

Complaints Management Policy

1 Purpose

Statement: this policy supports IPART's commitment to exercise its functions to support better outcomes for the people of NSW, including by enhancing stakeholder engagement. The policy sets out the general principles applicable to IPART's management of complaints.

IPART is committed to effective and efficient complaints management and ensuring that all stakeholders:

- can easily make a complaint
- have clear expectations of the complaints process and that their complaint is finalised in a timely way
- feel heard, respected, and know that complaints will be treated in an impartial manner.

IPART recognises that developing a robust complaint management framework is crucial for:

- maintaining public trust and confidence
- ensuring transparency and accountability
- improving the delivery of our functions.

IPART seeks to manage complaints in an accountable, transparent, timely and impartial manner.

2 Scope and authority

Scope: This policy applies to all staff (including contracted personnel), and Tribunal and Committee members irrespective of location. The types of complaints that this policy applies to are set out in further detail under [Section 4](#) 'Types of complaints covered by this policy'.

Authority: NSW public sector organisations have obligations to manage service-related complaints and assess and refer certain types of complaints and disclosures.

IPART's approach to handling complaints is based on the NSW Ombudsman Effective Complaint Management Guidelines and complies with the Australian/New Zealand Standard on complaints management (AS/NZS 1002:2022). The Standard requires IPART to establish a policy setting out our commitment to effective complaints management.

3 Principles for effective complaint management

This policy adopts the NSW Ombudsman's six principles for effective complaint management, which aim to ensure a consistent approach to complaint handling across the NSW public sector.

Principal	What this means for IPART and complainants
Respectful treatment	<p><i>We are responsive and treat complainants with courtesy and respect</i></p> <ul style="list-style-type: none"> everyone has a right to complain and not be adversely affected complainants' competence, perspectives, opinions and rights are valued and taken seriously. <p><i>We expect complainants will treat IPART staff with courtesy and respect</i></p> <ul style="list-style-type: none"> IPART staff have a right to a respectful working environment when dealing with complaints
Information and accessibility	<p><i>We make it easy for complainants to give us feedback so we can make improvements</i></p> <ul style="list-style-type: none"> IPART's complaints process is free and easily accessible IPART clearly displays information about how and where complaints may be made, what to expect from the process, as well as who to contact for more information IPART provides all reasonable assistance and support to make it easy to make a complaint.
Communication	<p><i>We keep complainants informed about the status of their complaint or feedback</i></p> <ul style="list-style-type: none"> complaints are acknowledged and complainants are provided with a contact person the most appropriate channel is used when communicating with complainants an explanation of the process, likely next steps and timeframes, provision of regular updates, advising of outcomes (and reasons), informing of avenues for review.
Taking ownership	<p><i>We are trained and skilled to manage complaints and one person/team will manage the complaint</i></p> <ul style="list-style-type: none"> persons managing complaints are of appropriate seniority and skills one person or team is responsible for managing a complaint (and are provided with contact details) complainants are informed if their complaint is transferred to another person or team.
Timeliness	<p><i>We do our best to deal with complaints as soon as possible. Complainants know our timeframes for finalising their complaint</i></p> <ul style="list-style-type: none"> our timeframes for acknowledging complaints and finalising less-complex complaints are publicly available complainants are informed if there are delays in managing the complaint and the reasons for the delay.

Transparency

We record and analyse information on our complaint handling processes to help improve our services

- IPART uses documented processes to manage complaints
- IPART records and analyses the following information:
 - number of complaints received
 - number of complaints finalised
 - percentage of complaints finalised within stated timeframes
 - matters raised in complaints
 - actions taken in response to complaints
 - any systemic issues identified
 - number of referrals to the NSW Ombudsman or other external oversight/complaint handling bodies.

4 Types of complaints covered by this policy

4.1 What is a complaint?

A complaint is when someone says they are dissatisfied with an organisation's products, services, staff, or processes (including complaint management).

A complaint differs from feedback as the person making the complaint (the complainant) explicitly or implicitly expects a response or resolution.

