



# Annual Client Complaints Report 2020-21

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Data for this report was extracted from the Resolve Complaints Management System on **5 July 2021**. Any changes to data after this date will not be reflected in this report. Results may vary from those in previous or subsequent reports.



## Introduction

Queensland Corrective Services (QCS) is committed to delivering high quality services that respond to the needs of prisoners, offenders, stakeholders and the community.

QCS values the benefits of effective complaint handling and believes that our clients should be able to provide feedback about our services and the way we provide them.

QCS considers all complaints constructively and aims to improve service delivery through the investigation of individual complaints and the regular assessment of complaints data.

Effective complaints management is about accountability, access and business improvement and is a critical part of our client service.

### WHAT IS A COMPLAINT?

The *Public Service Act 2008* (PSA), section 219A requires all public sector agencies to maintain a complaints management system for their customers.

Under the *Queensland Human Rights Act 2019* (HRA), it is a requirement that public sector agencies also incorporate human rights considerations into complaints management.

The QCS complaint management process is guided by the Client Complaints Management Policy, which defines two complaint categories: 'standard (customer) complaint' and 'human rights complaint'.

A *standard complaint* is defined under the PSA, section 219A (4) as a customer complaint:

- (a) means a complaint about the service or action of a department, or its staff, by a person who is apparently directly affected by the service or action; and
- (b) includes, for example, a complaint about any of the following:
  - a decision made, or a failure to make a decision, by a public service employee of the department;
  - an act, or failure to act, of the department;
  - the formulation of a proposal or intention by the department;
  - a recommendation made by the department; and/or
  - the customer service provided by a public service employee of the department.

A *human rights complaint* is defined under the HRA, section 63 as:

*A complaint about an alleged contravention of section 58(1) by a public entity in relation to an act or decision of the public entity.*

Section 58 (1) of the HRA states:

- (1) It is unlawful for a public entity—
  - (a) to act or make a decision in a way that is not compatible with human rights; or
  - (b) in making a decision, to fail to give proper consideration to a human right relevant to the decision.
- (2) Subsection (1) does not apply to a public entity if the entity could not reasonably have acted differently or made a different decision because of a statutory provision, a law of the Commonwealth or another State or otherwise under law.

Under the HRA, individuals can lodge a complaint with QCS if they believe the agency has limited their human rights. Under the Act, individuals are required to lodge such complaints with QCS in the first instance before they can raise the complaint with the Queensland Human Rights Commission.



For QCS, complaints may be received from prisoners, offenders, their families and friends, non-government service providers, other visitors to correctional centres or members of the public who may have had contact with the department. It may also include complaints received anonymously and those received via ministerial or Commissioner correspondence.

## COMPLAINT REPORTING

QCS uses Resolve as its complaint management system to log all complaints which have been assessed as meeting the criteria for being either a standard complaint or a human rights complaint.

Each correctional centre, community corrections location and central office business unit is required to identify, record and assess complaints through Resolve.

Complaints pertaining to allegations of fraud, corruption or official misconduct are referred to the Professional Standards and Governance Command and are not recorded through this process. Similarly, complaints considered to be employee grievances are not recorded on Resolve. Matters which are subject to statutory rights of review are excluded from the complaint management process during the period of the review.

A complaint can have elements of both a standard complaint and a human rights complaint depending on the issue/s raised by the complainant. In order to separate these two types of complaints within Resolve, a case category must be assigned to each complaint. This case category then determines the minimum number of case issues which must be recorded under the complaint and the timeframe for responding to the complaint. Each case issue recorded under a complaint must also be recorded as to whether it includes a human rights element.

Case Category	Minimum number of complaint issues required	Must the complaint issue have a human rights element?	Timeframe
Standard Complaint	1	No	30 business days
Human Rights Complaint & Standard Complaint	2	Yes & No (minimum one of each)	45 business days
Human Rights Complaint	1	Yes	45 business days

## ANNUAL REPORTING

Section 219A(3) of the PSA requires that by 30 September after each financial year, the chief executive of the department must publish the following information for the financial year on the department's website:

- the number of customer complaints received by the department in the year;
- the number of those complaints resulting in further action; and
- the number of those complaints resulting in no further action.

