

Corporate Complaint Handling Policy

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Purpose

This policy outlines the State Records Authority NSW's (State Records NSW) approach to complaint handling to ensure a consistent, fair, and efficient approach is applied.

The Complaint Handling Policy ('the Policy') is intended to ensure that State Records NSW handle complaints about our services and staff fairly, efficiently, and effectively.

The key objectives of the complaint management system are intended to:

- enable State Records NSW to respond to issues raised by people making complaints in a timely and cost-effective way
- provide accountability and boost public confidence in State Records NSW's administrative processes
- provide information that State Records NSW can use to deliver or drive quality improvements in its products, services, staff, and complaint handling.

Background

State Records NSW has adopted the NSW Ombudsman's Complaint Management Framework and Model Policy with select customisation to reflect the unique operational requirements.

Scope

This policy applies to complaints about all staff, consultants, contractors, and outsourced service providers performing work for State Records NSW.

This policy applies to all State Records NSW activities that involve receiving or managing complaints from the public made to or about State Records NSW, regarding services, staff, and complaint handling.

Complaints made about, staff grievances, and public interest disclosures are outside the scope of this policy and are dealt with through separate policies and procedures.

Complaints made to State Records NSW about poor recordkeeping in public offices covered by the *State Records Act 1998* are outside the scope of this policy and are dealt with through a separate policy and procedure.

Policy

State Records NSW is committed to providing high quality services to clients, customers and stakeholders who access our programs, systems and services.

State Records NSW is committed to implementing the NSW Ombudsman's complaint handling commitments of:

- Respectful treatment - We are responsive and treat our clients and customers with courtesy and respect.
- Information and accessibility - We make it easy for our clients and customers to give us feedback so we can make improvements.
- Good communication - We keep our clients and customers informed about the status of their complaint or feedback.
- Taking ownership - We are trained and skilled to manage client and customer complaints and one person, or our team, will manage the complaint.
- Timeliness - We do our best to deal with client and customer complaints as soon as possible. Our customers know our timeframes for finalising their complaint.
- Transparency - We record and analyse information on our complaint handling processes to help improve our services.

State Records NSW is committed to implementing the NSW Ombudsman's model policy – guiding principles

1. Guiding Principles

1.1 Facilitate Complaints

1.1.1. People Focused

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products, and complaint handling. Any concerns raised in feedback or complaints will be dealt with within a reasonable timeframe.

People making complaints will be:

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

1.1.2. Anonymous Complaints

We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

1.1.3. Accessibility

We will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we 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, another organisation).

1.2 Respond to complaints

1.2.1 Responsiveness

We will promptly acknowledge receipt of complaints within 3 business days.

We will assess and prioritise complaints 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.

We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- The complaints process;
- The expected time frames for our actions;
- The progress of the complaint and reasons for any delay;
- Their likely involvement in the process; and
- The possible or likely outcome of their complaint.

We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

We will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

1.2.2 Objectivity and fairness

We will address each complaint with integrity and in an equitable, objective, and unbiased manner.

The person handling the complaint will be different from any staff member whose service or conduct is being complained about. Conflicts of interests, whether actual or perceived, will be managed responsibly. Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

1.2.3 Responding flexibly

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

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

1.2.4 Confidentiality

We will protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by State Records NSW as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

1.3 Manage the parties to a complaint

1.3.1 Complaints involving multiple agencies

Where a complaint involves multiple agencies, we will work with the other agencies where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within State Records NSW, responsibility for communicating

with the person making the complaint and/or their representative will also be coordinated.

Where State Records NSW has contracted out service provisions, we expect the contracted service providers to have an accessible and comprehensive complaint management system. In such circumstances, we will take complaints about the products, services, and staff of our organisation and that of the service providers.

1.3.2 Complaints involving multiple parties

When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.

1.3.3 Empowerment of staff

All staff managing complaints are empowered to implement our 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 our complaint management system.

1.3.4 Managing unreasonable conduct by people making complaints

We are committed to being accessible and responsive to all people who approach us with feedback or complaints.

