

# Complaints Handling Policy

September 2024

## Summary

This policy outlines the responsibility and process for the handling of complaints. All employees must understand and comply with the policy to ensure the fair and effective handling of complaints.



# Document information

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# Policy

## 1 Purpose Statement

This policy is intended to ensure that the Office of Sport (the Office) handle complaints fairly, efficiently, and effectively. The Office has established a complaint management system that is intended to:

- make it easy for clients, stakeholders, and the public to submit complaints and feedback to the Office
- ensure that complaints and feedback are responded to in a timely and cost-effective way
- ensure public confidence in the Office
- ensure that complaints and feedback are collated and used to inform continuous improvement of the services provided by the Office.

The Office is committed to providing high quality services to external stakeholders which includes customers and clients, industry participants and associations, community groups and the public.

The policy and associated incorporated processes are underpinned by a suite of Complaint Handling Commitments adopted by the NSW Government. These are: Respectful Treatment; Information and Accessibility; Good Communication; Taking Ownership; Timeliness; and Transparency.

In addition to complaints the Office gathers, uses and stores various types of feedback from clients, external stakeholders and the public, such as compliments, suggestions, and surveys that are received via various sources.

## 2 Scope

Applies to all staff receiving or managing complaints or feedback from clients, stakeholders, and the public to the Office as well as representations made to a Minister which are referred to the Office for investigation and response.

Staff grievances, allegations of possible corruption or criminal behaviour are dealt with through separate procedures.

## 3 Definitions

### Complaint

Expression of dissatisfaction made to or about the Office relating to its products, the adequacy, quality or timeliness of services, staff, or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

Some members of the public may find it difficult to articulate a complaint and will not always explicitly tell you they are making a complaint. For example, some people might not use the word 'complaint' and instead tell you about a problem, worry or concern.

Matters that do not fall under the definition of a complaint and which are not managed under this policy include:

- grievances, concerns, and issues raised by staff
- allegations of possible corrupt or criminal behaviour
- responses to requests for feedback about the standard of our service (see the definition of feedback below)
- matters where there is a legal remedy or formal rights of appeal or review
- objections or requests to review decisions made under a defined policy or process that challenge the outcome.

While the subject of an initial representation may not be within scope, the lack of timeliness or quality of the response may later be a legitimate cause for complaint as that relates to the service being provided in responding to those representations.

### Complaint Management System

All policies, procedures, practices, staff, hardware, and software used by the Office in the management of complaints.

### Feedback

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about the Office, our services or complaint handling where a response is not explicitly or implicitly expected or legally required.

### Dispute

An unresolved complaint escalated either within or outside of the Office.

## 4 Roles and Responsibilities

### 4.1 Chief Executive

The Chief Executive is responsible for promoting a culture that values customer feedback and complaints with effective resolution and opportunities to improve service delivery.

Responsibilities:

- Report publicly on the Office's complaint handling
- Provide adequate support and direction to key staff responsible for handling complaints
- Regularly review reports about complaint trends and issues arising from complaints
- Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly
- Encourage staff to make recommendations for system improvements
- Recognise and reward good complaint handling by staff
- Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.

### 4.2 Executive Director Corporate

Executive Director Corporate is responsible for establishing and managing the complaint management system.

Responsibilities:

- Undertakes the role of Complaints Coordinator
- Provide regular reports to the CE on issues arising from complaint handling work
- Ensure recommendations arising out of complaint data analysis are canvassed with the CE and implemented where appropriate
- Train and empower staff to resolve complaints promptly and in accordance with the Office's policies and procedures
- Encourage staff managing complaints to provide suggestions on ways to improve the Office's complaint management systems
- Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly
- Recognise and reward good complaint handling by staff.

### 4.3 Complaints Handling Manager (*Manager Executive and Ministerial Support*)

The Complaints Handling Manager is responsible for the management and monitoring of compliance with the complaint management system.

Responsibilities:

- Monitor compliance, resolution of complaints and quality outcomes
- Provide regular reports to the Executive Director, Corporate
- Update policy and procedures as required to ensure they remain relevant and effective in meeting current and anticipated needs
- Management and oversight of complaint investigations.

### 4.4 Directors/Managers

As a manager you are responsible for managing complaint handling in your area of responsibility.

