. This includes the following:

- a decision, or a failure to make a decision
- an act or failure to act
- an act or decision that is not compatible with human rights
- the formulation of a proposal or intention by the OHO
- the making of a recommendation by the OHO
- customer service provided by an employee
- a breach of privacy
- a breach of the Charter of Victims' Rights

Exclusions

This policy does not apply to complaints where:

- someone responds adversely when provided with information that they do not agree with (i.e. a response of dissatisfaction that is immediate, of a venting nature, and/or non-specific); these communications may not amount to a complaint about the OHO. Examples include verbal outbursts or derogatory exclamations such as 'you're wrong' or 'you're useless' directed towards a staff member by a complaint party
- a party to a complaint disputes a decision made under the *Health Ombudsman Act 2013* such as a decision not to accept a complaint or a decision made to take no further action following



an assessment process or an investigation, the party should be advised to contact the Queensland Ombudsman

- certain decisions made under legislation which can only be overturned or changed using an internal and/or external review process set out in the legislation
- a complaint assessed as a public interest disclosure (PID) made under the *Public Interest Disclosure Act 2010* is to be managed in accordance with the Public Interest Disclosure policy
- a complaint which includes an allegation/s or corrupt conduct as defined in section 15 of the *Crime and Corruption Act 2001* is to be managed in accordance with the Managing Corrupt Conduct policy
- an internal employee complains about an area of the OHO or a particular officer with the complaint to be managed in accordance with the Individual Employee Grievances policy.

Principles

The following principles will govern the OHO's management of complaints about the OHO:

Accessibility

- Any person who is directly affected by the service or actions of OHO in a matter can make a complaint under this policy, including a person who has been authorised by a party who has been directly affected.
- Accept complaints verbally or in writing via a range of formats. Information about how to lodge a complaint is published on our website.
- Assist complainants to make a complaint, in particular people with a disability or impairment, children or those from a culturally and linguistically diverse background.
- Anonymous complaints are accepted.
- There is no cost to lodge a complaint.

Responsiveness

- Complaints will be acknowledged and responded to in a timely manner in accordance with the Complaints Management model set out below.
- Complainants will be updated at appropriate intervals about their complaint's progress.
- Complaint outcomes, systemic improvements and actions requiring attention following the consideration of a complaint will be communicated to the complainant, relevant divisions or employees within the OHO in a timely manner.
- Complaint trends and systemic issues will be provided to the OHO Executive Leadership Committee on at regular intervals and used to inform continuous improvement initiatives.

Objectivity and Fairness

- Complaints management will be objective, fair, respectful, consistent, in accordance with the principles of natural justice and without actual or perceived conflicting interests.



- Complaints will be assessed to determine how they should be dealt with, and by whom.
- Complaints assessed as unsuitable for handling by the OHO may be referred to an appropriate external agency.
- All complaints will be considered on their merits - the substance of a complaint and opportunities for resolution will determine the approach and the level of resources dedicated to it.
- Complainant expectations will be managed by ensuring the complainant is aware of the process, timeframes, their likely involvement, the possible outcomes of the complaint and any other necessary information.
- Advise complainants of their internal and external review right options, if needed.
- In circumstances where an OHO staff member who is the subject of a complaint has an honest belief that, based on reasonable grounds, an administrative decision reached in the management of the complaint is unfair and unreasonable, the staff member may raise an individual grievance in accordance with the OHO's Individual employee grievances policy.

Feedback and reporting

- Use complaints information for business improvement and employee development.
- Undertake bi-annual reporting to identify trends and issues.
- Publish complaints information on our website annually.

Human rights compatibility

The OHO is committed to respecting, protecting and promoting human rights. Under *the Human Rights Act 2019*, the OHO has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When making a decision about complaints, decision makers must comply with this obligation.

How to complain

Where possible, OHO employees will attempt to resolve a complaint informally at first point of contact (e.g. on the phone or via email).

Where informal resolution is unsuccessful, a complaint can be lodged:

- via email to the relevant business area, or to info@oho.qld.gov.au with "Complaint about the OHO" included in the subject line
- via letter to PO Box 13281 George Street Brisbane Qld 4003
- via facsimile to (07) 3319 6350
- via the [Queensland Government website](https://www.qld.gov.au)
- by making a verbal complaint to an OHO employee
- by completing the [OHO Feedback form](#) available on our website.



The OHO will meet the reasonable costs of services which assist people with hearing or vision impairments or who may require a translation and interpreting service.

- The Queensland Government Translation and Interpreting Services are available for complainants who are unable to speak or write English. They are available at www.qld.gov.au/languages or by phoning (TIS National) on 131 450.
- The National Relay Service is available for people with hearing or vision impairments (*133 677 TTY/Voice or 1300 555 727 (Speak and Listen)).

A complaint should include:

- name, address, email and telephone number
- previous case reference number (if applicable)
- a concise summary of the nature of complaint (e.g. why/how the service provided was of concern)
- name/s of officers involved
- the desired outcome if known

Anonymous complaints are accepted; however, it can be more difficult to investigate a complaint without all the relevant information.

