

BETTER PRACTICE GUIDE TO
COMPLAINT HANDLING

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Foreword

The office of Commonwealth Ombudsman published its *Good Practice Guide for Effective Complaint Handling* in 1997. The purpose of that initial guide was to address the failure of most Australian government agencies to establish an effective internal complaint handling mechanism.

Substantial change has occurred since then. Agencies now accept that complaint handling is a predictable and necessary part of program and service delivery. Errors, misunderstandings, client dissatisfaction and unexpected problems occur in all administrative systems. Complaint handling can be effective in resolving a problem before it becomes worse, providing a remedy to a client who has suffered disadvantage, and nurturing good relations between government agencies and the public.

Complaints also provide agencies with information about program weaknesses and service delivery faults. Good administration involves regular review of existing programs, and the lessons learnt from complaints can feed into that process.

Acceptance of these points is reflected in the well-developed complaint handling systems that now operate in Australian government agencies. This *Better Practice Guide to Complaint Handling* builds on that extensive network by defining the essential principles for effective complaint handling. The guide can be used by agencies when developing a complaint handling system or when evaluating or monitoring an existing system. Above all, the purpose of this guide is to stress the importance of complaint handling as a means of improving government and its responsiveness to the public.

The guide is supplemented by fact sheets published by the Ombudsman's office that deal with selected aspects of complaint handling. We welcome discussion with agencies and the public about best practice in complaint handling.

Prof. John McMillan
Commonwealth Ombudsman

Introduction

This *Better Practice Guide to Complaint Handling* describes five elements of effective complaint handling:

- *Culture*. Agencies must value complaints as a means of strengthening their administration and improving their relations with the public.
- *Principles*. An effective complaint handling system must be modelled on the principles of fairness, accessibility, responsiveness, efficiency and integration.
- *People*. Complaint handling staff must be skilled and professional.
- *Process*. The seven stages of complaint handling—acknowledgment, assessment, planning, investigation, response, review, and consideration of systemic issues—should be clearly outlined.
- *Analysis*. Information about complaints should be examined as part of a continuous process of organisational review and improvement.

A strong complaint handling system is built on all five elements. A good system managed by skilled staff will be less effective if an agency's culture is antagonistic towards complainants. A defective system can hamper the work of a committed agency with skilled staff. Staff who lack the skill and commitment to handle complaints properly can undermine a system that is otherwise ideal.

The five elements of effective complaint handling are briefly outlined in this introduction. They are discussed in detail in later sections. The guide concludes with a summary of the main points.

ELEMENT 1—CULTURE

An agency must value complaints and recognise that effective complaint handling will benefit its reputation and administration. Complaints can:

- highlight weaknesses in an agency's programs, policies and service delivery
- stimulate an agency to improve its business.

Good complaint handling will:

- reassure clients that the agency is committed to resolving problems, improving relations and building loyalty
- improve the agency's accountability and transparency.

ELEMENT 2—PRINCIPLES

A complaint handling system must be modelled on principles of fairness, accessibility, responsiveness and efficiency. Complaint handling must also be integrated with the core business of the agency and, where appropriate, with that of other agencies.

ELEMENT 3—PEOPLE

The staff who handle complaints must be skilled in their role and have a positive attitude when dealing with complainants. They should be chosen for that function and be fully trained in the work of the agency and in exemplary complaint handling practices. They should receive effective supervision and regular feedback about their work.

ELEMENT 4—PROCESS

The following seven stages in complaint handling should be described in internal procedures:

- A complaint should be acknowledged promptly.
- The complaint should be assessed and assigned priority.
- If investigation is required, it should be planned.
- The investigation should resolve factual issues and consider options for complaint resolution.
- The response to the complainant should be clear and informative.
- If the complainant is not satisfied with the response, internal review of the decision should be offered and information about external review options should be provided.
- Any systemic issues that arise as a result of the complaint should be considered and acted on.

ELEMENT 5—ANALYSIS

Information about complaints can provide an insight into an agency's programs and services that are not working as well as they might. It can be used to improve client service by:

- highlighting service failings that need to be remedied
- revealing problems and trends that can be acted on by management.

All agencies should set both qualitative and quantitative measures for assessing their complaint handling. There should be regular reporting to the agency executive about the subject matter of complaints, how the complaints have been managed, and the steps taken to resolve systemic problems.

THE AUDIENCE FOR THIS GUIDE

This guide is for executives, managers and complaint handling staff in public sector agencies. Private sector organisations might also find it useful, particularly if they are contracted by government to provide services to the public. The guide is broadly consistent with Australian Standard AS ISO 10002-2006, 'Customer Satisfaction—guidelines for complaints handling in organizations'.

Australian Government agencies that provide services directly to the public are required by the Client Service Charter Principles to develop a service charter that acknowledges a client's right to complain and that contains information about the complaint process. The current revised principles were issued by the Special Minister of State in 2000. Since 2001 responsibility for service charters has rested with the Australian Public Service Commission.

TERMINOLOGY

Agencies refer to members of the public to whom they provide services in various ways, such as 'customers', 'clients' or 'citizens'. This guide uses the term 'clients' or 'complainants' to encompass such terms.

Element 1—Culture

Does your agency value complaints?

An agency that cares about its clients and its reputation will be committed to good complaint handling. It will have a culture that recognises the value of complaints and that requires all staff to be committed to effective complaint resolution.

