

DRB COMPLAINTS MANAGEMENT POLICY as a AMDRAS Recognised Provider

1. Purpose

This policy explains how the Dispute Resolution Branch meets the requirements of Section 66 of The Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS) (“the Standards”) that requires all Recognised Providers to have and maintain an approved complaints handling policy.

2. Scope

The Dispute Resolution Branch (DRB), Department of Justice (DoJ) is a public sector entity that provides dispute resolution and training services. The DRB is staffed by public sector employees, including mediators appointed under the *Dispute Resolution Centres Act 1990 (the Act)*.

The DRB is also a recognised provider (RP) of mediation training and mediator accreditation under the Standards and provides accreditation to DoJ staff and non-DOJ staff.

DRB staff and mediators appointed under the Act are subject to the DoJ Client Complaints Management Policy and Client Complaints Management Procedures.

Non-DoJ staff are subject to the DRBs Complaints Management Policy and Procedures under AMDRAS as a Recognised Provider.

The following table shows the relationship between the DRB, the person subject to a complaint and the applicable complaint policy and procedure.

Relationship with DRB	Applicable complaints policy and procedures
DoJ employee including a DRB mediator, who is providing DRB Dispute Resolution services and, who is accredited with any RP.	DoJ Client Complaints Policy and Procedure
DoJ employee, who is accredited with the DRB and providing non-DRB Dispute Resolution services	DRB Complaints Management Policy as an AMDRAS Recognised Provider
Non DoJ employee accredited by the DRB under AMDRAS	DRB Complaints Management Policy as an AMDRAS Recognised Provider

To be clear, this policy relates only to complaints about the practice of a registered practitioner, who holds mediation accreditation under AMDRAS with the DRB, and who is not employed by the DRB.

3. Organisational commitment

The DRB is committed to delivering a fair, effective and efficient response to the handling of complaints.

This organisation expects employees at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from our people and the way that commitment should be implemented.

Who	Commitment	How
Complaint Manager	Promote a culture that values complaints and their effective resolution.	<ul style="list-style-type: none"> • Adhere to the DRB AMDRAS Complaints Management Policy • Provide adequate support and direction to those responsible for handling complaints. • Regularly review reports about complaint trends and issues arising from complaints. • Encourage all personnel to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. • Encourage personnel to make recommendations for system improvements. • Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint. • Report to the AMDRAS Board on our complaint handling in accordance with the AMDRAS data.
DRB Employee	Understand and comply with our complaint handling practices.	<ul style="list-style-type: none"> • Adhere to the DRB Complaints Management Policy • Treat all people with respect, including people who make complaints. • Assist people who wish to make complaints access our complaints process. • Be alert to complaints and assist personnel handling complaints resolve matters promptly.
Investigation Officer	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> • Adhere to the DRB Complaints Management Policy • Treat all people with respect, including people who make complaints. • Assist people to make a complaint, if needed. • Provide regular feedback to management and/or the AMDRAS Board on issues arising from complaints. • Provide suggestions to management on ways to improve our complaints management system. • Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
Receiving Officer	Receives the complaint either in writing or orally from the complainant	<ul style="list-style-type: none"> • Assists the complaints with complaints made orally by capturing their complaint in writing. • Receives a complaint made in writing and forwards to the DRB Director.

