

Complaints Management Guidance

1 Introduction

Purpose of the Complaints Management Guidance: to support the complaints management policy and provide stakeholders with detailed information about IPART's complaints management.

Overview of the Complaints Management Policy: the policy supports IPART's commitment to manage, investigate and resolve complaints.

2 Roles and responsibilities

Detailed breakdown of roles and responsibilities: The below table expands on the roles outlined in the policy by explaining what each role entails in practice.

| Role | Key responsibilities |
|--|---|
| Tribunal Chair | <ul style="list-style-type: none">• Has ultimate responsibility and accountability for complaints handling (is the accountable authority) at IPART.• Promotes a culture that values complaints and their effective resolution• Promotes awareness about the complaint management system within IPART. |
| Chief Executive Officer (CEO) | <ul style="list-style-type: none">• Has delegated responsibility and accountability for complaints management at IPART• Promotes a culture that values the effective handling and resolution of complaints• Promotes awareness about the complaint management system within IPART• Ensures that the public and stakeholders can easily access the policy• Ensures processes for escalating any significant complaints/systemic issues are identified through complaints and for regular reporting to the Executive Leadership Team (ELT), Audit and Risk Committee, and Tribunal Chair. |
| Audit and Risk Committee (ARC) | <ul style="list-style-type: none">• Reviews the policy and associated material to be satisfied that IPART has an appropriate system in place to receive and resolve complaints• Provides independent advice to the CEO and Tribunal Chair on the complaints management system.^a |
| Executive Leadership Team (ELT) | <ul style="list-style-type: none">• Promotes a culture that values the effective handling and resolution of complaints• Promotes awareness about the complaint management system within IPART• Endorses the policy, and its review schedule.• Receives regular reports about complaint volumes, average response timeframes, number of open complaints, systemic issues and media reports• Ensures that any external agencies receive reports and disclosures. |
| Principal Risk Officer | <ul style="list-style-type: none">• Reviews complaint management reports to inform audit, risk and compliance activities |

^a IPART's Audit and Risk Committee Charter (D18/2214)

| Role | Key responsibilities |
|---|--|
| | <ul style="list-style-type: none"> Liaises with the Complaints Manager on timing and presentation of complaints management policy and reports to the ARC. |
| Complaints Manager (Executive Office Manager) | <ul style="list-style-type: none"> Establishes a process for monitoring, evaluating and reporting on the complaint management system's performance Reports to the ELT about the complaint management system's operation and ensures recommendations on the system are implemented where appropriate. Ensures Complaint Handlers are recording complaints in the Register and acknowledging and responding in accordance with the Policy Implements and maintains the system, Implements escalation procedures for unresolved complaints. |
| Directors / Operational Managers | <ul style="list-style-type: none"> Ensures the complaints management system is implemented in their respective areas and, if a complaint is received directly via an online portal or form relating to the Insurance Monitor, distributes complaints to a Complaints Handler and informs the Complaints Manager of the complaint and who is handling it. <p><i>For ESS Complaints:</i></p> <ul style="list-style-type: none"> If complaint has been received through our Customer Interaction Tracking module in our TESSA IT system (CIT) (or added to CIT via phone call) - track response through CIT and notify Complaints Manager when response has been finalised. If complaint has not been received through or added to CIT, allocates complaints to a Complaints Handler and informs the Complaints Manager of the complaint and who is handling it. Liaises with the Complaints Manager Ensures staff are aware of and can access the complaints management system Identifies and allocates resources needed for complaints management in their respective areas and ensures staff are trained and empowered to resolve complaints Reports to the Complaints Manager about staff actions and decisions Ensures monitoring data is recorded and available for the Complaints Manager to review. |
| Executive Office and TSOs | <ul style="list-style-type: none"> Assists with the referral of telephone complaints and the distribution of email, and webform complaints to the relevant Director for assessment and assignment to a Complaint Handler. |
| Complaints Handlers (IPART staff where assigned to deal with a particular complaint) | <ul style="list-style-type: none"> Participates in training for complaint management and the procedures relevant to the role Identifies and responds to complaints in accordance with the complaints management policy and guidance. Records details of complaint in the Complaints Register. |
| Staff (including consultants) | <ul style="list-style-type: none"> Familiar with the complaints management system Timely adoption of any and all changes to the complaints management system Adheres to the complaints management system. If a complaint is received directly to their email or phone, refers the complaint to the Complaints Manager for recording and to the relevant Director for allocation. |

3 Summary of step-by-step procedures

Procedures: Below is a summary of the step-by-step guide on how to manage complaints in 6 steps. These steps are set out in the NSW Ombudsman, Effective Complaint Management Guidelines: a practical guide to developing a complaint management system and handling complaints (November, 2024).

