

Managing Complaints and Feedback Policy

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1 Purpose

The purpose of this document is to outline the principles for managing complaints and feedback about services provided by the Department of Communities and Justice (DCJ). This policy is intended to ensure that we handle complaints fairly, efficiently and effectively.

Our complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way,
- boost public confidence in our administrative process, and
- provide information that can be used by us to deliver quality improvements in our services, systems, and complaint handling.

This policy provides an overarching framework for complaints handling, based on the [NSW Ombudsman six whole-of-government complaint handling commitments](#):

- Respectful treatment
- Information and accessibility
- Good communication
- Taking ownership
- Timeliness
- Transparency

DCJ expects its staff at all levels to be committed to fair, effective and efficient complaint handling.

2 Definitions

Term	Definition
Complaint	<p>An “expression of dissatisfaction made to or about an organisation, related to its products, services, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.”¹</p> <p>Complaints can be formal (i.e., all details of the complaint are recorded, and a formal process is followed to reach a resolution, which is recorded in the complaints file) or informal (details are not registered or recorded. These informal matters may include service improvement feedback, requests for information or involve questions that DCJ staff</p>

¹ Australian and New Zealand Standard - *Guidelines for complaint management in organisations* (AS/NZS 10002:2014)

	can answer, address, or otherwise resolve without the need for any formal steps.
Customers	The end users of services that are planned, designed, funded, and/or delivered by DCJ or its funded Service Providers and partners, subject to the scope outlined in section 3 below.
Complainant	Is the person making the complaint.
Complaint Handler	Is the employee responsible for managing the complaint.
Complaint Management System	All policies, procedures, practices, staff, hardware, and software used by us in the management of complaints.
Dispute	An unresolved complaint escalated either within or outside of DCJ.
Feedback	Relates to opinions, comments and expressions of interest that can be positive or negative regarding services provided by DCJ or its contracted service providers. Information may be documented for consideration in service enhancement, and in some instances a response may not be deemed necessary by DCJ.
Contracted Services	Are services provided by persons or organisations that are funded (wholly or partially) by DCJ to provide that service. These are usually based on a contractual agreement (contract) between DCJ and the service provider.
NSW Ombudsman	Is an independent and impartial watchdog which ensures that agencies fulfil their functions properly and improve their delivery of services to the public.
Service Provider	A person, organisation or company that provides a service to DCJ customers (with or without DCJ funding).

3 Scope, Application, and Appeals

This Policy applies to DCJ staff, whether by way of appointment, secondment, contract, ongoing, casual, temporary assignment, volunteer or on a fee-for-service basis. The principles, as documented in this Policy, apply across DCJ; however, the practical application may differ based on local area needs.

Division heads are responsible for ensuring this policy is implemented throughout their divisions and embedded into practice.

The statutory complaint management function of a business unit and complaints about judicial or quasi-judicial decisions, offender management and grievances are excluded from the parameters of this policy.

Additionally, the following are not considered 'complaints' and are subject to other DCJ requirements, processes, or policies (refer to section 5.1):

- Staff grievances
- Public interest disclosures
- Appeals against a decision made about eligibility to receive services
- Complaints from contracted or licensed service providers regarding the terms and conditions of their contractual arrangements with DCJ
- Feedback and/or criticism for which a response is not expected
- Work health and safety notifiable incidents
- Disputes (e.g., legal, contractual)
- Allegations of fraud and corruption
- Service/information requests
- Allegations of staff misconduct

3.1 Complaints about services directly provided by DCJ

A complaint related to the services directly provided by DCJ, including services provided by its staff, and DCJ's complaints handling processes, is to be referred to the relevant business area in the first instance through the various channels available to report a complaint - via phone, post, email, in person, web form, or the Feedback Assist widget on DCJ public-facing websites.

The business area will aim to review and where appropriate, attempt to resolve the complaints, in accordance with their own complaints handling policies, procedures, guidelines and timeframes as appropriate, and in accordance with the provisions of this Policy.

3.2 Review Process

When a customer is not satisfied with the initial decision of the business area, the customer may escalate the complaint to the details provided in the outcome letter received, or alternatively by sending a request for a review of the initial decision via the Feedback Assist Widget on the website.

When a customer is not satisfied with the outcome of a review of a decision, they can request a further internal and independent review, refer the matter to relevant specialist complaint bodies listed at section 9 or refer the matter to:

NSW Ombudsman

The NSW Ombudsman can be contacted in various ways:

In Person: Level 24, 580 George Street, Sydney NSW

By phone: 02 9286 1000

By email: nswombo@ombo.nsw.gov.au

Online: www.ombo.nsw.gov.au

3.3 Complaints about contracted services or service providers

Contractual services are services provided by person(s) or organisations that are funded (wholly or partially) by DCJ to provide that service. These are usually based on a service and/or contractual agreement between DCJ and the service provider. Service providers are person(s), or organisations associated with DCJ to provide services (with or without

funding). Complaints and feedback relating to the service provided are within the scope of this Policy.

