

# External Complaints Handling Policy

## 1. Policy Statement

### Introduction

UrbanGrowth NSW Development Corporation (**UGDC**) is committed to providing services of the highest quality. Key to meeting this commitment is using feedback from those who use or are affected by UGDC's services as opportunities to improve the quality of the services provided. Feedback can be in the form of a complaint, a compliment or a suggestion.

From time to time UGDC receives complaints and allegations about the decisions and actions of members of staff or practices, policies and procedures of UGDC. Regardless of how the dissatisfaction may be expressed, it is a complaint that needs to be attended to.

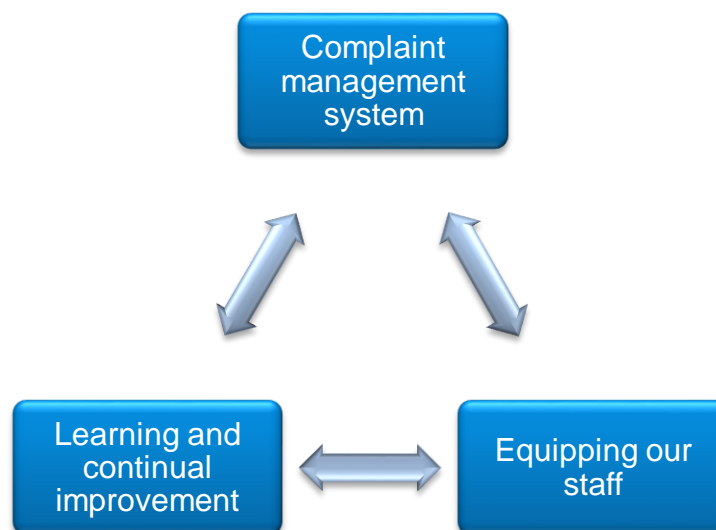
This Policy outlines how a complaint from a member of the public (also called a complainant in this document) will be addressed by UGDC fairly, efficiently and effectively.

The Policy should be read in conjunction with the External Complaints Handling Procedure and supporting templates.

### A Wholistic Approach

UGDC has a three-pronged approach to ensure effective complaint handling framework, based on a wholistic view to improvement:

- **Complaint management system:** a system that enables UGDC to respond to complaints promptly and fairly including UGDC complaints internet portal, policy which is publicly accessible, advising staff to treat all people making complaints with respect.
- **Complaint handling staff:** ensure staff are equipped to handle complaints, including training, supervision and feedback.
- **Learning from complaints:** fostering a culture of learning from complaints and an appreciation that complaints are a valuable source of feedback.



## Organisational commitment

In handling external complaints, UGDC is committed to:

<b>Respectful Treatment</b>	Ensuring complaints are handled in a manner which is fair, courteous and respectful of privacy.  To the best of our ability, ensuring that the complainant receives no detriment to themselves for making a complaint.  Staff who have been the subject of a complaint should be consulted and respected during the complaint handling process.  Acting professionally with honesty, consistency and impartiality.  Managing all conflicts or perceived conflicts of interest in accordance with UGDC procedures and the Code of Conduct.
<b>Information and Accessibility</b>	Making it easy and accessible for persons to make a complaint.  Having Interpreter and other services to assist persons making a complaint.  Providing public access to this Policy and other information.
<b>Good Communication</b>	Keeping the complainant informed including acknowledging receipt of a complaint received within 3 days and providing updates at regular intervals.  Providing information about the outcome of a complaint to the complainant.  Providing information about all other avenues where a complaint can be taken.
<b>Taking Ownership</b>	Providing guidance for UGDC employees who may be required to receive and/or address external complaints.  Ensuring all employees are aware of their responsibilities regarding handling external complaints.
<b>Timeliness</b>	Aiming to deal with a complaint as soon as possible.  Adopting the Tiered approach to managing complaints.
<b>Transparency</b>	Providing transparency to enable public scrutiny  Ensuring that reasons are provided for decisions made in relation to any external complaint received.  Keeping accurate records.

## 2. Who does this policy apply to

This Policy is applicable to all staff including:

- All UGDC employees (ongoing, temporary and casual and those on secondment to UGDC);
- contractors and agency staff engaged to perform work for, or on behalf of, UGDC,

who may receive or manage complaints from the public made to or about us, regarding our services, staff and complaint handling.