1.1 THE VALUE OF COMPLAINTS

Effective complaint handling offers many practical benefits. Complaints deliver direct information from clients about faulty decisions, poor service delivery and defective programs. Agencies should use this information in several ways:

- *To provide a suitable remedy to a complainant*
A person who has been disadvantaged by poor administrative practice should be given a remedy that will deal fully and finally with the problem.
- *To maintain good relations with the public and build clients' loyalty*
Public support should be important to all agencies—even when they are the sole providers of a service. Improved client support will be reflected in better interaction between the agency and its clients.
- *To evaluate and improve programs and services*
Complaints should be used to repair weaknesses in an agency. They can strengthen an agency by highlighting areas for improvement in its services and programs.
- *To inform decision making about future service delivery*
Agencies need to think ahead. They need to develop and implement new programs in accordance with government policy and offer different services. Complaints help an agency see what is needed and how to make systems work more effectively. Complaint information is a valuable resource for evaluating possible strengths and weaknesses in new programs and services.

Complaint analysis should be part of the continuous cycle of review and improvement in an agency.

1.2 COMMITMENT

Staff commitment at all levels in an agency is essential to effective complaint handling. The following table sets out the nature of the commitment expected from staff and the way that commitment should be implemented.

Who?	Their commitment	How?
Head and executive of the agency	Make complaint handling a priority for the agency.	• Include complaint handling standards in the agency's service charter, business plans and service standards. • Report publicly on complaint handling in annual reports and other high-level corporate documents. • Receive regular internal reports on the quality and timeliness of complaint handling. • Use complaint information in program review and service delivery.
Managers responsible for complaint handling	Establish and manage an effective, professional complaint handling system.	• Recruit suitable staff. • Provide comprehensive training to complaint handling staff. • Properly manage and support complaint handling staff. • Promote strong internal networks to enable complaint handling staff to work with and be supported by other staff. • Provide regular reports to other areas of the agency on issues arising from complaint handling work.
Complaint handling staff	Display exemplary practice in handling complaints.	• Behave professionally when dealing with clients. • Know complaint handling procedures well. • Comply with internal policies. • Keep informed about the agency's work and developments in programs and services. • Maintain interest in best practice in complaint handling.

Who?	Their commitment	How?
Other staff	Know about and be responsive to the agency's complaint system.	• Be aware of the agency's complaint handling policies and procedures. • Help clients gain access to the complaints process. • Help complaint handling staff resolve problems. • Help complaint handling staff understand the agency's business. • Respond to systemic issues that arise as a result of individual complaints.

1.3 MANAGEMENT RESPONSIBILITY

A senior manager should be responsible for managing the complaint handling system. This person's responsibilities should include the following:

- *Promoting a positive culture*
The complaint manager should be the internal 'face' of the complaint handling team and should promote a positive culture that values complaint handling. They should be the complaint 'champion', ensuring that the agency remains focused on having a strong, integrated complaint system.
- *Integrating complaint information*
The complaint manager should be consulted when the agency is evaluating its existing systems, implementing new processes or extending its existing business. Complaint information should be an integral resource for all business analysis.
- *Following up*
The complaint manager should bring systemic issues and weaknesses that are identified through the complaint system to the attention of a governance committee, such as the audit committee or executive team. The complaint manager should have direct access to other senior managers.
- *Keeping informed*
The complaint manager must keep up to date with best practice, regularly review the agency's complaint handling system and participate in complaint handling forums.

1.4 RESOURCES

A complaint handling system must be properly staffed and resourced. The agency must have enough staff to enable it to comply with its own timeliness standards for complaint handling. Line area managers should also ensure that their staff give appropriate priority to helping complaint handling staff investigate and resolve complaints. The agency must be able to provide a high-quality service to clients. No matter whether staff are engaged full or part time in complaint handling, this work should be a distinct responsibility that is reflected in the agency's staffing formula.

Unless complaints are few in number, there must be an electronic system for entering, tracking and monitoring complaints and for analysing complaint data. The system should incorporate the following features:

- simple data entry
- the ability to search across various fields, such as
 - the complainant's name—to track the progress of an individual complaint
 - the staff member's name—to conduct quality assurance reviews
 - the type of problem—to identify emerging trends and ensure consistency in how the agency responds to complaints
 - the location of the problem—to highlight regional or institutional trends in complaints and how they are handled
 - the time taken to resolve the complaint—to monitor timeliness and efficiency
- regular reporting, to prompt the agency to monitor trends and quickly identify and respond to new challenges
- simple access by all staff involved in complaint handling
- compliance with the agency's recordkeeping practices
- compliance with any legislation that regulates how the agency is to make, record and notify decisions or resolve complaints, as well as with information privacy principles.

Element 2—Principles

What principles underlie your complaint handling system?

There are many models for effective complaint handling, and the choice of model must be suited to the work, structure and size of an agency and the needs of its clients. For example, some organisations successfully use a centralised complaint system, while others decentralise or outsource the function. Or there may be separate units for different functions—such as handling complaints from members of parliament or complaints about a particular program area.

Whatever the model, five fundamental principles must be observed:

- fairness
- accessibility
- responsiveness
- efficiency
- integration.

2.1 FAIRNESS

A complainant must be treated fairly. It should be recognised that there is often a power imbalance between them and the agency they are complaining about. Fairness rests on three qualities—impartiality, confidentiality and transparency.

Impartiality

Impartial investigation is vital to the credibility and success of a complaint handling system.

Complaint handling staff should not be defensive about their agency or its staff. Nor should a complainant be obliged to prove they are right or the agency is wrong. A complaint should be treated on its merits, with an open mind and without prejudice arising from any previous contact between the complainant and the agency.

There should be a full and objective evaluation of the facts or evidence provided in support of a complaint. Contrary evidence provided by agency staff should not be given added weight or be presumed to be correct. If one version of events is preferred over another, there should be a good reason for this. Complaint handling staff should also be

encouraged to disclose to their supervisors any matters that might affect, or could be seen to affect, their handling of the complaint—such as a close relationship with the complainant or some other personal interest in the complaint.

Special care may be needed in responding to someone who has complained on numerous previous occasions. A temptation that should be resisted is assuming that a new complaint lacks credibility if similar complaints have been dismissed in the past. Any fresh complaint should be treated on its merits.