Complaints should be made no later than three months after the day the complainant became aware of the action being complained about, to enable timely assessment and responsive management of the issues raised.

If more than three months have passed since the action resulting in the complaint, consideration will be given on a case-by-case basis regarding any circumstances such as ill-health and/or personal issues impacting on the complainant's ability to address the concerns. The assessment of the complaint will consider any extenuating circumstances and the seriousness and complexity of the complaint.

Responding to a complaint

The way in which a complaint should be managed will depend on both how it is classified and how it was received.

Anonymous complaints will be assessed against the same criteria as any other complaints. When assessing complaints, particular considerations include the nature and seriousness of the complaint, the type of complaint, the quantity and quality of information and capability of productive outcome.

Complaint categorisation

When a complaint about the OHO is received, it will be categorised as either ‘*simple*’ or ‘*complex*’, which will dictate the typical timeframe set by the OHO for a response. The below table broadly sets out the key characteristics of both a *simple* and *complex* complaint.

Simple (contains <u>all</u> or <u>most</u> of the below features)	Complex (contains <u>any</u> of the below features)
Straightforward and clearly defined issue.	Multifaceted or unclear issues, requiring further clarification or investigation
Involves a single issue or a single party.	Multiple issues or multiple parties
Resolution likely to involve simple explanation, apology, minor corrective action.	Resolution requiring consultation with external agencies, legal advice, or specialist expertise
Does not involve multiple work units, stakeholders or external agencies.	Involves sensitive or confidential information requiring careful handling
Does not involve sensitive or confidential information requiring detailed investigation.	Possible breach of legislation
The complaint does not allege a breach of legislation.	Significant distress or dissatisfaction expressed that may indicate need for a detailed response.

Timeframes

As above, complaints will be acknowledged and responded to in a timely manner. Factors such as complaint complexity will dictate the time for a response under the policy. In some cases, legislation also sets out the minimum standard for time in which a response must be provided.

Action	Timeframe	Governed by
Acknowledgement of complaint	Within 3 business days of the date the complaint was received	Complaints about the OHO procedure, <i>Australian Standard ISO 10002:2022 Guidelines for complaints management in Organisations</i>
Response to simple	Up to 10 business days	Complaints about the OHO procedure
Response to complex complaints	Up to 20 business days	Complaints about the OHO procedure
Response to human rights complaints	45 business days	<i>Human Rights Act 2019</i> , OHO Human Rights Policy, OHO Human Rights in

		Decision-Making procedure, Complaints about the OHO procedure
Response to privacy complaints	45 business days	<i>Information Privacy Act 2009</i> , Complaints about the OHO procedure, OHO Queensland Privacy Principles policy.
Response to Charter of Victims' Rights complaints	20 business days	<i>Victims Commissioner and Sexual Violence Review Board Act 2024</i> , Charter of Victims' Rights and Complaints about the OHO procedure.
Complainant request for an internal review	Within three months of decision being communicated	Complaints about the OHO procedure
Response to an internal review	Target 20 business days*	Complaints about the OHO procedure

*The nature and complexity of the original complaint will determine the response time of the review

Internal review

If a complainant is dissatisfied following the management of their complaint, they may request an internal review from the OHO. An internal review will generally be conducted within 20 business days, but this timeframe may be extended depending on the nature and complexity of the original complaint. An internal review is an objective, independent and impartial merits review of the complaint process and outcome, it is not a re-investigation. Any appointed reviewer will not have had previous involvement in the matter.

External review rights

If a complainant remains dissatisfied after an OHO internal review, they may request an external review from the following entities, depending upon the nature of their complaint.

Topic	External review entity
Complaint about the actions or decisions of OHO	Queensland Ombudsman Telephone: (07) 3005 7000 or 1800 068 908 Email: ombudsman@ombudsman.qld.gov.au
Human Rights	Queensland Human Rights Commission Telephone: 1300 130 670 Email: info@qhrc.qld.gov.au

Privacy	Office of the Information Commissioner Telephone: (07) 3234 7373 or 1800 642 753 Email: administration@oic.qld.gov.au
Charter of Victims' Rights*	Office of the Victims Commissioner Telephone: 1800 714 100 Email: contact@victimscommissioner.qld.gov.au

**Victims can make a complaint direct to the Office of the Victims Commissioner without awaiting OHO complaint processes, however the Victims Commissioner may choose to refer the complaint to the OHO to manage.*

External review rights relevant to the complaint will be communicated in outcome letters to complainants.

Managing unreasonable complainant behaviour

The OHO recognises that in managing complaints fairly, efficiently and effectively, all parties to a complaint have certain rights and responsibilities. The OHO will ensure that our work health and safety responsibilities and duty of care are met. The obligation extends to OHO employees who deal with complainants. The OHO will ensure appropriate strategies are in place for managing unreasonable complainant conduct fairly, ethically and rationally (e.g unreasonable persistence, demands, lack of cooperation, unreasonable arguments and behaviour). Please refer to Unreasonable conduct by members of the public policy and procedure for further information.

Reporting

Within its annual report each year, the OHO will report the number of complaints received, the number of complaints where action was taken, and the number that resulted in no further action.