Please refer to the 'Complaints Management Policy Process Templates' for detailed process instructions for handling complaints.

| No. | Step | Work instruction |
|-----|--|---|
| 1. | Receive and acknowledge the complaint | <p><i>Receive the complaint</i></p> <ul style="list-style-type: none"> • <i>Why</i>, clarify why the complainant is dissatisfied or concerned • <i>What</i>, determine what outcome the complainant wants and whether it is possible to assist • If it is difficult to identify the issues or all of the relevant information has not been provided <i>seek clarification</i> from the complainant. Put the confirmed issues and outcomes in writing to the complainant and request their response before proceeding. <p><i>Acknowledge the complaint</i></p> <ul style="list-style-type: none"> • Let the complainant know that the complaint has been received within 5 business days of its receipt. • Provide the complainant key information such as the initial assessment, timeframes, contact details of the staff member managing the complaint, and when and how they will be contacted about next steps. <p><i>Consider</i>, need for escalation to the Complaints Manager.</p> |
| 2. | Record the complaint | <p><i>Record</i>, the following key information (using the complaint case management form template/be guided by the pdf complaint form):^b</p> <ul style="list-style-type: none"> • use a unique identifier for each complaint • if provided, the complainant's name, address and contact details • reason for the complaint, including a description, as well as information provided by the complainant (verbal and written). <i>Consider</i>, using the complainant's own words when describing these issues • dates the complaint was received and finalised • outcome requested and actual outcome • date and method used to contact the complainant • complainant's support or accessibility needs (if any) • actions taken to respond to the complaint • agencies the complaint referred to (if any) • information provided to the complainant • complainant's satisfaction with the outcome • other complaints about the same issue or from the same complainant. |
| 3. | Assess the complaint | <p><i>Determine</i> what the complaint is about and <i>decide</i> the key <i>considerations</i> (this step is to be undertaken by the Complaint Handler in consultation with and under the guidance of their Director). This will allow the complaint to be categorised as less or more complex which will establish timeframes and the seniority of the individual who will manage the complaint.</p> <p><i>Key considerations</i> include:</p> |

^b Standards Australia, AS/NZS ISO 10002:2022, p.15

- whether the issues raised by the complainant are *within the scope* of the Complaints Management Policy.
- does the person making the complaint have the *authority* to do so (if made on behalf of another person)? Depending on the circumstances, you may wish to ask for a document establishing authority.
- nature and seriousness/significance of the issues
- impact on the complainant, IPART or the public
- complexity (e.g. does it raise multiple issues, does it span different industry teams/agencies)
- potential escalation to the Division Head or CEO where the complaint raises organisation risk or the Division Head or CEO should otherwise be aware of the complaint
- need for immediate action and the time since the matter arose
- quantity and quality of information provided
- the *supports* that the complainant may require e.g. is the complainant in distress, do they require language or other supports. *Consider*, asking the complainant if there is anything that they need to make the complaint process easier for them.

Consider, need for escalation to the Complaints Manager, Division Head, the CEO or referral to another agency (eg ICAC).

4. Decide what to do

Consider, whether to finalise the complaint at the first point of contact (i.e. not consider further), gather more information or investigate the complaint.

A complaint may be finalised at the first point of contact if:

- it is trivial, frivolous or vexatious
- a complainant has no greater interest than a bystander who has no direct interest in the outcome
- the complaint is outside the scope of the *Complaints Management Policy*
- the complainant's conduct is unreasonable, discourteous or uncooperative
- it is unnecessary or not possible to justify conducting further review/investigation (i.e. the complaint is the continuation of a previous or a pattern of previous complaints involving the same or similar issues).

