

## Complaints Handling Guidelines

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**Guideline approved by NSWIS Executive: December  
2021**

**CEO: \_\_\_\_\_  
(signature)**

**Next formal review by Executive: December 2023**

**NOTE:** Any agreed changes to the Guideline approved by the NSWIS Board between the date of issue and the date for next review are to be updated and made available to all staff for advice.

# Complaints Handling Guidelines



## Revision History

Date	Version	Reviewed by	Changes made
May 2019	Version 1	Kirsten Thomson	Initial Development
December 2021	Version 2	Wayne Earl	Font inconsistencies and updated dates
Date	Version	Reviewed by	Changes made

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# Complaints Handling Guidelines



## PURPOSE

To ensure that complaints are handled fairly, efficiently and effectively, the NSW Institute of Sport (NSWIS) has established a complaints management system that:

- makes it easy for athletes, stakeholders and the general public to submit complaints and feedback to NSWIS
- ensures that complaints and feedback are responded to in a timely and cost-effective way
- ensures public confidence in NSWIS
- ensures that complaints and feedback are collated and used to inform the continuous improvement

NSWIS is committed to providing high quality services to external stakeholders which includes athletes, external stakeholders and the general public. These Guidelines, and associated processes, incorporate and are underpinned by a suite of Complaint Handling Commitments adopted by the NSW Government. These are; Respectful Treatment, Information and Accessibility, Good Communication, Taking Ownership, Timeliness and Transparency.

## SCOPE

These Guidelines apply to all staff and/or coaches receiving or managing complaints and feedback from athletes, external stakeholders and the general public as well as representations made to a Minister which are referred to NSWIS for investigation and response.

Internal complaints and grievances made by staff and/or coaches are governed by the NSWIS Grievance Handling Policy.

This policy has been written in accordance with:

- NSWIS Code of Conduct
- NSWIS Privacy Policy
- NSW Ombudsman Publication "*Effective complaint handling guidelines:*" 3<sup>rd</sup> edition, February 2017
- NSW Ombudsman "*Managing unreasonable complainant conduct model policy*" 2012
- *Privacy and Personal Information Protection Act 1998*

## DEFINITIONS

A complaint is an expression of dissatisfaction made to or about NSWIS, the adequacy, quality or timeliness of services, staff or the handling of a complaint where a response of resolution is explicitly or implicitly expected or legally required.

Matters that do not fall under the definition of a complaint and which are not managed under these Guidelines include:

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- grievances, concerns and issues raised by staff
- allegations of possible corrupt or criminal behavior
- matters where there is a legal remedy or formal rights of appeal or review

## ROLES AND RESPONSIBILITIES

NSWIS expects staff and/or coaches at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

WHO	HOW
CEO, Executive and Operational Executive	<p>Promote a culture that values customer feedback and opportunities to improve service delivery</p> <p>Report publicly on NSWIS complaint handling via the Annual Report</p> <p>Provide adequate support and direction to key staff responsible for handling complaints</p> <p>Encourage all staff/coaches to be alert to complaints and assist those responsible for handling complaints to resolve them promptly</p> <p>Regularly review reports about issues arising from complaints</p> <p>Recognise good complaint handling by staff</p> <p>Manage and oversight of complaint investigations</p>
Director Corporate and Communications	<p>Monitor compliance, resolution of complaints and quality outcomes</p> <p>Update policy and procedures as required to ensure they remain relevant and effective in meeting current and anticipated needs</p>
Manager, People and Culture	<p>Provide regular reports to CEO, Executive and Board on issues arising from complaint handling work</p> <p>Train and empower staff to resolve complaints promptly and in accordance with NSWIS policies and procedures</p> <p>Undertakes the role of Complaints Manager to enable a consistent and effective organisational approach to complaints handling</p>

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All staff and coaches	Treat all people with respect, including people who make complaints  Assist people to make a complaint, if needed  Be aware of, and comply with, these Guidelines and associated processes  Provide feedback to management on issues arising from complaints  Implement changes arising from individual complaints as requested by the Manager People & Culture, Executive, or CEO
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## GUIDING PRINCIPLES

### **Facilitating Complaints**

NSWIS is committed to seeking and receiving feedback about our services and to deal with any concerns raised within a reasonable timeframe.