A complaint about a staff member should be investigated by a different person in the agency. The views of the staff member concerned will be relevant, but to avoid any perception of bias a different person should be chosen to handle the complaint. There should be a clear policy on the independent investigation of complaints against complaint handling staff.

Complaint material published by an agency should include a statement of guarantee that a complainant will not be victimised or suffer negative treatment because they have made a complaint. In business dealings with clients, staff should be instructed not to be influenced by the fact that a person has lodged a complaint on another occasion.

Confidentiality

Clients have a right to expect that their privacy will be respected and their complaint will be investigated in private.

Information privacy principles spelt out in privacy legislation, such as the *Privacy Act 1988* (Cth) should be observed when collecting, storing, using and disclosing personal information obtained in complaint handling. This usually means that complaint information should be stored on a system that is separate from other recordkeeping systems the agency uses. Access to the complaints database should be restricted to authorised staff. Except to the extent necessary, a complainant's identity or personal details should not be disclosed to other staff. This might require a unique identification number for each complaint—that is, a number that differs from other reference numbers assigned to clients.

Personal details that need to be disclosed for one purpose might need protection in other situations. For example, it will often be necessary to identify a complainant to the staff member whose actions have been complained about, but the same details may not need to be disclosed in a management report on complaint incidents and trends. Importantly, great care should be taken when making public information about complaints and the outcomes of investigations.

It is generally good practice to accept anonymous complaints, even though it can be difficult to conduct a full investigation without knowing the identity of a complainant. This should be explained to the complainant, and they should be asked how they want to be advised of the outcome of an investigation.

Special measures are needed to ensure that whistleblowers' complaints are received and handled in confidence. One of the underlying principles is that a whistleblower should not be subject to reprisals because they have made an allegation. Hence the term 'protected disclosure' is often used to describe whistleblower complaints. The principles for effective whistleblower protection are spelt out in Australian Standard AS 8004-2003, 'Whistleblower Protection Programs for Entities'.

Transparency

A complainant is entitled to know how a complaint will be handled and the outcome of the investigation. An agency's complaint procedures should ensure that:

- at the time of making a complaint, complainants are advised of the steps in the complaint process and expected timeliness standards for handling the complaint
- a contact number is given to each complainant, preferably with the name of a contact person
- a report on progress is provided if a complaint is not resolved promptly, with an explanation for the delay
- the outcome of an investigation is explained and reasons are provided if the evidence presented by the complainant is not accepted
- the complainant is given an opportunity to respond or to seek internal review if they are not satisfied with the decision made about their complaint.

2.2 ACCESSIBILITY

A complaint handling system should be accessible to clients. Accessibility rests on two features—public awareness of the system and effective access options.

Awareness

An agency should tell its clients about its complaint system and how to gain access to it. Information can be provided in numerous ways—for example, on the agency's website, in correspondence with a client and through pamphlets and posters. Some complaint handling units conduct outreach activities, have a telephone directory listing or use media coverage. When dealing with dissatisfied clients, agency staff also have a responsibility to direct them to the complaint process.

Among the essential details about the complaint system to be conveyed, by one means or another, are:

- how a complaint can be submitted—including whether a complaint form is available

- the agency's timeliness standards for handling complaints
- limitations on the agency's jurisdiction to handle complaints—including time limits on lodging complaints and special issues that should be dealt with by another body or complaint mechanism
- the options available to a person if they are dissatisfied with how their complaint was handled or with the outcome.

Several important messages should also be conveyed:

- There is no financial charge for making a complaint.
- Clients are encouraged to complain if they are dissatisfied or feel aggrieved.
- Complaints are treated confidentially, and there will be no adverse repercussions for a complainant.
- Complaints are valued by the agency because they help it improve its policies, systems and service delivery.

Many people now turn to agency websites for guidance on how to complain. This information should be readily accessible from the home page of the website; it should not be buried under several levels of navigation menus.

Clients with particular needs should also be catered for. This is discussed in Section 2.3.

Access

Clients should be given a range of contact options. At a minimum, this means a telephone number (preferably toll-free), an email address and a postal address. Other options that can be considered are face-to-face contact with a staff member and online lodgement of complaints.

The contact options available to clients should be clearly identified and simple to use. Clients should be consulted about their preferred method of contact and about improvements that would help them make a complaint. Even if clients use one contact option more often than other options, all options should be well maintained and supported.

Although some complaints cannot be fully investigated without being put into writing or being supported by other documents, it is important not to make this a barrier to complaining. Clients should be encouraged to discuss or raise things orally: a complaint can often be resolved swiftly at this stage.

Agencies should ask themselves if there are barriers to complaining that need to be dealt with. Among the reasons clients do not complain are lack of time, a perception that complaining will be too much trouble, a perception that the agency will not act on

the complaint, fear that the agency will send complainants on a 'wild goose chase', and 'complaint fatigue'. Cultural factors can also be important: in some cultures making a complaint is seen as insulting behaviour, and in others it may lead to unwelcome consequences.

These and other barriers can be reduced if clients are told that complaints are welcomed, are handled confidentially, and will be used by the agency to improve its services.

2.3 RESPONSIVENESS

A complaint handling system must be responsive to the needs of all complainants. This requires proper training of staff, adequate resources for the complaint unit or function, and constant review and improvement of the system.

Special measures might be needed for clients who have particular needs, for managing contact with vulnerable people, and for responding to unreasonable demands or behaviour.

Particular needs

All agencies have clients who have special access needs. A typical need concerns clients from a non-English speaking background, who should have access to complaint information in another language or the assistance of an interpreter if necessary. Cultural barriers that can hamper use of complaint options should also be highlighted in cross-cultural training provided to complaint handling staff.