For further guidance, see the NSW Ombudsman's [Managing Unreasonable Conduct by a Complainant](#)

When investigating or gathering further information about a complaint think about 'how', 'why' and 'when'.

Ensure that before any decision is made that a reasonable opportunity has been given for relevant information to be presented/provided.

Consider, need for escalation to the Complaints Manager or referral to an external agency.

5. Finalise the complaint

Advise the complainant about the outcome, actions, reasons and options for external review.

Record the outcome of any actions taken, actions that could not be taken, whether the complaint has been substantiated or not, recommendations/decisions and any follow-up actions.^c

Acknowledge when things go wrong and, if appropriate, *apologise* to the complainant.

Consider whether redress is appropriate e.g. apology, improvements to systems and practices.

Forms and documentation: Provide links or references to any forms, templates, or documentation that stakeholders should complete.

All complaints (received by telephone, email, letter, and webform) are generally received by the Executive Office and referred to the relevant Director for assignment to a Complaint Handler. A copy of the complaint is provided to the Complaints Manager for coordination and reporting purposes.

A copy of complaints received directly by team members should be provided to the Complaints Manager for recording and to the relevant Director for assignment.

3.1 Stages of complaint handling

Initial triage and allocation

The Director is to choose the appropriate person to handle the complaint as the Complaint Handler. This could be a person within their team where background knowledge is important or to a person outside their team within IPART where independence is important.

Potential reallocation or escalation

We expect that most complaints will be handled and resolved by the person initially assigned to deal with the complaint. However, in some cases reallocation or escalation may be necessary.

The complaints assignment by a Director, following an initial assessment, recognises the importance of:

- triaging early and effectively, IPART's system affords sufficient flexibility for complaints to be reclassified if necessary for example a complaint that may originally appear as less complex at the time of initial receipt (Step 1) may need to be reprioritised as complex during (Step 3 or 4), or a complex complaint may become more urgent (during Step 4).
- whilst the goal is for end-to-end complaint handling by a single person, flexibility is retained to reallocate complaints where needed so that:
 - complaints are managed by staff with the appropriate skill level and function
 - complaint resolution is not delayed by staff absences

^c Standards Australia, AS/NZS ISO 10002:2022, p.15

Where potential privacy or information release considerations arise during the consideration of a complaint, complainants should be advised that referral to an external oversight body may be available to a complainant.

Referral to an external oversight/complaint handling body

Where a stakeholder remains dissatisfied with the handling or resolution of a complaint, the stakeholder may seek to refer the complaint to an external body, for instance:

- the NSW Ombudsman. The NSW Ombudsman has an [online webform](#) or may be called on 1800 451 524 (Monday to Friday between 9am and 4pm).
- Other external review options, depending on the nature of the complaint, include the NSW Information and Privacy Commission.

Where a complaint is referred to an external agency, IPART will work with external agencies to assist with their enquiries as needed.

3.2 Reporting

IPART undertakes reporting of complaints on the following basis:

| Period | Reporting |
|-------------------|--|
| Monthly | <ul style="list-style-type: none"> • The Complaints Manager will monitor and identify complaints that have not been acknowledged within 5 business days and in the case of less complex complaints whether they have been resolved within 20 business days. |
| Quarterly | <ul style="list-style-type: none"> • The Complaints Manager will run a report to identify the total number of complaints received, elapsed time to resolution, and if any, systemic issues arising. <p>This report will be provided to:</p> <ul style="list-style-type: none"> • each Director where there are complaint exceptions • each ELT member where there is a recommended action in their area arising from complaint investigations • to ELT on a quarterly basis. |
| Annually | <ul style="list-style-type: none"> • At the end of each financial year, the Complaints Manager will generate a report that includes the number of complaints received by industry area, the issues raised and the outcomes of complaints • The annual update to ELT will include quarterly trends in complaints, time to resolution and key changes made in response to complaints. |
| Every three years | <ul style="list-style-type: none"> • Review of IPART's complaint management Policy and Guidance. |

3.3 Learning and continual improvement

IPART recognises that complaints provide valuable information that can assist it in learning and improving its services.

In addition to reporting and analysis, IPART seeks complainant's feedback on IPART's complaint process through survey links in its online webforms.

