



# Powerlink - Complaints Management Framework

<b>Policy stream</b>	Stakeholder Management	
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Current version: 01/11/18	SECURITY CLASSIFICATION	Page 1 of 18
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**Version history**

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**Table of contents**

*Version history* .....2

**1. Introduction** .....5

(a) *Background*.....5

(b) *Purpose*.....5

(c) *Scope*.....6

(d) *References*.....6

(e) *Defined terms*.....7

(f) *Roles and responsibilities* .....8

**2. Complaints Management** .....10

(a) *Complaint Reporting Process* ..... 10

2.a.1 Employee Complaints..... 10

2.a.2 External Complaints ..... 10

2.a.3 Categorising Complaints ..... 10

**3. Management and Handling of PIDS, Protected Disclosures and Corrupt Conduct**.....12

(a) *Public Interest Disclosures (PIDs)* ..... 12

3.a.1 What is a PID? ..... 12

3.a.2 Types of wrongdoing that can form the basis of a PID..... 12

3.a.3 Who do I make a PID to? ..... 12

(b) *Protected Disclosures*..... 13

(c) *How do I make a PID or Protected Disclosure?* ..... 13

(d) *Complaints under the Crime and Corruption Act*..... 13

**4. Operational Complaints Management** .....14

(a) *Receiving a Complaint*..... 14

4.a.1 Making an Operational Complaint ..... 14

4.a.2 Recording an Operational Complaint ..... 14

4.a.3 Categorising Operational Complaints..... 14

4.a.4 Assessment and Complaint Transfer ..... 14

(b) *Resolving an Operational Complaint* ..... 15

4.b.1 Acknowledge the Operational Complaint ..... 15

4.b.2 Investigate the Operational Complaint ..... 15

4.b.3 Update Status of the Operational Complaint..... 15

(c) *Closing the Operational Complaint*..... 16

(d) *Monitoring, Measuring and Reporting*..... 16

(e) *Records*..... 16



**APPENDIX A – Process for complaints that involve or may reasonably be considered to involve Corrupt Conduct of Powerlink’s Chief Executive Officer.....17**

- (a) *Objective* ..... 17
- (b) *Policy rationale*..... 17
- (c) *Nominated person*..... 17
- (d) *Complaints about the Chief Executive Officer* ..... 17
- (e) *Resourcing the nominated person*..... 18
- (f) *Liaising with the CCC* ..... 18
- (g) *Consultation with the CCC*..... 19
- (h) *Related Policies* ..... 19

## 1. Introduction

### (a) Background

Powerlink respects complaints received from both internal and external sources for the insights they may provide to the way Powerlink performs its functions.

Powerlink is subject to obligations under relevant legislation in regard to the handling and management of complaints about alleged wrongdoing, including corrupt conduct.

An early assessment of complaints is a key aspect of Powerlink’s complaints management framework to ensure that complaints are appropriately and effectively managed and, if necessary, managed in accordance with any specific legal requirements.

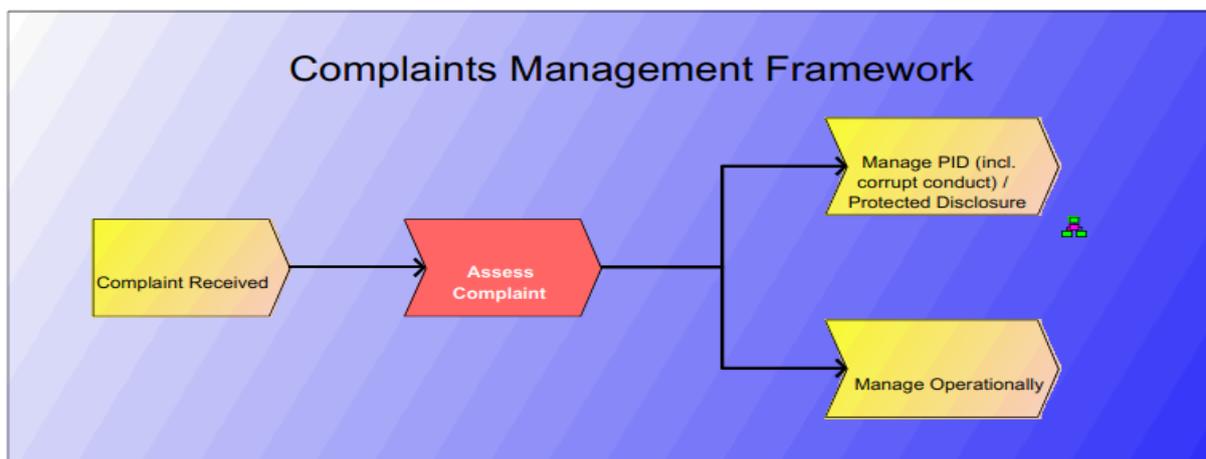
Three components comprise Powerlink’s Complaints Management Framework:

- an overview that outlines key processes, roles and responsibilities and the distinctions between employee and external complaints (section 2);
- a procedure that details the management of Public Interest Disclosures, Corrupt Conduct and Protected Disclosures raised by employees or members of the public (section 3); and
- a procedure that details the management of operational complaints raised by members of the public (section 4).