Responsibilities:

- Management and oversight of complaint investigations
- Ensure staff are aware of and comply with this policy and associated procedures
- Provide feedback and suggestions on process improvements
- Monitor complaint handling records management via TRIMs.

### 4.5 All Employees

All employees are responsible for ensuring they understand and comply with this policy and procedure.

Responsibilities:

- Treat all people with respect, including people who make complaints
- Be aware of the Office's complaint handling policy and procedures
- Assist people to make a complaint and if needed assist with access to the Office's complaints process
- Be alert to complaints and assist staff handling complaints resolve matters promptly
- Provide feedback to management on issues arising from complaints
- Implement changes arising from individual complaints and form the analysis and evaluation of complaint data as directed by management.

#### 4.5.1 Employees with specific complaint handling duties

Demonstrate exemplary complaint handling practices in line with the Office of Sport's complaint handling practices including assisting with the recording of complaints and options to progress concerns through the complaints process if the issue cannot be resolved at the frontline.

Responsibilities in addition to those listed above:

- Comply with this policy and associated procedures
- Keep informed about best practice in complaint handling
- Provide suggestions to management on ways to improve the Office's complaints management systems
- Create and/or update records of complaints in the Office's complaints management systems (TRIMs)
- Escalate complaints to management, when appropriate.

## 5 Guiding Principles

### 5.1 Facilitating complaints

People focus

The Office is committed to seeking and receiving feedback about our services, practices, procedures, systems and to dealing with any concerns raised in feedback within a reasonable timeframe.

People making complaints will be:

- Provided with information about the complaint handling process
- Provided with multiple and accessible ways to make complaints
- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and
- Provided with reasons for the decision/s and any options for redress or review.

#### No detriment to people making complaints

Reasonable steps will be taken to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### Anonymous complaints

Anonymous complaints will be accepted, and an investigation of the issues raised carried out where there is enough information provided.

#### Accessibility

Information about how and where complaints may be made to or about the Office will be well publicised. The systems for managing complaints are easily understood and accessible to everyone.



If a person prefers or needs another person or organisation to assist or represent them in the resolution of their complaint, the Office will communicate with them through their representative if this is their wish.

Anyone may represent a person wishing to make a complaint with their consent (e.g., advocate, family member, legal or community representative, member of Parliament).

#### Fees and charges

Making a complaint to the Office is free.

## 5.2 Responding to complaints

### Objectivity and fairness

All complaints will be managed with integrity and in an equitable, objective, and unbiased manner.

Staff allocated to any complaint handling will be different from any staff member whose conduct or service is being complained about.

Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

### Conflict of Interests

All complaints should be dealt with on their merit in an equitable, objective and unbiased manner.

All staff are to ensure that there is no conflict of interest when dealing with a complaint. A conflict of interest exists when a reasonable person might perceive that a public official's/individual's personal interest(s) could be favoured over their public duties.

The decision to discuss or report a conflict of interest must be based on whether a conflict could be perceived by a reasonable person not on how trivial or serious you believe the conflict could be. It is essential to note that the individual making the declaration is not empowered to make a determination as to whether the situation is a conflict of interest.

In the event of a possible conflict of interest, the staff member must discuss it with their manager and submit a Conflict of Interest Declaration form and a management plan must be developed with appropriate approvals sought as detailed in the Office of Sport's Conflict of Interest Policy. The management plan must, at a minimum, consider whether it is appropriate for the complaint to be actioned by an alternate party.

The registering and/or updating of records in the records management system must have the appropriate security/access settings adapted to suit the circumstances.

Please refer to the Office of Sport's Conflict of Interest Policy for further information.

### Early resolution

Where possible, complaints will be resolved at the point of first contact with the Office and details recorded within the Office's complaints management system (TRIMs).

### Responsiveness

The Office will acknowledge receipt of complaints promptly. Complaints will be assessed and prioritised in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

People making complaints will be informed about the process, expected timeframes and of the progress and reasons for any delay.

People will be advised as soon as possible when the Office is unable to deal with any part of their complaint and advised where such issues and/or complaints may be directed (if known and appropriate).

The Office will also advise people as soon as possible when response timeframes are unable to be met and the reason for the delay.

### Timeframe guidelines

Acknowledgement of receipt of the complaint should be sent to the customer within two working days.

The processing of the complaint should be completed within 14 working days; however, this is subject to the complexity of the issues involved. The customer should be informed of any delays or extensions to the timeframe.

