



Government of **Western Australia**
Department of **Environment and Conservation**

General Complaints Handling Guide

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Introduction

Customers have the right to complain. An open and accessible process for handling complaints is important. A positive attitude as well as a standard process for complaint management will assist in increasing customer satisfaction.

It is the aim of the Department of Environment and Conservation (DEC) to promote the highest level of service to our customers and the community. DEC endeavours to ensure all complaints are resolved satisfactorily and in a timely manner.

The purpose of this guide is to provide DEC staff with a clear process for recording the resolution of general complaints. A consistent method of complaint handling will also enable the Department to monitor and report on complaints so as to improve the quality of services DEC provides to our customers.

Scope and Definition

This handling guide is for all DEC staff receiving, handling or investigating general complaints received by the Department.

General complaints relate to the way the Department carries out its roles, or provides its services/ products to the community and are complaints made about the Department and/or its staff by external parties. Attachment A provides a detailed definition of what a general complaint is within DEC.

Regulatory complaints about potential breaches of legislation administered by DEC are excluded from the scope of this handling guide. DEC staff must refer to the Regulatory Function Complaints Policy for further information.

Overview

This General Complaints Handling Guide and its processes are based on effective complaint handling recommendations made in the Australian Standard *Customer satisfaction – Guidelines for complaints handling in organizations* AS ISO 10002 – 2006.

This Handling Guide is also in accordance with the principles of the Public Sector Commissioner's Circular *Complaints Management 2009-27* which requires all agencies to have:

1. in place a general complaints management system that conforms to the principles of the Australian Standard on General Complaints Handling (AS ISO 10002); and
2. a direct link on the front page of their website to information assisting people to make a complaint about the agency; and
3. a process in place to refer people to appropriate external bodies such as the Ombudsman, where general complaints remain unresolved at the agency level.

Accordingly, DEC undertakes to comply with the above by:

1. having a direct link on the front page of its website to information assisting people to make a complaint about DEC, so that making a complaint is visible and accessible to all;
2. investigating and reviewing general complaints free of charge; in total confidence; in a fair and objective manner; and using a customer focused approach; and
3. demonstrating accountability and commitment to a quality complaint handling process by recording the receipt, investigation and outcomes of all general complaints in one central registry (Inf0Base); reporting on the performance of DEC's complaint handling process; and continually improve the process and products/services of the Department by the monitoring and analysis of complaint statistics.

Verbal Complaints

Definition

Verbal complaints are those received in person by a DEC Officer (the Receiving Officer). They can include receipt by phone, over the counter, or in the course of an officer's normal activities whilst dealing with the public.

Responding to a Verbal Complaint

Tips for the Receiving Officer

Listen to the customer courteously. Allow the complainant to be heard.

Make the complainant feel understood and respected - repeat your understanding of the problem back to the customer to check you have understood.

If the complaint is unclear, ask what it is they want to happen or have done.

A comment should be sufficiently clear and specific to be treated as a complaint. Comments may not be positive towards DEC but do not necessarily require being recorded as a general complaint.

Identify whether the complaint is a general complaint or regulatory complaint – refer to Attachment A for definition. If it is a general complaint, follow the appropriate process below. If it is a regulatory complaint, refer to the Regulatory Function Complaints process for further information.

Process

Receiving Officer

1. Review the general complaint in light of its nature, its urgency, significance to DEC and any need for immediate action.
2. If the complaint is minor and can be resolved by the Receiving Officer, keep full details using a General Complaint Lodgement Form available at <http://www.dec.wa.gov.au/content/view/6640/1563/> and save to the appropriate subject file within Inf0Base. No General Complaint file divider will be needed for a resolved verbal complaint. Thank the complainant for drawing our attention to the matter. The Receiving Officer should notify the appropriate DEC officer of the complaint.
3. If the complaint cannot be resolved and is not a priority, keep full details using a General Complaint Lodgement Form. Locate the appropriate Inf0Base subject file and create a General Complaint file divider. Register all complaint documents as incoming correspondence to the General Complaint file divider. Forward the complaint to the Designated Manager. Refer to the Inf0Base Help cards for instructions http://intranet/csd/cis/Pages/Inf0Base_help_cards.aspx. An Inf0Base reference or copy of the document can also be emailed directly from Inf0Base before the complaint documentation is forwarded to the Designated Manager.
4. If the complaint cannot be resolved and is deemed a priority, promptly contact the appropriate Designated Manager or representative, as immediate action may be required. Then follow Step 3 above.
5. The Receiving Officer should advise the complainant that the complaint will be forwarded to the relevant DEC officer who will contact them shortly. Also reassure the complainant that their complaint will be addressed in a timely and confidential manner and thank the complainant for drawing our attention to the matter.