### (b) Purpose

The purpose of **section 2** of this document is to outline Powerlink’s Complaints Management Framework and the key processes, roles and responsibilities for making and responding to a complaint.

**Section 3** contains information about complaints that are a ‘Public Interest Disclosure’ under the PID Act (**PIDs**), reasonably suspected ‘corrupt conduct’ (**Corrupt Conduct**) under the *Crime and Corruption Act 2001* (**CC Act**) or a ‘Protected Disclosure’ under the *Corporations Act* (**Protected Disclosure**).



The purpose of **section 4** is to detail the procedure for the registration and resolution of external complaints that are operational in nature. This process is documented in the **operational complaints procedure**, which is the third component of Powerlink’s Complaints Management Framework.

**Appendix A** supports **section 3** by setting out the process for how Powerlink will deal with a complaint (or information or matter) that involves or may reasonably be considered to involve Corrupt Conduct by Powerlink’s Chief Executive Officer.



### (c) Scope

**Section 3** of the Powerlink Complaints Management Framework applies to complaints made by employees and members of the public, which may be identified as a PID, Corrupt Conduct or a Protected Disclosure under different legislation and is supported by **Appendix A** which sets out the process for how Powerlink will deal with a complaint (or information or matter) that involves or may reasonably be considered to involve Corrupt Conduct of Powerlink's Chief Executive Officer.

Note that complaints made by employees that are not identified as a PID, Corrupt Conduct or Protected Disclosure and are a complaint about:

- the conduct or behaviour of a worker (or group of workers) which is alleged to constitute Sexual Harassment, Harassment, Victimisation, Vilification, Bullying or Unlawful Discrimination; or
- the conduct or behaviour of a worker (or group of workers) which is otherwise alleged to be in breach of the Code of Conduct

will be dealt with under the Employee Complaints Procedure [Employee Complaints Procedure](#)).

Grievances and/or disputes regarding the interpretation, application or operation of Powerlink's Enterprise Agreements or the National Employment Standards will be dealt with in accordance with the dispute settlement procedures contained in the relevant Enterprise Agreement.

A separate procedure, which forms **section 4** of this document, outlines the specific processes for managing **operational complaints**. In some circumstances there may not be another relevant operational procedure, in which case the managers should develop an appropriate response that is consistent with Powerlink's Code of Conduct and with regard to the nature of the complaint.

### (d) References

**Queensland Government's Ethics in the Queensland Public Sector** <http://www.ethics.qld.gov.au/> contains the following guidelines and other useful information on public interest disclosure and related issues.

**Public Interest Disclosure Standard No.1** (as updated from time to time) - The latest version of the Standard can be found on the Public Service Commission website at <http://www.ombudsman.qld.gov.au/>

**Relevant Legislation** – The latest reprints of the *Public Interest Disclosure Act*, *Integrity Act 2009*, *Government Owned Corporations Act* and *Crime and Corruption Commission Act* can be found on the Queensland Parliamentary website at <http://www.legislation.qld.gov.au/OQPCHome.htm>. The latest reprints of the Corporations Act can be found on <http://www.comlaw.gov.au/>

#### **AS ISO 10002-2006 Australian Standard: Customer Satisfaction – Guidelines for complaints handling in organisations**

The following internal procedures and corporate documents may be relevant to the Complaints Management Framework and should be referred to where necessary.

Public Interest Disclosure Management Program  
Operational Complaints Procedure

#### **Procedure**

A2207702 PQConnect Procedure

#### **Training Manual**

A2228808 PQConnect Training Manual

Compliance Manual

Code of Conduct

Counselling and Discipline Procedure

Employee Complaints Procedure

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 6 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland

**(e) Defined terms**

Terms marked with an asterisk\* indicate that the term is defined under the *PID Act* or *CCC Act*. Those Acts should be reviewed for the most current definition.

