

DRAFT

**DEPARTMENT OF
EDUCATION SERVICES**

**COMPLAINTS MANAGEMENT POLICY AND
PROCEDURES**

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1 INTRODUCTION

The Department of Education Services aims to provide a quality service to its clients with the goal of continuous improvement recognising that continuous improvement is linked to customer feedback. It therefore welcomes all feedback and acknowledges the right of a customer to complain if they are dissatisfied with a product or service provided.

2 PURPOSE

The purpose of this policy is to establish a general complaints management process in respect to the services and products provided by the Department of Education Services to its external clients. The principles underpinning this policy and procedures are based on the criteria specified in the Australian Standards ISO 10002:2004.

This policy sets out the responsibility of the Department to:

- recognise, promote and protect the customer's right to complain about their dealings with the Department;
- ensure an accessible and well publicised complaints procedure is in place;
- recognise the need to be fair to both the complainant and the Department or person complained about;
- provide a mechanism for responding to complaints in a timely and courteous manner;
- determine and implement remedies;
- provide adequate resources to support the complaints management process; and
- record, assess and review complaints on a regular basis to ensure responsiveness and on-going commitment to service improvement.

3 DEFINITION

For the purpose of this policy complaints are defined as:

Any expression of dissatisfaction or concern made to the Department by, or on behalf of, an individual client (including government agencies), organisation or a member of the public, that relates to the Department's products or services, or the performance, behaviour and conduct of staff, or the complaints management process itself.

In all cases the complaint will be brought to the attention of management and resolved where necessary.

4 TYPE OF COMPLAINTS

Complaints and feedback can be made in the following way;

- verbally - either in person or over the telephone;
- in written format - either through the mail, facsimile or e-mail;
- electronically via the Department's website at <http://www.des.wa.gov.au/pages/complaints.php>
- through comments and feedback on surveys, training summary response sheets and customer feedback forms; or
- via a Ministerial or Freedom of Information request.

5 PRINCIPLES

In dealing with complaints, the Department adheres to the following guiding principles:

Commitment:

Ensure commitment to efficient and fair resolution of complaints by people at all levels in the organisation.

Fairness:

Recognise the need to be fair and equitable to both the complainant and the officer and/or part of the Department against whom the complaint is made.

Resources:

Provide adequate resources with sufficient levels of delegated authority to ensure complaints received are addressed and concluded in a timely manner.

Visibility:

Promote the Department's Complaints Management Policy and Procedures for lodging complaints to all external clients.

Access:

Ensure the complaint process is available to all external clients of the Department.

Responsiveness:

Deal with complaints quickly, treat complainants with courtesy and wherever possible resolve complaints at the first point of contact.

Assistance:

Provide assistance for complainants in the formulation and lodgement of complaints if requested. (eg. this may include provision of a translator or assistance in completing complaint documentation etc).

Charges

Provide access to the complaints management process free of charge unless a complainant opts to use the Freedom of Information method to gather information prior to, or during the course of lodging a complaint in which case the normal charges relating to a Freedom of Information request applies.

Remedies

Review the need to develop remedies that are fair and reasonable in the circumstances, to meet any legal obligations and generally comply with good management principles and practice.

Data Collection:

Collect and record data on complaints lodged and outcomes to assist in the identification of systemic and recurring problems and/or potential improvements to service delivery and customer relations.

Accountability:

Ensure all staff take responsibility for effective complaints management. Managers are responsible for implementing the policy and the procedures outlined in this document in their respective areas.

Review:

Regularly review the complaints management process to ensure it is efficiently delivering effective outcomes.

6 RIGHTS OF COMPLAINANTS

Fairness - Complainants have a right to:

- be heard;
- know whether the Department's relevant service and products procedures have been followed;
- be provided with, and request all relevant material to support the complaint, subject to the *Freedom of Information Act*;
- be informed of the criteria and processes;
- be informed of the response of the officer or part of the Department complained of;
- be informed of the Department's decision and the reasons for that decision;
- know that a genuine, thorough and unbiased examination of the complaint has been undertaken; and
- confidentiality, if requested,

Responsiveness - Complainants shall be:

- advised how long it will take to deal with the complaint; and
- kept informed of progress by telephone advice, correspondence or interview.