For the purposes of this Policy:

- a complaint made, or feedback received, by DCJ relating to a service provider is to be recorded and then referred to the service provider for resolution
- if a complaint or feedback relates to the funding contract, or contractual compliance, then the matter should be referred to the relevant contract manager in DCJ
- contracted services provider and non-funded service providers are expected to manage complaints in accordance with their service agreements with DCJ, and in line with relevant legislation, industry practices and standards
- the exception to the above is when a concern relates to potential fraud or corruption of high-level / senior officers of the service provider, then the matter should be referred to the relevant business area which is managing the contract, consistent with the requirements of the Fraud and Corruption Prevention Control Policy.

3.4 Responsibilities

Position Title	Responsibilities
Secretary	<p>Promotes a culture that values complaints and their effective resolution:</p> <ul style="list-style-type: none"> • Report publicly on DCJ’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 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 analysis of complaint data.
Manager responsible for complaint handling	<ul style="list-style-type: none"> • Provide regular reports to Secretary/Executive Leadership Team (ELT) on issues arising from complaint handling work. • Ensure recommendations arising out of complaint data analysis are canvassed with the Secretary/ELT and implemented where appropriate.

	<ul style="list-style-type: none"> • Recruit, train and empower staff to resolve complaints promptly and in accordance with DCJ's policies and procedures. • Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly. • Recognise and reward good complaint handling by staff.
Staff whose duties include complaint handling	<p>Demonstrate exemplary complaint handling practices:</p> <ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Assist people make a complaint, if needed. • Comply with this policy and its associated procedures. • Keep informed about best practice in complaint handling. • Provide feedback to management on issues arising from complaints. • Provide suggestions to management on ways to improve the organisation's complaints management system. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.
Business Areas	<ul style="list-style-type: none"> • Develop and implement their own complaints handling policies and procedures as appropriate, consistent with DCJ's existing policies, procedures, guidelines and standards, to securely store and manage complaints accordingly, including regular reviews to ensure relevance and consistency with DCJ's Complaints Handling Policy • provide relevant training, resources, and support to complaint and feedback handling staff and ensure they are able to finalise complaints promptly and in accordance with DCJ policies and procedures • provide data to reporting functions, as requested, and • analyse complaints data to help inform opportunities for improvements in services and business processes.
All staff	<p>Understand and comply with DCJ's complaint handling practices:</p>

	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints • Be aware of DCJ's complaint handling policies and procedures • Assist people who wish to make complaints access the DCJ's complaints process • Be alert to complaints and assist staff handling complaints to resolve matters promptly • Provide feedback to management on issues arising from complaints • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.
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4 Policy Statement

DCJ is committed to the effective management of complaints and feedback. DCJ commits to:

Commitment 1: Respectful Treatment

We treat customers of our services with courtesy and respect. We are responsive and will ensure customers receive no detriment for having complained.

- a) We have a complaint policy that requires staff to treat customers with courtesy and respect.
- b) Our public contact staff are trained in customer service, complaints and managing unreasonable behaviour.
- c) We review the type and number of complaints, feedback, and suggestions we receive about our staff and take appropriate action to respond as necessary.

Commitment 2: Information and Accessibility

We make it easy and accessible for customers to make a complaint and provide help, if it is needed, to lodge a complaint. Customers can readily access information about DCJ's complaint processes in a variety of formats and across a range of media. This information includes:

- a) available avenues to make a complaint – for example electronic (email and online), in person, in writing etc
- b) what customers can expect about the process – for example, next steps and time frames
- c) a contact point to enable customers to get more information about the complaint process
- d) examples of how complaints have helped improve our services

e) flexibility with how complaints are communicated, including with an Auslan interpreter, lodgement from a third/party/carer, with language translation or Easy Read materials.

Commitment 3: Good Communication

We keep customers informed about the status of their complaint or feedback by:

- a) acknowledging receipt and providing them with information which includes:
 - i) a contact point for enquiries
 - ii) the likely next steps in the process
 - iii) the expected time frame to finalise the matter
- b) providing customers with updates on their complaint at regular intervals
- c) communicating the outcome of the complaint and the reasons for the outcome through the most appropriate channel
- d) providing customers with information about internal and external avenues of review where available.

Commitment 4: Taking Ownership

Staff are appropriately trained and skilled to manage the customer's complaint. One person and/or a team is responsible for managing the customer's complaint, and their contact details are made available to the customer. We will make sure to inform the customer if their complaint is transferred to another person or team.