Important Notes:

- A General Complaint Lodgement Form can be forwarded to the complainant for them to complete, if required.
- All unresolved verbal complaints must be recorded using a General Complaint Lodgement Form and be saved to a General Complaint file divider in Inf0Base. Please refer to Section 3 Written Complaints.

Written Complaints

Definition

Written complaints are those received by a DEC Officer (the Receiving Officer) by letter, facsimile, email, internet or a completed General Complaint Lodgement Form.

Process

Receiving Officer

1. Ensure the complaint is date stamped with the date the Department received it.
2. Search InfoBase to ascertain whether the complaint has been previously lodged.
 - i. If not, locate the appropriate InfoBase subject file and create a General Complaint file divider. Register all complaint documents as incoming correspondence to the General Complaint file divider. If a priority complaint, refer to Step 3 below. Forward the complaint to the Designated Manager. An InfoBase reference or copy of the document can also be emailed directly from InfoBase.

Important Note: Office of the Director General (ODG) or Ministerial Liaison Unit (MLU) staff – general complaints handled by the ODG or MLU are subject to their timelines and procedures and are registered using a DG or Ministerial file divider. A General Complaint file divider is not required. However ODG and MLU staff must ensure that the “complaints” field within the DG or Ministerial file divider is completed, so they are identified as complaints and are included in general complaint statistics and reports.

- ii. If yes, register the documentation against the existing General Complaint file divider and notify the Designated Manager or Investigation Officer before forwarding the documentation.
3. If the complaint is deemed a priority, the Designated Manager or representative must also be promptly contacted, as immediate action may be required. An InfoBase reference or copy of the document can be emailed directly from InfoBase.
4. If there is no access to InfoBase, there is no capacity to record or manage the general complaint using this handling guide. In such instances please complete a General Complaint Lodgement Form available at <http://www.dec.wa.gov.au/content/view/6640/1563/> and forward all documentation to the Designated Manager for processing, with a copy emailed to General.Complaints@dec.wa.gov.au . However, it is still essential that full and accurate records are kept of the complaint and its investigation on an appropriate corporate physical file.

Important Note:

- Refer to InfoBase Help cards 'Navigating the Find Objects window' ; 'General Complaint File Dividers' and 'Registering an Existing Electronic Document' for instructions on how to locate the appropriate subject file and register a general complaint in InfoBase http://intranet/csd/cis/Pages/InfoBase_help_cards.aspx . CIS is also available for InfoBase access or additional assistance.

Designated Manager

1. The Designated Manager is the Branch/Section Manager or Regional Manager (for Tier 1 complaint), the appropriate Divisional Director (for Tier 2 complaint) or the appropriate Deputy Director General (for Tier 3 or Tier 4 complaint).
2. Upon receipt of a general complaint, the Designated Manager will appoint an Investigation Officer who has the necessary experience and/or seniority to review the complaint. Documentation is then handed over to the Investigation Officer.
3. Monitors the Investigation Officer's compliance with key milestones/performance indicators according to designated timeframes.
4. Makes the decision, in consultation with other senior DEC staff, to close a complaint if it is considered vexatious.

Investigation Officer

When an Investigation Officer is assigned a general complaint by the Designated Manager, they must:

1. Immediately proceed with their investigation in a fair and objective manner, and ensure the complaint is treated in a confidential manner.
2. Search Inf0Base for the relevant General Complaint file divider. Update the Inf0Base General Complaint file divider metadata as required.

Important Notes:

- If the Receiving Officer has not been able to register the complaint within Inf0Base, a General Complaint file divider needs to be created and the relevant complaint documentation electronically saved to the file divider.
- For easy access the General Complaint file divider can be aliased to the Investigation Officer's Handy folder in Inf0Base.

Refer to the Inf0Base Help cards http://intranet/csd/cis/Pages/Inf0Base_help_cards.aspx CIS is also available for Inf0Base access or additional assistance.

3. Ensure all documentation relating to the complaint is registered to the General Complaint file divider.

Important Notes:

- Registration within Inf0Base is achieved by creating a General Complaint file divider and then electronically saving the relevant complaint or appeal documentation to the file divider. However, if the ODG or MLU is handling the complaint, the DG file divider or Ministerial file divider is used instead.
 - If the complaint is confidential or of a sensitive nature, contact CIS to ensure appropriate restrictions are placed in Inf0Base.
 - If the complaint has been forwarded from CIS, it will already be registered – refer to the Complaint Number written on the front cover of the documents.
4. Ensure related General Complaint file dividers are linked in Inf0Base.