**CCC** means the Crime and Corruption Commission established under the *Crime and Corruption Act 2001*.

**CCC Act** means the *Crime and Corruption Act 2001*.

**Chairperson of the Board** means the person holding that position under the Corporations Act

**Company Secretary** means the officer holding that position under the Corporations Act

**Complainant** means a person, organisation or its representative, making an Operational complaint.

**Contractors** means contractors or consultants engaged by Powerlink.

**Corrupt Conduct** is defined in s.15 of the CCC Act to be conduct of a person that:-

- (a) adversely affects or could adversely affect the performance of functions or the exercise of powers of an agency or public office holder; and
- (b) results, or could result in the performance of functions or exercise of powers in a way that is not honest or impartial; or involves a breach of trust; or involves a misuse of information; and
- (c) is engaged in for the purposes of providing a benefit to the person or another person or causing detriment to another person; and
- (d) would, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's services.

**Deal with** means deal with a complaint about Corrupt Conduct or information or matter involving Corrupt Conduct, and includes:

- (a) investigating the complaint, information or matter; and
- (b) gathering evidence for:
  - o prosecutions for offences; or
  - o disciplinary proceedings; and
- (c) referring the complaint, information or matter to an appropriate authority to start a prosecution or disciplinary proceeding; and
- (d) start a disciplinary proceeding; and
- (e) take other action, including managerial action, to address the complaint in an appropriate way.

**Dispute** means an unresolved operational complaint when the Complainant and Powerlink representative cannot agree on the way to resolve the complaint.

**Employees** means employees and contractors of Powerlink but does not include Powerlink directors.

**Employee Complaint** means a complaint made by an employee which are not a PID or Protected Disclosure, but are in relation to:

- o The conduct or behaviour of a worker (or group of workers) which is alleged to constitute Sexual Harassment, Harassment, Victimisation, Vilification, Bullying or Unlawful Discrimination; or
- o The conduct or behaviour of a worker (or group of workers) which is alleged to be in breach of the Code of Conduct.

**Officers** means Powerlink's Chief Executive Officer, Company Secretary or directors of Powerlink's Board.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 7 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



**Operational complaints** are all complaints made by external parties that are not a PID (including reasonably suspected corrupt conduct) or Protected Disclosure and are an expression of dissatisfaction made to Powerlink related to its services, actions, conduct or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

It does not relate to general enquiries, reports for action or requests, such as:

- a request for Powerlink to close gates on a landowners property
- report of vegetation near transmission lines
- report of damage to Powerlink property or a security or safety concern.

An operational complaint may include:

- concerns about unauthorised access to property or non-compliance with access arrangements
- concerns about driving behaviour of Powerlink staff or contractors
- dissatisfaction with the outcome of an agreement with a Powerlink staff member or contractor.

**PID Act** means *Public Interest Disclosure Act 2010*.

**Protected Disclosure** is a complaint which discloses information regarding alleged breaches of the Corporations Act by Powerlink, Powerlink Officers or Powerlink Employees. Chapter 9, Part 9.4AAA of the Corporations Act establishes a whistleblower protection regime to facilitate the reporting of Protected Disclosures.

**\*Public interest disclosure** (PID) is a complaint which discloses information in the public interest about wrongdoing in the public sector and which otherwise satisfies the PID Act. More specifically, for Powerlink, a PID means a disclosure which meets the criteria for what constitutes a PID under sections 12 or 19 of the PID Act (refer to **section 3** of this procedure) and includes all information and help given by the discloser to Powerlink.

**\*Public sector entity** is any of the following entities listed in section 6 of the *PID Act*. Government Owned Corporations (GOCs) are not public sector entities except where they are expressly stated in the *PID Act*. For the purposes of Chapter 3 of the *PID Act* which sets out the obligations of entities to whom PID may be made, GOCs are public sector entities.

**\*Proper authority** is a Member of Parliament or public sector entity that is authorised to receive a PID either because the disclosure is about the conduct of that entity, or its employees or the organisation has the power to investigate or remedy particular issues the subject of the PID.

**\*Reprisal** is the causing, attempting to cause, or conspiring to cause, detriment to a person who makes a PID. An attempt to cause detriment includes an attempt to induce a person to cause detriment. A reprisal is classed as a tort and is also an indictable offence with a maximum penalty of 167 penalty units or two years' imprisonment.

**Stakeholder** is an individual or organisation who can affect or may be affected by the company's activities and/or decisions.

**Wrongdoing** is a term used to generally describe dishonest or illegal conduct in the public sector, however in the context of this procedure more specifically it relates to a PID as defined under the *Public Interest Disclosure Act 2010* or breaches of the *Corporations Act*.