4. Terms and Definitions

Term	Meaning
Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS)	A national voluntary accreditation scheme, formerly known as the National Mediation Accreditation System (NMAS), for dispute resolution practitioners and specialists which establishes minimum national standards and a publicly available national register.
AMDRAS Board	The governing board for the AMDRAS, formerly known as the Mediator Standards Board Ltd.
Complaint	An applicable expression of dissatisfaction made to or about us, our services, our people, Registered Practitioners accredited by us, or the handling of an issue raised where a response or resolution is explicitly or implicitly expected or legally required.
Complainant	A dissatisfied participant, who attended a mediation or conference, which was facilitated by a registered practitioner, who holds accreditation with the DRB.
Complaint handling / management system	All policies, procedures, practices, personnel, hardware and software used by us in the management of complaints.
Dispute	An unresolved complaint escalated either within or outside of our organisation.
Dispute Resolution Branch (DRB)	A branch of the Department of Justice, Queensland, responsible for providing dispute resolution and training services under the <i>Dispute Resolution Centres Act 1990</i> and a Recognised Provider under AMDRAS (once approved).
Director	The person appointed to the role of Director, DRB and, who is appointed under s27AA of the <i>Dispute Resolution Centres Act 1990</i> .
DRB Employee	The staff of the DRB, whose services include providing dispute resolution, mediation training and accreditation.
Investigation Officer	A person who is delegated by the Managing officer to investigate a complaint.
Managing Officer	The Managing officer is the DRB Director who delegates an investigation into a complaint to a suitably qualified investigator
Policy	A statement of instruction that sets out how we should meet our obligations.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Receiving Officer	DRB Principal Trainer under AMDRAS, who seek is resolve the dispute at the frontline.
Recognised Provider	A person or body who is a Recognised Accreditation Provider (RAP) and/or an Recognised Training Provider (RTP). The DRB is a Recognised Provider (once approved)
Registered Practitioner	A dispute resolution practitioner who is accredited under the AMDRAS and who is listed on the National Register of Accredited Mediators.
Unreasonable Conduct by Complainant	Any behaviour by a person which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the staff involved in the complaint process.

5. Guiding Principles

An effective complaint handling system must be modelled on the principles of fairness, accessibility, responsiveness, efficiency and integration into organisational culture.

Overview

- Step 1 Facilitate complaints.
- Step 2 Acknowledge & respond to complaints.
- Step 3 Manage and resolve complaints.
- Step 4 Learning, reporting and prevention.

Step 1 - Facilitate complaints

1.1 People focus

We are committed to seeking and receiving feedback and complaints about:

- our services, people, systems, practices, procedures, products and complaint handling; and
- Registered Practitioners accredited by us.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about our complaint handling process and how to access it.
- listened to, treated with respect by our people and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review.

1.2 No detriment to people making complaints

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

1.3 Anonymous complaints

Anonymous complaints are accepted and managed as follows.

1. Anonymous complaints

The DRB will conduct a confidential investigation into the issues raised, provided sufficient information is available and the principles of due process, natural justice, and transparency are upheld, ensuring fairness to the individual against whom the complaint has been made.

2. Complainants asking to be anonymous or information to be kept confidential.

The DRB will consider requests from complainants who wish to remain anonymous and/or request certain information to remain confidential. However, this may limit the DRB's ability to conduct a thorough and fair investigation. If contact details are available, the DRB will inform the complainant of these limitations before deciding whether to close or progress the matter.

1.4 Accessibility

We will ensure that information about how and where to make complaints is well publicised on our website. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance. If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g., advocate,

family member, legal or community representative, member of Parliament, another organisation). In certain circumstances (e.g. mediation), this may require the person or organisation representing a complainant to agree to keep their involvement and details of the complaint and process confidential.

1.5 No charge to the complainant

A complainant will not be charged a fee to complain. Costs of any investigation or dispute resolution process will not be charged to complainants without prior agreement.

Step 2- Acknowledge & respond to complaints

2.1 Early resolution

Where possible, complaints will be resolved at first contact with us by a delegated officer.

2.2 Responsiveness

We will promptly acknowledge receipt of complaints, within three business days. We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately. We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- the possible necessity of employing an impartial person or organisation to assist in investigating and/or processing of the complaint
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate). We will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

2.3 Objectivity and fairness

We will address each complaint with integrity and in an equitable, objective and unbiased manner. We will ensure that the person handling a complaint is different from any personnel whose conduct or service is being complained about. Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original investigator.

2.4 Responding flexibly.

We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives. We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

2.5 Confidentiality

We will seek permission before disclosing confidential information provided by or on behalf of a complainant. Personal and confidential information, including that which may identify individuals, will only be disclosed or used by us as required or permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

Step 3 - Manage and resolve complaints

3.1 Complaints involving multiple agencies

Where a complaint involves multiple organisations or individuals, we will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy, confidentiality, safety and mandatory reporting considerations, communication and information sharing will also be organised to facilitate a timely response to the complaint. If another organisation or person is charged with investigating and handling a complaint, this will be made clear to the person making the complaint and/or their representative.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

3.2 Empowerment of staff

All personnel managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities. Our people are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

3.3 Managing unreasonable conduct by people making complaints

We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, wellbeing, safety and security of our people, and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our people to do the same in accordance with this policy.

