

Making a complaint about a residential service

The *Residential Services (Accreditation) Act 2002* (the Act) regulates boarding house style accommodation where residents rent rooms and share facilities, such as the toilet, bathroom and kitchen. The Act also regulates the provision of a food service and personal care services, such as assisting residents with bathing, eating and taking medication.

The Act also covers situations where residents occupy self-contained units and receive a food service and/or a personal care service.

For a more complete definition of a residential service see the fact sheet 'Overview of the *Residential Services (Accreditation) Act 2002*', which is available at www.hpw.qld.gov.au under 'About us', 'Reports and Publications' and 'Fact sheets'. Or, you can download a copy of the Act from www.legislation.qld.gov.au.

The Department of Housing and Public Works (the department) administers the Act and is responsible for ensuring residential services meet required standards and operate in accordance with the Act.

The department's Residential Services Unit (the unit) registers and accredits residential services, carries out proactive compliance activities and investigates complaints.

What can I complain about?

A complaint can be made by anyone about a residential service, including aspects such as accommodation, buildings, amenities, the management, staff, food services and personal care services provided as part of the service. A complaint can also be made about suspected unregistered residential services.

What complaints does the unit not deal with?

The unit does not deal with complaints about:

- bonds, leases or general tenancy agreements, which are dealt with by the Residential Tenancies Authority (phone 1300 366 311)
- student accommodation, hotels, motels, backpackers or hostels, which may be dealt with by the local government agency in which the accommodation service is located.

If the unit is unable to investigate your complaint, you will be provided with the contact details of the relevant agency that may assist you to resolve your concerns.

How can I lodge a complaint?

You can lodge a complaint :

- in **writing** via fax, email or letter
- by **hone** on 07 3008 3450.

What sort of information would help the unit investigate my complaint?

It would be helpful if you could include:

- the name and/or address of the residential service you are complaining about
- the name of the person the complaint relates to
- a description of your complaint including times, dates, place and incidents
- any supporting documentation (e.g. photographs, drawings, letters, agreements)
- the name and contact details of any witnesses
- what action you have taken so far before contacting the unit
- the details of any other agency/organisation you have made the same complaint to and their findings and/or status of your complaint
- your contact details.

You do not need to have all of this information to lodge a complaint, but the more information that is available, the quicker the unit can begin its investigation.

How will the unit deal with my complaint?

Your complaint will be recorded with the unit and will be assessed against the compliance and enforcement framework.

Factors which may affect the investigation include:

- the nature and seriousness of the allegations
- when the incident occurred
- the level of information and supporting documents you provide
- whether the complaint falls within the unit's jurisdiction
- whether it is more appropriate for another agency to deal with the issue (e.g. local government for food hygiene).

If approved for investigation, the complaint is prioritised, according to the nature and seriousness of the incident, and assigned to an officer who will keep you informed of progress of the investigation.

The unit will need to discuss the nature of your complaint with persons that the complaint either directly, or indirectly, relates to. However, your details will only be released with your consent or if required by law.

Once the investigation has been finalised, possible outcomes include:

- taking no further action where no breach of the legislation has been identified
- where a breach has been identified, taking enforcement action, such as initiating prosecution, issuing a compliance notice, obtaining an enforceable undertaking or issuing an infringement or warning notice
- providing guidance and advice to the service provider
- seeking to rectify the matter
- referral to another agency
- undertaking a review of the service's registration and/or accreditation.

At the completion of the investigation you will be advised of the outcome by letter or in a manner you request.

More information

For more information or assistance with lodging a complaint, please contact:

Department of Housing and Public Works
Residential Services Unit

Phone: 07 3008 3450 Fax: 07 3008 5960

Email: residentialservices@hpw.qld.gov.au

Website: www.hpw.qld.gov.au

Address: GPO Box 690 Brisbane QLD 4001

A copy of the *Residential Services (Accreditation) Act 2002* can be downloaded free of charge from www.legislation.qld.gov.au or can be purchased from:

The Queensland Government Bookshop – www.bookshop.qld.gov.au

SDS Publications

Phone: 07 3883 8700 and select option 5.