

# External Complaints Policy

Version 1.1  
5 December 2016

## Summary

This is one of three policies that make up the NSW SES Complaints Management Framework - the first step in how to respond to a concern raised with NSW SES members ('members').

This policy states our approach to handling complaints made by members of the public ('complainants') about our services, members and/or external complaint ('complaint') handling. The *External Complaints Procedures and Supporting Documentation* details the process to be followed.

Key points about the policy are:

All members should value and be attentive to complaints as an opportunity for improvements to our services, members and complaint handling.

There are three levels at which complaints may be handled:

**Level 1 (preferred)** - local management action frontline complaint handling with an early resolution, preferably at first contact (between the member and the complainant).

**Level 2** – internal (Probity & Standards Unit) review and complaint handling and/or investigation.

**Level 3** – external review of complaints and/or complaints handling.

The policy covers:

- ✓ our interactions with complainants
- ✓ the information we provide them about the process, progress and outcome/s of their complaint
- ✓ our resolution, management, and investigation of external complaints

The policy does not cover:

internal grievances, such as interpersonal conflict or other workplace issues

allegations of misconduct or serious offences

reports of alleged corrupt or unethical conduct under the *Public Interest Disclosures Act 1994*

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## 1. Purpose

This policy states our approach to handling complaints made by members of the public ('complainants') about our services, members and complaint handling. The *External Complaints Handling Procedures and Supporting Documentation* details how the policy is to be put into practice.

The policy is designed to avoid the risks of a lack of guidance for members on complaints handling and documentation. Risks include complainant dissatisfaction; unnecessary escalation of complaints; loss of trust by complainants and the general public; and, external oversight agency criticism.

**Compliance with this policy is mandatory for all members.**

## 2. Definitions

Term	Definition
<b>Complaint</b>	<ul style="list-style-type: none"> <li>• An expression of dissatisfaction made by a member/s of the public ('complainant') about our services, members and complaints handling, which requests or legally requires a response.</li> <li>• May be made either direct to NSW SES or through an external party (for example: a relative, friend, advocate, solicitor, welfare worker, other government agency, or Member of Parliament).</li> <li>• May be made either orally or in writing (including online).</li> <li>• May be anonymous if the Minimum Information Requirements for Anonymous Complaints is met.</li> <li>• A complaint covered by this policy can be distinguished from:               <ul style="list-style-type: none"> <li>○ internal grievances, allegations of misconduct, and public interest disclosures (Section 5. <i>Related Internal Documents</i> lists the relevant policies).</li> <li>○ opinions or comments made as feedback, or, service requests.</li> </ul> </li> </ul>
<b>NSW SES</b>	New South Wales State Emergency Service
<b>Policy</b>	A document that sets out the way particular issues are to be addressed or particular decisions are to be made. Policies also set out the principles or values that govern how the NSW SES is to function. Compliance is mandatory.

Term	Definition
<b>Policy principles</b>	A set of guiding statements that reflect the NSW SES values and intent regarding complaint handling.
<b>Dispute</b>	An unresolved complaint which may have been escalated internally or externally.
<b>Feedback</b>	Opinions, comments and expressions of interest or concern, made to or about us, our services or complaints handling, where a response is not explicitly or implicitly expected or legally required.
<b>Grievance</b>	A clear, formal written statement by an individual member about another member or a work-related concern.
<b>Service request</b>	Requests for action, services, assistance, explanation of policies, procedures and decisions; inquiries about our functions; or, reports of failure to comply with laws which relate to responsibilities of the NSW SES.
<b>Procedural fairness</b>	Involves decision-makers informing members of the case against them or their interests, giving them a right to respond, not having a personal interest in the outcome and acting on the basis of logically probative evidence.
<b>External oversight Agencies</b>	Includes but is not limited to the NSW Ombudsman, Independent Commission Against Corruption (ICAC), Public Service Commission (PSC) and NSW Treasury.

### 3. Scope

This policy applies to all members involved in any part of the complaints handling process. This includes our interactions with people making complaints to or about us, as well as the information we provide them about the process, progress and outcome/s of their complaint.

Internal grievances, allegations of misconduct, and public interest disclosures are not covered by this policy. Section 5. *Related Internal Documents* lists the policies which cover these issues. This policy does not cover external reviews, court or tribunal decisions, opinions or comments made as feedback, or, service requests.

### 4. Policy Statement

NSW SES is committed to providing innovative emergency services to an engaged community. Key to meeting this commitment is using complaints information as a way to correct our mistakes and improve our services, members and complaints handling.

## Principles

### 4.1 Value and Facilitate Complaints

Feedback, including complaints, helps us to improve our services, members and complaint handling.

All concerns raised in complaints to or about us will be dealt with:

- in a reasonable timeframe;
- without detriment to a person because they have made a complaint;
- whether the complainant is identified or anonymous, provided enough information is provided; and,
- through an equitable and accessible process.

