

Complaint Management Model Policy for the Northern Territory Public Sector



2016

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How to use this Model Policy

This model policy is reproduced in large part from the model policy produced by the NSW Ombudsman as it appears in the NSW Ombudsman Complaints Management Framework 2015.

It is intended to be read in combination with the NT Ombudsman's Complaint Management Framework to provide guidance to agencies on the key principles and concepts of an effective and efficient complaint management system.

It is designed to be used as a guide for the development or update of agency complaint management policies.

This model policy can be used as a template and replicated or adapted by agencies in so far as it is applicable. There is also advice and guidance [marked in red text] on issues agencies may wish to consider when modifying the policy to suit their particular needs – such as details of time frames.

However, a template is only a starting point. It is important that each agency take the time and care to develop its own policy, suited to its own circumstances.

Other useful material on complaint management, including 14 Effective Complaints Management Fact Sheets, can be found in the [For agencies](#) section of the NT Ombudsman website.

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1 Introduction

1.1 Purpose

This policy is intended to ensure that we handle 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;
- boost public confidence in our administrative process; and
- provide information that can be used by us to deliver quality improvements in our services, systems, practices, procedures, products and complaint-handling.

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

1.2 Scope

This policy applies to all staff receiving or managing complaints from the public made to or about us, our services, products and/or how we handle complaints.

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

Note: Agency must amend to reflect own scope.

1.3 Organisational commitment

The (organisation name) expects staff at all levels to be committed to fair, effective and efficient complaint-handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Note: Agency must amend to reflect own arrangements.

Who	Commitment	How
(Head of organisation title)	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none">• Report publicly on (organisation name)'s complaint-handling.• Provide adequate support and direction to key staff responsible for handling complaints.• Regularly review reports about complaint trends and issues arising from complaints.• Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.• Encourage staff to make recommendations for system improvements.• Recognise and reward good complaint-handling by staff.• Support recommendations for system, service and/or product improvements arising from analysis of complaint data.

<p>Manager responsible for complaint-handling</p>	<p>Establish and manage our complaint management system.</p>	<ul style="list-style-type: none"> • Provide regular reports to (the head of the organisation) on issues arising from complaint-handling work. • Ensure recommendations arising out of complaint data analysis are canvassed with (the head of the organisation) and implemented where appropriate. • Recruit, train and empower staff to resolve complaints promptly and in accordance with policies and procedures. • Encourage staff managing complaints to provide suggestions on ways to improve the complaint management system. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. • Recognise and reward good complaint-handling by staff.
<p>Staff whose duties include complaint-handling</p>	<p>Demonstrate exemplary complaint-handling practices</p>	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Comply with complaint-handling policies and procedures. • Keep informed about best practice in complaint-handling. • Provide suggestions to management on ways to improve the complaint management system. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.
<p>All staff</p>	<p>Understand and comply with complaint-handling practices.</p>	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Be aware of complaint-handling policies and procedures. • Assist people who wish to make complaints to access the complaints process. • Be alert to complaints and assist staff handling complaints to resolve matters promptly. • Provide feedback to management on issues arising from complaints. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

2 Terms and definitions

Note: Agencies must amend the definitions below to ensure that they are relevant and accurate for them. There may also be other terms and definitions relevant for your agency that should be added.

Complaint

Expression of dissatisfaction made to or about us, our services, products and/or complaint-handling, where a response or resolution is explicitly or implicitly or legally required.

A complaint covered by this Policy can be distinguished from:

- staff grievances [see our grievance policy]
- public interest disclosures made by our staff [see our internal reporting policy]
- code of conduct complaints [see our code of conduct policy]
- 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 [see definition of a 'complaint']
- service requests [see definition of 'service request' below], and
- requests for information [see our access to information policy].

Complaint management system

All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.

Dispute

An unresolved complaint escalated either within or outside of our organisation.

Feedback

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our services, products and/or complaint-handling where a response is not explicitly or implicitly expected or legally required.

Service request

Note: The definition of a service request will vary depending on the agency's core business. However, it is likely to include:

- *requests for approval*
- *requests for action*
- *routine inquiries about the agency's business*
- *requests for the provision of services and assistance*
- *reports of failure to comply with laws regulated by the organisation*
- *requests for explanation of policies, procedures and decisions.*

Grievance

A clear, formal written statement by an individual staff member about another staff member or a work related problem.

Policy

A statement of instruction that sets out how we should fulfil our vision, mission and goals.