#### (f) Roles and responsibilities

**The General Manager Communications** is the owner of the Complaints Management Framework. The owner of the framework also has specific responsibility for establishing and maintaining the employee and external complaints management procedures, including all business rules and related documentation.

**PID/CCC Officer** is the Legal Counsel and the Manager Employee Relations. The PID/CCC Officer is responsible for advising and providing assistance to managers on PID/Corrupt Conduct and Protected Disclosure matters and for deciding whether there is an obligation to refer matters to the CCC.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 8 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



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Powerlink – Complaints Management Framework	

**Managers** are responsible for referring any issues or complaints they receive that they suspect may be a PID or Protected Disclosure which is about reasonably suspected Corrupt Conduct to the PID/CCC Officer for further assessment.

**Powerlink Employees**, when dealing with complaints, are to adhere to the procedure and implement the business rules in the creation, handling and maintenance of complaints.

**Nominated Complaint Area Representative** is responsible for ensuring that all operational complaints are managed in accordance with **section 4** of the procedure within their respective areas of responsibility.

**Nominated Person** is responsible for notifying the CCC of a complaint about Corrupt Conduct (or information or matter) that involves or may reasonably be considered to involve Corrupt Conduct of Powerlink’s Chief Executive Officer and to deal with the complaint under the CCC Act.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 9 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



## 2. Complaints Management

### (a) Complaint Reporting Process

#### 2.a.1 Employee Complaints

Powerlink's Complaints Management Framework is intended to complement normal communication channels between employees and their managers. Therefore, employees are encouraged to, where possible, raise concerns or complaints they have at any time directly with their managers.

Powerlink supports and encourages employees who choose to report breaches of the law, the Code of Conduct or internal policies, procedures, guidelines or other forms of wrongdoing.

Employees who report wrongdoing internally should first report the matter to their manager. If it is not appropriate to report to the employee's direct manager, the disclosure may be made to the relevant Division Manager, the Executive General Manager People and Corporate Services or the General Manager People and Culture. Further information on the process for managing complaints in relation to the Code of Conduct, workplace bullying harassment or discrimination can be found in the **Employee Complaints Procedure**.

Employees may make a complaint in any way (verbally or in writing) and anonymously. As far as practicable, an anonymous complaint will be treated in the same way as a complaint made by employees who identify themselves. However, employees should recognise that anonymous complaints may be more difficult to investigate, seek clarification or more information, or to provide the discloser with feedback. For this reason, anonymous complaints should be made in writing attention to the relevant Division Manager or PID/CCC Officer and should include sufficient information to allow the matter to be properly investigated.

#### 2.a.2 External Complaints

Complaints regarding the conduct of Powerlink or employees may be received by Powerlink from external parties, including members of the public.

Powerlink welcomes feedback from external parties regarding the conduct of the organisation and its employees and supports external parties contacting the relevant operational areas of Powerlink regarding any concerns. Information on how to contact Powerlink is available on the Powerlink website.

The management and resolution of external complaints that are operational in nature (operational complaint) is detailed in the '**Operational Complaints Procedure**', which forms **section 4** of this document.

#### 2.a.3 Categorising Complaints

Before any action is taken in response to a complaint, the complaint must be first categorised as either an **operational complaint**, a **PID**, a **Protected Disclosure** or **Corrupt Conduct**. This categorisation of complaints should be carried out as soon as practicably possible after receiving the complaint, to ensure it is addressed in accordance with the required level of urgency for the matter at hand.

Where a complaint discloses information about certain wrongdoing or is a complaint about a particular type of reprisal, the complaint may amount to **Corrupt Conduct** and may also be a **PID**. Specific legislative requirements apply to dealing with complaints that are Corrupt Conduct and/or PIDs.

Complaints made by members of the public about dangers to the health and safety of disabled persons, dangers to the environment through contraventions of environmental or mining related regulatory requirements can also be PIDs in certain circumstances.

Where a complaint discloses information regarding alleged breaches of the *Corporations Act* by Powerlink or employees or officers, the complaint may amount to a Protected Disclosure and must be managed and handled in the same manner as PIDs are managed.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 10 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



All complaints received, regardless of whether they are by an employee or an external party, are to be initially assessed to determine whether the complaint amounts to a PID, a Protected Disclosure, Corrupt Conduct or an operational complaint.

After receiving a complaint made either internally or externally, managers must consider whether the complaint may be a PID, Corrupt Conduct or Protected Disclosure with reference to **section 3** of this procedure which provides information on what constitutes a PID, Corrupt Conduct or a Protected Disclosure.

