

Complaints and Feedback Policy

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Robert Fitzgerald AM

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1. Purpose

Everybody has a right to complain. Complaints and feedback are valued by the Ageing and Disability Commission (ADC) as important ways of informing and improving our practices and services.

The ADC Complaints and Feedback Policy sets out our approach to handling complaints from members of the public. It aims to ensure that we have a consistent and transparent approach to handling complaints, and that we provide clear guidance both to people who wish to provide feedback on our practices and services, and to staff who manage complaints.

Our complaint handling system is intended to:

- ensure that we manage complaints fairly, efficiently, and effectively
- reflect the ADC's commitment to a person-centred and rights-based approach
- help staff to clearly understand their roles and responsibilities in managing and responding to complaints
- support staff to identify where assistance may be needed to submit a complaint or feedback, and act appropriately
- ensure the ADC complies with all relevant complaint handling legislative and administrative requirements
- provide information to help us improve how we work
- increase public confidence in our administrative processes.

This policy accords with the Premier's priority to improve customer service across government, and the NSW Government's effective complaint handling commitments.

2. Definitions

The table below provides a list of terms, keywords and/or abbreviations used throughout this document:

Term	Definition
Complaint	An expression of dissatisfaction made to or about us, related to our products, services, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. ¹
Complaint management system	All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, our products, services or complaint handling where a response is not explicitly or implicitly expected or legally required.
Grievance	A clear, formal written statement by an individual staff member about another staff member or a work-related problem.
Staff	All ongoing and temporary staff, staff seconded from another organisation, contractors and consultants.

¹ Australian and New Zealand Standard Guidelines for complaint management in organisations (AS/NZS 100022014)

3. Scope

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

A complaint about our office includes:

- any allegation of impropriety or misconduct by a staff member
- any clearly articulated grievance about the handling of a matter, our policies, procedures or service.

Examples of possible complaints about our office are:

- delay
- rudeness
- inaccurate information being included in a publication
- conflict of interest or bias
- failing to follow up or do something that was promised.

A complaint is not:

- a disagreement about an assessment of facts
- a disagreement about an evaluation of evidence
- a staff grievance
- a public interest disclosure, or
- a request for a review of a decision.

Staff grievances, public interest disclosures and requests for a review of a decision are dealt with through separate mechanisms.

This policy does not apply to Official Community Visitors (OCVs). Complaints about OCVs are handled under the *Complaints about Official Community Visitors Policy*.

4. Guiding principles

4.1 Respectful treatment

We will:

- treat all complainants with courtesy and respect
- handle the complaint in a fair, objective and unbiased manner
- ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about
- protect the identity of people making complaints where this is practical and appropriate.
- ensure that personal information that identifies individuals will only be disclosed or used by the ADC as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations
- ensure no unfair treatment comes from making a complaint or providing feedback.

4.2 Information and accessibility

We will:

- make it easy for people to give us feedback and make a complaint
- ensure people have multiple and accessible ways to make a complaint
- assist complainants to make a complaint and participate in the complaints process
- adopt a flexible approach to problem solving, and resolve complaints with as little formality as possible.
- if the complainant wishes, communicate with them through their nominated representative (another person or organisation) in relation to their complaint. Anyone may represent a person wishing to make a complaint, with their consent.

4.3 Good communication

We will:

- promptly acknowledge receipt of feedback or a complaint
- keep people (or their representative) informed about the status of their complaint, including the progress or any delays in resolving the complaint
- 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).

4.4 Taking ownership

We will:

- ensure that each complaint will be handled by trained and skilled staff
- let the complainant know who will be dealing with their matter.

4.5 Timeliness

We will:

- resolve complaints at the first point of contact with the ADC, where possible
- 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
- deal with complaints in a timely manner – we aim to acknowledge feedback and complaints within two business days, and to resolve the complaint within 20 business days
- ensure timeframes are clear, and match the differing levels of seriousness, urgency and complexity

4.6 Transparency

We will:

- let complainants know the reasons for our decisions and where they can have their complaint, or our decision, reviewed
- inform our complainants or their representatives of the appeal process if they are not satisfied with the decision made by the ADC on their complaint
- record and analyse information on our complaint handling processes to help improve our practices and services.