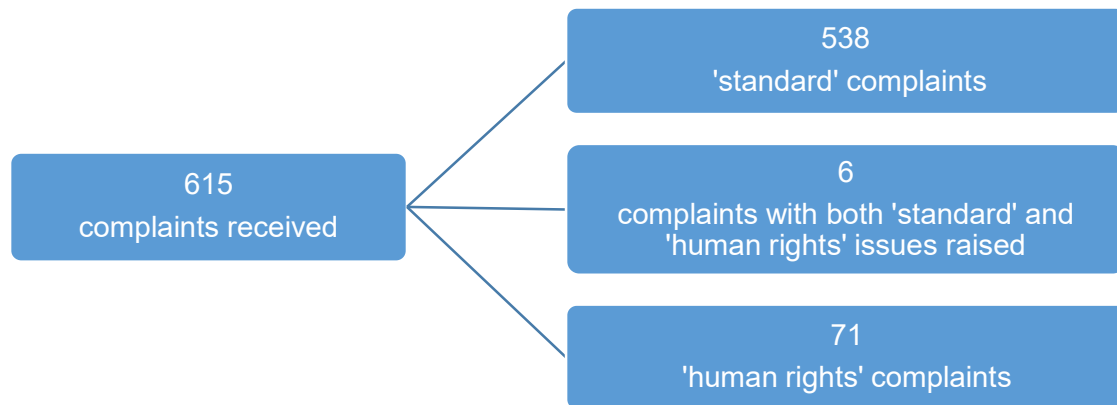
Under the HRA, agencies are also required to specifically report on human rights complaints annually. Pursuant to section 97 of the Act, agencies are required to report on:

- details of any actions taken to further the objectives of the Act;
- the number of human rights complaints received;
- the outcome of those complaints; and
- details of any reviews of policies, programs, procedures, practices or services undertaken in relation to their compatibility with human rights.

This report satisfies these requirements.



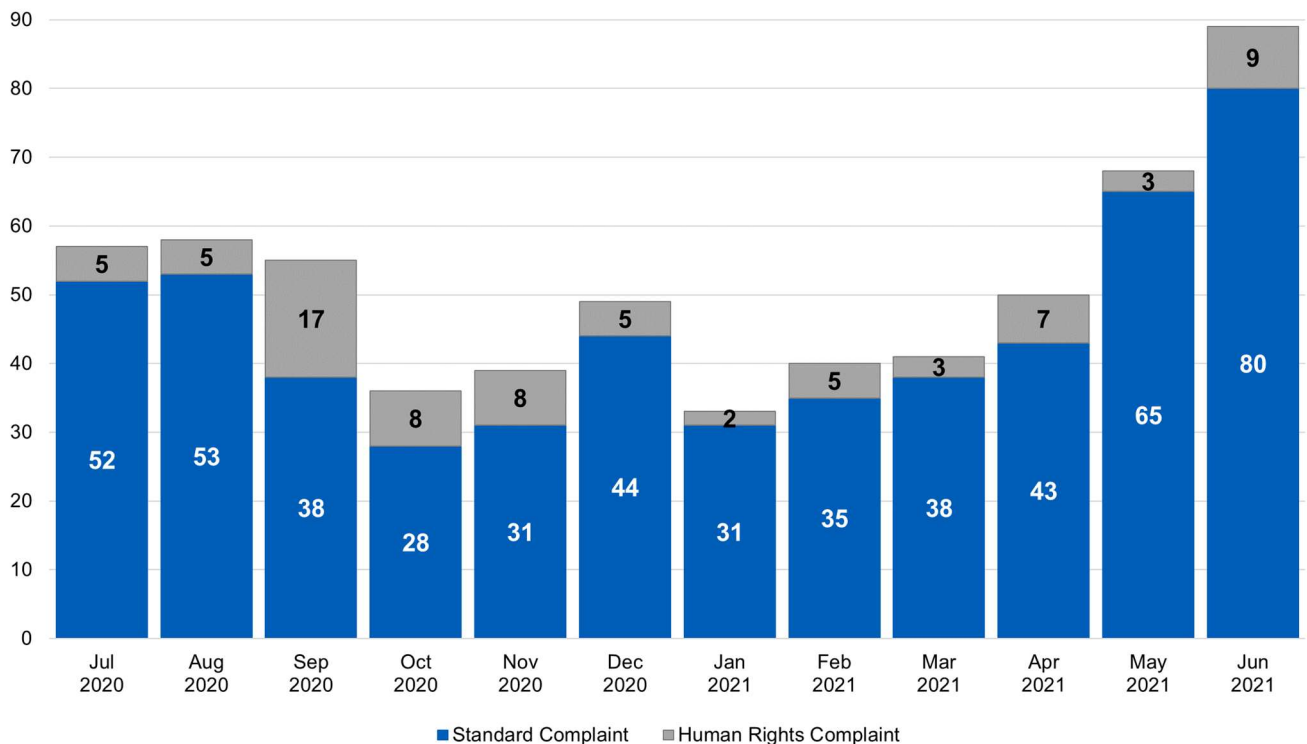
## Number of complaints received during 2020-21