3.4 Alternative avenues for dealing with complaints

We will inform people who make complaints to or about us about any internal or external review options available to them (including to the AMDRAS Board under clause 83 of the Standards).

Step 4 – Learning, reporting and prevention

4.1 Continuous Improvement

Responding to and learning from complaints is an essential part of our commitment to quality improvement for our organisation and the professional development of the registered practitioners we support.

4.2 Record Keeping and Reporting

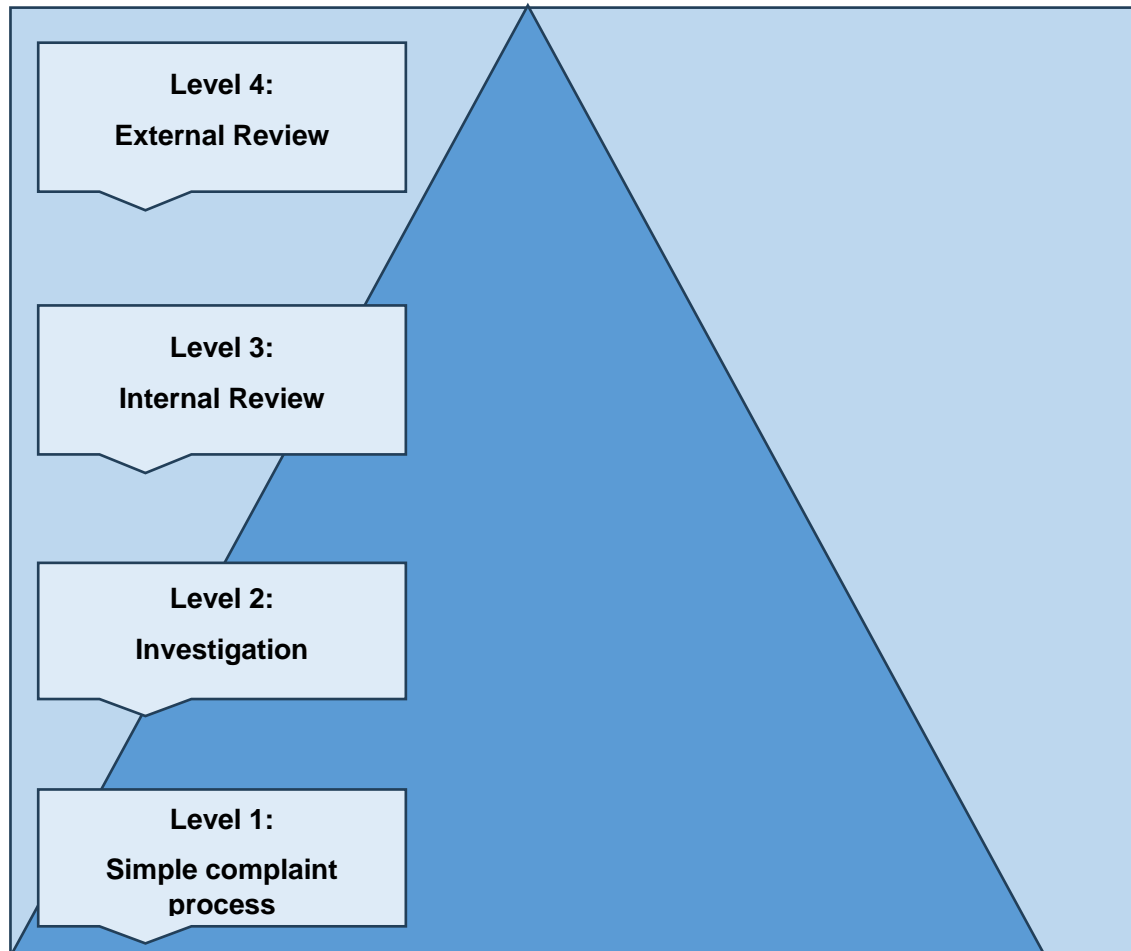
We will maintain a record of complaints for the purpose of:

- identifying trends and opportunities to improve our people, services and complaints handling processes; and
- meeting our reporting obligations to the AMDRAS Board (including pursuant to clauses 66.2(c), 69(c)(iii) and 80 of the Standards) and other reporting obligations under the Human Rights Act and the Victims' Commissioner and Sexual Violence Review Board Act.