### Responding flexibly

Staff are empowered to resolve complaints promptly and with as little formality as possible. The Office will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

Each complaint will be assessed on its merits and involve people making complaints and/or their representative in the process as far as possible.

### Confidentiality

The identity of people making complaints will be protected where this is practical and appropriate (refer to the Office's Public Interest Disclosure Policy). Personal information that identifies individuals will only be disclosed or used by the Office as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

## 5.3 Managing the parties to a complaint

### Complaints involving multiple agencies

Where a complaint involves multiple organisations, the Office will work with other organisation/s where possible, to ensure communication with the person making a complaint and/or their representative is clear and coordinated.

Communication and information sharing between the agencies will also be organised to facilitate a timely response to the complaint, subject to privacy and confidentiality considerations.

When a complaint involves multiple areas within the Office, responsibility for communicating with the person making the complaint or their representative will also be coordinated.

The Office takes complaints not only about the actions of our staff but also the actions of our service providers.

### Complaints involving multiple parties

When similar complaints are made by related parties the Office will try to arrange to communicate with a single representative of the group or provide a common response to all parties.

### Empowerment of staff

All staff managing complaints are empowered to implement the complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of the complaint management system.

### Managing unreasonable conduct by people making complaints

The Office is committed to being accessible and responsive to all people who approach with feedback or complaints. At the same time the Office's success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety, and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with the Office, their conduct can significantly affect the progress and efficiency of our work. As a result, the Office will take proactive and decisive action to manage any conduct that negatively and unreasonably affects our staff and will support our staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints please see the [Ombudsman New South Wales Managing Unreasonable Conduct by Complainants - Model Policy 2022](#).

## 6 Procedure

### Introduction

When responding to complaints, staff should act in accordance with this policy and consider any relevant legislation and/or regulations when responding to complaints and feedback.

The primary mechanism for the capture and management of complaints is TRIMs.

The five key stages in the Office's complaint management system are set out below.

### 6.1 Five key stages of complaint management

#### Stage 1: Receipt of complaints

Complaints and any supporting information will be recorded in TRIMs and a unique identifier will be assigned to the complaint file.

The record of the complaint will document the following:

- the contact information of the person making a complaint (where provided)
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant information, and
- any additional support the person making a complaint requires (if applicable).

Ensure that the appropriate security/access settings are adapted to suit the circumstances.

#### Stage 2: Acknowledgement of complaints

Receipt of each complaint will be acknowledged promptly, and preferably within two working days.

Consideration will be given to the most appropriate options (e.g., email, phone call etc.) for communicating with the person making the complaint.

#### Stage 3: Initial assessment and addressing of complaints

##### Initial assessment

After acknowledging receipt of the complaint, the Office staff will assess the complaint issues and escalate to the appropriate Directors/Managers and/or the Complaints Handling Manager who can confirm whether the issue/s raised in the complaint is/are within our control. They will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, consideration will be given to:

- how serious, complicated, or urgent the complaint is
- whether the complaint raises concerns about people's health and safety
- how the person making the complaint is being affected
- the risks involved if resolution of the complaint is delayed, and
- whether a resolution requires the involvement of other organisations.

### Addressing complaints

After assessing the complaint, consideration will be given to how to manage it. This may include:

- giving the person making a complaint information or an explanation
- gathering information about the service, or from the person or area that the complaint is about, and/or
- investigating the claims made in the complaint.

The Complaints Handling Manager or a delegated officer will keep the person making the complaint up to date on progress, particularly if there are any delays. The outcome of the complaint will also be communicated.

The action that is taken will be tailored to each case and will also consider any statutory requirements.

### Stage 4: Providing information about our decisions

Following consideration of the complaint and any investigation into the issues raised, the person making the complaint will be contacted and advised of:

- the outcome of the complaint and any action taken
- the basis for the decision
- the remedy or resolution/s that is proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review, or appeal.