It applies to complaints relating to UGDC and its services. This includes, for example, complaints about:

- decisions made by employees of UGDC;
- the conduct of UGDC employees, including the quality of service provided; and
- practices, policies and procedures of UGDC (includes those internal to UGDC only).

Complaints from employees of UGDC of their representatives are to be dealt with in accordance with the other UGDC policies and procedures for its staff.

### 3. Key Responsibilities

UGDC expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitments outlined above and how these relate to the key responsibilities of UGDC staff.

Who	What	How
CEO and senior executives	Promote a culture that values complaints and their effective resolution	<p>Report publicly on UGDC’s complaint handling.</p> <p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about complaint trends and issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints. Assist those responsible to resolve them promptly.</p> <p>Encourage staff to make recommendations for system improvements.</p> <p>Recognise and reward good complaint handling by staff.</p> <p>Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.</p>
Staff whose duties include responsibilities for the complaint management system	Establish and manage our complaint management system	<p>Provide regular reports to the CEO on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with the CEO and implemented where appropriate.</p> <p>Recruit, train and empower staff to resolve complaints promptly and in accordance with UGDC’s policies and procedures.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve the organisation’s complaint management system.</p> <p>Encourage all staff to be alert to complaints. Assist those responsible to resolve them promptly.</p> <p>Recognise and reward good complaint handling by staff.</p>
Persons responsible for handling specific complaints	Demonstrate exemplary complaint handling practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Offer assistance (such as interpretation services) when required to those making a complaint.</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	What	How
		Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
All staff	Understand and comply with UGDC's complaint handling practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of UGDC's complaint handling policies and procedures.</p> <p>Assist people who wish to make complaints access UGDC's complaints process.</p> <p>Be alert to complaints. Assist staff handling complaints to 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>

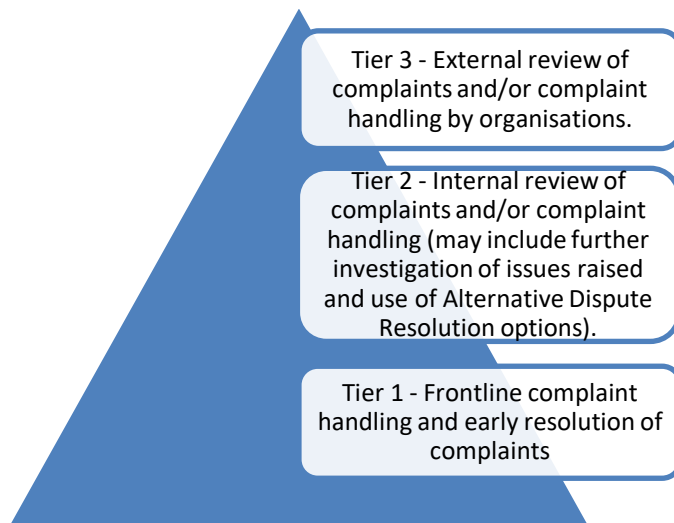
#### 4. Definitions

**A complaint** is any verbal or written expression of dissatisfaction by any person or group external to UGDC about UGDC, its standard of service, decisions, policies, procedures, practices, costs or the behaviour of its employees, where a response or resolution is explicitly or implicitly expected or legally required. Complaints not covered by this Policy are:

- those relating to policies or decisions made by the Premier, Ministers or other political office-holders and decisions made by Courts or Tribunals;
- internal complaints from UGDC employees or their representatives, which are dealt with under UGDC's Grievance Resolution Policy and Procedure;
- Public Interest Disclosures: a report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*. These are dealt with under UGDC's Public Interest Disclosures Policy and Procedure;
- staff misconduct including allegations of fraud and corruption that are not Public Interest Disclosures (refer to UGDC Breach of Code of Conduct including Misconduct Procedure);
- responses to requests for feedback about the standard of our service provision;
- service requests; includes requests for approval, action, service or assistance; routine inquiry; explanation of policy, procedures or decisions;
- request for information.