During 2020-21, QCS received 615 complaints, including 77 complaints which raised a human rights issue.

During this period, QCS received an average of 51 complaints per month.

FIGURE 1 – NUMBER OF COMPLAINTS RECEIVED STATEWIDE BY MONTH



The overwhelming majority of complaints received during the last 12 months were received by correctional centres.

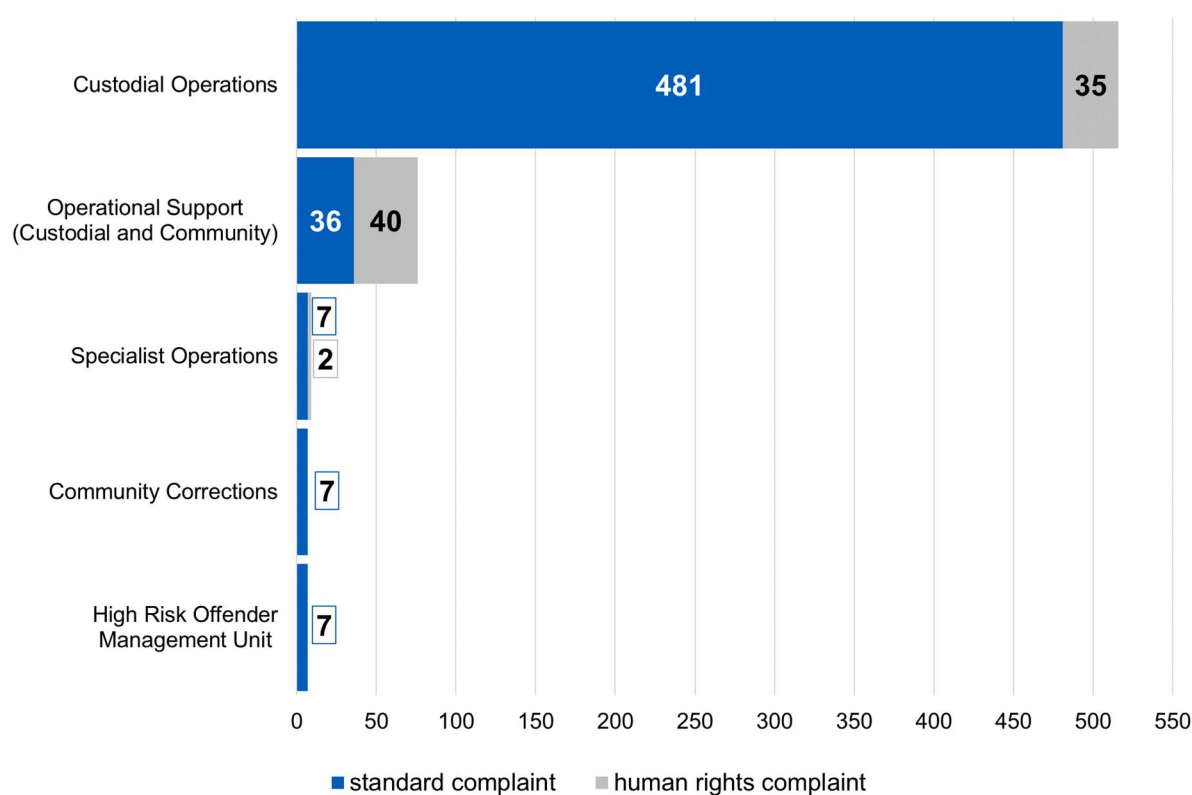
TABLE 1 – NUMBER OF COMPLAINTS RECEIVED DURING 2020-21

Location	Total Complaints Received		Complaints with a human rights component <sup>1</sup>	
	No.	%	No.	%
Operational Support (Custodial & Community)	76	12.4%	40	51.9%
High Risk Offender Management Unit	7	1.1%	0	0.0%
Custodial Operations	516	83.9%	35	45.5%
Community Corrections	7	1.1%	0	0.0%
Specialist Operations	9	1.5%	2	2.6%
Office of the Commissioner	0	0.0%	0	0.0%
Organisational Capability	0	0.0%	0	0.0%