Complaints that appear to constitute Corrupt Conduct, a PID or a Protected Disclosure should be referred to the PID/CCC Officer for advice about processes that may need to be followed.

Operational complaints should be managed in accordance with **section 4** of this document, the 'Operational Complaints Procedure'. Employee complaints should be dealt with in accordance with the **Employee Complaints Procedure**.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 11 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



### 3. Management and Handling of PIDS, Protected Disclosures and Corrupt Conduct

#### (a) Public Interest Disclosures (PIDs)

The PID Act is Queensland's public sector based whistleblowers protection regime. Under the PID Act, whistleblowers who make PIDs, being disclosures about certain types of wrongdoing within the Queensland public sector, receive the benefit of various protections prescribed under the PID Act.

As a Queensland Government Owned Corporation, Powerlink is subject to the PID Act, which means that Powerlink is required to comply with the requirements of the PID Act when it receives complaints or allegations that are PIDs. Powerlink will manage all PIDs in accordance with the *Public Interest Disclosure Standard* (as amended from time to time)

##### 3.a.1 What is a PID?

A PID is a disclosure which alleges or makes a complaint about certain types of wrongdoing in the Queensland public sector.

In order to qualify for the protections under the PID Act, the wrongdoing in question must be a certain type of wrongdoing as identified under the PID Act (and set out further below at paragraph 3.1.2) and the discloser must:

- have information about a person or matter and:
  - honestly believe on reasonable grounds that there is wrongdoing; or
  - the information tends to show wrongdoing (regardless of whether the person honestly believes the information tends to show wrongdoing); and
- make their disclosure to a proper authority (see section 3.1.3)

Powerlink can receive PIDs in the form of complaints or allegations from the general public or from employees.

##### 3.a.2 Types of wrongdoing that can form the basis of a PID

Complaints or allegations made to Powerlink by a member of the general public will be considered to be a PID if the complaint or allegation relates to wrongdoing by Powerlink about:

- a substantial and specific danger to the health or safety of a person with a disability;
- a substantial and specific danger to the environment; or
- a reprisal for an earlier PID (i.e. a person causes or attempts to cause detriment to a discloser because that discloser has made, or intends to make, a PID or participate in procedures under the PID Act).

Complaints or allegations made to Powerlink by an Employee will be considered to be a PID if the complaint or allegation relates to wrongdoing about:

- the conduct of an Employee that could be Corrupt Conduct (refer to the Definitions); and
- the conduct of another person that could be a reprisal against the Powerlink employee relating to a previous PID made by the Powerlink employee to Powerlink or the Crime and Corruption Commission (CCC).

##### 3.a.3 Who do I make a PID to?

Employees may make a PID about Corrupt Conduct or a reprisal to either Powerlink or the CCC. Complaints that are PIDs must be dealt with in accordance with the *Public Interest Disclosure Standard* and Powerlink's *Public Interest Disclosure Procedure* (currently under development)

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 12 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



PIDs made by members of the public must also be dealt with in accordance with the *Public Interest Disclosure Standard* and Powerlink's *Public Interest Disclosure Procedure* (currently under development)

Other types of PIDs which do not relate to Powerlink but which are first made to Powerlink will need to be transferred to the Proper Authority, to be dealt with. Proper Authorities include:

- any public sector entity, if the PID is about the conduct of that entity or its employees;
- any public sector entity with the power to investigate or remedy the PID matter; or
- any Member of Parliament.

#### (b) Protected Disclosures

Chapter 9, Part 9.4AAA of the *Corporations Act* establishes a whistleblower protection regime to facilitate the reporting of actual or potential breaches of the *Corporations Act*. This regime also provides certain protections for certain persons making such disclosures.

A Protected Disclosure may be made by Employees and Officers (for example, Powerlink's company secretary or directors on the Powerlink Board).

The discloser must have reasonable grounds to suspect that the information that they wish to disclose indicates that:

- Powerlink has, or may have, contravened a provision of the Corporations legislation; or
- an Officer or Employee of Powerlink has, or may have, contravened a provision of the Corporations legislation.

Protected Disclosures will be dealt with by Powerlink in the same way as PIDs, in accordance with the the *Public Interest Disclosure Standard* and Powerlink's *Public Interest Disclosure Procedure* (currently under development)

#### (c) How do I make a PID or Protected Disclosure?

If an Employee wishes to make a PID or Protected Disclosure to Powerlink, they must follow the complaint reporting process outlined in this framework which incorporates the *Public Interest Disclosure Standard*. Further reference should be had to Powerlink's *Public Interest Disclosure Procedure* (currently under development)

At first instance, a PID or Protected Disclosure should be made to Powerlink's Legal Counsel (**PID/CCC Officer**) who can be contacted on 3860 2149.