At the same time our success depends on:

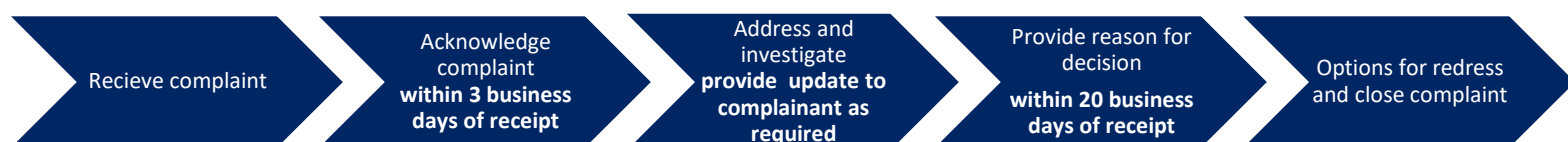
- Our ability to do our work and perform our functions in the most effective and efficient way possible;
- The health, safety, and security of our staff; and
- Our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, State Records NSW will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy. Refer to the Managing Unreasonable Complainant Policy for further guidance on how we manage these complainants.

2. Complaint Management System

When responding to complaints, staff should act in accordance with this policy as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in our complaint management system are set out below:



2.1 Receipt of complaints

For the purposes of this policy, a complaint does not include a trivial or minor matter that is raised orally and resolved immediately without the need for further referral, or escalation and action.

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- The contact information of the person making a complaint;
- 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.

2.2 Acknowledgement of complaints

We will acknowledge receipt of each complaint promptly within 3 business days.

Consideration will be given to the most appropriate medium (e.g., email, letter) for communicating with the person making a complaint.

2.3 Initial assessment and addressing of complaints

2.3.1 Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control. We 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, we will consider:

- 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.

2.3.2 Addressing complaints

After assessing the complaint, we will consider how to manage it. To manage a complaint, we may:

- Give the person information or an explanation;
- Gather information from the person or area that the complaint is about; or
- Investigate the claims made in the complaint.

We will keep the person making the complaint up to date on our progress particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and consider any statutory requirements.

2.4 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, we will contact the person making the complaint and advise them of:

- The outcome of the complaint and any action we took;
- The reason/s for our decision;
- The remedy or resolution/s that we have 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, during investigation, we make any adverse findings about a particular individual, we 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.

2.5 Closing the complaint, recordkeeping, redress, and review

We will resolve each complaint within 20 business days of receipt.

We will keep comprehensive records about:

- How we managed the complaint;
- 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.

Refer to the Ombudsman '*Better Practice Complaint Handling Guide*' for additional information on recordkeeping and reporting of complaints.

This ensures the outcomes are properly implemented, monitored, and reported to the complaint handling manager and/or senior management.

2.6 The levels of complaint handling

We will inform people who make complaints to or about us about any internal or external review options available to them.

We aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training, and supervision.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within State Records NSW. 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).

Where a person making a complaint is dissatisfied with the outcome of State Records NSW's review of their complaint, they may seek an external review of our decision, for example to the NSW Ombudsman or other oversight bodies.

3. Accountabilities

3.1 Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis. Regular reports will be run on:

- The number of complaints received;
- The outcome of complaints;
- Issues arising from complaints;
- Systemic issues identified; and
- The number of requests we receive for internal and/or external review of our 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 Executive Director and senior management for review.

3.2 Monitoring of the complaint management system

We will continually monitor our complaint management system to ensure effectiveness in responding to and resolving complaints, and to identify and correct deficiencies in the operation of the system. Monitoring may include the use of audits, complaint satisfaction surveys and online alerts.