Commitment 5: Timeliness

We do our best to deal with the complaint as soon as possible. We have expected timeframes for finalising complaints which recognise the differing levels of seriousness, urgency and complexity of complaints received. We will advise customers of these timeframes. If there are unavoidable delays in dealing with a customer's complaint, we will inform them and explain the reasons.

Commitment 6: Transparency

We will let complainants know the reasons for our decisions and where they can have their complaint, or our decision, reviewed. We will inform our complainants or their representatives of the review process if they are not satisfied with the decision made by DCJ on their complaint.

We will record, review and report on complaints handling data as a part of our commitment to continuous improvement.

5 Guiding Principles

5.1 Facilitate Complaints

No detriment to people making complaints

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous complaints

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

No charge

Complaining to us is free.

5.2 Manage the parties to a complaint

Complaints involving multiple agencies

Where a complaint involves multiple organisations, we will work with the other organisation/s 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 our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated. Where our services are contracted out, 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 those of the service providers.

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.

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.

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, we 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.

5.3 Managing Personal Information

Personal and health information collected by the Department is required to be handled responsibly in accordance with the requirements of the *Privacy and Personal Information Protection Act 1998* (PIIP Act) and *Health Records and Information Privacy Act 2002* (HRIP Act) as outlined in the Department's Privacy Management Plan. This includes ensuring information is only used and disclosed for permitted purposes and ensuring information is stored securely and protected from unauthorised access.

6 Related legislation and documents

- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Community Housing Providers (Adoption of National Law) Act 2012* (NSW)
- *Community Services (Complaints, Review and Monitoring) Act 1993* (NSW)
- Corrective Services NSW Complaints Management Policy
- *Disability Inclusion Act 2014* (NSW)
- *Health Records and Information Privacy Act 2002* (NSW)
- *Independent Commission Against Corruption Act 1988* (NSW)
- *Ombudsman Act 1974* (NSW)
- *Privacy and Personal Information Protection Act 1998* (NSW)
- *Government Information (Public Access) Act 2009* (NSW)
- *State Records Act 1998* (NSW)
- *Children (Detentions Centre) Act 1997* (NSW)
- *Children (Detention Centres) Regulation 2015* (NSW)
- Records Management Standards made under Part 2 of the *State Records Act 1998* (NSW)
- Schedule 1 of the Annual Report (Departments) Regulation 2015 (NSW)

6.1 Related departmental policies and procedures

- [Court Services Complaints and Other Feedback Policy](#)
- [Court Services Complaint Handling and Other Feedback Procedure Guide](#)
- Communities and Justice, Youth Justice - Guidelines: [Managing Client Feedback and Complaints](#)
- [Contract Management Framework](#)
- [Code of Ethical Conduct](#)
- [Conflicts of Interest Policy and Procedure](#)
- [Fraud and Corruption Prevention Control Policy](#)
- [Data Privacy and Protection Policy](#)

7 Monitoring Evaluation and Review

This Policy will be reviewed at least every two years or when any significant new information, legislative or organisational change warrants amendment to this document.

8 Document information

Document name	DCJ Complaints and Feedback Policy
Applies to	Whole of Department application
Replaces	This document replaced the Justice Managing Complaints and Feedback Policy and the FACS Complaints and Feedback Management Policy.
Document reference	TRIM REF: 24/1254
Approval	Catherine D'Elia, Deputy Secretary, Corporate Services
Version	1.0
Commenced	22 March 2024
Due for review	30 June 2026
Policy owner	Enterprise Governance, Audit, Risk and Compliance, Corporate Services

9 Support and Advice

For general information or advice, please refer to the below business units and their relevant contact information.

Business Unit	Contact Details
General complaints or relating specifically to:	complaints@dcj.nsw.gov.au

<ul style="list-style-type: none"> • Courts, Tribunal and Service Delivery • Child protection • Office of General Council • Community Services Enquiry, Feedback and Complaints Unit 	
Youth Justice	complaints-feedbackYJNSW@dcj.nsw.gov.au
Housing	feedback@dcj.nsw.gov.au
Contract management complaints (i.e., received from or about contracted service providers) for child and family, community buildings, domestic violence and homelessness programs.	Refer to the relevant DCJ Commissioning and Planning District https://dcj.nsw.gov.au/contact-us/dss.html
Complaints against Judicial Officers	Refer to Process for handling complaints against Judicial Officers
Corrective Services for funded services complaints	generalenquiries_csnsw@dcj.nsw.gov.au
For complaints related to offender management	Refer to https://correctiveservices.dcj.nsw.gov.au/documents/csnsw-fact-sheets/feedback-complaints.pdf
Matters relating to Housing Appeals Committee	Refer to https://www.hac.nsw.gov.au/

You can obtain advice and support about this Policy from:

Business unit	Community Services Enquiry, Feedback and Complaints Unit
Email	complaints@dcj.nsw.gov.au