Refer to Inf0Base Help Card http://intranet/csd/cis/Pages/Inf0Base_help_cards.aspx

Contact CIS for Inf0Base access or additional assistance.

5. Verify the general complaint is within DEC's jurisdiction.

If the complaint is outside DEC's jurisdiction, immediately advise the complainant in writing that DEC will refer their complaint to the relevant agency. Forward the complaint onto the relevant agency and close the complaint by registering all corporate records against the General Complaint file divider; updating the file dividers metadata to reflect that it is outside DEC's jurisdiction and record the decision date and add any relevant information to the Additional Information field. Also ensure the file divider is on the relevant subject file within Inf0Base. File hardcopies of records onto the physical file. The complaint is then closed.

6. Send an acknowledgment letter within the required timeframe.

If the complaint is within DEC's jurisdiction, the Investigation Officer needs to send an acknowledgment letter to the complainant within 5 working days of the complaint being received by the Department. This is a Key Performance Indicator – see Point 10.

The acknowledgment letter should quote the Inf0Base Complaint Number; state the date the complaint was received; the nature of the complaint; any remedial actions requested; provide an outline of anticipated steps and timelines, along with the name and contact details of the Investigation Officer.

Ensure all documentation relating to the complaint is registered to the General Complaint file divider and its metadata updated.

7. Communicate with the Complainant.

Additional update letters and/or phone calls should occur, so the complainant remains updated throughout the investigation. An advice letter can be sent to the complainant within 14 working days, or as directed by the Designated Manager.

All documentation to the complainant should quote the Inf0Base Complaint Number and provide either

- i. an update on the status of the complaint; request any additional information required and negotiate an extended timeframe for completion of the investigation (if required), or
- ii. convey DEC's determination (if possible).

Important Note: All communications with the complainant need registration within Inf0Base.

8. Advise DEC's decision in writing within the required timeframe.

General complaint classifications are based on a 4 tier model determining the appropriate DEC response deadlines.

- i. Tier 1 – are general complaints received by DEC and must be processed by the Branch/Section within 45 working days from receipt of the complaint to DEC. If deemed a priority, timeframes are determined by the Designated Manager.
- ii. Tier 2 – for appeals received by DEC and must be processed at a divisional level within 20 working days from receipt of the appeal, or as determined by the Designated Manager (whichever is the earliest).
- iii. Tier 3 – for appeals received by DEC and must be processed at an agency wide level within 20 working days from receipt of the appeal, or as determined by the Designated Manager (whichever is the earliest).
- iv. Tier 4 – if a complaint remains unresolved at Tier 3, the complainant must be referred to the appropriate external review body.

DEC's decision letter should include information relevant to the complaint; adequate reasons for any decision made; any remedial offers; any changes that have resulted from the complaint; an apology where appropriate; appeal options if appropriate and advice that the complaint is being closed.

This is a Key Performance Indicator – see Point 10.

Important Note: If a decision is not possible at this point in time, the Investigation Officer is to provide the complainant with a status update letter; liaise with the complainant for an extended deadline and provide DEC's decision and proposed remedial action as soon as possible after the 45 working day deadline.

Ensure all documentation relating to the complaint is registered to the General Complaint file divider.

9. Close the Complaint.

Resolved Complaints

If the complainant is satisfied with DEC's decision and any proposed remedial action, close off the complaint by registering all records to the General Complaint file divider; update the appropriate Inf0Base metadata fields; check the file divider is against the appropriate Inf0Base subject file and file hard copies to the appropriate physical corporate file.

Unresolved Complaints

After negotiations if a complainant remains dissatisfied with DEC's decision and/or a proposed remedial action, the Investigation Officer is to advise the complainant in writing on DEC's appeal process or referral to the appropriate external body before closing off the complaint – refer to the above paragraph.

This is a Key Performance Indicator – see Point 10.

Important Note: Upon receipt of an appeal a new General Complaint file divider is required. Link to the initial complaint.

10. Key Performance Indicators.

It is important that the Investigation Officer keeps Inf0Base updated as the investigation progresses and

- i. Updates any appropriate metadata fields on the General Complaint file divider (or DG file divider or Ministerial file divider – whichever is appropriate) when a Key Performance Indicator has been met.
- ii. Electronically registers all records, including letters, emails, file notes of conversations and any other records, onto the appropriate General Complaint file divider as they occur.