Parole Board Secretariat	0	0.0%	0	0.0%
<b>TOTAL</b>	<b>615</b>	<b>100.0%</b>	<b>77</b>	<b>100.0%</b>

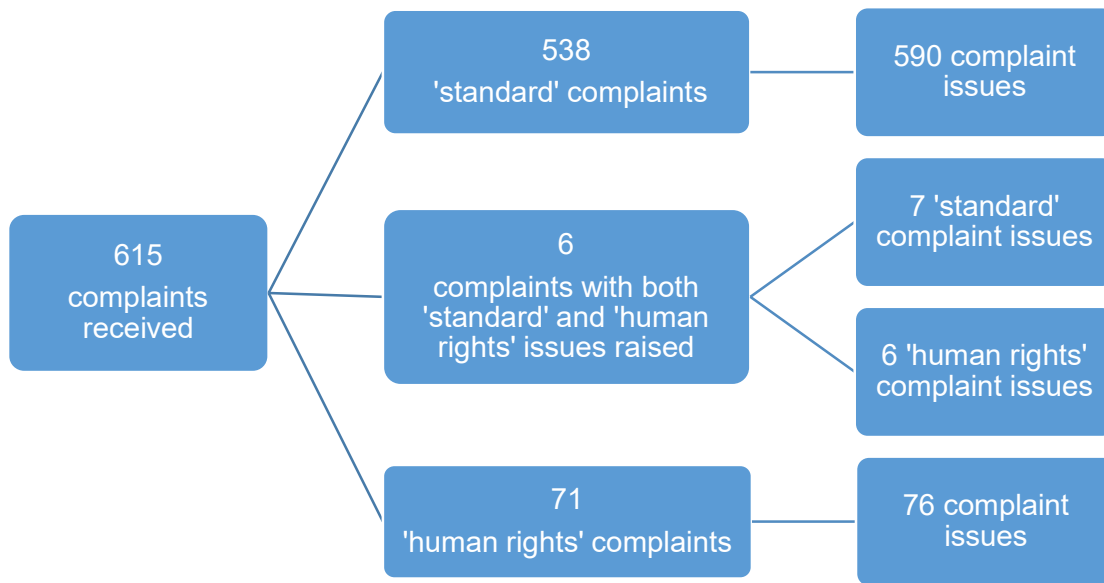
**Notes:**

1. Complaints with a human rights component are also included in the column on total complaints received.

FIGURE 2 – DISTRIBUTION OF COMPLAINTS RECEIVED IN 2020-21



## Complaint issues



There was a total of 679 complaint issues identified in the 615 complaints received during 2020-21. A complaint can have more than one complaint issue identified.

The majority of complaints received during the last 12 months relate to offender management issues (455 complaint issues or 67 per cent).

Of the 679 complaint issues reported during the financial year, 82 were identified as involving a human right under the HRA, equating to 12 per cent of all complaint issues received by QCS.