Clients with a hearing impairment might need TTY (teletypewriter) facilities. Those who have a visual impairment might need information in large print or access to web-based information in text rather than as a portable document format (PDF) file. Complaint staff should be ready to explain the complaint process to clients who have difficulty understanding written information.

Vulnerable clients

Some people have greater difficulty than others in expressing a grievance or making a complaint. Intellectual disability, poor mental health and addiction are among the conditions that can cause problems. Such conditions can also make it difficult for people to maintain an interest in their complaint or to provide further information or comment when asked.

An agency must be flexible when dealing with complaints and be alert to the needs of vulnerable clients. Staff should show a readiness to deal with a guardian, friend, advocate or other person who acts on behalf of a complainant. That person's authority to act on the complainant's behalf could need to be verified if personal information is involved.

Unreasonable behaviour

Some complainants can be difficult to deal with. Among the common problems are rude or aggressive conduct, obstinacy in communicating with complaint handling staff, exaggeration or dishonesty in explaining a complaint, unreasonable persistence with a complaint that has been investigated or closed, and demands that are unrealistic or disproportionate.

It is the agency's responsibility to act professionally when dealing with such problems. Staff must be given clear guidance and training in dealing with unreasonable complainant behaviour, and they may need extra support. Further information about managing unreasonable behaviour, including effective communication skills, is available in the *Unreasonable Complainant Conduct Practice Manual* at www.ombudsman.gov.au.

An agency's inability to manage unreasonable behaviour by complainants can tarnish its reputation and diminish its efficiency in dealing with other complaints.

2.4 EFFICIENCY

A complaint handling system should be efficient. Methods of dealing with a complaint will differ from one complaint to another. Simple complaints should usually be resolved quickly on first contact with an agency; often this will not require the involvement of specialised complaint handling staff. More complex or sensitive matters may take longer to resolve and might need specialist attention. A guiding principle is that complaints should be handled in a way that is proportionate and appropriate to the matter being complained about.

All complaints, simple or complex, should receive continuing attention and be resolved as quickly as possible. This will help ensure that clients are satisfied and have confidence in the agency. Irritation or fatigue on the part of clients can thwart successful complaint handling. Speedy resolution of complaints also benefits the agency by reducing the risk of double-handling and reassuring staff that problems have been dealt with and have not been allowed to fester.

Supervisors and managers should be given regular reports on complaints received and progress in dealing with them. A complaint that has remained unresolved for some time might need to be escalated to a more experienced officer. Complaints that appear simple on initial assessment are sometimes different or more complex than first thought. New developments—such as media interest in a case or the uncovering of dishonest activity within an agency—can require the re-assessment or re-allocation of a complaint.

There is a need for written guidelines dealing with these and other matters that impinge on efficiency and effectiveness in complaint handling. The guidelines should cover the initial assessment and allocation of complaints, responsibility within the agency for

ensuring complaint finalisation, the preparation of investigation plans, escalation of unresolved complaints, and review and monitoring of complaint handling.

Written guidelines also help to ensure a consistent approach to complaint handling in the agency. There should also be strong quality assurance procedures to ensure consistency and high standards.

2.5 INTEGRATION

Integration is important in two ways. First, complaint handling must be integrated within an agency's core business activities. Second, agencies that deliver services jointly with other government agencies or in partnership with private sector organisations might need to integrate their complaint handling arrangements.

Integration within an agency

Agencies should treat enquiries and complaints from clients and members of the public as core business. This means integrating the complaint system with the agency's other activities.

If this is done it can benefit an agency in many ways. Information from complaints can be used to identify weaknesses in the agency's services and lead to improvements, as discussed in Section 1.1. If managers keep informed about complaints and how they are resolved, they will be able to keep an eye on all aspects of operations. This in turn maintains their focus on the agency's reputation, which is central to success.

All the skills and knowledge of an agency should contribute to resolving problems. Ensuring that all staff are potentially involved in dealing with complaints can lead to more efficient and effective resolution of problems. Complaints can cast light on things that are not apparent to the complaint handling staff. Those responsible for developing or administering a program are often best placed to decide how to resolve a client's grievance.

Proper integration of a complaint system with the work and structure of an agency should be achieved in various ways:

- The complaint system should be recognised as a separate unit or branch that is shown on the organisational chart.
- The complaint unit should be headed by or report directly to a senior manager.
- Reports on complaints and complaint trends should be a regular agenda item for executive management meetings.
- How complaints have been handled and finalised should be a performance measure for the agency.

Integration between organisations

Few agencies work independently of other organisations. Two or more agencies may provide a joint service or work alongside each other in regulating activity in the private sector. Decisions made by one agency can partly depend on actions taken or information supplied by another agency. In addition, government functions are increasingly being delegated or outsourced to the private sector.

When a problem arises a client might not understand the division of functions or responsibilities between organisations. There can be confusion about who to complain about or who to complain to. The confusion will be made worse if agency staff lack insight, wrongly deny responsibility, or are ill-informed about other agencies' complaint handling arrangements.

Agencies should consider whether and how their different complaint handling systems can be integrated. There are a number of factors to take into account:

- Complaint staff should be fully informed of activities in their agency that interact with those of other organisations.
- Organisations should exchange information about their complaint handling systems and how a complaint can be lodged.
- Consideration should be given to establishing a procedure for referring complaints (or complainants) between organisations and ensuring that a list of contact officers is maintained.
- If staff of different agencies work alongside each other in a public area—for example, in the arrivals and security screening areas of airports—steps should be taken to ensure that staff and their employing agency can easily be identified and to ensure cooperation between agencies in dealing promptly with clients' complaints.
- If different agencies work together to deliver a service or regulate an activity, consideration should be given to joint publication of information about how to complain or to creating a joint process for handling complaints.
- If functions of a government agency are outsourced to a non-government organisation, the contract should stipulate how complaints from clients will be handled and reported (individually or periodically) to the agency. As part of its continuing responsibility for delivery of those functions, the agency will also need a procedure for receiving and investigating complaints against the contractor.