Important Note: Signed letters must be scanned as a PDF and registered to the General Complaint file divider.

- iii. File any hard copies of records onto the corporate physical file ensuring the General Complaint file divider number is included on all hard copies.

Other Roles and Responsibilities

DEC General Complaints Coordinator

1. The Manager, Corporate Information Services (or CIS Project Officers) provide guidance to DEC staff regarding registering, updating and closing general complaints within Inf0Base.
2. Analyses general complaints received, in order to identify any trends and reoccurring issues.
3. Manager, Corporate Information Services will provide monthly statistics on the number of general complaints received to the Director, Corporate Services.
4. Assists with the Annual Report submission on the operation of the complaint system against the agreed performance indicators. At a minimum this reporting should include, the number of complaints received; amount of time taken to resolve the complaints and service improvements made as a result of the complaints received.
5. Reviews the General Complaints process annually.

DEFINITIONS

“Complaint” means:

A complaint is an expression of dissatisfaction or concern made to the Department by, or on behalf of, an individual customer (including government agencies), group or member of the public, and can be made in person, by phone, fax, email, and internet or in writing.

A general complaint relates to

- The way the Department carries out its roles, or provides its services or products to the community, and are
- Complaints made about the Department and/or its staff (and not complaints made to the Department regarding potential breaches of regulations) by external parties.

Regulatory complaints concerning potential breaches of legislation administered by DEC or information identifying poor environmental or conservation practices are excluded from the scope of this General Complaints Handling Guide and associated Policy. Potential breaches of legislation include:- Conservation and Land Management Act 1984; Swan and Canning Rivers Management Act 2006; Sandalwood Act 1929; Wildlife Conservation Act 1950; Contaminated Sites Act 2003; Environmental Protection Act 1986; Litter Act 1979; Waste Avoidance and Resource Recovery Act 2007.

Regulatory complaints are those handled by the Incidents and Complaints Management System ICMS and the Investigation and Breach Information System IBIS.

Refer to the Regulatory Function Complaints Policy for further information.

General complaints received by the Conservation Commission of Western Australia; Marine Parks and Reserves Authority; the Office of the Environmental Protection Authority; the Swan River Trust and the Forest Products Commission are also excluded from the scope of this General Complaints Handling Guide and associated Policy.

Examples of a general complaint would include complaints against the Department's:

1. Systems, policies, procedures or protocols including the Department's complaints handling process.
2. Departmental processes such as licence applications and include complaints about how a decision was made; delays in making a decision; incorrect decisions; unfair decisions; breaches of privacy and/or confidentiality; incorrect or misleading advice.
3. Departmental representatives' (DEC officers, volunteers) actions and behaviour (complaint must be made by non-Departmental staff member). This includes staff behaviour (eg rude or aggressive) and campsite host behaviour.
Complaints of misconduct or corrupt behaviour should be reported to the Manager People Services or the Manager Office of the Director General for advice.
4. Customer Service - delay or failure to i) act ii) respond to correspondence iii) return phone calls and the general administration of a service. It also includes complaints about lack of clarity in responses, lack of communication per prescribed burns, insufficient feedback to unsuccessful licence applicants etc.

Customer Service refers to the quality of the service provided.

5. Provision and maintenance of infrastructure and/or park visitor sites. This includes roads not properly maintained in national parks; signs not updated on walking tracks; property maintenance issues.
6. Fire Management – complaints made to the Department about fire management activities, e.g. smoke from DEC prescribed burns affecting people's comfort or health.

7. Complaints regarding tender processes.
8. Miscellaneous – complaints about 3rd parties, which are outside the scope of the Department's jurisdiction. Generally these will be acknowledged, and then referred to the appropriate external body.

Not included in the scope of this General Complaints Handling Policy:

Freedom of Information – Freedom of Information requests and appeals (as lodged with the Office of the Information Commissioner) are managed through the FOI process.

Environmental complaints - managed through the ICMS and are regulatory complaints.

Wildlife complaints – possible breaches of wildlife offences under the Wildlife Conservation Act 1950 or other legislation administered by DEC are managed through IBIS.

Staff complaints – complaints by Departmental staff about other Departmental staff should be processed using the Grievance Resolution Procedure.