Publishing complaints information is required by section 264 of the *Public Sector Act 2022* and section 97 of the *Human Rights Act 2019* and section 59 of the *Victims Commissioner and Sexual Violence Review Board Act 2024*.

The Executive Director, Operations, Performance and Quality, will report to the Executive Leadership Committee on a six-monthly basis regarding any trends in complaints and opportunities for business process improvement.

Recordkeeping

All information will be managed in accordance with the *Public Records Act 2023*; the whole of government Records governance policy and the State Archivist General Retention and Disposal Schedule.



Privacy and confidentiality

The Office of the Health Ombudsman is committed to protecting your personal information in accordance with the *Information Privacy Act 2009*. The ways the Office of the Health Ombudsman may collect, use and disclose personal information are set out in our Queensland Privacy Principles Privacy policy and Collection Notice, available through the [Privacy](#) page of our website.

Roles and responsibilities

Health Ombudsman

- Report publicly on complaints handling in line with legislative requirements
- Ensure the OHO has a robust complaints management framework

Executive Directors

- Provide adequate support and direction to key staff responsible for handling complaints
- Regularly review reports about complaint trends and issues arising from complaints
- Ensure recommendations arising out of complaints are implemented where appropriate

Principal Quality and Improvement Officer

- Oversee the identification, assessment, recording and reporting of complaints
- Allocate complaints to the appropriate business area to be managed and ensure responses are progressed within allocated timeframes
- Report on complaint trends, business process improvement opportunities to Executive Leadership Committee.

Managers/supervisors

- Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them appropriately
- Encourage staff managing complaints to provide suggestions on ways to improve the OHO complaints management system
- Ensure staff are aware of the OHO complaints policy and how to identify and deal with complaints to ensure accurate recording and reporting in line with legislative obligations

All staff

- Treat all people with respect, including people who make complaints
- Assist people who wish to make a complaint about OHOs decisions or actions access the complaints process
- Be aware of OHO Complaints Management Policy and associated Procedures



Definitions	
Anonymous complaint	The identity of the person making the complaint is unknown.
Charter of Victims' Rights complaint	A complaint that the OHO has failed to: • treat a victim with courtesy, compassion, respect and dignity, taking into account their needs. • ensure a victim's is personal information, including their address and telephone number, is not to be disclosed unless authorised by law. • inform a victim at the earliest practicable opportunity, about services and remedies available to them. A victim is a person who has suffered harm because: • a violent crime was committed against them; • a family member or dependent of a person had died or suffered harm because of a violent crime • they are a family member of an unborn baby who died as a result of a violent crime • they intervened to help a person who has died or suffered harm because of a violent crime.
Complaint	An expression of dissatisfaction (either written or verbal) made by a person (or authorised third party) who is apparently directly affected by the service or actions of the OHO or an OHO employee/s in the course of carrying out the OHO's functions, for which a response or resolution is explicitly or implicitly expected.
Complainant	Person, organisation or their representative (including clients, consumers, service users, customers, etc) who is apparently directly affected by the service or action of the OHO, making a complaint.
Directly affected	The complainant or an authorised third party must have sufficient connection to the complaint. Their interest must be greater than the concerns of a merely interested bystander who has no direct interest in the outcome. They must be the person who rights or interests would be affected if the decision or action remained.
Employees	All temporary and permanent employees, consultants, contractors, students or any other person who provides us with services on a paid or voluntary basis.
External review	A review of the management of a complaint by an external entity to the OHO.
Human rights complaint	A complaint that the OHO has breached a person's human rights stated in part 2, divisions 2 and 3 of the <i>Human Rights Act 2019</i>
Internal review	An internal review is an objective, independent and impartial merits review of the complaint process and outcome, it is not a re-investigation.
Personal information	Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.



Privacy complaint	A complaint that the OHO has mishandled their personal information in a way that violates Queensland Privacy Principles or <i>Information Privacy Act 2009</i>
Unreasonable complainant conduct	Conduct is likely to be unreasonable if it involves actions or behaviours which, because of the nature of frequency, raises substantial health, safety, wellbeing, resource or equity issues for the OHO, its employees other service users or the complainant themselves.

Version control

Version no.	Changes made
0.1	New complaints policy incorporating Privacy Complaints and Complaints about the Charter of Victims' Rights.

Approval

Effective date	18 September 2025
Last reviewed	18 September 2025
Next review	18 September 2028
Contact	Principal Governance and Policy Officer
Custodian	Executive Director, Operations, Performance and Quality Division
Approved by	Health Ombudsman
Approval date	3 October 2025
Signature	
Security classification¹	Official

¹ NB. This footnote is intended to provide guidance when deciding the security classification of information.

Official – routine information without special sensitivity or handling requirements and a low business impact per document if compromised or lost. For example, information that may be shared across government agencies.

Sensitive – information that requires additional handling care due to its sensitivity or moderate business impact if compromised or lost. For example, information containing legal professional privilege.

Protected – information that requires the most careful safeguards due to its sensitivity or major business impact if compromised or lost. For example, cabinet documents.