4.2 Within scope complaints

This policy applies to the receipt or management of verbal or written complaints from the public made about IPART (or an IPART staff member):

- the process that we have used to come to our decision or advice or services (not the decision or advice itself)

[For example, complaint that IPART takes too long to consider licence applications and complainant asks for IPART to 'speed up' its processes (not complaint that IPART didn't approve a particular licence application)]

- our policies, procedures or processes (including complaints handling)

[For example, the complainant is dissatisfied with the process used to seek feedback at a public hearing]

- behaviour or conduct of staff, consultants and contractors (that is not a public interest disclosure i.e. it does not relate to a 'serious wrongdoing' by a 'public official').

[For example, the complainant is dissatisfied with the phone manner of an IPART staff member.]

4.3 Out of scope complaints

Some complaints are outside the scope of this policy and are managed under different processes:

- this policy does not apply to complaints made and/or managed pursuant to other legislation and/or relevant complaint management processes or other policies, including:
 - competitive neutrality complaints
 - complaints made to IPART about an insurance company in its capacity as the Emergency Services Levy Insurance Monitor or in relation to participants in the Energy Savings and Peak Demand Reduction Schemes
 - privacy complaints
 - corrupt conduct
 - public interest disclosures
 - staff grievances
 - complaints that are contractual in nature
 - Government Information (Public Access) (GIPA) requests,

relevant policies are set out under [Section 12](#) under the heading 'Related documents'.
- a complaint about the general functionality of IPART's customer-facing IT systems, eg a request for additional functionality (Note a complaint about the functioning of the IT system where it affects a person's interests is not excluded)
- a complaint made to IPART about other agencies including whether they adopt IPART's advice^a
- a complaint made to IPART about regulated entities (eg a council, a regulated utility or an Accredited Certificate Provider)^b
- complaints subject to legal proceedings.

Complaints about competitive neutrality, insurance companies or participants in the Energy Savings and Peak Demand Reduction Schemes have their own separate processes and policies. Refer to:

- [Competitive neutrality](#)
- [Emergency Services Levy Insurance Monitor](#)
- [Energy Savings and Peak Demand Reduction schemes.](#)

a These complaints should be forwarded to the relevant business unit to assess whether the complaint is relevant to IPART's functions or otherwise needs to be referred to another agency (subject to any privacy considerations) or dealt with as a public interest disclosure.

b These complaints should be forwarded to the relevant business unit to assess whether the complaint is relevant to IPART's functions or otherwise needs to be referred to another agency (subject to any privacy considerations).

4.4 Referrals to other agencies

Depending on the nature of the matter the complaint may be referred to another agency for example the NSW Independent Commission Against Corruption, NSW Ombudsman, the NSW Privacy Commissioner or the Anti-Discrimination Board of NSW.

5 How to make a complaint

Complaints may be made verbally or in writing (webform, email or post) by the complainant or someone authorised to make the complaint on their behalf with their permission. Depending on the circumstances, IPART may confirm that the complainant has authorised the complaint being made on their behalf.

We have also linked a Complaint Form to our website if you wish to use this as a guide. Anonymous, pseudonymous (i.e. use of a false name or identifier) complaints and complaints authorised to be made on another's behalf are afforded the same consideration as other complaints. However, IPART's ability to resolve the complaint fully, or provide an outcome to the complaint may be limited. It also means IPART will not be able to contact the complainant to request further information or to let the complainant know the outcome of the complaint.

Unless there are special circumstances (for example ill-health) a complaint should be made within 12 months from when the conduct or events the subject of the complaint occurred.

6 How IPART handles complaints and our timeframes

IPART seeks to resolve complaints where possible, at the point where the complaint is received. Should the complaint require re-direction or referral within IPART this will occur at the earliest opportunity.

IPART will take reasonable steps to resolve complaints as soon as practicable. How a complaint will be managed and by whom will depend on its complexity and nature.

It may not be possible to change the decision in question. If a complaint is made about a decision that is subject to a right of administrative review, we will refer the complainant to the available review mechanism.

If a complainant remains dissatisfied after the completion of the complaints handling process by us, they may refer their complaint to an external oversight body for review such as the NSW Ombudsman.

The time it takes to resolve a complaint depends on several factors, including when the complaint is made and its complexity. As a guide, IPART commits to:

- *acknowledging* receipt of a complaint within 5 business days.

- for *most complaints*, provide a response within 20 business days from the date the complaint is received.
- for *more complex complaints*, including those that require extensive investigation or consultation, resolve within a reasonable timeframe.

If there is going to be a delay in responding to a complaint (for example, due to complexity), IPART will provide information on why this is the case and when updates can be expected on the complaint. IPART will provide reasonable updates, having regard to the nature of the complaint, to the complainant.