4.5 Disciplinary Action

Any cancellation, suspension or placing of special conditions on the accreditation of a Registered Practitioner accredited by DRB will be reported to the AMDRAS Board pursuant to clause 69(c)(iii) of the AMDRAS Standards.

6. The four methods of complaint handling



Level 1 – Simple complaint process

Our goal is to resolve complaints at the earliest stage possible. Early resolution occurs when the receiving officer manages and resolves the complaint directly. Wherever feasible, complaints will be addressed and resolved at this initial stage.

Subject to the nature and details of the matters raised, we may invite those with concerns regarding services delivered by a Registered Practitioner to speak with that Registered Practitioner (or their employer) in the first instance. If this occurs, we will require written confirmation from both the person making the complaint and the Registered Practitioner that the concerns raised have been resolved to the satisfaction of the person making the complaint, or not.

This does not apply to anonymous complainants as mentioned at 1.3 above.

We may also recommend and facilitate a non-determinative dispute resolution process (e.g. mediation) at this stage.

If the complaint cannot be resolved during the early resolution stage, it will proceed to the standard complaint management process outlined in Level 2.

Level 2 – Recognised Provider Investigation

Where resolution at frontline services is not possible, we will escalate the complaint for investigation. This second level of complaint handling will investigate the complaint, and any decisions already made.

Cost recovery from the Registered Practitioner may be appropriate at this stage.

Level 3 – Internal Review

Where a person making a complaint is dissatisfied with the process and/or the outcome of the investigation of their complaint, they may seek an internal review of our decision.

Information of how to request an internal review will be provided in the investigation outcome letter.

Cost recovery from the Registered Practitioner may be appropriate at this stage

Level 4 – External Review

Where a person making a complaint is dissatisfied with the process and/or the outcome of the investigation of their complaint or the outcome of an internal review, they may seek an external review of our decision (including a review of the complaints-management process by the AMDRAS Board under clause 81 of the AMDRAS Standards). It is noted that the AMDRAS Board also has power under clause 80 of the Standards to independently audit complaints management processes by Recognised Providers.

External reviews may also be necessary where there is a real or perceived conflict of interest which may jeopardise the complaints process. In this case, the Director or delegated officer will explain that the business area is unable to action the complaint and will refer the request for an external review.

Cost recovery from the Registered Practitioner may be appropriate at this stage.

7. Training Requirements

All DRB staff are required to complete the mandatory DOJ Evolve Client Complaints eBriefing and all investigating officers, internal reviews officers and managing officers are required to complete the complaints management training offered by the Office of the Queensland Ombudsman.

The related processes for this policy are outlined in detail in the supporting departmental Client Complaints Management Procedure.

8. Fees

As stated at 1.5, a complainant will not be charged a fee to complain.

The cost of managing the complaint including conducting an investigation and any reviews of the process may be charged to the registered practitioner.

9. Accountability and learning

9.1 Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis by our people and where required the AMDRAS Board.

The DRB AMDRAS complaints register enables DRB to:

- Review the number of complaints received
- Records the outcome of complaints, including matters resolved at the frontline
- Identify issues arising from complaints, including systemic issues, and
- Monitor the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of the register will be undertaken to monitor trends, measure the quality of our customer service and make improvements. Both reports and their analysis will be provided to our senior management team and to the AMDRAS Board for review, at least annually (see sections 55, 66.2, and 80 of the Standards).

9.2 Monitoring of the complaint management system

We will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits and complaint satisfaction surveys.

9.3 Continuous improvement

We are committed to improving the way our organisation operates, including the effectiveness and efficiency of our complaint management system. To this end, we will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by our people
- regularly review our complaint management system and complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of our system.

10. Version History

The following outlines the high-level changes made to each version of this document and who made the change.

Version	Notes	Author	Date
0.1	Final draft	Executive Manager	May 2025