

# Health Complaints Management Retention and Disposal Schedule

Responsible public authority: Health Quality and Complaints Commission

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## Scope of Retention and Disposal Schedule

This Schedule applies to health complaints management records, including confidential information relating to the independent investigation of complaints about both public and private health services and health service providers operating in Queensland.

This Schedule is to be used in conjunction with the [General Retention and Disposal Schedule for Administrative Records](#) (GRDS).

References to repealed legislation within this Schedule may be taken to be a reference to current legislation if the context permits.

The Health Quality and Complaints Commission is the responsible public authority for the *Health Complaints Management Retention and Disposal Schedule* at the time of approval of the schedule. However, in the event of an administrative change, or the transfer of a function from one public authority to another, this retention and disposal schedule will continue to apply to the records covered by the schedule. For further advice on the currency of approved retention and disposal schedules following administrative change, please contact Agency Services at Queensland State Archives on (07) 3131 7777.

## Record Formats

This Schedule applies to records created in all formats, unless otherwise specified in the class description. This includes, but is not limited to, records in business systems, maps, plans, photographs, motion picture and records created using web 2.0 media.

## Authority

Authorisation for the disposal of public records is given under s.26 of the *Public Records Act 2002* (the Act).

No further authorisation is required from the State Archivist for records disposed of under this schedule. However, the disposal of all public records must be endorsed by the public authority's Chief Executive Officer, or authorised delegate, in accordance with *Information Standard 31: Retention and Disposal of Public Records*, and recorded in the public authority's disposal log.

Public records that are not covered by an approved retention and disposal schedule cannot be disposed of by a public authority.

Disposal of public records not covered by an approved retention and disposal schedule is a contravention of s.13 of the Act.

## Revocation of previously issued disposal authorities

Any previously issued disposal authority which covers disposal classes described in this retention and disposal schedule is revoked. The Health Quality and Complaints Commission should take measures to withdraw revoked disposal authorities from circulation. This includes, but is not limited to:

- QDAN 658 v1

Public records sentenced under revoked retention and disposal schedules should be re-sentenced prior to disposal.

For further advice on the currency of approved retention and disposal schedules, please contact Agency Services at Queensland State Archives on (07) 3131777.

## Retention of records

All of the retention periods in this schedule are the minimum period for which the sentenced records must be maintained. Public records cannot be disposed of prior to the expiration of the appropriate retention period. However, there is no requirement for public records to be destroyed at the expiration of a minimum retention period.

Public records must be retained for longer if:

- i. the public record is or may be needed in evidence in a judicial proceeding, including any reasonably possible judicial proceeding
- ii. the public records may be obtained by a party to litigation under the relevant Rules of Court, whether or not the State is a party to that litigation
- iii. the public record must be retained pursuant to the *Evidence Act 1977*
- iv. there is a current disposal freeze in relation to the public record, or
- v. there is any other law or policy requiring that the public record be retained.

This list is not exhaustive.

Public records which deal with the financial, legal or proprietary rights of the State of Queensland or a State related Body or Agency regarding another legal entity and any public record which relates to the financial, legal or proprietary rights of a party other than the State are potentially within the category of public records to which particular care should be given prior to disposal.

Records which are subject to a Right to Information application are to be retained for the period specified in section 9 – INFORMATION MANAGEMENT of the [General Retention and Disposal Schedule for Administrative Records](#) in addition to their required retention period according to an approved retention and disposal schedule. The two periods run concurrently, and may result in a longer required retention period overall. This is in order to cover all appeal and review processes. Even though the records subject to an application may be ready for disposal according to an approved retention and disposal schedule at the time of the Right to Information application, the additional Right to Information retention requirements must still be applied. See section 9 – INFORMATION MANAGEMENT of the [General Retention and Disposal Schedule for Administrative Records](#) for records of Right to Information applications.

The disposal of public records should be documented in accordance with the requirements of *Information Standard 31: Retention and Disposal of Public Records*.

For further advice on the retention and disposal of public records under an approved retention and disposal schedule, please refer to the Queensland State Archives website or contact Agency Services at Queensland State Archives on 07 3131 7777.

