

Service Related Complaints

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CATEGORY: Information and Communication	REVIEW DATE: 30/12/2019

Policy Statement

We are committed to providing high quality seamless services to our external stakeholders which includes our customers and clients, rural and regional communities, industry participants and associations, community groups and the general public who access or are affected by the programs and services delivered by NSW Department of Industry.

This policy is an important contribution to maintaining the Department's integrity of service and reputation and ensuring the appropriate engagement and sharing of information with members of the community and our stakeholders.

The policy and associated processes incorporate and are underpinned by a suite of Complaint Handling Commitments adopted by the NSW Government which are being implemented by the Department and across the public sector. These are:

1. *Respectful Treatment*

Complainants will be treated with courtesy and respect and will not be subject to any detriment for having complained.

2. *Information and Accessibility*

Accepted complaints pathways include by email, online, in person, in writing and by telephone.

3. *Good Communication*

Information on the progress and status of complaints will be provided through acknowledging receipt of complaints, providing information about the complaints handling process, providing updates on progress regularly and information on internal and external avenues of review.

4. *Taking Ownership*

The staff who manage complaints will be appropriately trained and skilled.

5. *Timeliness*

The target timeframe to investigate and provide a response to a complaint is one month from the date of receipt and any extensions will be communicated to the recipient as soon as it becomes apparent that target time-frames won't be met.

6. *Transparency and Continuous Improvement*

Details of complaints received will be regularly reviewed and analysed to identify opportunities for improvement.

Our complaint management system thereby enables us to:

- provide easily accessible pathways to facilitate submission of complaints
- respond to issues raised by complainants in a consistent, timely and cost-effective way
- boost public confidence in our administrative process, and
- mine insights to identify quality improvements in the way we deliver services and conduct our

business

Definition

A service related complaint is an expression of dissatisfaction made to or about us, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected.

Representations concerning the adequacy and timeliness of service delivery and the level of customer service provided, including responses to queries or requests for assistance fall within this definition.

Third party reporting of concerns or suspected breaches where the Department has industry or sector compliance and regulatory responsibilities are not service related complaints as the complaint is about the conduct of others, not the service being delivered by the Department.

Similarly, feedback such as opinion or comment on the cost of products or services; regulatory or compliance requirements and processes; and, challenges to administrative outcomes or decisions are not service related complaints for the purposes of this Policy and should be addressed separately by the business area concerned.

Scope

This Policy covers all divisions and authorities within the NSW Department of Industry and should be read in conjunction with the Service Related Complaints Procedures. It provides direction on how we manage situations where a service related complaint is made by an external client and applies to all employees, committee and board members and private contractors/consultants providing services on our behalf that may receive, manage or investigate complaints.

This Policy also applies to representations made to a Minister which are referred to the Department for investigation and response.

Situations where alternative arrangements are already in place or the substance of the complaint should be, or is being, dealt with under a separate process are outside the scope of this Policy.

The service related complaint process therefore does not include:

- Grievances, concerns and issues raised by staff. These are more appropriately progressed through one or more existing processes dealing with grievances, harassment & bullying, WH&S and Public Interest Disclosures.
- Complaints involving allegations of possible corrupt or criminal behaviour. Instances of possible corruption are required to be notified and investigated in accordance with the provisions of the Independent Commission against Corruption Act 1988. Suspected criminal acts are referred to the Police.
- Representations which debate or challenge the intent or purpose of the department's policies, programs or regulatory powers.
- Matters where there is a legal remedy or formal rights of appeal or review. This includes objections and requests to review decisions where there is access to the NSW Civil & Administrative Tribunal or other legislated appeal and review rights.
- Objections or requests to review decisions made under a defined policy or process that simply challenge the outcome without any reasonable evidence the policy or process has not been properly applied. Any representations to reconsider such a decision should be managed in accordance with the review provisions of that policy or process and not as a service related complaint.

While the subject of an initial representation may not be within scope, the lack of timeliness or quality of the response may later be a legitimate cause for complaint as that relates to the service being provided in responding to those representations.

Roles and responsibilities

Customer facing staff:

Understand and comply with our complaint handling policy and procedures, including the recording of complaints and options to progress concerns through the complaints process if the issue cannot be resolved at the frontline

Managers and Directors	Manage and oversight complaint investigations and ensure staff are aware of and comply with this policy and associated procedures. Provide feedback and suggestions on process improvements.
Director Stakeholders & Strategy	Key contact for Communication & Engagement communication services including stakeholder analysis, reputational risk assessment, media and/or internal communications support.
General Counsel	Key contact for any legal assessment required.
Director Governance & Information Requests	Monitor compliance, resolution of complaints and quality of outcomes. Update policy and procedures as required to ensure they remain relevant and effective in meeting current and anticipated needs.
Deputy Secretary Corporate Service Partners	Establish and manage the complaint management system.
Secretary	Promote a culture that values customer feedback and opportunities to improve service delivery.

Privacy

Personal information that identifies individuals will only be disclosed or used in the complaints process as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

Procedures

Service Related Complaints Procedure
Unreasonable Complainant Conduct

Legislation

Privacy & Personal Information Protection Act 1998

Related policies

Code of Conduct
Privacy Management Plan

Other related documents

Australian & New Zealand Standard Guidelines for complaint handling in organisations AS/NZS 10002:2014
NSW Ombudsman publication "Effective Complaint Handling Guidelines" 2nd Edition December 2010
NSW Ombudsman publication Factsheet 8 "Handling Complaints" November 2010
NSW Ombudsman publication "Investigating Complaints – a manual for investigators" June 2004
NSW Ombudsman publication "Managing Unreasonable Complainant Conduct: Practice Manual" 2nd Edition May 2012

Superseded documents

This policy replaces:

- TI-A-134 Complaints Handling Policy

Revision history

Version	Date issued	Notes	By
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1.0	22/11/2017	Revised policy to comply with Premier's Priority 12 - Improved Customer Service	Director Governance & Information Requests
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Contact

Director Governance & Information Requests
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