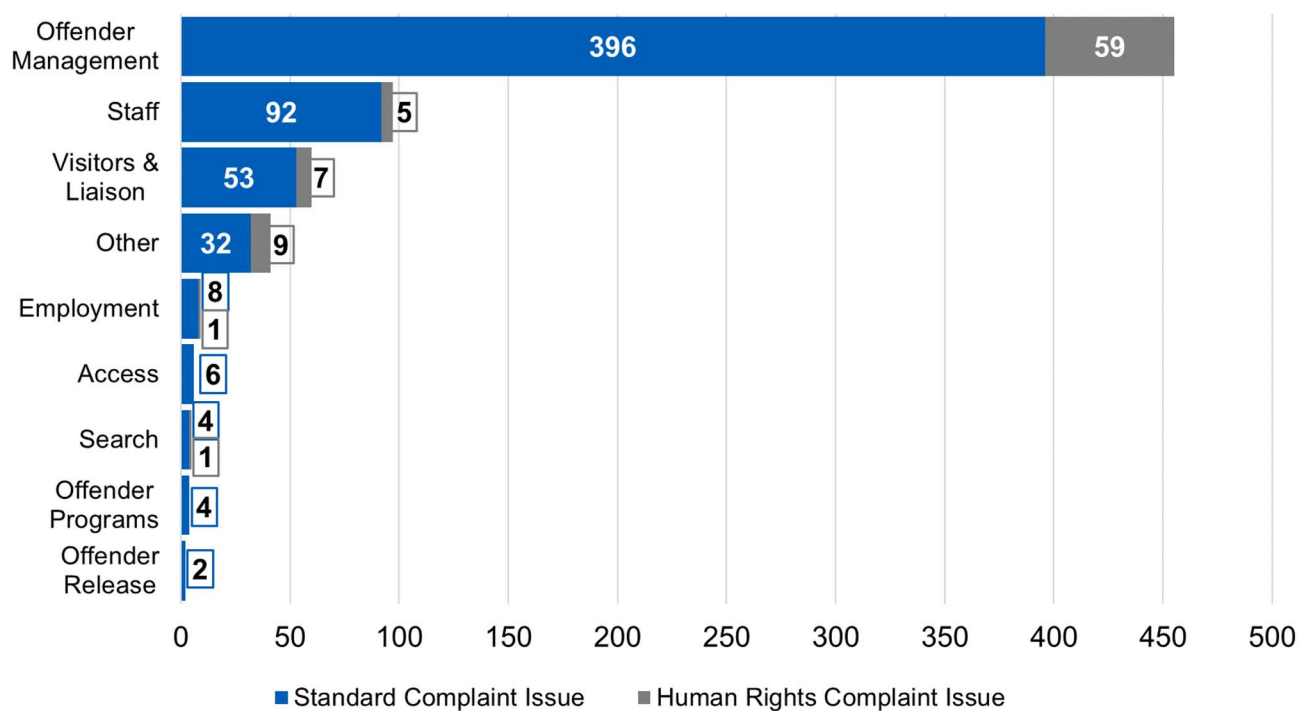
TABLE 2 – NUMBER OF COMPLAINTS RECEIVED BY ISSUE DURING 2020-21

Complaint Issue	Total Complaints Received		Complaints with a human rights component <sup>1</sup>	
	No.	%	No.	%
Access	6	0.9%	0	0.0%
Employment	9	1.3%	1	1.2%
Minors	0	0.0%	0	0.0%
Offender Management	455	67.0%	59	72.0%
Offender Programs	4	0.6%	0	0.0%
Offender Release	2	0.3%	0	0.0%
Search	5	0.7%	1	1.2%
Staff	97	14.3%	5	6.1%
Visitors and Liaison	60	8.8%	7	8.5%
Other	41	6.0%	9	11.0%
<b>TOTAL<sup>2</sup></b>	<b>679</b>	<b>100%</b>	<b>82</b>	<b>100%</b>

**Notes:**

1. Complaints with a human rights component are also included in the column on total complaints received.
2. A complaint can have more than one complaint issue recorded against it. The totals in Table 2 will not equal the totals in Table 1.

FIGURE 3 – COMPLAINT ISSUES FOR 2020-21





## Complaint outcomes

Of the complaints received during the financial year, 45 (or seven per cent) remain open/unresolved as at 5 July 2021.

Of the 570 complaints finalised during the financial year, 73 per cent were not substantiated, with 18 per cent either substantiated or partially substantiated.