### 4.2 Respond to Complaints

Members of NSW SES will respond to complaints in a manner which is fair, courteous and respects both the privacy of the complainant and their right to express their concern.

Members will fulfil their obligations under the *NSW SES Code of Conduct and Ethics* by:

#### **Early Resolution**

- preferably resolve at first contact with us - prompt and informal

#### **Responsiveness and Flexibility**

- promptly and courteously acknowledging receipt
- assessing urgency and seriousness
- informing complainant as soon as possible of process and timeframes
- flexible, creative approaches to service delivery and problem solving

#### **Objectivity and Fairness**

- equitable, objective and unbiased treatment of complainant and issues

#### **Recordkeeping**

- keeping accurate and complete records for effective, accountable responses

#### **Confidentiality**

- protecting the identity, personal information and complaint/handling details – treat as strictly confidential and on a 'need to know' basis

Members are to follow the process set out in the *NSW SES External Complaints Handling Procedures and Supporting Documentation* in fulfilling the above principles.

### 4.3 Manage the parties to a complaint

All NSW SES members are to make sure that their involvement in the complaints handling process reflects our Values: Trust, Accountability, Respect, Professionalism and Integrity, Safety and Service.

There are three levels at which complaints may be handled by NSW SES members:

**Level 1 (preferred level)** - local management action frontline complaint handling with an early resolution, preferably at first contact (between the member and the complainant).

**Level 2** – internal (Probity & Standards Unit) review and complaint handling and/or investigation

**Level 3** – external review of complaint and/or complaints handling

*Where complaints involve multiple agencies:* we will work with the other organisation/s where possible to ensure the communication with and response to the complainant is clear and coordinated.

*Where complaints involve multiple related parties:* we will try to arrange to communicate with a single representative of the group.

*Managing unreasonable conduct by complainants:* NSW SES *Managing Unreasonable Complainant Conduct Policy and Procedures* refers.

*Responding to vexatious complaints:* complaints which are found to be without reasonable cause still require NSW SES members to apply the standards under *Section 4.2 Respond to Complaints*.

#### 4.4 Continuous improvement

NSW SES is committed to the analysis of its records regarding the receipt, handling and outcomes of complaints, to monitor trends and identify areas for improvement.

### 5. Related internal documents

Related internal documents:

- Complaints Management Framework
- External Complaint Handling Procedures and Supporting Documentation\*
- Internal Grievance Handling Policy
- Internal Grievance Handling Procedures and Supporting Documentation\*
- Misconduct and Serious Offences Policy
- Misconduct and Serious Offences Procedures and Supporting Documentation\*
- Code of Conduct and Ethics
- Controller's Guide - Volunteer Membership Policy
- Bullying and Harassment Policy

\*includes flowchart, factsheet and required forms

## 6. More information

Related legislation:

- *Anti-Discrimination Act 1977 (NSW)*
- *Crimes Act 1900 (NSW)*
- *Government Sector Employment Act 2013 (NSW)*
- *Government Sector Employment Regulation 2014 (NSW)*
- *Government Sector Employment Rules 2014 (NSW)*
- *Public Interest Disclosures Act 1994 (PID Act) (NSW)*
- *State Emergency and Rescue Management Act 1989 (NSW)*
- *State Emergency Service Act 1989 (NSW)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*
- *State Records Act 1998 (NSW)*

## 7. Support and advice

*Policy Support and advice*

Members can get advice and support about anything in this policy from:

- Your supervisor, Manager, Unit Controller, Local Controller or Region Controller
- Senior Manager, Probity & Standards – People & Development Directorate
- Director, People and Development
- Manager, Strategy, Planning and Innovation

Members will provide or arrange all reasonable assistance to those who need help to effectively communicate in relation to a complaint. Assistance may include, for example, access to an interpreter service or a personal interview during which details of a complaint can be written down on the complainant's behalf.

*Personal Support and Advice*

While NSW SES intend that this policy and its related procedures will ease the burden on all involved in a complaint, we acknowledge that both the complaints process and the circumstances which gave rise to a complaint can be difficult to deal with.

We are committed to supporting our members and our complainants throughout the complaints process. Attached at [Appendix 1](#) to this policy is a contact list of support services where you or a person you are dealing with can get help.

*Further Advice and Advocacy – Oversight Bodies*

Attached at [Appendix 2](#) to this policy is a contact list of complaints oversight bodies with a short statement about their role and functions.

Members should consider referring complainants who appear to be experiencing difficulties or who wish for further advice or advocacy, to the external services and/or Oversight Bodies listed in Appendices 1 and 2.