### Records created before 1950

Records described in QDAN 658 v2 that were created before 1950 should be referred to Queensland State Archives for further appraisal before any disposal action is taken by the public authority. For further advice please refer to the Public Records Brief: *Management of Public Records Created Before 1950* which is available from the Queensland State Archives' website.

### Transfer of public records to Queensland State Archives

Records covered by a class with the disposal action of 'Retain permanently' should be transferred to Queensland State Archives with the approval of the State Archivist. Records covered by a class with the disposal action of 'Retain permanently by the Health Quality and Complaints Commission' are not eligible for transfer to Queensland State Archives unless re-appraised and assigned a disposal action of 'Retain permanently'.

Agencies are required to submit a transfer proposal containing details of the records under consideration for transfer. Queensland State Archives will assess the transfer proposal before formal approval to transfer is issued. Please refer to the Guideline on [Transferring Public Records to Queensland State Archives](#) available from the Queensland State Archives' website. The State Archivist reserves the right to revise any previous decisions made with regard to the appraisal and transfer of records. Contact Agency Services at Queensland State Archives on (07) 3131 7777 for further details.

### Revision history

QDAN	Date of approval	Extent of revision
QDAN 658 v.1	17 August 2010	Approved comprehensive schedule
QDAN 658 v.2	21 October 2013	Schedule updated to reflect procedural changes

# Contents

- 1. COMPLAINTS MANAGEMENT ..... 5**
- 1.1 COMPLAINTS ..... 5**
- 1.2 INVESTIGATIONS..... 9**
- 2. MONITORING QUALITY OF HEALTH SERVICES ..... 11**
- 2.1 MONITORING..... 11**
- 3. STAKEHOLDER ENGAGEMENT ..... 12**
- 3.1 EDUCATION AND TRAINING..... 12**
- 3.2 RESEARCH ..... 12**
- 4. CORPORATE GOVERNANCE ..... 14**
- 4.1 ADVISING THE HEALTH MINISTER ..... 14**
- 4.2 REPORTING TO HEALTH MINISTER ..... 14**
- 4.3 IMPROVING HEALTH SERVICES AND PRESERVING HEALTH RIGHTS ..... 15**

# 1. COMPLAINTS MANAGEMENT

The function of receiving and assessing complaints made to the Health Quality and Complaints Commission (HQCC) regarding public and private health services provided in Queensland in accordance with the Health Quality and Complaints Commission Act 2006 (HQCC Act). This process involves receiving expressions of dissatisfaction with health services provided in Queensland and conducting investigations in response to complaints about the quality of health services.

This function includes the complaint and investigation records created and maintained by the Health Rights Commission in accordance with the Health Rights Commission Act 1991, from 1991-2006.

Reference	Description of records	Status	Disposal action
1.1	<p><b>COMPLAINTS</b></p> <p><i>The activity of handling expressions of dissatisfaction received by the HQCC into public and private health services provided in Queensland. This also includes the activities associated with receiving, assessing and managing complaints, reviewing decisions, providing assistance to users and providers to resolve complaints and conciliating health service complaints under the HQCC Act.</i></p> <p><i>This activity includes the complaint and investigation records created and maintained by the Health Rights Commission in accordance with the Health Rights Commission Act 1991, from 1991-2006.</i></p>		
1.1.1	<p><b>Complaints – adults</b></p> <p>Records of assessment and actions taken by the HQCC to effectively resolve health service and health quality complaints relating to adults through the early resolution process. Includes complaints reviewed under the HQCC's Internal Review of Decisions Policy or external review by the Ombudsman's Office which do not result in a precedent or exceptional outcome.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• initial complaint</li> <li>• submission from providers</li> <li>• clinical opinions from both internal and external consultants</li> <li>• third party consultations</li> <li>• copies of medical records which may include x-rays or scans</li> <li>• notices to parties</li> <li>• notifications from medical boards.</li> </ul> <p><i>See reference 1.1.5 for complaint reviews that result in a precedent or exceptional outcome.</i></p>	Temporary	Retain for 25 years after last action.