3.3 Continuous improvement

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- Support the making and appropriate resolution of complaints;
- Implement best practices in complaint handling;
- Regularly review the complaints management system and complaints data; and
- Implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

Roles and Responsibilities

- **Executive Director:** The Executive Director is responsible for:
 - reporting on State Records NSW complaint handling
 - providing adequate support and direction to key staff responsible for handling complaints
 - regularly reviewing reports about complaint trends and issues arising from complaints
 - encouraging all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly
 - encouraging staff to make recommendations for system improvements
 - recognising and rewarding good complaint handling by staff
 - supporting recommendations, where relevant, for product, service, staff and complaint handling improvements arising from the analysis of complaint data.
- **Manager:** The Manager is responsible for:
 - providing regular reports to the Executive Director on issues arising from complaint handling work
 - ensuring recommendations arising out of complaint data analysis are canvassed with the Executive Director and implemented where appropriate
 - training and empowering staff to resolve complaints promptly and in accordance with State Records NSW policies and procedures
 - encouraging staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system
 - encouraging all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly
 - recognising and reward good complaint handling by staff.
- **All Staff:** Staff are responsible for:
 - treating all people with respect, including people who make complaints
 - being aware of State Records NSW complaint handling policy and procedures
 - assisting people who wish to make complaints and access the State Records NSW process
 - being alert to complaints and assisting staff handling complaints to resolve matters promptly
 - providing feedback to management on issues arising from complaints
 - implementing changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

Delegations

- Nil

Legislation

- *Privacy and Personal Information Protection Act 1998*
- *Public Interest Disclosures Act 1994*

Related Policies

- State Records NSW Code of Conduct
- State Records NSW Public Interest Disclosures Policy
- State Records NSW Grievance Policy
- Managing Unreasonable Complainant Policy
- Managing Complaints about Recordkeeping in Public Offices

Definitions

Corporate complaint

means expression of dissatisfaction made to or State Records NSW, related to our services, staff, or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. A complaint covered by this policy can be distinguished from:

- staff grievances
- public interest disclosures made by State Records NSW staff
- Code of Ethics and Conduct complaints
- responses to requests for feedback about the standard of our service provision
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response
- service requests
- requests for information
- an expression of concern or opinion, where a response or resolution is not explicitly or implicitly expected
- a merits review request, made in pursuit of a statutory right
- complaints about entities (public offices) we regulate.

Complaint management system

means all policies, procedures, practices, staff, hardware, and software used by State Records NSW in the management of complaints.

Dispute

means an unresolved complaint escalated either within or outside of the organisation.

Feedback

means opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about State Records NSW, about our services or complaint handling where a response is not explicitly or implicitly expected or legally required.

Internal review

means it is a process that examines the decision made by State Records NSW. It is a basic principle of administrative law that the decisions we make in our work must be lawful and well-founded. Members of the public who are aggrieved by a decision we make can seek an internal review of that decision. To demonstrate impartiality, another officer (usually more senior) within State Records NSW, who was not involved in the original decision, undertakes the review.

Public Interest Disclosure

means a report about wrongdoing made by a public official in NSW that meets the requirements of the *Public Interest Disclosures Act 1994*.

Public office recordkeeping complaints

Means complaints about recordkeeping and records management in the NSW public sector or possible breaches of the State Records Act 1998.

Complaints are received from members of the public, employees of public offices, public interest advocacy groups, and members of Parliament.

Service request

means a formal request for something to be provided, for example, requests for the provision of services, requests for action, routine inquiries about the organisation's business, reports of failure to comply with the State Records Act 1998 as regulated by State Records NSW, or requests for explanation of policies, procedures, and decisions.

Staff Grievance

means a clear, formal written statement by an individual staff member about another staff member or a work-related problem.

Superseded Documents

This policy replaces:

- Nil

Revision History

Version	Date issued	Notes	By
1.0	6 April 2023	New policy reviewed upon establishment of State Records NSW, in accordance with the Administrative Arrangements (Administrative Changes—Miscellaneous) Order published on 16 December 2022	Content – Senior Project Officer Control – Governance Approval – Executive Director

Review Date

This policy will be reviewed 24 March 2025 (2year intervals or as needed in accordance with regulatory

changes)

Contact

Governance@staterecords.nsw.gov.au / governance@mhns.w.au