#### 5. Key information about how UGDC handles complaints

##### Three Tiered approach to complaint handling



The NSW Ombudsman has provided a model approach to complaint handling which consists of three Tiers. The Tiered approach is designed to lead to fast and effective resolution of complaints at the earliest opportunity. The aim is to promote complainant satisfaction and ensure the most efficient use of resources.

This Tiered approach to complaint handling has been adopted within UGDC and is described in more detail in the procedures.

We aim to resolve complaints at the **first Tier**, the frontline. Wherever possible, staff will be adequately equipped to respond to complaints; including being given appropriate authority, training and supervision.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within UGDC. This **second Tier** 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).

The **third Tier** is when an external investigation is instigated.

#### Circumstances when UGDC may not action a complaint

UGDC may choose not to accept or action complaints relating to matters that are very old, which have been previously dealt with or finalised, are outside its jurisdiction or which are vexatious or frivolous.

#### Key Steps in handling an external complaint



#### Facilitating 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 from feedback or complaints will be dealt with within the time frame set out in the procedures.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiples 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 that people may want to make an anonymous complaint. If a complainant chooses not to identify themselves or provide contact details it may make it difficult for UGDC to investigate the issues.

### **Accessibility**

We will ensure that information about how and 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).

### **Keeping accurate records of complaints**

As well as UGDC's obligations under the *State Records Act 1998*, keeping accurate records enables a complaint to be reviewed efficiently. It also means UGDC has reliable data about complaints, which can be used to improve services.

### **Using complaint data to improve services and inform planning**

A key function of any complaints process is to help identify areas that need improvement. Careful analysis of complaint sources and trends will assist decisions about planning and resourcing those improvements.

## **Responding to complaints**

### **Early resolution**

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

### **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 timeframes for responding to their complaint and the reason for our delay.

### **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 staff member 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**

UGDC 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.

In addition to staff members' obligations under the *Privacy and Personal Information Protection Act 1998*, staff must respect requests from a complainant for a complaint to be handled confidentially or anonymously.

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

## **Managing 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.

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 will arrange 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 people making complaints please see the *Ombudsman's Managing Unreasonable Conduct Model Policy 2012*.

### **Security and confidentiality of information**

When addressing complaints staff should remain aware they are subject to the UGDC Code of Conduct at all times and must not discuss any information of a confidential nature including the Cabinet process or information or any other sensitive NSW government information that is not in the public arena.

### **Public Reporting on UGDC's external complaint handling**

Senior management provide reports to the CEO on issues arising from complaint handling work, as necessary.

### **Contact Details of External Investigative Authorities**

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

Despite the Tiered approach, a complainant has the right at any time to escalate his or her complaint to an agency that is external to UGDC.

The contact details for external review mechanisms or to seek advice from are listed below.

#### **NSW Ombudsman**

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Facsimile: 02 9283 2911

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

Address: Level 24, 580 George Street, Sydney NSW 2000

#### **Independent Commission Against Corruption (ICAC)**

Phone: 02 8281 5999

Toll free: 1800 463 909

Facsimile: 02 9264 5364

Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)

Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)

Address: Level 21, 133 Castlereagh Street,  
Sydney NSW 2000

#### **Anti-Discrimination Board of NSW**

Postal Address: PO Box A2122, Sydney South NSW 1235

Fax: (02) 9268 5500

Street address: Level 4, 175 Castlereagh Street, Sydney NSW 2000

Email: [complaintsabd@agd.nsw.gov.au](mailto:complaintsabd@agd.nsw.gov.au)



## Policy Control

Policy information	
Policy approver	Chief Executive Officer
Policy owner name	Head of Public Affairs and Engagement
Policy delegate name/s	Head of Public Affairs and Engagement
Policy version number	1.0
Policy version date	31 August 2017
Policy review cycle	2 years
Next policy review date	August 2019
Policy location	Internal use only

Linked artefacts	
Linked documents	Code of Conduct Public Interest Disclosure Policy External Complaints Handling Procedure
Linked legislation	<i>Privacy and Personal Information Protection Act 1998</i> <i>Government Information (Public Access) Act 2009</i> <i>State Records Act 1998</i>
Linked risks	Reputational Regulatory

Revision history			
Version	Approval date	Author	Description
1.0		Legal	New Policy