



**Service
NSW**

Complaints Management

Corporate Policy

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Owner	Christine Kosorukow
Exec Owner	Laura Christie
Approver	Laura Christie
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2.0	Sept 2016	Vivian Drosinos/ Katrina Gibson	Update for typographical errors following further review of Ombudsman Model Policy
3.0	July 2017	Vivian Drosinos	Update in accordance with recommendation by auditors
4.0	April 2019	Vivian Drosinos	Annual review
5.0	October 2019	Katrina Gibson	Periodic review
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Summary

Service NSW fosters a culture that is open to complaints from customers and others. We promote and encourage complaints and respond to them fairly and promptly as we recognise that this will:

- improve service delivery and systems
- improve customer service
- strengthen relationships, and
- identify problems

The mindset of our customers who interact with us will be strongly influenced by their perception of the fairness of procedures we use to handle complaints.

This includes our interactions with customers and others who make complaints and the information we provide them about the process, progress and outcome/s of their complaint. By appropriately handling complaints about our services, products and employees and complaint handling we will be protecting our good reputation as well as promoting general trust in government.

This policy applies to all employees including contractors and enables them to understand what constitutes complaint/feedback, how we manage complaints and respond to complaints.

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1. Scope

This policy applies to all Service NSW employees receiving or managing complaints from the public made to or about us, regarding our services, employees and complaint handling.

Employee grievances, code of ethics and conduct complaints and public interest disclosures are dealt with through separate mechanisms.

2. Purpose

This policy is intended to ensure that Service NSW handles complaints fairly, efficiently and effectively.

Our complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way
- build and maintain confidence and trust in NSW public service, and
- provide information that can be used by us to deliver quality improvements in our services, employees and complaint handling.

This policy provides guidance to our employees and people who wish to make a complaint on the key principles and concepts of our complaint management system.

3. Definitions

Term	Definition
Complaint	<p>Expression of dissatisfaction made to or about us, our services, employees or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.</p> <p>A complaint covered by this Policy can be distinguished from:</p> <ul style="list-style-type: none">• employee grievances (see our Employee Grievance & Dispute Resolution Policy)• public interest disclosures made by our employees (see our Public Interest Disclosure policy)• Code of Ethics and Conduct complaints (see our Code of Ethics and Conduct)• responses to requests for feedback about the standard of our service provision (see the definition of 'feedback' below)• reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response• service requests• requests for information (see our Accessing Information webpage)• expression of concern or opinion, where a response or resolution is not explicitly or implicitly expected

Term	Definition
Complaint Management Systems	All policies, procedures, practices, employees, hardware and software used by us in the management of complaints
Customer	A customer for the purpose of this document is deemed to be either a member of the public, a business or other government agency, a Member of Parliament or a Minister.
Dispute	An unresolved complaint escalated either within or outside Service NSW
Employee	Employees, contractors, consultants, government agencies, politicians, volunteers, public officials and anyone who is engaged with Service NSW to undertake business for or with Service NSW
Feedback	Is the broad term for any customer opinions, comments or expression of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our services and products or complaints handling where a response is not explicitly or implicitly expected or legally required.
Grievance	A clear, formal written statement by an individual employee about another employee or work related incident
Internal Review	Internal review is a process that examines the decision made by the business unit. It is a basic principle of administrative law that the decisions we make in our work must be lawful and well-founded. Members of the public who are aggrieved by a decision we make can seek an internal review of that decision. To demonstrate impartiality, another officer (usually more senior) within the same agency, who was not involved in the original decision, undertakes the review.
Privacy Laws	Refers to the <i>Privacy and Personal Information Protection Act 1998</i>
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Public Interest Disclosure	A report about wrongdoing made by a public official in NSW that meets the requirements of the <i>Public Interests Disclosures Act 1994</i> .
Service Request	A service request may include routine inquiries about Service NSW's business, requests for provision of services and assistance, request for explanation of policies, procedures and decisions.