Element 3—People

Who handles complaints in your agency?

Skilled staff are essential for effective complaint handling. Large agencies and those that have regular client contact usually have a dedicated complaint unit; other agencies might not need this. Whatever the arrangement, responsibility for handling complaints should be allocated to staff who are identified, well trained and supervised. There should be sound recruitment practices, continuing training and learning opportunities, and systematic review and feedback.

3.1 RECRUITMENT

Agencies must recruit people who have the right skills and attributes into complaint handling positions. The best complaint handlers are:

- warm and empathetic—they are able to respond to a diversity of people
- non-defensive—they can handle a complaint without being unduly protective of their organisation
- analytical—they can quickly recognise the core of a problem, weigh the evidence and arguments, and reach a logical conclusion
- unbiased—they avoid erroneous assumptions and consider the evidence objectively
- astute—they can set priorities for complaints, and they know when to escalate a complaint or allocate it to another officer
- creative—they explore alternative ways of resolving a complaint
- decisive—they decide how best to resolve the problem and manage the complainant's expectations during the process
- firm—they politely explain and maintain a position, both with the complainant and with colleagues
- resilient—they can respond professionally to complainants who are upset or angry, without taking criticism personally.

Effective communication is the thread linking many of these skills. A good complaint handler must be a good communicator, orally and in writing. Complaint handlers deal with a diverse audience, in and outside their own agency. If they communicate

effectively, others will come to trust that the complaint handler understands the problem at hand and is dealing with it professionally.

The mix of skills required in complaint handling will differ according to an agency's business and the problems it deals with. More complex or disputed complaints can require sustained investigation for which analytical and investigative skills or legal or specialist knowledge are needed. Complaints on specific topics—such as sexual harassment, scientific fraud or financial mismanagement—can require specialist skills that many complaint handlers do not have. If those skills are not available in an agency, temporary employment of a suitable person might be necessary.

One key to effective recruitment is conveying a strong message that complaint handling is an important organisational activity and that this is reflected in career and promotional opportunities.

3.2 CONTINUING TRAINING AND LEARNING

Training of complaint handling staff must occur at multiple stages and in many ways.

When first assigned to a position that involves complaint handling, a staff member must be trained in the agency's complaint handling policies and procedures. This should be supplemented by training that deals with specific challenges that arise in complaint handling—for example, having an excellent telephone manner and good writing skills, having sound recordkeeping skills, dealing with difficult or unreasonable behaviour by a complainant, handling anonymous complaints, protecting the privacy of complainants, and transferring out-of-jurisdiction complaints to other bodies.

It is also important to educate complaint handling staff about all aspects of their agency's business. This training should focus on programs and services that affect members of the public and could give rise to complaints. Those programs and services will change and develop over time, and it is important that complaint staff are made aware of changes. There should be regular interaction between program and complaint staff, both informally and in a structured manner. One theme in the discussions should be the options available to the agency for providing a remedy for unexpected or intractable problems.

The training program should draw attention to the reports of investigations by other areas of government—by the Ombudsman, parliamentary committees, special inquiries, and so on—into prominent or serious incidents. Those reports provide both a reminder and an analysis of administrative lapses that can occur in any area of government.

It can be valuable if staff participate in one of the many complaint handling forums that have been established both in the public sector and in industry. These forums hold periodic seminars and conferences and publish newsletters. Because of the similarities in complaint handling in all areas of government and industry, there is much to be learnt

by sharing experiences and information about best practice. Support for these forums also promotes the principle that complaint handling is an important activity that must be treated in a professional and committed way.

Training objectives are best achieved if there is a structured training program with a specific budgetary allocation and performance measures. At a cultural level, an agency must believe that time devoted to training—which often involves the temporary absence of staff from their complaint handling duties—is a necessary and productive strategy.

3.3 REVIEW AND FEEDBACK

Supervision and mentoring are central both to effective complaint handling and to skill development. Three factors are especially important in designing the supervision arrangements:

- the experience of the staff member—new staff members might need closer supervision than more experienced staff
- the nature of the complaint—complaint issues that recur should be dealt with consistently, while those that are complex or unexpected might need more skilled handling
- the complainant—complaints from people who are vulnerable or display difficult behaviour might need special arrangements or closer oversight.

Supervision arrangements should be devised with several objectives in mind:

- providing support to complaint staff, particularly newer staff
- monitoring whether complaints are being handled correctly and remedies are being offered where appropriate
- identifying trends and special concerns that arise from complaints
- providing complaint staff with feedback on their performance.

Supervision and monitoring should be constant, and there should be regular consultation and feedback. This applies to experienced as well as newer staff.

A complaint handler should always feel free to approach a team leader or supervisor for assistance or guidance or to talk about the emotional demands that can arise in complaint handling. Pairing a new appointee with a more experienced officer is a good way of providing support and informal training.

3.4 OTHER AGENCY STAFF

Although properly trained and supervised specialist staff are crucial to effective complaint handling, it is equally important that other agency staff know about the complaint process and its importance to the work of the agency. In this way they will be able to advise people on how to make a complaint, to cooperate with and set priorities for complaint investigations within the agency, to accept feedback from the complaint handling unit, and to implement any necessary changes to the agency's systems and programs.

Element 4—Process

Is there a clear process for handling complaints in your agency?

Complaint handling must have as its basis sound processes that embody the five fundamental principles of fairness, accessibility, responsiveness, efficiency and integration. The aim is to ensure that complaints are dealt with efficiently and effectively and that clients have confidence in the agency's complaint system.

The figure on the right shows the seven steps involved in an effective complaint handling process (although straightforward complaints can often be resolved without going through the third and fourth steps). Regular contact with the complainant should be maintained throughout the process. It is especially important to keep the complainant informed if their complaint is taking longer to resolve than first advised.

