

# Complaints management (policy & procedure)

## Objective

The purpose of this policy and procedure is to establish an accessible, responsive and timely system for dealing with customer complaints to the Crime and Corruption Commission (CCC) in accordance with the requirements of section 219A of the [Public Service Act 2008](#), and to outline the procedure for dealing with service delivery complaints.

## Definitions

Complaint service review	a review of a CCC decision with respect to the assessment of a complaint concerning suspected corruption
Customer complaint	a complaint about the service or action of the CCC, or a commission officer, by a person who is directly affected by the service or action – these include: <ul style="list-style-type: none"> <li>• service delivery complaints</li> <li>• complaint service reviews</li> <li>• complaints referred to the CCC by the Parliamentary Crime and Corruption Committee (CCC)</li> <li>• procurement complaints</li> <li>• internal and external reviews of right to information and information privacy decisions</li> </ul>
Executive manager	as defined in the <a href="#">Human Resource Decision Making Framework</a>
Improper conduct	has the meaning conferred by section 329 of the <a href="#">Crime and Corruption Act 2001</a> (the Act)
Public interest disclosure	has the meaning conferred by the <a href="#">Public Interest Disclosure Act 2010</a>
Serious complaint	a service delivery complaint that is significant or complex, with a medium to high level of risk to the complainant or the CCC (e.g. significant delays, challenge to conduct or competency of commission officer)
Service delivery complaint	a customer complaint about any aspect of the CCC's services (e.g. complaints about delays, communication or responsiveness)
Straightforward complaint	a service delivery complaint that is likely to have minimal risk or detriment to the complainant or the CCC (e.g. minor delays, incorrectly addressed correspondence)
Subject officer	a commission officer against whom a service delivery complaint is made

## Application

This policy and procedure applies to all commission officers.

## Policy statement

The CCC is committed to delivering high quality services that respond to the community's needs.

The CCC's complaints management system is governed by the following principles:

- complaints are best handled promptly and close to the source, where practical
- complaints must be handled objectively and confidentially, and complainants must not suffer any reprisals from making a complaint
- complaints must be handled fairly, reasonably and in a timely manner
- complainants must be treated with respect and be provided with clear explanations of the CCC's decisions and actions
- where relevant, complaints will inform the continuous improvement of the CCC's policies, procedures and practices.

The CCC's complaints management system is a broad system for managing various types of complaints against commission officers. The CCC has legislative obligations when it comes to dealing with some types of complaints (e.g. improper conduct) and has established separate policies and procedures for dealing with these, including some that might otherwise be deemed customer complaints (see table below).

Table 1: Complaint types and related CCC policies

Complaint type	Relevant policy or procedure
Complaint service reviews in relation to the way the CCC deals with corruption complaints	<a href="#">Complaint service reviews policy and procedure</a>
Improper conduct	<a href="#">Protocols governing the reporting of improper conduct complaints against officers of the CCC</a>
Internal complaints	<a href="#">Management and resolution of complaints made by CCC officers</a>
Public interest disclosures	<a href="#">Management of internal public interest disclosures policy and procedure</a>

All other service delivery complaints will be dealt with under the following procedure. The procedure also details how the CCC will meet its reporting obligations for all customer complaints, including complaint services reviews.

## Procedure

### Receipt of service delivery complaints

The CCC will publish information about how to lodge a service delivery complaint on its website. Complaints, including anonymous complaints, may be received:

- by phone
- by email
- in writing via the online [Contact form](#) or by way of the [Service delivery complaint form](#).

Complaints may also be referred to the CCC by the Parliamentary Crime and Corruption Committee (PCCC).

### **Time limits**

A service delivery complaint must be made no later than one year after the client was notified or became aware of the decision or action of the commission officer. Complaints outside this time period will only be accepted if the CCC considers that exceptional circumstances warrant consideration of the complaint.

### **Unreasonable complaints**

The CCC may refuse to investigate a complaint if it is considered to be abusive, trivial, unreasonable, misleading or untrue, or where the complainant refuses to cooperate with the CCC's efforts to investigate. If such a complaint is refused, the complainant must be advised in writing, including reasons for the refusal.

### **Straightforward complaints**

Straightforward complaints are more likely to be made informally (e.g. on the phone), and to be made directly to the subject officer.

If the complaint is made directly to the subject officer, that officer should attempt to resolve it informally with the complainant at the time of the complaint, or within two business days if it cannot be resolved immediately. See Attachment A for guidance on resolving complaints made by phone.

The complaint should be referred to the subject officer's supervisor if:

- the complainant requests that someone else deal with the complaint
- the subject officer feels unable to deal with the complaint fairly
- the problem is outside the authority or area of expertise of the subject officer
- the complaint is from a public sector agency or a Member of Parliament
- the complainant is still dissatisfied after attempts to resolve the complaint informally.

If the complaint is made to another commission officer, that officer should refer it to the subject officer in the first instance.

If a straightforward complaint is resolved satisfactorily, details should be forwarded to the subject officer's supervisor for recording in the business area complaints register as 'no further action required'.