## Appendix 1 – Support Services

If you are a NSW SES member and are experiencing personal difficulties, you can get 24/7 free help by calling the following internal hotlines:

- Critical Incident Support Program: 1800 626 800
- Chaplaincy Program: 1800 626 800
- Member Assistance Program (MAP): 1300 361 008

NSW SES members or members of the public can get 24/7 free help by contacting the following external hotlines or websites (refer complainants where they indicate they need help):

- Lifeline on 13 11 14 or [www.lifeline.org.au](http://www.lifeline.org.au)
- Beyondblue on 1300 22 4636 or [www.beyondblue.org.au](http://www.beyondblue.org.au)
- Kids Helpline (5-25 years) on 1800 55 1800

## Other Information and Support

Indigenous Disability Advocacy Service (IDAS)

Phone: 02 4722 3524 Fax: 02 4722 6126

Email: [idas@idas.org.au](mailto:idas@idas.org.au) Web: [www.idas.org.au](http://www.idas.org.au)

Blind Citizens Australia

Toll free: 1800 033 660 Phone: 03 9654 1400 Fax: 03 9650 3200

Email: [bca@bca.org.au](mailto:bca@bca.org.au) Web: [www.bca.org.au](http://www.bca.org.au)

Kids Helpline

Toll free: 1800 55 1800

Web: [www.kidshelpline.com.au](http://www.kidshelpline.com.au)

Multicultural Disability Advocacy Association

Phone: 02 9891 6400 Toll free: 1800 629 072 TTY: 02 9687 6325 Fax: 02 9897 9402

Email: [mdaa@mdaa.org.au](mailto:mdaa@mdaa.org.au) Web: [www.mdaa.org.au](http://www.mdaa.org.au)

Information and Privacy Commission NSW

Phone: 1800 472 679 Fax: 02 8114 3756

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au) Web: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

NSW Ombudsman

Phone: 02 9286 1000 Toll free: 1800 451 524 (outside Sydney metro)

TTY: 02 9264 8050 Fax: 02 9283 2911

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au) Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)



## Appendix 2 – Complaint Oversight Bodies

### Anti-Discrimination Board

Investigates and conciliates complaints of discrimination, harassment and vilification.

Level 4, 175–183 Castlereagh Street Sydney NSW 2000

PO Box A2122 Sydney South NSW 1235

Toll free: 1800 670 812 (within NSW) TTY: 02 9268 5522 Fax: 02 9268 5500

Email enquiries: [adbcontact@agd.nsw.gov.au](mailto:adbcontact@agd.nsw.gov.au)

Email complaints: [complaintsadb@agd.nsw.gov.au](mailto:complaintsadb@agd.nsw.gov.au)

Web: [www.antidiscrimination.justice.nsw.gov.au](http://www.antidiscrimination.justice.nsw.gov.au)

### Australian Human Rights Commission

Handles complaints of discrimination and breaches of human rights under the federal antidiscrimination legislation, including disability, sex, race and age.

Level 3, 175 Pitt Street Sydney NSW 2000

GPO Box 5218 Sydney NSW 2001

Phone: 02 9284 9600 or 1300 369 711 Fax: 02 9284 9611 TTY: 1800 620 241

Infoline: 1300 656 419

Email: [infoservice@humanrights.gov.au](mailto:infoservice@humanrights.gov.au) Web: [www.humanrights.gov.au](http://www.humanrights.gov.au)

### NSW Ombudsman

Phone: 02 9286 1000 Toll free: 1800 451 524 (outside Sydney metro)

TTY: 02 9264 8050 Fax: 02 9283 2911

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au) Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

## Document Control Sheet

<b>Title</b>	External Complaints Policy
<b>Current Version #</b>	1.1
<b>Directorate</b>	People & Development
<b>Policy Owner</b>	Senior Manager, Probity & Standards
<b>Policy Sponsor</b>	Director, People & Development
<b>Effective date</b>	05 December 2016
<b>Next Review Date</b>	05 December 2018
<b>Rescinds</b>	External Complaints Policy v1.0
<b>Topic</b>	
<b>Function</b>	Governance, Volunteer management, Personnel management
<b>Key Words</b>	Complaints, external, public, members, support, record, complainant, policy

*Version History*

Version #	Version creation date	Author/Position	Summary of changes
V0.2	9 May 2016	Samantha Maddocks Policy Officer, SPI	Consistent reference to 'complainants' rather than 'members of the public'
V0.3	20 July 2016	A/Policy Officer - Louise Pallier	Incorporated NSW SES VA amendments
V1.0	5 Dec 2016	Manager, Professional Standards	Final
V1.1	May 2023	Policy Team	Employee Assistance Program (EAP) provider changed. New provider referred to as Member Assistance Program (MAP), contact number 1300 361 008. Minor administration updates.

*Approvals Required for this Document*

Name	Title	Date	Version signed off
Gary Bevan	Manager, Professional Standards	2 Dec 2016	V1.0
Kathleen Iacurto	Director, People and Culture	2 Dec 2016	V1.0
Greg Newton	Acting Commissioner	5 Dec 2016	V1.0