4.1 ACKNOWLEDGEMENT

A complaint must be acknowledged quickly so as to reassure the client that their complaint is receiving attention. This acknowledgement can be an important tool in managing the complainant's expectations.

The acknowledgement should outline the complaint process and provide contact details and preferably the name of a contact person. As far as possible, it should also note how long it is likely to take to resolve the complaint and when the complainant will next be contacted.

Written acknowledgement can be beneficial but is not always necessary. If the complaint is made by telephone and cannot be resolved straight away, it could be more efficient to explain orally how the complaint will be handled and when the complainant will next be contacted. Similarly, a complaint that is made by letter and can be resolved quickly can sometimes be acknowledged at the same time as advice on the outcome is provided.

Electronic complaint lodgement systems can be programmed to send an automatic response to reassure the client that the complaint was received. The response should give the client an email address and a complaint identification number to use in future contact.



4.2 ASSESSMENT AND ASSIGNING PRIORITY

The nature of complaints differs widely. The subject of a complaint might be apparent from the information a complainant provides, or a lengthy investigation might be needed to clarify disputed factual or legal matters. Some complaints can be resolved by means of an explanation or apology; others seek reconsideration of a decision or policy or perhaps financial compensation. Many complaints are about administrative conduct, but some raise specialist legal or technical considerations. Often the scope of a complaint is not clear initially to either the complainant or the agency, and clarification is needed. A complaint can raise several related but differing concerns that require separate handling or referral to another agency.

Early assessment of a complaint is essential for effective complaint handling. The assessment should be carried out by a person or team that specialises in this task. In organisations that receive a large number of complaints the initial assessment is usually performed by an intake screening unit. Further preliminary assessment by other specialist staff might be needed if the complaint is more complex or difficult.

One element of effective assessment is deciding whether priority should be given to dealing with one or more aspects of a complaint. For example, there might be a dispute between a complainant and an agency that, if not dealt with promptly, will become worse. There could be a time limit that governs whether a practical outcome can be secured for a complainant if their complaint is upheld. A sensitive matter—one raised by a member of parliament, a whistleblower complaint, or something that could attract media attention—may call for special handling. On the other hand, a complaint unit has a duty to all complainants to deal efficiently with their complaints, and this can limit their capacity to give priority to a particular complaint.

Once the initial assessment has been done, it might be necessary to transfer the complaint to another officer in the same agency or to advise the complainant to approach a different organisation. This can be frustrating for complainants and can delay the resolution of a complaint. To minimise that risk, an agency should ensure that this stage of the process is seamless and is fully explained to complainants and that a contact number is given so the complainant does not become lost in the process.

It is good practice to ask the client how they would like to see their complaint resolved—what outcome they are seeking. Sometimes an agency can meet the client's expectations and sometimes not, but it is important to take account of those expectations. Often what the complainant is seeking will be straightforward—for example, an apology, a refund of money paid, or compensation. In other cases the complainant might have an altruistic purpose, such as a desire to raise awareness of the problem or to ensure that other people will not find themselves in the same situation.

Some problems might not be easy to resolve—for example, a matter requiring major policy or procedural change. In these instances it is important the complainant knows that their concern is being taken seriously and that work on it is progressing.

Some complainants will seek an outcome that is inappropriate or disproportionate, such as having a staff member sacked because of a minor error. It is important to explain why the request cannot be met, and it is equally important to offer an alternative solution if possible.

Complaint handling staff must have the authority to resolve straightforward matters, but they must also be able to escalate matters that require closer consideration.

4.3 PLANNING

As noted, complaints that are straightforward can often be resolved on first contact. If this is not the case and the complaint requires investigation, a short written plan should be prepared. The plan should:

- define what is to be investigated
- list the steps involved in investigating the complaint and state whether further information is required, either from the complainant or from another person or organisation
- provide an estimate of the time it will take to resolve the complaint
- identify the remedy the complainant is seeking, whether the complainant's expectations are realistic or need to be managed, and other possible remedies
- note any special considerations that apply to the complaint—for example, if the complainant has asked for their identity to be withheld from others or if there is sensitive or confidential information that needs to be safeguarded.

A written plan will focus attention on what is to be investigated. This will ensure that important matters are not overlooked and that the investigation does not wander off course. A plan also allows a supervisor and other officers to review the course of the investigation. This is especially important if the investigation cannot be completed by the officer to whom the complaint was initially assigned. A common cause of inefficiency and delay in complaint investigation is that responsibility for investigating a complaint is passed from one officer to another, without adequate handover or planning.

Planning and conducting an investigation is a dynamic and ongoing process. It is not always possible to know at the outset how an investigation will develop, and more complex investigations can take a long time. It is important to revisit the investigation plan regularly and make adjustments as circumstances change and new information becomes available.

4.4 INVESTIGATION

The purpose of an investigation is twofold: to resolve the complaint by reaching a fair and independent view on the issues raised by a complainant; and to provide an appropriate remedy.

The three principles of fair investigation are outlined in Section 2.1:

- *Impartiality.* Each complaint should be approached with an open mind, and the facts and contentions in support of a complaint should be weighed objectively.
- *Confidentiality.* A complaint should be investigated in private, and care should be taken when disclosing to others any identifying details of a complaint.
- *Transparency.* A complainant should be told about the steps in the complaint process and be given an opportunity to comment on adverse information or before a complaint is dismissed.