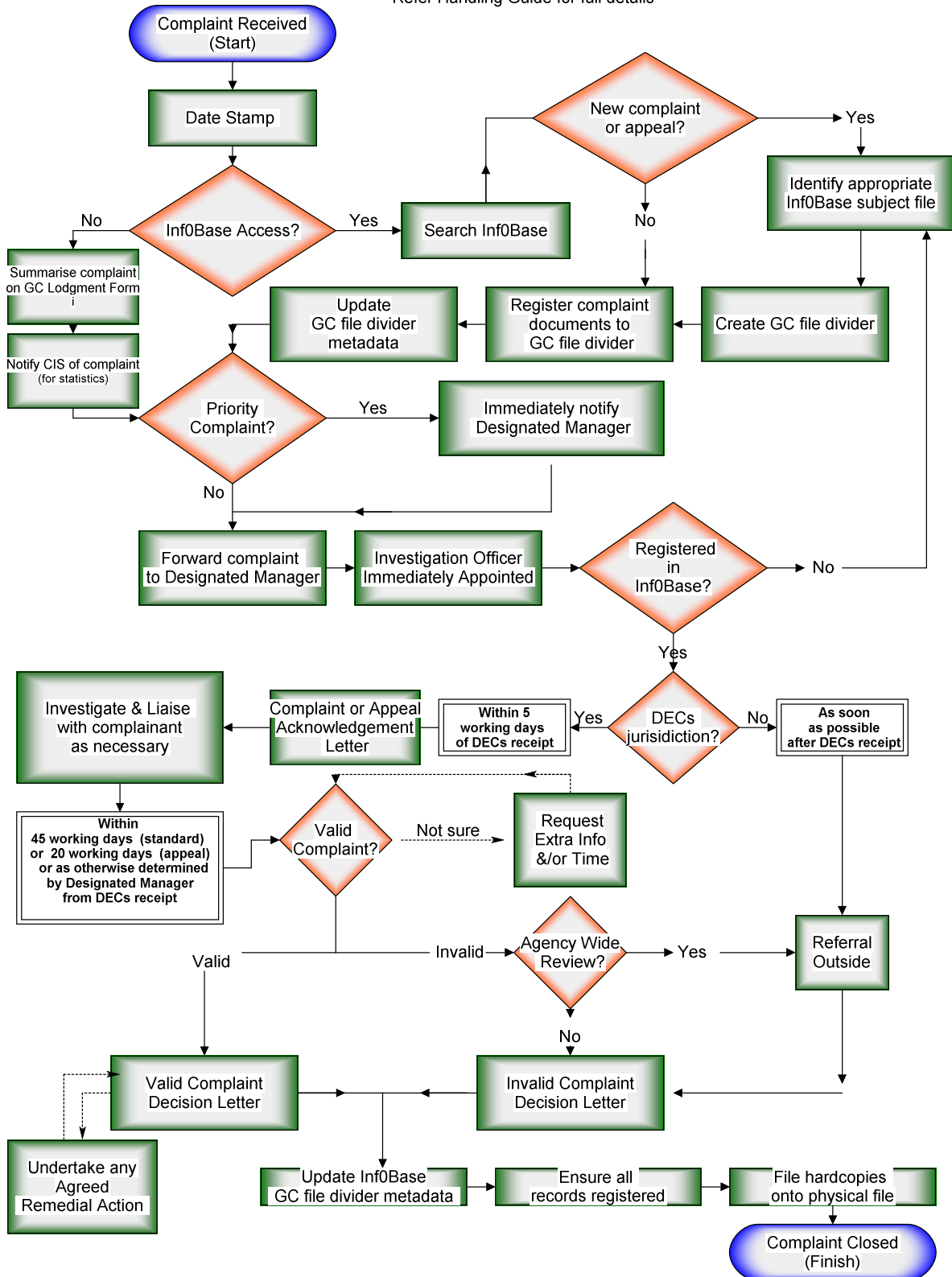
Customer Accidents/Incidents – visitor risk management should be recorded on Incident Report forms and reported to the Risk Management Section.

Criminal and Corrupt Behaviour – allegations about misconduct or corrupt behaviour should be reported to the Manager People Services or the Manager Office of the Director General for advice.

External Parties to the Department – complaints made to the Department about third parties, outside DEC's jurisdiction. Usually these types of complaints will be acknowledged, and then referred to the appropriate external body.

Complaints Referred Outside – any complaints or disputes referred outside the Department for resolution will be by nature, outside the scope of this General Complaints Policy and associated General Complaints Handling Guide.

Simplified Flowchart
 Written General Complaint
 Non ODG or MLU correspondence
 Refer Handling Guide for full details



FOUR TIER MODEL – General Complaints
 Refer to the Handling Guide for full details.