### **Serious complaints**

Serious complaints are more likely to be made formally (e.g. in writing), and are to be immediately referred to the subject officer's supervisor, regardless of whether they are received by the subject officer or another commission officer.

The supervisor is to:

- consider responding to the complainant informally by phone in the first instance, and confirming the discussion in writing
- acknowledge the complaint in writing within two days of receipt
- seek advice from their Executive Director/Director, if required
- review or investigate the matters raised in the complaint

- provide a written response to the complainant, addressing the issues raised and advising of the outcome of the complaint, within 14 days of receipt. If any delay in meeting this time frame is expected, the complainant should be advised.

If the supervisor considers that the complaint raises a reasonable suspicion of improper conduct, it must be referred immediately to the Chief Executive Officer for appropriate action under the [\*Protocols governing the reporting of improper conduct complaints against officers of the CCC\*](#).

Serious complaints must be formally recorded in the business area complaints register, including details of any action or resolution.

### **Outcome of complaint**

Possible outcomes of a service delivery complaint include:

- an apology where it is found that the subject officer was at fault
- an explanation of the reasons for any decision or action
- remedial action
- expediting the work on a matter that has been subject to delay
- training for the subject officer
- no further action (e.g. complaint unsubstantiated).

A complainant may withdraw their complaint at any time, preferably in writing; however, the CCC may still investigate or take action, depending on the nature of the issue and the possibility of it recurring.

### **Review of complaint decision**

Where a complaint cannot be resolved, or where the complainant advises that they are dissatisfied with the decision made and requests a review, the complaint may be referred to the Executive Director, Strategy and Corporate Services. The Executive Director, Strategy and Corporate Services may undertake a review of the complaint, or ask an Executive manager to conduct the review.

The Executive Director, Strategy and Corporate Services may refer the complaint to a delegate other than an Executive manager if it is deemed for reasons of seniority or sensitivity that an Executive manager is not appropriate to deal with the complaint. If a delegate is determined to be a more appropriate choice than an Executive manager, the Executive Director, Strategy and Corporate Services is to record the reasons on the complaint file for allocating the complaint to a delegate.

The review officer must:

- have the appropriate authority to consider the review
- be senior to the officer who made the original decision about the complaint
- not have been directly involved in the original complaint process.

Where the complainant has requested the review, the review officer must ensure an acknowledgement letter is forwarded to the complainant within 14 days of receipt of the review request.

The review officer may seek information or advice from any source, including the complainant, and should ensure the subject officer is provided with an opportunity to provide their version of events.

The review officer is to prepare a written report on the outcome of the review, including findings and recommendations, and advise the complainant in writing of the review decision.

## Recordkeeping

Each business unit must ensure complaint records are created and maintained in accordance with the CCC's [Records management framework](#). This includes any correspondence, forms and investigation notes.

## Complaints registers

Each business area must maintain a complaints register for all service delivery complaints received. The Executive Assistant to the Chairperson maintains a register of all complaints referred by the PCCC.

The registers will include the following details:

- date the complaint was received
- name of complainant (if known)
- type of complaint
- investigating officer and business unit
- outcome of complaint
- any action recommended to address systemic issues
- whether the client was satisfied with the outcome, or whether a review was requested.

## Annual reporting of customer complaints

By 31 July each year, each executive manager must provide information on all customer complaints received within their area of responsibility during the previous financial year to Corporate Governance, including:

- service delivery complaints
- complaints referred to the CCC by the PCCC
- complaint service reviews
- procurement complaints
- internal and external reviews of right to information and information privacy decisions.

Corporate Governance will collate this information for the Executive Director, Strategy and Corporate Services prior to the publication of statistics.

## Publication of statistics

By 30 September each year, the CCC must publish details about the following customer complaints on its website.

The report on the website must show:

- the number of customer complaints made to it during the previous financial year
- the number of those complaints resulting in further action
- the number of those complaints resulting in no further action.

## Legislative references

[Crime and Corruption Act 2001](#)

[Public Interest Disclosure Act 2010](#)

[Public Service Act 2008](#)

## Other references

[Complaint service reviews policy and procedure](#)

[Financial management delegations](#)

[Management and resolution of complaints made by CCC officers](#)

[Management of internal public interest disclosures policy and procedure](#)

[Procurement complaints procedure](#)

[Protocols governing the reporting of improper conduct complaints against officers of the CCC](#)

[Records management framework](#)

## Review triggers

This policy and procedure will remain in effect until updated, superseded or declared obsolete. It will be reviewed one year from the date of initial approval, and afterwards every two years, unless triggered before this period has expired by changes in legislation or government policy affecting the policy and procedure.

## Metadata

Policy owner/point of contact:	Manager, Corporate Governance
Approver's position:	Executive Director, Strategy and Corporate Services
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## **Attachment A**

When attempting to resolve a straightforward complaint on the phone, commission officers should:

- actively listen and respond in a positive and objective way
- be polite and courteous
- try to understand the complaint and ask questions to clarify and confirm the issues (e.g. summarise the main points made and ask whether you have it right)
- gather all relevant information about what's involved and the requested outcome
- provide information that will assist the complainant to better understand the matter
- advise the complainant about the complaints process and indicative timeframes.