Reference	Description of records	Status	Disposal action
1.1.2	<p><b>Complaints – children</b></p> <p>Records of assessment and actions taken by the HQCC to effectively resolve health service and health quality complaints relating to children under 18 years of age through the early resolution process. Includes complaints reviewed under the HQCC's Internal Review of Decisions Policy or external review by the Ombudsman's Office which do not result in a precedent or exceptional outcome.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• initial complaint</li> <li>• submission from providers</li> <li>• clinical opinions from both internal and external consultants</li> <li>• third party consultations</li> <li>• copies of medical records which may include x-rays or scans</li> <li>• notices to parties</li> <li>• notifications from medical boards.</li> </ul> <p><i>See reference 1.1.5 for complaint reviews that result in a precedent or exceptional outcome.</i></p>	Temporary	Retain for 25 years after the child has reached the age of 18 years.
1.1.3	<p><b>Conciliated complaints - adults</b></p> <p>Records of complaints relating to adults that are referred to conciliation. Includes records created during the conciliation process and reporting requirements under the HQCC Act.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• written progress reports</li> <li>• correspondence with relevant parties</li> <li>• reports on unsuccessful conciliations</li> <li>• further actions taken pursuant to HQCC Act.</li> </ul>	Temporary	Retain for 25 years after last action.
1.1.4	<p><b>Conciliated complaints - children</b></p> <p>Records of complaints relating to children that are referred to conciliation. Includes records created during the conciliation process and reporting requirements under the HQCC Act.</p>	Temporary	Retain for 25 years after the child has reached the age of 18 years.

Reference	Description of records	Status	Disposal action
	<p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• written progress reports</li> <li>• correspondence with relevant parties</li> <li>• reports on unsuccessful conciliations</li> <li>• further actions taken pursuant to HQCC Act.</li> </ul>		
1.1.5	<p><b><i>Complaint reviews – precedent or exceptional outcomes</i></b></p> <p>Records relating to reviews of a decision made by the HQCC about a complaint, requested under the HQCC's Internal Review of Decisions Policy or external review by the Ombudsman's Office which result in precedent or exceptional outcomes.</p> <p>Complaints referred to in references 1.1.6 to 1.1.9 are excluded.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• requests for review</li> <li>• new or further information pertaining to the case</li> <li>• new reports of findings and recommendations.</li> </ul>	Permanent	Retain permanently.
1.1.6	<p><b><i>Complaints declined</i></b></p> <p>Records relating to complaints received by the HQCC that do not warrant further action.</p>	Temporary	Retain for 3 years after last action.
1.1.7	<p><b><i>Complaints discontinued</i></b></p> <p>Records relating to complaints received by the HQCC that are discontinued after an investigation has commenced.</p>	Temporary	Retain for 5 years after last action.
1.1.8	<p><b><i>Complaints withdrawn</i></b></p> <p>Records relating to complaints received by the HQCC that are withdrawn by the complainant.</p>	Temporary	Retain for 2 years after last action.
1.1.9	<p><b><i>Complaints out of jurisdiction</i></b></p> <p>Records relating to complaints received that are outside the jurisdiction of the HQCC.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• referral of complaints to other agencies.</li> </ul>	Temporary	Retain for 1 year after last action.

Reference	Description of records	Status	Disposal action
1.1.10	<p><b>Enquiries</b></p> <p>Records relating to requests for information and assistance regarding complaints management.</p>	Temporary	Retain for 3 years after last action.
1.1.11	<p><b>Complaints referred by Minister</b></p> <p>Records relating to the resolution of complaints referred to the HQCC by the Minister in accordance with section 40 of the HQCC Act.</p>	Permanent	Retain permanently.
1.1.12	<p><b>Referral to other agencies</b></p> <p>Records relating to the referral of information about existing complaints to other relevant law enforcement, government agencies and/or registration boards, in accordance with sections 50, 61 (2d) and 66 of the HQCC Act.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• reports received in accordance with the HQCC Act.</li> </ul>	Temporary	Retain for 3 years after last action.
1.1.13	<p><b>Complaint summary record</b></p> <p>Data elements recorded in the Case Management System database comprising a summary of all client information held by the HQCC relating to complaint matters.</p> <p>Information to be captured includes:</p> <ul style="list-style-type: none"> <li>• case identification number</li> <li>• name of provider</li> <li>• last address of provider</li> <li>• name of client</li> <li>• last address of client</li> <li>• date of birth of client</li> <li>• date case received</li> <li>• date case closed</li> <li>• stage closed</li> <li>• condensed details of complaint.</li> </ul>	Permanent	Retain permanently.