These three principles echo the requirements of administrative law, which public sector agencies must also observe during complaint investigation. The administrative law requirements are outlined in five best-practice guides published by the Administrative Review Council (at www.ag.gov.au/arc). The following are among the requirements that are relevant to complaint investigation:

- A finding on a disputed factual matter must be based on evidence that is relevant and logically capable of supporting the finding—not on guesswork, preconceptions, suspicion or questionable assumptions.
- A written record should be kept of evidence that is provided orally.
- A complainant is not obliged to substantiate each fact or element in their complaint, although it is reasonable for the investigator to ask them to assist the investigation by providing documents they have or explaining things they know.
- The rules of evidence that apply in court proceedings do not apply to administrative investigation, and an investigator can use reliable information obtained from any source.
- To accord natural justice, a complainant should be given an opportunity to comment on contrary information or claims from another source before a decision is made to dismiss the complaint.

It is not always possible to resolve each disputed matter. The evidence available to the investigator might be scant, inconclusive or evenly balanced, and this should be explained to the complainant. Thought should also be given to resolving the complaint differently, by exploring the options for reaching a settlement or understanding between the complainant and those being complained about.

4.5 RESPONSE

When the investigation of a complaint is completed the complainant should be told the particulars of the investigation, including any findings or decision reached. Even when other aspects of the complaint are still being investigated the complainant will usually welcome an interim explanation of what has been finalised.

Whether the explanation should be given orally or in writing, or in both ways, will depend on the circumstances. An oral explanation will usually be more efficient and will be expected if that is the method of communication preferred by the complainant or adopted in earlier dealings. On the other hand, a written explanation is often more suitable if the complaint deals with a serious, complex or disputed matter. It might be appropriate to telephone the complainant to let them know that a more detailed written explanation will be forwarded to them.

The explanation should be presented in a style the complainant can understand and should deal with each concern or grievance raised in the complaint. Many complainants mistakenly believe that all aspects of their complaint were not fully examined or finally dealt with. One reason for this misunderstanding is that for privacy reasons agencies can be reticent about disclosing how a complaint against an agency staff member was dealt with. This is an important consideration, but it should not be a barrier to transparency and accountability. Guidelines for balancing these competing considerations are discussed in Australian Public Service Commission Circular No. 2008/3, *Providing Information on Code of Conduct Investigation Outcomes to Complainants*.

Thought should be given to whether a remedy can be provided to the complainant. Among the potential remedies are a better or fuller explanation, an apology, changing or reconsidering a decision, expediting action, removing a debt or penalty, and providing financial compensation. If some action is to be taken to redress a fault or a wrong suffered by the complainant, this should be described.

On the other hand, if a claim made by the complainant has not been accepted by the investigating officer, this should be noted and explained. An explanation should similarly be given if it has been decided not to investigate or to cease investigation of an issue raised by the complainant. The options available to the complainant, to seek internal review of any adverse finding or to pursue the complaint in another place, should be outlined. If appropriate, the complainant can also be invited to contact the investigating officer to speak about the complaint and the investigation.

4.6 FOLLOW-UP

It is good practice to offer complainants the opportunity to seek review of how their complaint was handled and resolved.

If the client would like the complaint actions or findings to be better explained, the investigating officer can usually do this. Contact details and an invitation to follow up can usually be provided when the client is notified of the outcome of the investigation.

If a complaint concerns the attitude or behaviour of the investigation staff—for example, an allegation of rudeness or unhelpfulness—this is often best handled through a telephone discussion with the investigating officer’s supervisor or another senior staff member. It is not normal practice to mention this option when advising a complainant of the investigation’s outcome: the matter is better dealt with when the complainant first raises it.

If a complainant is dissatisfied with an investigator’s findings or decision, a review should be carried out by an officer who has not been involved in the matter. Usually this will be a more senior officer. The procedure for seeking internal review of this kind should be explained in the letter of notification and on the agency’s website or in its other published literature. In order to bring finality to the investigation, it is common to set a limit on the period in which the complainant must seek internal review and to require that the review be sought in writing. The complainant should also be asked to specify what exactly they would like reviewed and why they disagree with the investigator’s view.

An external review option may also be available to a complainant. The option of complaining to the Ombudsman or seeking tribunal review of a decision should be mentioned in any letter of notification from the agency. It is less common for agencies to list other external review options—such as judicial review and freedom of information requests—but these should be identified and explained if the complainant asks. A sound internal review process will reduce the likelihood of complaint to an external body and will assist any review that body carries out.

Mediation of an unresolved dispute between a complainant and an agency is another option. A mediator can help clarify matters, provide an impartial perspective, and propose solutions that both parties can agree to.

4.7 SYSTEMIC ISSUES

Resolving a person’s grievance is not the last step in effective complaint handling. The person’s complaint might point to a systemic administrative problem in the agency—that is, an administrative defect that either has occurred in other cases or could be repeated. This possibility should always be considered when finalising a complaint.

For example, a complaint could expose a need to improve the agency’s recordkeeping or a need for better training or support for agency staff who have given inaccurate or unhelpful advice. Delay in resolving a person’s complaint might suggest a need for greater efficiency in the agency or better liaison between different units of the agency or with other agencies that are jointly responsible for the subject of the complaint. A review of agency procedures and policies can be another beneficial outcome.

Responsibility for seeing that such improvements are made usually lies elsewhere in the agency, rather than with the complaint handling unit. It is therefore important that complaint issues and trends are reported to and analysed by the executive and senior managers in an agency, as discussed in Element 5—‘Analysis’.

Element 5—Analysis

What do complaints tell you about your agency?

Complaints provide a rich source of information about how well an agency is performing and what improvements it might make. The information can point to problems with an agency's services or program delivery or to a need to improve how complaints are handled. To capture these broader considerations, agencies should ensure that complaint issues and trends are a central element of their business review processes.