4. Key Roles and Responsibilities

Service NSW expects employees at all levels to be committed to fair, effective and efficient complaint handling. The table below outlines the nature of the commitment expected and the way the commitment is implemented:

Who	Commitment	How
Executive Leadership Team (ELT)	Promote a culture that values complaints and their effective resolution	<p>Report publicly on Service NSW's complaint handling.</p> <p>Provide adequate support and direction to key employees responsible for handling complaints.</p> <p>Regularly review reports about complaint trends and issues arising from complaints.</p> <p>Encourage all employees to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Encourage employees to make recommendations for system improvements.</p> <p>Recognise and reward good complaint handling by employees.</p> <p>Support recommendations for product, service, product, employees and complaint handling improvements arising from the analysis of complaint data</p>

Who	Commitment	How
Directors and Managers	Promote a culture that values complaints and their effective resolution and ensure this policy and associated procedures are understood and complied with.	<p>Provide regular reports to ELT on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with ELT and implemented where appropriate.</p> <p>Recruit, train and empower employees to resolve complaints promptly and in accordance with Service NSW's policies and procedures.</p> <p>Encourage employees managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as directed by management</p> <p>Encourage all employees to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</p>
Service NSW Audit and Risk Committee	Maintain oversight of Service NSW complaints management framework	Review complaints reports and provide advice to ELT on improvements to complaints management.
Privacy and Compliance Senior Advisor	Ensure that Service NSW complaints policy and framework complies with relevant legislation, regulations, standards and codes.	Review policy and procedures to ensure compliance with government policy/legislation and standards.
Customer Resolution Team	Demonstrate exemplary complaint handling practices, act as customer advocate	<p>Treat all people with respect, including people who make complaints.</p> <p>Be the customer advocate and central point of contact throughout the resolution process.</p> <p>Comply with this policy and its associated procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Provide suggestions to management on ways to improve the organisation's complaints management system.</p>

Who	Commitment	How
All staff	Understand and comply with Service NSW's complaint handling practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of Service NSW's complaint handling policies and procedures.</p> <p>Assist people who wish to make complaints access the Service NSW complaints process.</p> <p>Be alert to complaints and assist staff handling complaints resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</p>

5. Guiding Principles



5.1. Facilitate complaints

People focus

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiple and accessible ways to make complaints
- listened to, treated with respect by employees and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review

No detriment to people making complaints

People making complaints will not be adversely affected because a complaint has been made by them or on their behalf.

Anonymous complaints

We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided to enable Service NSW to action any issues arising from the complaint.

Accessibility

We will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a customer prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

No charge

Complaining to us is free.

5.2. Respond to complaints

Early resolution

Where possible, complaints will be resolved at first contact with Service NSW.

Responsiveness

We will promptly acknowledge receipt of complaints within two business days as far as practicable.

We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. As soon as an immediate risk to safety or security is identified, the matter will be escalated appropriately.

We are committed to managing people's expectations, and where appropriate will inform them during initial contact, of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint

We will advise people when we are unable to deal with any part of their complaint as soon as it has been identified and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

We will also advise people when we are unable to meet our time frames for responding to their complaint and the reason for our delay as soon as it has been identified.

Objectivity and fairness

We will address each complaint with integrity and in an equitable, objective and unbiased manner.

We will ensure that the person handling a complaint is different from any employee whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Responding flexibly

We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Confidentiality

We will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Service NSW to enable us to respond to or resolve the complaint as permitted under the relevant privacy laws.

5.3. Manage the parties to a complaint

Complaints about other agencies

Any complaint we receive regarding another Government agency will either be forwarded to that agency for their action and response or resolved directly by Service NSW.

If a complaint is referred to another agency we will notify the customer of its transfer where appropriate.

If the customer has contacted us by phone we will endeavour to transfer the call to the relevant agency, or provide that agency's contact details.

Complaints involving multiple agencies

Where a complaint involves multiple organisations, Service NSW will take the lead to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Service NSW, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our employees but also the actions of service providers.

Complaints involving multiple parties

When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.