5. Complaint management system

5.1 Receiving and acknowledging complaints

A complaint can be made via phone, video, post, email, via our online enquiry form, or in person. We will provide assistance to make a complaint when needed, such as assistance with writing the complaint.

We will accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will assign a unique identifier to the complaint. 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
- any additional support the person making a complaint requires.

We will acknowledge receipt of each complaint within two working days. We will make any necessary adjustments to support the communication needs of the person making the complaint.

5.2 Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issues raised in the complaint are within our control. We will also consider the outcome(s) sought by the person making a complaint.

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
- whether a resolution requires the involvement of other organisations.

5.3 Managing 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, or where appropriate an apology
- gather information from the product, person or area the complaint is about, or
- investigate the claims made in the complaint.

We will keep the person making the complaint up-to-date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and take into account any statutory requirements.

5.4 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 of the outcome of the complaint, the reasons for our decision, and the action we propose to take to remedy any issues.

We will advise complainants of the option of an internal review, and any other alternative avenues that may be available to them.

If, in the course of an investigation, we make any adverse findings about an individual, we will consider privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before deciding on the level of information we are able to provide to the person making the complaint.

5.5 Closing the complaint and record keeping

We will keep comprehensive records about the substance of the complaint, how we managed it, the outcome and reasons for the decision, and any action taken.

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

5.6 The three levels of complaint handling

We aim to resolve complaints at the first level, the frontline.

Where this is not possible, we will escalate the complaint to a more senior officer within the ADC. The 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 the ADC's handling of their complaint, they may make a complaint to the NSW Ombudsman. The NSW Ombudsman handles complaints about the conduct of NSW public sector agencies, including the ADC.

5.7 Analysis of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis. We will run regular reports on complaints data, including issues arising from complaints, and any systemic issues identified.

Regular analysis of these reports will be undertaken to monitor trends and make improvements to how we work. Reports and their analysis will be provided to the Commissioner and senior management for review.

5.8 Monitoring and continuous improvement of the complaint management system

We will monitor our complaint management system to ensure that it is effective in responding to and resolving complaints, and to ensure it is accessible to anyone needing assistance to make a complaint.

We will implement appropriate system changes arising out of our analysis of complaints data, and implement any improvements in accessibility for people who require assistance.

6. Roles and responsibilities of staff when handling complaints

We expect staff at all levels to be committed to fair, effective and efficient complaint handling.

6.1 Commissioner

- promote a culture that values complaints and their effective resolution
- implement and maintain policy and procedures in order to maintain an effective complaint and feedback management system
- report publicly on the ADC's complaint handling, including the number of complaints received about us in our Annual Report
- regularly review reports about complaint trends and issues arising from complaints
- encourage staff to make recommendations for system improvements
- support recommendations for complaint handling improvements arising from the analysis of complaint data
- implement changes arising from individual complaints and from the analysis and evaluation of complaint data.

6.2 Director, Operations

- implement and maintain a regular reporting process to identify significant complaints and systemic issues, and improvement opportunities
- regularly review reports about complaint trends and issues arising from complaints
- provide adequate support and direction to staff responsible for handling complaints
- encourage staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly
- ensures information about our internal complaints system is available publicly
- implement changes arising from individual complaints and from the analysis and evaluation of complaint data.

6.3 Managers

- responsible for keeping central records of complaints and compliments for their respective teams and for ensuring that complaints about their teams are responded to appropriately
- provide complaints data for the ADC Annual Report
- provide regular reports to senior management on issues arising from complaints
- recruit, train and empower staff to resolve complaints promptly and in accordance with our policies and procedures
- encourage staff managing complaints to provide suggestions on ways to improve our complaint management system

- implement changes arising from individual complaints and from the analysis and evaluation of complaint data.

6.4 ADC staff

- treat people with respect, including people who make complaints
- assist people to make a complaint when needed
- be culturally aware when dealing with customers from various cultural backgrounds
- be alert to complaints and resolve matters promptly
- be aware of and comply with this policy and its associated procedures
- provide feedback to management on issues arising from complaints
- report on complaint data as required by management
- provide suggestions to management on ways to improve the ADC's complaint management system
- implement changes arising from individual complaints and from the analysis of complaint data, as directed by management.