7 Complaints Management Policy in operation

For a full outline of the complaints management practices and tools refer to the Complaints Management Guideline, which is supported by:

- Complaint Form (webform, pdf form)
- Complaint Case Management Form
- Complaints Register
- Complaints Management Policy Process Templates
- Training materials for staff managing complaints.

IPART will keep full and accurate records with respect to all complaints received in line with legal and operational requirements.

8 Responsibilities and expectations

8.1 IPART's responsibilities

IPART recognises that in managing complaints fairly, efficiently and effectively that all parties to a complaint have certain responsibilities.

8.2 Expectations of complainants

We expect that complainants will:

- cooperate respectfully and understand that unreasonable conduct will not be tolerated, including abusive, aggressive, or disrespectful behaviour. For complainant conduct that is unreasonable, discourteous or uncooperative, we may refuse to progress the complaint any further and will inform the complainant of this.
- provide a clear idea of the problem and the desired solution
- provide all relevant information when the complaint is made

- inform IPART of changes affecting the complaint including if the complainant no longer wishes to progress the complaint further.

9 Collection and treatment of complainants' personal information

9.1 The personal information we collect, its use and disclosure

Where a complainant provides their personal information (i.e. their name, contact details, or other information or opinion that may identify them or from which their identity can be reasonably ascertained) we will collect this information.

IPART will only collect the information that it needs to progress and respond to your complaint.

IPART may use this information to:

- assess and respond to the complaint, and escalate where appropriate
- contact the complainant to be able to appropriately respond to, and better understand the complaint
- identify broader issues that may require action, for example identify systemic issues and improvements to our customer service
- other directly related or incidental purposes.

We will only disclose your personal information for the purposes for which it was collected or where authorised or required to do so by law.

9.2 How we protect complainants' personal information

We take reasonable steps to protect complainants' personal information from misuse, loss or unauthorised access.

We store information securely and only keep it for as long as necessary, in line with legal and operational requirements.

A complainant who has provided their personal information has the right to access this information and request that it be updated or corrected if inaccurate.

A complainant who believes that their privacy has been breached can contact us to raise their concerns. A complaint may also be lodged with the NSW Information and Privacy Commission.

10 Policy review

IPART's complaints management approach is reviewed at a minimum every three years to ensure that it continues to meet the organisation's needs and requirements.

The information that informs these reviews includes:

- feedback from complainants and staff
- the results of audits or evaluations
- any changes in policy, organisational structure or the law.

11 Roles and responsibilities

A summary of roles and responsibilities follows. A detailed breakdown is contained in the Complaints Management Guidance.

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.
Chief Executive Officer (CEO)	<ul style="list-style-type: none"> • Has delegated responsibility and accountability for complaints management at IPART.
Audit and Risk Committee (ARC)	<ul style="list-style-type: none"> • Provides independent advice to the CEO and Tribunal Chair on the complaints management system.^c
Executive Leadership Team (ELT)	<ul style="list-style-type: none"> • Endorses the policy, and its review schedule.
Principal Risk Officer	<ul style="list-style-type: none"> • Reviews complaint management reports to inform audit, risk and compliance activities.
Complaints Manager (Executive Office Manager)	<ul style="list-style-type: none"> • Coordinates and reports on the resolution of complaints and manages IPART's complaint management system. Ensures Complaint Handlers are recording complaints and acknowledging and responding in accordance with the Policy
Directors / Operational Managers	<ul style="list-style-type: none"> • Ensures the complaints management system is implemented in their respective areas. • If a complaint is received directly via an online portal or form relating to the Insurance Monitor, allocates 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.

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

Role	Key responsibilities
Executive Office and TSOs	<ul style="list-style-type: none"> Distributes complaints to Complaint Handlers or to Directors for assessment and assignment to a Complaint Handler.
Complaints Handlers	<ul style="list-style-type: none"> Identifies and responds to complaints in accordance with the complaints management system and records details in the Complaints Register.
Staff (including contractors)	<ul style="list-style-type: none"> Adhere to the complaints management system. If a complaint is received directly to their email or phone number, refers the complaint to the Complaints Manager for recording and to the relevant Director for allocation.

12 Related documents

12.1 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.

12.2 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).

13 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 or 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.
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

^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

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