A manager who receives information that they suspect may constitute a PID, Corrupt Conduct or a Protected Disclosure must immediately refer the disclosure to the PID/CCC Officer.

All PIDs and Protected Disclosures will be treated confidentially and in accordance with Powerlink's information related regulatory obligations including those prescribed under the *Privacy Act 1988 (Privacy Act)*. The PID/CCC Officer will provide direction on the processes that may need to be followed when handling the matter and the protections available to the discloser. Any processes or procedures for dealing with PIDs or Protected Disclosures, including further details about the protections afforded to PIDs under the PID Act are set out in the *Public Interest Disclosure Standard* and Powerlink's *Public Interest Disclosure Procedure* (currently under development)

#### (d) Complaints under the Crime and Corruption Act

Under the CC Act, anybody, including employees and members of the general public, may report suspected Corrupt Conduct

If a disclosure is made to the PID/CCC Officer about suspected Corrupt Conduct, the PID/CCC Officer will decide whether there is an obligation to refer the matter to the CCC under the CC Act. A disclosure made to the PID/CCC Officer about suspected Corrupt Conduct will be treated confidentiality and in accordance with Powerlink's information related regulatory obligations including those prescribed under the Privacy Act.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 13 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



Where Powerlink receives a complaint (or information or matter) that involves or may reasonably be considered to involve Corrupt Conduct of Powerlink's Chief Executive Officer, the matter will be dealt with in accordance with the process set out in **Appendix A** of this procedure, in satisfaction of the requirements of s48A of the CC Act.

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## 4. Operational Complaints Management

### (a) Receiving a Complaint

#### 4.a.1 Making an Operational Complaint

An operational complaint may be made to a Powerlink representative by an external person through any of the following mechanisms:

- telephone
- email
- correspondence received in the mail
- verbally to a Powerlink representative
- in person at a Powerlink site.

#### 4.a.2 Recording an Operational Complaint

The details of the complaint will be captured by the Powerlink representative receiving details of the complaint. Details of the complaint will be entered into Powerlink's stakeholder management system, PQConnect, via an intranet form available to all staff or directly into the system by the person receiving the complaint or the eventual complaint owner, if this is a different Powerlink representative. The following information is required to register the complaint:

- Contact details of who is making the complaint
- The preferred method of contacting the complainant together with contact details
- The location associated with the complaint
- The details of the complaint.

#### 4.a.3 Categorising Operational Complaints

Operational complaints can be categorised into the following:

- Property
- Cultural Heritage
- Land Acquisition
- Environment
- Vehicle
- Loss/Damage Claim
- Conduct – Employees
- Conduct – Contractors
- Safety
- Procurement
- Other

#### 4.a.4 Assessment and Complaint Transfer

Based on the category of the operational complaint, the details of the complaint will be sent to a nominated complaint area representative who will conduct an initial assessment of the complaint. This assessment should ascertain if the complaint is operational in nature or a Public Interest Disclosure (PID). PIDs should be handled in accordance with the procedure outlined in **section 3** of this document and should be referred to the Powerlink PID/CCC Officer immediately. A record of this action should be made against this complaint and then it can be closed within the system.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 14 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



If the recorded complaint is found to be operational in nature (in accordance with the definition – Refer Definitions in section 1.5), the next step is to determine who will be responsible for investigating and addressing the complaint. The operational complaint is to be assessed and transferred to the relevant complaint owner within 24 hours of it being recorded..

## (b) Resolving an Operational Complaint

### 4.b.1 Acknowledge the Operational Complaint

The nominated complaint owner (or another Powerlink representative, where applicable) is responsible for investigating and addressing the operational complaint and must contact the complainant to advise that the complaint has been received, agree a resolution or, if a complex complaint, initial response timeframes. The acknowledgement should be through the medium nominated by the complainant. If no preferred contact method has been nominated, then the acknowledgement should be through the same medium as the complaint was made. For example, if received via email then acknowledgement will be via email, if the complaint was made via phone then the acknowledgement should be via phone.

The estimated date of completion is to be altered if the date agreed with the complainant is different to the estimated date of completion determined by the complaint type. The date for completion may also be altered in agreement with the complainant where the matter is more complex and requires several interventions and possible field visits and/or expert advice prior to consideration of options to resolve.