Procedure

A statement or instruction that sets out how our policies will be implemented and by whom.

Public interest disclosure

A disclosure about improper conduct by a public official in the Northern Territory that meets the requirements of the Public Interest Disclosure Act.

3 Guiding principles

3.1 Step 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.

We will ask people what outcome they seek from a complaint as part of our complaints processes. We will actively involve complainants in the complaints process as far as practicable and appropriate in the circumstances.

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 staff 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

We will take all reasonable steps to ensure that people making complaints are not 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 if there is enough information provided.

Visibility and transparency

We will ensure that information about how and where complaints may be made to or about us is well publicised.

Note: Information about how and where to complain should be well publicized to customers, staff and other interested parties.

Accessibility

We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person 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).

Note: A complaint management process should be easily accessible to all complainants. Information should be made available on the details of making and resolving complaints. The information should be in clear language. Information and assistance in making a complaint should be made available.

Given the diverse nature of the NT community and the remoteness of some communities, consider strategies that will promote accessibility for people who are from different cultures and/or live in remote communities i.e. how is your agency going to improve accessibility for these clients/stakeholders so they are not disadvantaged.

Some strategies that may promote accessibility for people from different cultures or who live in remote communities include information about the complaint process provided in various languages, posters, booklets and broadcast messages in various languages.

No charge

Complaining to us is free.

3.2 Step 2 - Respond to complaints

Early resolution

Where possible, complaints will be resolved at first contact.

Note: Organisations should record complaints resolved at first point of contact, the frontline. Such record keeping will add to the pool of data organisations can analyse to identify system issues and track more accurately the complaint-handling activities of staff.

Consider how your organisation will resolve complaints early on and what complainants can do to assist with this etc.

Responsiveness

We will promptly acknowledge receipt of complaints.

We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

We are committed to managing people's expectations, and will inform them as soon as possible, 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 as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

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

Notes: Receipt of each complaint should be acknowledged to the complainant immediately. Complaints should be addressed promptly in accordance with their urgency. For example, significant health and safety issues should be processed immediately. Complainants should be treated courteously and be kept informed of the progress of their complaint through the complaint-handling process.

While the response times to complaints may differ depending on organisation size, purpose and resources, organisations should deal with formal complaints promptly. Organisations should specify key performance indicators for key stages in the handling of complaints. For example, the number of days in which a complaint will be acknowledged, the number of days in which a complaint will be assessed and the period in which progress reports will be made in relation to matters not finalised within two weeks of receipt. For further guidance on this issue see the NT Ombudsman's Complaint Management Framework.

Objectivity and fairness

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

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.

Note: For helpful guidance on objectivity and fairness, see the NT Ombudsman's [Responsiveness and Fairness Fact Sheet](#) and Appendix D (Objectivity) to the Guidelines for complaint management in organizations, Australian and New Zealand Standard (AS/NZS 10002:2014) – available for purchase from Standards Australia.

Responding flexibly

Our staff are empowered to resolve complaints promptly and with as little formality as possible. 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 the (organisation name) as permitted under relevant privacy laws and secrecy provisions and subject to ethical obligations.

Note: Personally identifiable information concerning the complaint should be available where needed, but only for the purpose of addressing the complaint within the organisation and should be actively protected from disclosure where practical, unless the customer or complainant expressly consents to its disclosure.

3.3 Step 3 - Manage the parties to a complaint

Complaints involving multiple agencies

Where a complaint involves multiple organisations, we will work with the other organisation/s where possible, 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 our organisation, 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 staff but also the actions of service providers.

Complaints involving multiple parties

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

Empowerment of staff

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

Staff 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 staff, 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 staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by complainants please see (EITHER our policy on managing unreasonable conduct by people making complaints OR the resources available through the NT Ombudsman's [Unreasonable Complainant Conduct webpage](#)).

4 Complaint management system

4.1 Introduction

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

There are five key stages in our complaint management system — receipt, acknowledgement, assess and investigate, provide reasons for decision and options for redress and close complaint.

Note: In dealing with complaints, the agency should adopt a customer-focused approach, should be open to feedback including complaints, and should show commitment to resolving complaints by its action.

4.2 Receipt of complaints

We will record each complaint and its supporting information.