If in the course of investigation, any adverse findings are made about a particular individual, the Office will consider any applicable privacy obligations under the [Privacy and Personal Information Protection Act 1998](#) and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

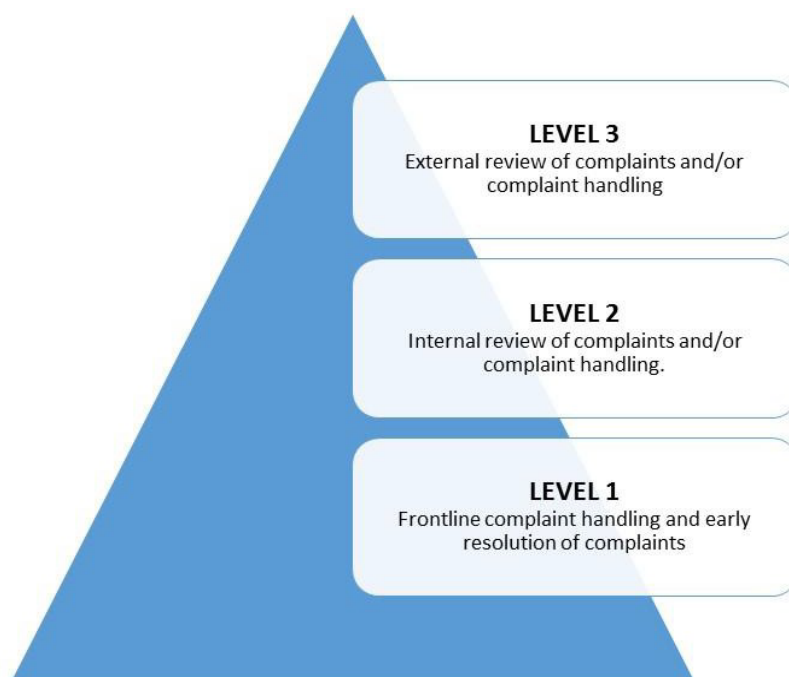
### Stage 5: Closing the complaint, record keeping, redress and review

Staff investigating complaints are required to keep records about:

- how the complaint was managed
- the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations), and
- any outstanding actions that need to be followed up.

Directors/Managers will ensure outcomes are properly implemented, monitored, and reported to the Complaints Handling Manager and senior management.

## 6.2 The three levels of complaint handling



### Level 1 – Frontline Resolution

The Office aims to resolve complaints at the first point of contact, the front line. Wherever possible, staff will be adequately equipped to respond to complaints, including being given appropriate authority, training, and supervision.

### Level 2 – Internal Review

Where it is not possible to resolve complaints at the first level, the complaint may be escalated to a more senior officer within the Office. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

### Level 3 – External Review

Where a person making a complaint is dissatisfied with the outcome of an internal review of their complaint, they may seek an external review of the decision (by the Ombudsman, for example). Additionally, the Office may elect to have an external review conducted.

## 6.3 Alternative avenues for dealing with complaints

People who make complaints to or about the Office will be advised about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).

## 7 Accountability and learning

### 7.1 Analysis and evaluation of complaints

The Complaints Handling Manager ensures that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will contain information on:

- the number of complaints received
- the outcome of complaints
- issues arising from complaints
- any systemic issues identified, and
- the number of requests received for internal and/or external review of complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

Both reports and their analysis will be provided to the Core Executive Team for review by the Complaints Handling Manager.

### 7.2 Monitoring of the complaint management system

The complaint management system will be continually monitored to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

### 7.3 Continuous improvement

The Office is committed to improving the effectiveness and efficiency of our complaint management system and will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaints management system and complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

## 8 Complaint Handling Three Level Resolution Procedures

### Level 1 - Front line Resolution

- Employee and customer attempt to resolve early and informally
- Complaint details entered in TRIMs and customer advised of reference
- Ensure the appropriate security/access settings are adapted to suit the case

### Level 2 - Formal Resolution

- Complaint details registered in TRIMs
- Ensure the appropriate security/access settings are adapted to suit the case
- Action Tracked in TRIMs to Manager/Director responsible for area related to the complaint to delegate for investigation
- Acknowledgement letter/email sent to customer bcc Manager/Director and Complaints Coordinator
- Manager/Director and Complaints Coordinator review the case and decide on the course of action for investigation
- Manager/Director or delegate conducts investigation
- Manager/Director or delegate liaises with customer to provide updates and/or clarify details
- TRIMs updated with resolution and related documentation
- Action tracked in TRIMs to Manager/Director and/or Complaints Coordinator
- Approves resolution and letter/email sent to customer
- If customer is not satisfied with the resolution an internal review of complaint handling is conducted

### Level 3 - External Review

- Customer advised of External Review options
- External review of complaints and/or complaint handling conducted
- Details registered in TRIMs