Empowerment of employees

All employees managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Employees are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

Managing unreasonable conduct by people making complaints

We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and security of our employees, and

- our ability to allocate our resources fairly across all the complaints we receive

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our employees to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints please see the [Ombudsman's Managing unreasonable conduct by complainants Model policy 2021](#).

6. Complaint Management System



6.1. Introduction

When responding to complaints, employees should act in accordance with our complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Employees should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in our complaint management system are set out below.

6.2. Receipt of complaints

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- the contact information of the person making a complaint
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant information, and
- any additional support the person making a complaint requires

6.3. Acknowledgement of complaints

We will acknowledge receipt of each complaint promptly, and within two business days as far as practicable.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

6.4. Initial assessment and addressing of complaints

Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control. We will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- how serious, complicated or urgent the complaint is
- whether the complaint raises concerns about people's health and safety
- how the person making the complaint is being affected
- the risks involved if resolution of the complaint is delayed, and
- whether a resolution requires the involvement of other organisations

Addressing complaints

After assessing the complaint, we will consider how to manage it. To manage a complaint we may:

- give the person making a complaint information or an explanation
- gather information from the product, person or area that the complaint is about, or
- investigate the claims made in the complaint

Our priority is to respond to complaints within 20 business days unless it involves a complex matter or requires specialist investigation. In these instances the customer will be kept updated on the progress of their complaint. We will endeavour to respond to queries at the point of escalation and preferably within 72 hours.

6.5. Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, we will contact the customer making the complaint and advise them, where practical:

- the outcome of the complaint and any action we took
- the reason/s for our decision
- the remedy or resolution/s that we have proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal

If in the course of investigation, we make any adverse findings about a particular individual, we will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

6.6. Closing the complaint, record keeping, redress and review

We will keep comprehensive records about:

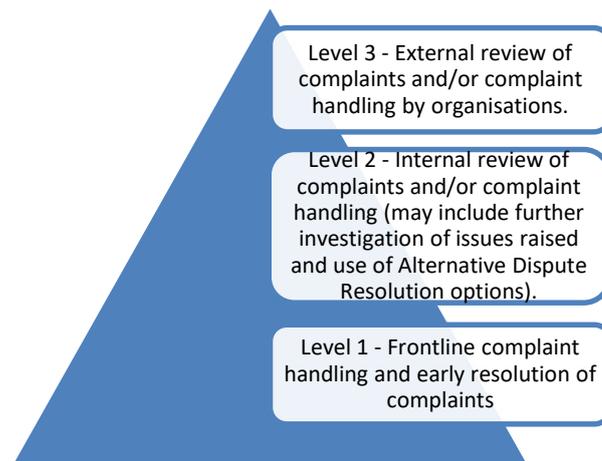
- how we managed the complaint
- the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations, and
- any outstanding actions that need to be followed up.

We will ensure that outcomes are properly implemented, monitored and reported to senior management.

6.7. Alternative avenues for dealing with complaints

We will inform people who make complaints to or about us about any internal or external review options available to them (including the Ombudsman or other oversight bodies).

6.8. The three levels of complaint handling



We aim to resolve complaints at the first point of contact, i.e. the frontline or customer resolution officer. Wherever possible employees will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, we will escalate the complaint to a more senior officer within Service NSW. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made (where a decision has been made) and/or;
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties)

Where a person making a complaint is dissatisfied with the outcome of Service NSW's review of their complaint, they may seek an external review of our decision (for example, by the Ombudsman).

7. Accountability and learning

7.1. Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- the number of complaints received
- the outcome of complaints, including matters resolved locally
- issues arising from complaints
- systemic issues identified, and
- the number of requests we receive for internal and/or external review of our complaint handling

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

The reports and their analysis will be provided to Service NSW's Chief Executive Officer and senior management for review.

7.2. Monitoring of the complaint management system

We will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

7.3. Continuous improvement

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by employees
- regularly review the complaints management system and complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system

8. References

- Service NSW Code of Ethics and Conduct
- Service NSW Grievance and Dispute Resolution Policy
- Service NSW Public Interest Disclosure Policy