5.1 USING COMPLAINT INFORMATION TO IMPROVE PROGRAMS AND SERVICES

Complaint information can provide a picture of weaknesses in existing programs, policies, and service and program delivery. This is, however, only possible if good records are kept and the information is regularly analysed. Reports on complaints should include the following:

- the number of complaints about a particular matter
- spikes in complaints
- the geographical spread of complaints
- the characteristics of the complainants—for example, whether they are businesses, community groups or individuals and whether they represent a particular demographic background
- complaint issues, whether occurring just once or more often, that expose a weakness in the agency's processes or that raise questions about integrity or reputation.

Numerous ongoing complaints about the same thing are usually a sign of a systemic or recurrent problem that requires further investigation and possible action by the agency. For example, the complaints might reveal that legislation is being wrongly interpreted or applied, an internal manual contains confusing guidelines or incorrect advice, recordkeeping needs to be improved, or staff need further training.

It is good practice to produce regular reports on complaints for presentation to senior management. The reports should be part of the agency's normal business activity. Information of this nature can help organisations improve services, safeguard their reputation and better prepare for the future.

Complaint data can be analysed in various ways, and care must be taken in the interpretation. For example, an increase in complaints could suggest problems with a new program or service or it could reflect greater public awareness and use of complaint mechanisms, or both. It is important not to look for only one cause of a problem: often there will be several, such as process, behavioural, system and organisational causes.

Effective root-cause analysis of complaints information—how did this particular problem happen?—should be carried out by a team of people in the agency who have a range of skills and organisational knowledge. The likelihood that problems will recur and complaints will continue to be made can be reduced only if the root causes of problems are identified and dealt with in a coordinated way.

In addition to regular timely reports on complaints, the complaint information system should be able to generate reports that meet the needs of specific groups within the agency, as discussed in Section 1.4. For example, some teams will be interested in complaints relating to a specific policy, while local managers will be interested in complaints about their region.

The framework for reporting on complaints should also be responsive to changes in an agency's business. If a policy initiative or new service is being introduced, reports should be more frequent during the implementation and early post-implementation phases. More detailed reporting at these early stages can help an agency adjust a policy or service promptly or slow down implementation if serious problems become evident. The system's reporting capacity must also be sufficiently flexible to allow reports to be produced urgently or on selected topics.

5.2 USING COMPLAINT INFORMATION TO IMPROVE COMPLAINT HANDLING

Agencies should regularly review and analyse their complaint handling systems to gauge the systems' efficiency and effectiveness. Both quantitative measurement (for example, the number of complaints resolved in a given period) and qualitative measurement (for example, the degree of customer satisfaction with the process) should be undertaken. Agencies should publicly report on their performance against those standards.

A major element of good complaint handling, and one that is relatively easy to measure, is timeliness—at each stage of the process and overall. How clients feel at the end of the complaint process is equally important. Client satisfaction can be assessed through routine feedback from complainants and by periodic surveys.

Complaint information can also be useful for staff management. It can identify individual staff members or teams that are performing well, as well as those that are not. Information about problem areas and common concerns can also help managers determine staff training and development needs.

Summary

CULTURE

- Staff at all levels understand and comply with the agency's policy on complaint handling.
- A senior manager is responsible for complaints.
- Staff who handle complaints receive specialist training.
- Sufficient resources are allocated to complaint handling.
- Strong internal networks ensure that other staff help specialist complaint handling staff.
- There is an information technology system that supports complaint handling and facilitates collection and analysis of complaint information.
- Regular internal reports are produced on complaint trends and administrative defects.
- Regular public reports are prepared on complaint trends and issues.

PRINCIPLES

Fairness

- The agency:
 - deals with complaints impartially
 - handles complaints confidentially
 - is open about the process, keeps complainants advised of progress, and gives complainants the opportunity to respond and to seek internal review.

Accessibility

- Information about how to make a complaint is freely available.
- People can complain in a variety of ways—for example, by telephone, by mail and by using the internet.
- Steps are taken to remove barriers—real or imagined—to making a complaint.

Responsiveness

- People with particular needs are assisted.
- The agency is alert to the needs of vulnerable clients.
- Unreasonable complainant behaviour is managed professionally.

Efficiency

- Complaints are resolved as quickly as possible, preferably on first contact if the complaint is straightforward.
- There is regular internal reporting to supervisors, so that unresolved complaints can be escalated if necessary.
- Staff have written complaint handling guidelines and procedures.
- There are quality assurance procedures for the complaint handling process.

Internal integration

- Dealing with complaints is part of an agency's core business, so that complaint handling is integrated with other business activities and all staff are involved.

Integration with other agencies

- Agencies consider establishing a formal procedure for referring complaints to other organisations they work closely with.
- Agencies cooperate in dealing promptly with complaints.
- When government functions are outsourced to a private organisation, the contract stipulates how complaints are dealt with.

PEOPLE

- Agencies recruit complaint handling staff who are good communicators and who are warm and empathetic, non-defensive, astute, creative, decisive, firm and resilient.
- Temporary employment is considered where specialist complaint handling skills are needed.
- Continuing training is provided to staff.

- Effective supervision is provided to
 - support staff, particularly new staff
 - monitor complaint handling
 - identify trends and special concerns
 - provide feedback regularly.

PROCESS

- Processes are documented clearly and are easy to understand and apply.
- The process includes:
 - acknowledging complaints promptly
 - assessing complaints and assigning them priority
 - planning an investigation if one is needed
 - investigating the complaint to determine the facts and options for resolution
 - responding to the complainant, including by keeping them informed of progress and providing a detailed response
 - providing a remedy where appropriate
 - advising on options for internal and external review if the complainant remains dissatisfied with the agency's response
 - considering if there are any systemic issues that warrant attention.

ANALYSIS

- Complaint data is regularly analysed to see what is going wrong and what can be improved.
- As well as generating regular reports, the system is able to respond to ad hoc or urgent reporting requests.
- Agencies report publicly on their performance against both quantitative and qualitative complaint handling measures.
- The complaint system is regularly reviewed in order to assess its effectiveness.

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