4 Support and resources

Training and Education Training on complaint management procedures relevant to their role is provided to staff with specific complaint responsibilities. This includes training on receiving and managing complaints from individuals experiencing vulnerability and about cultural awareness. For example, training and materials available from the NSW Ombudsman. In addition to attendance at workshops and events as required the NSW Ombudsman has established ComPrac ([subscribe here](#)) a complaint handling community of practice. This initiative brings together professionals from across the public and private sectors to share insights, identify trends, and collaborate on solutions to emerging challenges.

Training courses on customer service, mental health awareness and communication skills are generally available to staff.

When staff are new to complaints management, or in the instances of more complex complaints support is provided through mentoring.

Additional Support: For IPART staff managing complaints, a suite of support tools are also available through IPART's Employee Assistance Program provider.

5 Related documents

5.1 IPART policies and guidance

Key related IPART policies include:

- Audit and Risk Committee charter
- Positive and productive workplaces statement and guide
- Code of ethics and conduct for Tribunal members, and Committee members
- Code of ethics and conduct
- Conflicts of interest policy
- Gifts and benefits policy
- Fraud and corruption control charter
- Data breach policy and guide
- Public interest disclosure policy
- Corporate governance framework
- Compliance management policy.

5.2 Other guidance and resources

- Standards Australia, AS/NZS ISO 10002:2022 – Guidelines for complaint management in organisations
- NSW Ombudsman, Effective complaint management guidelines: a practical guide to developing a complaint management system and handling complaints (November 2024)
- NSW Ombudsman, 6 principles for effective complaint management, various factsheets (November 2024)
- Audit Office of NSW, [Governance Lighthouse](#) (2015)
- NSW Government, Taking action to help customers in distress: a best practice guide for NSW Government (February 2023)
- NSW Government, Towards a customer-centric government (May 2021)
- Commonwealth Ombudsman, Better practice complaint handling guide (2023).

6 Glossary^d

| Term | Definition |
|------------------------------------|---|
| Agency | Includes as the case may require: <ul style="list-style-type: none"> • a person who is employed or engaged by or is an officer of the Independent Pricing and Regulatory Tribunal or the Independent Pricing and Regulatory Tribunal Staff Agency • government sector agency as defined in section 3(1) of the <i>Government Sector Employment Act 2013</i> • local councils for the purposes of the <i>Local Government Act 1993</i>. |
| Complaint | When someone says they are dissatisfied with an organisation's products, services, staff, processes (including complaint management). People may complain to the organisation or a third party and explicitly or implicitly expect a response or resolution. ^e May be written or verbal and made by the complainant themselves or a person duly authorised by the complainant. |
| Complainant | A person or their representative, or an organisational representative who makes a complaint to an agency. A representative must be authorised to make the complaint on behalf of the person or organisation, e.g. parent/ or relative/person with enduring power of attorney, or officer of an organisation. |
| Complaint handling | Part of complaint management and applies when staff handle a complaint using the process set out in the guidance. |
| Complaint management system | The policies, procedures, practices, staff, hardware and software that IPART uses to manage its complaints. |

^d Our definitions are consistent with and adopt those in the NSW Ombudsman, Effective complaint management guidelines: a practical guide to developing a complaint management system and handling complaints (November, 2024)

^e Standards Australia, AS/NZS ISO 10002:2022 p.2, 20-21

| Term | Definition |
|---|--|
| Feedback | Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about IPART, our review process, staff or complaint handling where a response is not explicitly or implicitly expected or legally required. |
| External oversight/complaint handling body | An avenue that is available for specific types of complaints where an oversight agency, such as the NSW Ombudsman, or other complaints handling organisation, investigates the handling of a complaint by an agency or deals with complaints that were previously the subject of a complaint to an agency. Typically, this process will only occur after the complainant has progressed through the IPART's complaint process in the first instance. |
| Unreasonable complainant conduct | Any behaviour which, because of its nature or frequency, raises substantial health, safety, resource or equity issues. Examples of unreasonable complainant conduct can include unreasonable persistence; unreasonable demands; unreasonable lack of cooperation; unreasonable arguments; and unreasonable behaviour. ^f |

^f Standards Australia, AS/NZS ISO 10002:2022, p.3