The record of the complaint will identify:

- *the contact information of the person making a complaint*
- *issues raised by the person making a complaint*
- *the outcome/s sought*
- *any other information required to properly respond to the matter, and*
- *any additional support the person making a complaint requires.*

4.3 Acknowledgement of complaints

We will acknowledge receipt of each complaint promptly, and preferably within (specify number) of working days.

Consideration will be given to the most appropriate medium for communicating with the person making a complaint, taking into account our business needs and their expressed views.

4.4 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.

If a matter is clearly not within our control, a statement to this effect with any suggested alternative avenues for complaint may be combined with acknowledgement.

When determining how a complaint will be managed, we will assess the issues raised against the following criteria:

- *severity*
- *complexity*
- *health and safety implications*
- *impact on the individual, the general public and/or us*
- *potential to escalate, and*
- *whether another organisation or area within our own organisation needs to be involved in the complaint resolution.*

Addressing complaints

After assessing the complaint, we will consider how to address the issue/s raised. This may include:

- *working with the person making the complaint to see how the issues can be appropriately addressed*
- *making inquiries with the person or area the subject of the complaint, and/or*
- *conducting an investigation into the issues raised in the complaint.*

We will actively communicate our progress to the person making the complaint, particularly where

progress has been delayed. Where appropriate, we will involve the complainant in the development of the resolution of their complaint, including giving them an opportunity to comment on any proposed outcome that varies from the outcome they are seeking.

Notes: One point an agency may have to consider is whether implementation of a decision that is the subject of a complaint should be put on hold until the complaint is finalised. Factors to be considered will include the impact that implementation will have on the complainant and any negative impacts on the agency or others. The agency should include information in its policy on how such a decision will be made.

There are a broad range of potential remedies that may be considered, depending on the circumstances of the case and the outcome sought by the complainant. They include providing information, providing a detailed explanation, giving an apology, reversing or altering a decision, undertaking to review or conduct a new process, providing a refund or compensation, advising a change to a policy or process as a result of the complaint.

For helpful guidance on remedies, see

- [*NT Ombudsman's Remedies Fact Sheet*](#)
- [*NSW Ombudsman's Apologies: A Practical Guide*](#)
- [*Appendices I \(Effective Apologies\) and J \(Options for Redress\) to the Guidelines for complaint management in organizations, Australian and New Zealand Standard \(AS/NZS 10002:2014\) – available for purchase from Standards Australia.*](#)

4.5 Providing reasons for decisions

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

- the outcome of the complaint and any action that was taken arising out of the complaint
- the reasons for any decisions that have been made
- any remedy or resolution that has been offered, 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 or legislation before sharing our findings with the person making the complaint and/or their representative.

4.6 Closing the complaint, record keeping, redress and review

At the time of closing the complaint, we will record the following:

- steps taken to address the complaint
- the outcome of the complaint, and
- any undertakings or follow up action required

We will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

4.7 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 any relevant Ombudsman or oversight bodies).

4.8 The three levels of complaint handling

- 3 External review of complaints and/or complaint handling.
- 2 Internal review of complaints and/or complaint handling (may include further investigation of issues raised and use of Alternative Dispute Resolution options).
- 1 Frontline complaint handling and early resolution of complaints.

Where possible, complaints will be resolved by staff at the first level, the frontline. Staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where early resolution of a complaint is not possible, however, due to the complexity of the issues raised, dissatisfaction with the complaint outcome or how the complaint was dealt with, we may decide to escalate the complaint to a more senior officer within (organisation name).

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, 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 (organisation name) review of their complaint, they may seek an external review of our decision (by the Ombudsman for example).

5 Accountability and learning

5.1 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 at the frontline
- 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.

Both reports and their analysis will be provided to the chief executive officer and senior management for review.

Note: The agency should ensure that accountability for and reporting on the actions and decisions of the agency with respect to complaints handling is clearly established.

5.2 Monitoring of the complaint management system

We will continually monitor our complaint management system to:

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

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

Note: For guidance on monitoring a complaint management system, see the NT Ombudsman's [Reviewing Internal Systems Fact Sheet](#) and Appendices M (Continual Monitoring) and N (Audit) to the Guidelines for complaint management in organizations, Australian and New Zealand Standard (AS/NZS 10002:2014) – available for purchase from Standards Australia.

5.3 Continual improvement

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

- maintain open and regular support for the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaint management system and complaints data, and
- implement appropriate system changes arising out of analysis of complaints data and continual monitoring of the system.

Note: The continual improvement of the complaint management system and the quality of products and services should be an ongoing objective of the agency.