Reference	Description of records	Status	Disposal action
1.2	<p><b>INVESTIGATIONS</b></p> <p><i>The activity of investigating complaints pursuant to powers conferred by the HQCC Act.</i></p> <p><i>This activity also includes the complaint and investigation records created and maintained by the Health Rights Commission in accordance with the Health Rights Commission Act 1991, from 1991-2006.</i></p>		
1.2.1	<p><b><i>Investigated complaints</i></b></p> <p>Records relating to complaints investigated by the HQCC in accordance with powers under the HQCC Act, excluding complaints actioned under the early resolution process. Includes referral of information about investigations to registration boards and other relevant law enforcement and/or government agencies in accordance with section 87 and 88 of the HQCC Act.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• original complaint</li> <li>• submission from providers</li> <li>• independent clinical advice</li> <li>• third party consultations</li> <li>• medical records which may include x-rays or scans</li> <li>• notices to parties</li> <li>• notifications from medical boards</li> <li>• applications for and granting of entry warrants (includes supporting documentation)</li> <li>• witness statements</li> <li>• investigative reports and recommendations</li> <li>• executive summary.</li> </ul>	Permanent	Retain permanently.
1.2.2	<p><b><i>Investigated complaints referred by parliamentary and other agencies</i></b></p> <p>Records relating to the investigation of complaints, quality of health services or systemic issues relating to health quality referred to the HQCC by the Minister under section 164 of the HQCC Act, by other agencies or under other Acts.</p>	Permanent	Retain permanently.
1.2.3	<p><b><i>Inquiries</i></b></p> <p>Inquiries undertaken by the HQCC in accordance with sections 94 and 95 of the HQCC</p>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<p>Act.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"><li>• proceedings and associated reports</li><li>• notices</li><li>• requests for information</li><li>• reports to the Health Minister</li><li>• other documentation created in compliance with the HQCC Act.</li></ul>		
1.2.4	<p><b>Reports</b></p> <p>Records of reports provided to the Health Minister about HQCC investigations.</p>	Permanent	Retain permanently.

## 2. MONITORING QUALITY OF HEALTH SERVICES

*The function of monitoring and promoting continuous improvement in health services in accordance with the HQCC Act. The HQCC develops and monitors compliance with standards for all public and private health service providers. The standards and quality unit of the HQCC also conducts research into methods of improving the quality of health services and other health service issues as required.*

Reference	Description of records	Status	Disposal action
2.1	<p><b>MONITORING</b></p> <p><i>The activity of monitoring health service providers compliance with HQCC standards. Data is collated, analysed, verified and the results are communicated to all health service providers and stakeholders for the purpose of improving the quality of health services.</i></p>		
2.1.1	<p><b>Data collection and reporting</b></p> <p>Records relating to data and information received from health service providers for the purpose of reporting on compliance with standards. Includes online database - Standards Reporting Tool (StaRT).</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• online and printed reports from StaRT.</li> </ul>	Temporary	Retain for 10 years after last action.
2.1.2	<p><b>Monitoring and recommendations</b></p> <p>Records relating to monitoring and verifying data from health service providers and recommendations by HQCC for improving the quality of health services.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• show cause notices</li> <li>• correspondence with service providers</li> <li>• records of verification visits</li> <li>• reports received from health service providers.</li> </ul>	Temporary	Retain for 10 years after last action.

### 3. STAKEHOLDER ENGAGEMENT

*The function of providing information in accordance with the HQCC Act including the provision of advocacy support, education and training. In particular, the activities the HQCC engages in including speaking, acting and writing to influence policy development and addressing equity, disability and social justice issues regarding the quality and standards of health services provided in Queensland.*

