

## Policy Statement

Legal Aid Queensland (LAQ) is committed to providing quality legal services, and values input from clients and stakeholders about how to improve those services.

All types of feedback help to guide us in maintaining good client service and high standards of legal assistance.

LAQ affirms the right of any person to express dissatisfaction with our services. We aim to manage all complaints in an accountable, transparent, timely and fair manner that is compatible with human rights. All complaints are treated as confidential and are only discussed with the people directly involved in the investigation and resolution process.

## Purpose

This policy supports LAQ's obligations to implement a complaints management system for customer complaints that complies with Section 264 of the *Public Sector Act 2022* (PSA 2022), Australian/New Zealand Standard on complaints management and the *Human Rights Act 2019* (HRA 2019).

The HRA 2019 requires all government agencies in Queensland to act compatibly with human rights and to consider human rights before making decisions.

The purpose of this policy is to ensure that LAQ applies consistent, fair and efficient processes and systems to:

- receive, record, respond to and report on feedback about service provision or staff members' conduct,
- identify opportunities to improve service delivery through complaint resolution analysis and implement change accordingly,
- promote public confidence in the openness and transparency of LAQ's complaint handling, and maintain our integrity and reputation in the community,
- reinforce our commitment to client service.

## Scope

This policy applies to:

- all LAQ business areas including regional offices and all employees including temporary staff, contractors and consultants,
- all feedback, that is complaints, compliments and comments from clients, staff, service providers and all other stakeholders,
- all feedback about LAQ services including services provided by solicitors contracted by LAQ,
- privacy complaints,
- complaints under the HRA 2019 about alleged breaches which occur after 1 January 2020,
- anonymous complaints,
- complaints made on someone else's behalf,
- requests for transfer of solicitor where there is a complaint about the conduct or service provided by the practitioner,
- family law matters where there are current proceedings.

## Feedback and Complaints Policy

The policy does not apply to:

- complaints about services provided more than one year ago, except in exceptional circumstances,
- complaints sent directly to the Queensland Ombudsman, a Minister or Member of Parliament, though staff managing this type of complaint may determine there is a component of the feedback that may be investigated under this policy,
- appeals against a grants funding decision,
- complaints against external Barristers engaged by preferred supplier law firms,
- complaints about an application under the *Information Privacy Act 2009* or the *Right to Information Act 2009*,
- decisions made by courts or tribunals.

### Definitions

- *Comment* – a general remark communicating a criticism or a suggestion.
- *Complainant* – individual or organisation making a complaint.
- *Complaint* – an expression of dissatisfaction with any aspect of LAQ's operations that is not resolved at the point of service.
- *Compliment* – a positive expression of satisfaction.
- *Feedback* – opinions, comments and expressions of interest or concerns, made directly or indirectly, explicitly or implicitly about LAQ's services, policies and processes, staff members or service providers.
- *Privacy complaint* - an expression of dissatisfaction concerning the collection, security, use or disclosure of personal information held by LAQ as provided for in the *Information Privacy Act 2009*.

### Principles

Feedback and complaints about LAQ services will be managed in line with the underlying principles drawn from the PSA 2022, Australian/New Zealand Standard on complaints management and the HRA 2019. This is consistent with the Queensland Ombudsman guidelines for effective complaints management.

#### Visibility and access

- LAQ encourages feedback about our services by promoting this policy and related procedure on our website, via our client contact centre, and in person at our offices.
- Feedback and complaints can be handwritten, made in person, via the telephone, or via our website.
- We provide feedback and complaint forms online and at all of our offices.
- We will assist clients to complete feedback and complaint forms if needed and arrange interpreters if English language assistance is required, and free of charge when necessary.
- We will assist clients with hearing and speech difficulties to access the National Relay Service in order to provide feedback to us.

#### Responsiveness

- All complaints will be acknowledged and responded to in a timely manner.
- Complaints will be prioritised so that matters deemed urgent and/or serious may be escalated and/or dealt with quickly.

#### Assessment and action

## Feedback and Complaints Policy

- All complaints to LAQ will be assessed and resolved quickly and informally at the point of service where possible.
- More serious complaints will be further assessed against criteria in this policy and directed to an appropriate investigating officer.
- Complainants will be dealt with fairly and objectively and we will observe the principles of natural justice.
- Any complaint investigation we conduct will be done without prejudice and will not affect any other rights a complainant may have.
- LAQ will refer clients to external agencies such as the Queensland Ombudsman where appropriate, and we will facilitate the escalation of complaints to the Legal Services Commission when the level of seriousness warrants such action.

### Feedback

- LAQ will provide feedback about the progress or result of each complaint investigation to respondents or complainants as soon as possible after decisions are made unless subject to specific legislative requirements.
- LAQ may seek feedback from a complainant about the experience once a complaint has been investigated.

### Review

If a respondent or complainant is dissatisfied with an investigation process or outcome, they can request a review of the decision. The review will be allocated to an officer who is senior to the original investigating officer. If the review outcome does not provide satisfaction, complainants are encouraged to contact the Queensland Ombudsman.

Outcomes of privacy complaint investigations cannot be reviewed internally as complainants must direct these to the Office of the Information Commissioner.

### Policy approval

Policy: Chief Governance Officer
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