TABLE 3 – OUTCOME OF CLOSED COMPLAINTS FOR 2020-21

	Complaint Outcome	Total Complaints Received		Complaints with a human rights component <sup>1</sup>	
		No.	%	No.	%
<b>Further Action</b>	Complaint substantiated	57	10.0%	1	1.5%
	Complaint partially substantiated	47	8.2%	3	4.4%
	Conciliation/mediation	0	0.0%	0	0.0%
	Referred or made to another Agency	28	4.9%	6	8.8%
	Other	9	1.6%	2	2.9%
<b>No Further Action</b>	Complainant unable to be contacted	5	0.9%	1	1.5%
	Complaint not substantiated	415	72.8%	55	80.9%
	Frivolous/vexatious	0	0.0%	0	0.0%
	Insufficient information provided	5	0.9%	0	0.0%
	Withdrawn by complainant	4	0.7%	0	0.0%
Complaints still open/ongoing <sup>2</sup>		45	-	9	-
TOTAL COMPLAINTS		615	-	77	-
TOTAL FINALISED COMPLAINTS		570	100%	68	100%
Complaints resulting in further action		141	24.7%		
Complaints resulting in no further action		429	75.3%		

### Notes:

A complaint may be received in one month and closed in another month. A complaint outcome is not known until the complaint is finalised. The above table records the outcome by the month the complaint was received.

The percentages reported are based on the proportion of finalised complaints, not total complaints.

Outcomes are recorded against each case issue. A complaint with more than one complaint issue recorded can have more than one outcome type. The above table only records one outcome per complaint.

1. Complaints with a human rights component are also included in the column on total complaints received.

2. Refers to complaints which have not been finalised at the time of reporting (complaints with an 'open' status). An outcome remains unknown until the complaint is closed. A complaint which may have an outcome recorded on Resolve, but which remains 'open' are reported under this category until the complaint is closed.

## Section 97(2) of the *Human Rights Act 2019* – reporting on other actions and reviews undertaken during 2020-21

The HRA (section 97(2)) requires that QCS reports annually on details of actions taken during 2020-21 to further the objectives of the HRA, including details of any review of policies, practices or services undertaken in relation to their compatibility with human rights.

QCS is committed to the humane containment, supervision and rehabilitation of prisoners and offenders, and welcomed the commencement of the HRA in its entirety from 1 January 2020. This includes providing safe and responsive correctional services and treating prisoners and offenders with dignity and respect.

QCS is continuing to implement the HRA by delivering on this commitment, while managing vital day-to-day operations to keep Queenslanders safe.

To further the objectives of the HRA during this reporting period, QCS has:

- incorporated human rights into QCS' Strategic Plan and Business Plan
- completed a comprehensive review of over 120 existing policies and procedures to embed a human rights culture into daily operations
- updated complaints management systems, policies and training to reflect human rights considerations
- rolled-out mandatory online training developed by the Queensland Human Rights Commission and the Human Rights and Critical Decision-Making face-to-face three-hour training. As at 30 June 2021, 7094 QCS officers had completed the online training, including all new QCS recruits
- continued to raise human rights awareness throughout the agency and support officers in applying human rights consideration in day-to-day operations through the RAPID decision-making tool, human rights intranet microsite on the QCS intranet and QCS Champions Network. As at July 2021, the microsite has been viewed more than 15,500 times by officers
- continued to consider human rights in the development of legislative proposals.

Noting the extraordinary, unprecedented and ongoing nature of the COVID-19 pandemic, QCS has been required to take action to ensure ongoing operations within the correctional environment by mitigating the risk of contagion and protecting the health and safety of officers, prisoners, offenders and the broader community. This has resulted in QCS implementing temporary legislative provisions, policies and procedures that may limit or restrict individual rights.

QCS continues to work closely with the Chief Health Officer and Queensland Health to deliver an evidence-based, coordinated response to COVID-19 in the correctional environment and ensure that any limitations or restrictions on rights are achieved in a reasonable and proportionate way. To date, QCS has successfully prevented any prisoners from testing positive to COVID-19, and COVID-19 cases among QCS officers were quickly addressed.