The status of the complaint is to be changed to **acknowledged within 24 hours** of the nominated complaint area representative receiving the complaint.

### 4.b.2 Investigate the Operational Complaint

The complaint owner investigates the operational complaint made and determines the actions that are required. The identified actions are completed through the current processes and mechanisms in place within each of the areas of responsibility.

An operational complaint will be dealt with, as far as possible, in accordance with the relevant Australian Standard. This requires, amongst other things, that complaints be addressed in an equitable, objective and unbiased manner, as per the principles of the Australian Standard.

The specific principles<sup>1</sup> largely align with the principles of Powerlink's Stakeholder Engagement Framework and include:

- Openness
- Impartiality
- Confidentiality
- Accessibility
- Completeness
- Equitability
- Sensitivity

In addition to ensuring complainant confidentiality, the complaints handling process should ensure confidentiality in the case of complaints against Powerlink employees.

### 4.b.3 Update Status of the Operational Complaint

As work is being progressed comments are to be recorded against the operational complaint.

**Note:** any information of a sensitive or confidential nature should not be recorded within the operational complaints management system but should be stored in other solutions, such as Objective, where security permissions can be applied. In these instances the progress comment should just refer to the other documentation.

<sup>1</sup> As referenced in Annex C of AS ISO 10002-2006 Australian Standard: Customer Satisfaction – Guidelines for complaints handling in organisations.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 15 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



Changes in the status of the complaint need to be recorded as they occur.

### (c) Closing the Operational Complaint

Once all actions have been completed the nominated complaint area representative (or other responsible Powerlink representative, where applicable) is to alter the status of the operational complaint to **'pending approval'** and is to contact the complainant to indicate that the agreed actions have been completed and obtain feedback that they are satisfied that the complaint is closed.

After receiving approval from the complainant, the complaint status can be changed to **'completed with approval'**, indicating the complainant's satisfaction with the resolution.

If the complainant acknowledges that the actions have been completed but is not entirely satisfied with the outcome, yet has agreed to the closure of the complaint, then the complaint is to be closed indicating this i.e. **'completed without approval'**. The complaint may also be **'completed without approval'** if it is agreed that an independent third party would review the complaint and action taken, and consider Powerlink has acted reasonably in its action/s to address the complaint.

If the actions undertaken do not resolve the operational complaint and no agreement on the way forward can be agreed, the complaint is escalated to the relevant Manager or General Manager. Cases still **'in dispute'** should go to the Legal Group within Finance and Governance to be considered under the Dispute Management process. The complaint is to be closed indicating this.

### (d) Monitoring, Measuring and Reporting

Monitoring will be undertaken by the nominated complaint area representative for their respective areas of responsibility and the General Manager Communications.

Management reports may include details such as the:

- number of complaints managed within agreed timeframes
- number of complaints managed with extended time frames
- complaints not completed within one month, three months, six months and older
- number of new complaints received each month for a 12 month period
- number of complaints allocated to a division.

The framework document itself will be reviewed annually to ensure its effectiveness and identify improvements to the complaints handling process in line with the Australian Standard.

### (e) Records

Information pertaining to operational complaints will be held in:

- Complaints Management System – within internal stakeholder management system, known as PQConnect
- Objective, in accordance with relevant Divisional systems and processes, to ensure security privileges are maintained
- Monthly reports.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 16 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



## APPENDIX A – Process for complaints that involve or may reasonably be considered to involve Corrupt Conduct of Powerlink’s Chief Executive Officer

### (a) Objective

The Chief Executive Officer is the public official of Powerlink.

The objective of this process is to set out how Powerlink will deal with a complaint (or information or matter) that involves or may reasonably be considered to involve Corrupt Conduct of Powerlink’s Chief Executive Officer.

### (b) Policy rationale

The process is designed to assist Powerlink to:

- i. Satisfy the requirements of section 48A of the CCC Act;
- ii. promote public confidence in the way a reasonable suspicion of Corrupt Conduct of Powerlink’s Chief Executive Officer is dealt with; and
- iii. promote accountability, integrity, and transparency in the way that Powerlink deals with a complaint that is reasonably suspected to involve, or does involve, Corrupt Conduct of Powerlink’s Chief Executive Officer.

### (c) Nominated person

Under this process, Powerlink nominates the Company Secretary, to notify the CCC of the complaint and to deal with the complaint under the CCC Act.<sup>2</sup>

Once Powerlink nominates a person, the CCC Act applies as if a reference about notifying or dealing with the complaint to the Chief Executive Officer is a reference to the Nominated Person.