7 RIGHTS OF DEPARTMENT OFFICERS

Dealing Directly with the Complainant - Oral or Written

Department Officers have a right to:

- obtain sufficient detail about the complaint to enable a proper assessment/review and response to the complaint;
- advise the complainant the time required to provide information to resolve the complaint;
- agree with the complainant the form the response will take (oral or written);
- record complaint details, timing and the form of response where required for reporting purposes (to Manager).

Written Complaints against a Department Officer

Department Officers, against whom a complaint has been made, have a right to:

- assemble sufficient detail about the complaint to enable the officer to properly respond to the complaint;
- place all relevant material before the officer appointed to review the complaint;
- provide oral and/or written submissions regarding the complaint; and
- be informed of the decision and the reason for the decision.

8 PROCEDURES FOR LODGING COMPLAINTS

Verbal Complaints

Verbal complaints (in-person or by telephone) may be made by any external client (complainant) (or an advocate representing the client) direct to an officer (receiving officer) over a public counter, at any personal or official meeting or by telephone about any service or product provided by the Department.

Wherever possible, all verbal complaints will be dealt with and resolved at the first point of contact by the receiving officer. Some complaints may arise from innocent mistakes or oversights and can be easily dealt with.

Where complaints are of a more substantial nature the complainant will be asked if they wish to register the complaint through the Department's formal complaints process.

Should this be the case the complaint will be registered by the receiving officer on a 'Verbal Complaints Management Form' and forwarded to records for registration and action as required.

Formal verbal complaints will be acknowledged within 5 working days from receipt and, where possible, will be resolved within 30 working days.

Where a complaint has not been resolved within 30 working days the complainant will be advised by the responsible officer, either by phone or in writing, the reason for the delay, what further action is required and when a result may be expected.

Written Complaints

Written complaints (in the form of a letter, facsimile, email or electronically on-line via the DES website) may be made by any external client (complainant) (or an advocate representing the client) about any service or product provided by the Department.

All written complaints will be recorded on a 'Written Complaints Management Form' and forwarded to records for registration and action as required.

Written complaints will be acknowledged within 5 working days from receipt and, where possible, will be resolved within 30 working days.

Where a complaint has not been resolved within 30 working days the complainant will be advised by the responsible officer, either by phone or in writing, the reason for the delay, what further action is required and when a result may be expected.

Where to Lodge a Complaint

Expressions of dissatisfaction, complaints, comments or feedback on services and products can be made through any of the following:

Postal and Street Address:

Department of Education Services
22 Hasler Road, OSBORNE PARK WA 6017
PO Box 1766, OSBORNE PARK WA 6916

Phone: (08) 9441 1900

Facsimile: (08) 9441 1901

Email: info@des.wa.gov.au

Website: www.des.wa.gov.au (Complaints)

9 TAKING A COMPLAINT FURTHER

If you are dissatisfied with how your complaint was managed by the Department, there are organisations that can investigate your complaint further.

The investigation that these organisations might do about your complaint is independent from any review or appeal process that takes place inside the Department you are complaining about.

Some of the key organisations you can go to if you want to take a complaint further include:

State Ombudsman

The Ombudsman's main function is to assist the people of Western Australia to resolve disputes with public sector agencies of the State and to help those agencies to be accountable for, and to improve the standard of, their administrative decision making, practices and conduct. Information relating to the Ombudsman is available at www.ombudsman.wa.gov.au.

Corruption and Crime Commission

The Corruption and Crime Commission has two main purposes:

- to combat and reduce the incidence of organised crime by granting exceptional investigative powers to the Commissioner of Police; and
- to reduce the incidence of misconduct in the public service.

Allegations of serious misconduct and conduct that could be corrupt or criminal are quite distinct from complaints against a product or service and are not intended to be resolved via this complaints management process. Allegations of this nature must be reported to the Corruption and Crime Commission which has the same powers of a Royal Commission.

10 ANNUAL REPORTING

The Department will report the following information in its annual report:

- number of complaints received;
- amount of time taken to resolve complaints; and
- service improvements made as a result of complaints received.

11 RECORDKEEPING

The Department will register all complaints on a central register. The Department will maintain this register to ensure that all complaints are accurately recorded and tracked and that the complaints are appropriately managed and dealt with in a timely and reasonable manner (maximum 30 days).