



Complaints Handling Policy

Revision 0

Date produced: 20/06/2018

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Introduction

The North East Link Authority (NELA) recognises the importance of a fair, transparent and responsive complaints management approach. We are committed to having an effective complaint handling system that reflects the needs, expectations and rights of complainants. Our intent is to be accessible and responsive to all complainants who approach NELA for assistance and/or with a complaint.

Objectives

This policy intends to:

- Put in place an open and transparent complaints management process
- Specify the key performance indicators to which we will hold ourselves accountable
- Establish our timeframes for resolving complaints
- Clarify the roles and responsibilities of NELA staff
- Ensure staff handle complaints fairly and objectively

Guiding principles

This policy is based on seven principles:

1. Commitment

We are committed to resolving complaints and have a culture that recognises an individual's right to complain. We value complaints and recognise them as being part of our business of serving our communities and improving service delivery.

2. Accessibility

People with a range of needs can easily make a complaint and staff actively assist them to navigate the complaints process.

3. Transparency

We make it clear how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

4. Objectivity and fairness

Complaints are dealt with courteously, impartially, within established timeframes and are assessed on merit.

5. Privacy

Complaint information is handled according to privacy laws and other relevant legislation. We provide clear information about how we handle personal information. Complaint data is de-identified if reported on more widely.

6. Accountability

We are accountable internally and externally for our decision making and complaint handling performance. We provide explanations and reasons for decisions, and ensure that our decisions are subject to appropriate review processes.

7. Continuous improvement

Acting on, learning from and using complaint data helps NELA identify problems and improve services.

Scope

This policy applies to all NELA staff, and by extension, all third-party contractors carrying out services on our behalf.

Definitions

Feedback: opinions concerning NELA and/or the North East Link project that have been communicated to NELA.

Complaint: an expression of dissatisfaction with an action taken, decision made or service provided (or failure to do so) by NELA.

Complainant: a person, organisation or representative who makes a complaint to NELA.

Policy: a statement of intent adopted by NELA and implemented through procedures.

Procedure: a series of actions conducted in a defined order to correctly perform a task.

Roles and responsibilities of staff

Frontline staff: recording and responding to complaints; escalating complaints to officers.

Officer: investigating and responding to complex complaints; referring complaints for remedy where required.

Senior officer: internal review procedures as required; supporting staff to make confident, clear and consistent decisions.

How to make a complaint

Complaints can be lodged with NELA in the following ways:

- **Mail:** North East Link Authority, GPO Box 4509, Melbourne VIC 3001
- **Telephone:** 1800 105 105
- **Email:** community@northeastlink.vic.gov.au

Accessibility

Anyone impacted or affected by NELA and/or the North East Link project can make a complaint.

For people who are deaf or have a hearing or speech impairment, accessibility services are available through the National Relay Service <<http://relayservice.gov.au/>> on 1800 555 630.

For Languages Other Than English (LOTE), interpreter services are available on (03) 9679 9896.

We accept and investigate anonymous complaints, provided we have received enough information to do so.

Relevant information

To assist NELA in responding to complaints in a timely manner, we require as much of the following detail as possible:

- Complainant name and contact details
- Details of the complaint, including dates/times, specific location of incident and/or concern
- Expected outcome of the complaint, including timeframe
- Members of NELA staff or contractors previously contacted or involved
- Any other information that may be relevant or assist in investigating the complaint

Complaint handling procedure

Overview

We take a three-tiered approach to complaint handling, as follows:

1. **Frontline resolution:** frontline staff receive the complaint, assess it, and resolve it immediately, if possible.
2. **Investigation, if required:** if frontline staff cannot resolve the complaint, they will refer it to an officer for investigation.
3. **Internal review, if required:** if the complainant is not satisfied with the process or outcome of the frontline resolution and/or investigation, they can request an internal review.

Procedures

We apply the following processes at each stage of the complaint handling procedure:

Frontline resolution

- Receive the complaint and provide acknowledgement within 10 working days
- Advise the complainant of our aim to resolve complaints within 28 days
- Clarify the complaint and the relevant details

- Advise the complainant of an organisation that may be able to help and/or forward the complaint to an appropriate agency if NELA is not the right authority to respond
- Assess the complaint to determine how it should be dealt with
- Attempt to resolve the complaint, if possible
- Assign the complaint to an officer for investigation If it cannot be resolved by frontline staff.

Investigation

- Advise the complainant of the officer investigating the complaint and their contact details
- Inform the complainant if it is expected to take longer than 28 days from receipt to resolve a complaint and explain the reasons for the delay
- Investigate all circumstances and details relevant to the complaint, which may include contacting the complainant to collect further information
- Notify the complainant to advise them of the outcome, including the reasons for the decision made
- Offer the complainant an opportunity for internal review of the complaint by a senior officer not previously involved in the investigation.

Internal review

- If an internal review is requested, advise the complainant of the senior officer reviewing the complaint and their contact details
- Inform the complainant it could take up to an additional 28 days to review the complaint
- Provide the complainant an outcome letter signed by the senior officer responsible after the internal review
- Indicate external review options available to the complainant in the outcome letter, such as the Victorian Ombudsman.

Assessment

We look at the following factors when considering a complaint:

- The seriousness of the issues raised
- The complexity of the complaint
- Any need for urgent action, for example where there are health or safety concerns for any person
- Whether the complaint raises systemic issues, and the impact on the person and broader community
- The potential for the complaint to escalate
- Whether the complaint is about a staff member and may need to be handled by an independent person
- Whether the complaint involves other government agencies.

Remedies

Where we have found that there is validity to a complaint (or part of a complaint), we will take steps to remedy the situation. NELA will notify the complainant as soon as possible with the proposed remedy.

Closing a complaint

Following our response, complainants are given 28 days to consider the proposed resolution. If no response is received from the complainant during this time, we will consider the complaint resolved.

Access to external review

If the complainant is not satisfied with NELA's response we recommend contacting the:

Victorian Ombudsman: if the complaint is about a decision or action of NELA, or about the conduct or behaviour of our staff.

Victorian Equal Opportunity and Human Rights Commission: if the complaint is about discrimination.

Office of the Victorian Information Commissioner (OVIC): if the complaint is about privacy.

Please note we will not re-open or further review a complaint that has already been subject to internal review, or has been escalated for external review.

Recording complaints

All complaints and related information are recorded in our stakeholder management database.

Privacy

When gathering personal information to respond to a complaint, we will only:

- Use it to deal with the complaint or to address systemic issues arising from the complaint; and
- Share it with staff on a need to know basis.

We are committed to ensuring the proper collection, handling, storage and maintenance of personal information under the Privacy and Data Protection Act 2014 (Vic) and other applicable laws that protect privacy.

For more information about our privacy policy, please visit:

<https://northeastlink.vic.gov.au/privacy>