Reference	Description of records	Status	Disposal action
3.1	<p><b>EDUCATION AND TRAINING</b></p> <p><i>The activity of providing information and training to individual service providers, health service providers and individuals on their responsibilities for administering health services, including recommending ways for improving health services.</i></p>		
3.1.1	<p><b>Master copies of capacity development material</b></p> <p>Master copies of capacity development tools and materials, educational kits, newsletters and planning models or frameworks.</p>	Temporary	Retain for 10 years after last action.
3.1.2	<p><b>Development records</b></p> <p>Records relating to the development of capacity initiatives.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>circulated drafts</li> <li>research and associated correspondence.</li> </ul>	Temporary	Retain for 2 years after last action.
3.2	<p><b>RESEARCH</b></p> <p><i>The activities involved in reviewing and undertaking research into the business and functions of the HQCC, including compliance related matters, administrative improvement activities, communication activities and surveys.</i></p>		
3.2.1	<p><b>Original research - unpublished</b></p> <p>Records of original unpublished research into activities relating to the functions of the HQCC.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>research used in the development of Standards.</li> </ul>	Permanent	Retain permanently by the Health Quality and Complaints Commission.
3.2.2	<p><b>Original research – published</b></p> <p>Published records relating to original research undertaken by the HQCC, the activities relating to the functions of the organisation.</p>	Temporary	Retain for 10 years after publication.

Reference	Description of records	Status	Disposal action
	Records may include, but are not limited to: <ul style="list-style-type: none"><li>multi-media and promotional information developed or commissioned by the HQCC.</li></ul>		
3.2.3	<b><i>Reports –standards</i></b> Reports submitted to the Minister regarding failures to comply with a health standard. Records may include, but are not limited to: <ul style="list-style-type: none"><li>evidence of tabling in parliament.</li></ul>	Permanent	Retain permanently.

## 4. CORPORATE GOVERNANCE

*The function of managing, controlling and governing the HQCC to achieve a framework of reporting and compliance requirements in accordance with the HQCC Act.*

Reference	Description of records	Status	Disposal action
4.1	<p><b>ADVISING THE HEALTH MINISTER</b></p> <p><i>Activities associated with advising the Health Minister on matters relating to health services or the administration of the HQCC Act, including advertising for and nominating to the Health Minister, persons the Commission considers suitable for appointment as members of health community councils.</i></p>		
4.1.1	<p><b><i>Advice – health services</i></b></p> <p>Records of advice provided by the HQCC to the Minister about health services.</p>	Permanent	Retain permanently.
4.1.2	<p><b><i>Advice – general administration</i></b></p> <p>Records of advice provided by the HQCC to the Minister about general administration of the Act.</p>	Temporary	Retain for 5 years after last action.
4.1.3	<p><b><i>Advertising and nominations</i></b></p> <p>Records of advertising and nominations for membership to health community councils provided to the Minister including general correspondence.</p>	Temporary	Retain for 5 years after last action.
4.2	<p><b>REPORTING TO HEALTH MINISTER</b></p> <p><i>Activities associated with reporting to the Health Minister on matters relating to health services or the administration of the HQCC Act.</i></p>		
4.2.1	<p><b><i>Reports – major</i></b></p> <p>Major reports prepared by the Health Quality and Complaints Commission on matters relating to health services or the administration of the HQCC Act that adversely impact on the health and wellbeing of Queenslanders, not covered under reference 1.2.3 or 1.2.4</p> <p>Criteria for determining major reports may include, but is not limited to matters that:</p> <ul style="list-style-type: none"> <li>• are controversial</li> </ul>	Permanent	Retain permanently.

Reference	Description of records	Status	Disposal action
	<ul style="list-style-type: none"> <li>• generate public interest</li> <li>• recommend changes to policies and procedures.</li> </ul>		
4.2.2	<p><b>Reports – minor</b></p> <p>Minor reports prepared by the Health Quality and Complaints Commission about matters relating to health services or the administration of the HQCC Act that are not covered by reference 4.2.1.</p>	Temporary	Retain for 7 years after last action.
4.3	<p><b>IMPROVING HEALTH SERVICES AND PRESERVING HEALTH RIGHTS</b></p> <p><i>Activities associated with the process of promoting continuous quality improvement in health services and the Code of Health Rights and Responsibilities.</i></p>		
4.3.1	<p><b>Consultations</b></p> <p>Records associated with consulting and cooperating with other organisations, and public authorities about complaints management and standards development, including the formation of agreements for the sharing of information.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• formal agreements</li> <li>• meeting agenda, minutes and reports.</li> </ul>	Temporary	Retain for 7 years after lapsing of agreement or last action whichever is the later.