



# Customer service complaints

## 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.

## Application

This policy and procedure applies to all commission officers.

## Relevant legislation

[Crime and Corruption Act 2001](#)

[Public Interest Disclosure Act 2010](#)

[Public Service Act 2008](#)

## 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 (PCCC)</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 <i>Human Resource Decision Making Framework</i>
Human rights complaint	a complaint about an alleged contravention of section 58(1) of <i>Human Rights Act</i> by a public entity in relation to an act or decision of the public entity.

Improper conduct	has the meaning conferred by section 329(4) 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

## 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).

Complaint type	Relevant policy or procedure
Complaint service reviews in relation to the way the CCC deals with corruption complaints	<i>Complaint service reviews policy and procedure</i>
Human rights complaint	<i>Human rights policy and procedure</i>



Improper conduct	<i>Protocols governing the reporting of improper conduct complaints against officers of the CCC</i>
Internal complaints	<i>Complaints against commission officers policy and procedure</i>
Public interest disclosures	<a href="#"><u>Public interest disclosures against commission officers policy and procedure</u></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).

### Improper conduct assessment

Each complaint received is first assessed to determine whether it raises a suspicion of improper conduct. If it raises a suspicion of improper conduct, it is referred to the appropriate officer (generally the Chief Executive Officer) to assess and take action in accordance with the *Protocols governing the reporting of improper conduct complaints against officers of the CCC*.

If the complaint does not raise a suspicion of improper conduct, then it is further dealt with under this policy.

### Straightforward complaints

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. 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'.

So as to avoid unnecessary delay and bureaucracy, the receiving officer should nevertheless seek to resolve a straightforward complaint directly in the first instance if that is possible.



## Serious complaints

Serious complaints are to be immediately referred to the subject officer's manager, regardless of whether they are received by the subject officer or another commission officer.

The manager 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 business days of receipt
- seek advice from their Senior Executive Officer/General Manager/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 **10 business 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 Protocol.

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

## Unreasonable complaints

The CCC may refuse to investigate a complaint if it is considered to be vexatious, 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.

An assessment as to whether a complaint is to be refused on this basis is to be made by a decision-maker at an Executive Director level or above, in the subject officer's line of reporting.

An officer receiving a complaint about their own conduct, which they consider to be vexatious, trivial, unreasonable, misleading, or untrue the receiving officer should nevertheless refer it to their manager to escalate to an appropriate decision-maker. It is not for the subject officer of the complaint to make a determination about whether their own conduct was improper, or whether an allegation about their conduct is true or untrue. If the officer believes the allegation to be untrue or without foundation, that should be set out in the report, including the reasons as to why.

## 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.



## Timeframes

A written response is to be provided to the complainant within 10 business days of receipt. If there is to be any delay in meeting this timeframe, the complainant is to be advised. Delay in meeting this timeframe does not amount to improper conduct, but unreasonable or unexplained delays may be.

## 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 should be referred to the Executive Director, Corporate Services. The Executive Director, Corporate Services may undertake a review of the complaint, or ask an Executive Manager to conduct the review.

The Executive Director, 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, 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 **10 business 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

The CCC has a centralised recording system for customer service complaints on a complaints register.

All external complaints within the scope of this policy and procedure are to be recorded on the *Customer Service Complaints* register.

The register will include the following information:

- date the complaint was received
- name of complainant (if known)
- type of complaint (including Human Rights complaints)
- 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
- finalisation date.



## **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.

## **Related documents**

*Complaint service reviews policy and procedure*

*Financial Delegations*

*Human rights policy and procedure*

*Complaints against commission officers policy and procedure*

[Public interest disclosures against commission officers policy and procedure](#)

*Protocols governing the reporting of improper conduct complaints against officers of the CCC*

*Records management framework*