### (d) Complaints about the Chief Executive Officer

If a complaint involves an allegation of Corrupt Conduct of Powerlink’s Chief Executive Officer, the complaint is to be reported to the Company Secretary in accordance with section 3 of this process<sup>3</sup>.

The following non-exhaustive list is indicators of the types of conduct which may form a reasonable basis to suspect Corrupt Conduct:

- i. fraud and theft;
- ii. extortion;
- iii. unauthorised release of information;
- iv. obtaining or offering a secret commission; and
- v. nepotism.

If there is uncertainty about whether or not a complaint should be reported, it must be reported to Company Secretary as the Nominated Person.

If the Company Secretary as the Nominated Person reasonably suspects that the complaint may involve Corrupt Conduct by Powerlink’s Chief Executive Officer, they must:

- i. notify the CCC of the Complaint, and
- ii. Deal with the complaint, subject to the CCC’s monitoring role, when –
  - directions issued under s40 apply to the complaint, if any; or

<sup>2</sup> Under Chapter 2, Part 3, Division 4, Subdivisions 1 & 2 of the CCC Act.

<sup>3</sup> This does not remove or supersede any other obligation that may exist to report the complaint under another Act.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 17 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



- pursuant to s46, the CCC refers the complaint to the Chair of the Board and Company Secretary to deal with.

The same non-exhaustive list of indicators set out above (a) - (e) is relevant to the Nominated Person's consideration of whether the complaint may involve Corrupt Conduct.

In dealing with the complaint the Company Secretary as the Nominated Person may seek the assistance of external legal counsel.

If there is no reasonable suspicion of Corrupt Conduct being committed by Powerlink's Chief Executive Officer the complaint is to be managed in accordance with the Powerlink - Complaints Management Framework.

If Powerlink's Chief Executive Officer receives a complaint which they reasonably suspect may involve Corrupt Conduct on their part, they must report the complaint to the Company Secretary as the Nominated Person, as soon as practicable and take no further action to deal with or manage the complaint.

If the CCC has issued directions under section 40 of the CCC Act and they apply to the complaint, the Company Secretary as the Nominated Person is to deal with the complaint in accordance with those directions.

#### **(e) Resourcing the nominated person**

In applying this process:

- i. Powerlink will ensure that sufficient resources are available to the Company Secretary as the Nominated Person to enable them to deal with the complaint appropriately; and
- ii. the Company Secretary as the Nominated Person is to ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and is not disclosed, other than to the CCC, without other authorisation under a law of the Commonwealth or the State.

The Company Secretary as the Nominated Person must, at all times, use their best endeavours to act independently, impartially and fairly having regard to the:

- i. purposes of the CCC Act;
- ii. the importance of promoting public confidence in the way suspected Corrupt Conduct in Powerlink is dealt with; and
- iii. Powerlink's statutory, policy and procedural framework.

If the Company Secretary as the Nominated Person has responsibility to deal with the complaint under this process, they:

- i. are delegated, wherever possible and legislatively compliant, the same authority, functions and powers as the Chief Executive Officer to direct and control staff of Powerlink for the purpose of dealing with the complaint;
- ii. are delegated the same authority, functions and powers as the Chief Executive Officer to enter into contracts on behalf of the Powerlink for the limited purpose of dealing with the complaint involving the Chief Executive Officer; and
- iii. do not have any authority, function, or power that cannot — under the law of the Commonwealth or the State — be delegated by either the Chair of the Board or the Chief Executive Officer, to the Nominated Person.

#### **(f) Liaising with the CCC**

The CEO is to keep the CCC and the nominated person/s informed of:

- i. the contact details for the CEO and the nominated person/s; and
- ii. any proposed changes to this policy.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 18 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland



STM-FRM-A2488059	Version: 6.0
Powerlink – Complaints Management Framework	

**(g) Consultation with the CCC**

The CEO will consult with the CCC when preparing any policy about how Powerlink will deal with a Complaint that involves or may involve a reasonable suspicion of Corrupt Conduct of the CEO.<sup>4</sup>

i. Statutory references

Unless otherwise stated, all statutory references are to the *Crime and Corruption Act 2001*.

**(h) Related Policies**

Powerlink - Complaints Management Framework - Procedure.

**Approval**

This policy is approved by the CEO and the Chair.

Date ...11/10/2018.....

Review date ...12/10/2020.....

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<sup>4</sup> Section 48A of the CC Act.

Current version: 01/11/18	SECURITY CLASSIFICATION	Page 19 of 18
Next revision due: 01/03/19	<b>HARDCOPY IS UNCONTROLLED</b>	© Powerlink Queensland