People making complaints will be:

- Provided with information about the complaint handling process
- Provided with accessible ways to make complaints
- Listened to, treated with respect and actively involved in the complaint process where possible and appropriate, and;
- Provided with reasons for our decision/s and any options for redress or review

Reasonable steps will be taken to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Information about how and where complaints may be made will be readily available. Our systems to manage complaints are easily understood and accessible to everyone.

If a person prefers or needs another person or organisation to assist them in the resolution of their complaint, NSWIS will communicate with them through their representative if this is their wish.

Anyone may represent a person wishing to make a complaint with their consent (e.g. family member, legal representative, another organisation).

### **Responding to Complaints**

Where possible, complaints will be resolved at first contact with NSWIS by frontline staff and/or coaches. Staff are empowered to resolve complaints promptly and with as little formality as possible.

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Receipt of complaints will be acknowledged promptly and assessed and prioritised in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately in line with the NSWIS Critical Incident Policy, if appropriate.

People making complaints will be informed about the process, expected timeframes and of the progress and reasons for any delay. People will be advised as soon as possible when NSWIS is unable to deal with any part of their complaint and advised where such issues and/or complaints may be directed (if known and appropriate).

All complaints will be handled with integrity and in an equitable, objective and unbiased manner.

Staff allocated to any complaint handling will be different from any staff member whose conduct or services is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly.

Each complaint will be assessed on its merits and involve people making complaints and/or their representative in the process as far as possible.

## ***Confidentiality***

The identity of people making complaints will be protected where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by NSWIS as permitted under the relevant privacy laws and relevant confidentiality obligations.

## ***Complaints involving multiple organisations***

Where a complaint involves multiple organisations, NSWIS will work with the other organisation/s where possible, to ensure communication with the person making a complaint and/or their representative is clear and coordinated.

## **EMPOWERMENT OF STAFF**

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system to the Manager, People & Culture.

## **MANAGING UNREASONABLE CONDUCT BY PEOPLE MAKING COMPLAINTS**

NSWIS is committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- Our ability to do our work and perform our functions in the most effective and efficient way possible
- The health, safety and security of our staff, and;
- Our ability to allocate resources fairly across all complaints we receive

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When people behave unreasonably in their dealings with NSWIS, their conduct can significantly affect the progress and efficiency of our work. As a result, NSWIS will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with these Guidelines.

For further information on managing unreasonable conduct by people making complaints please see the Ombudsman's *Managing Unreasonable Complainant Conduct Model Policy 2012*.

## COMPLAINT MANAGEMENT SYSTEM

When responding to complaints, staff should act in accordance with these Guidelines. The five key stages in the Institute's complaint management system are set out below.

### ***Stage 1: Receipt of complaints***

Complaints and supporting information will be recorded and a complaint file will be established by the Manager People & Culture.

The record of the complaint will document:

- The contact information of the person making the complaint (where provided)
- Issues raised by the person making a complaint and the outcome/s they want
- Any other relevant information, and;
- Any additional support the person making a complaint requires (if applicable)

### ***Stage 2: Acknowledgement of complaints***

Receipt of each complaint will be acknowledged promptly. And preferably within two working days.

### ***Stage 3: Initial assessment and addressing of complaints***

After acknowledging receipt of the complaint, the Complaints Handling Manager will confirm whether the issue/s raised in the complaint is/are within our control. They will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, consideration will be given to:

- How serious, complicated or urgent the complaint is
- Whether the complaint raised concerns about people's health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed, and
- Whether a resolution requires the involvement of other organisations

After assessing the complaint, consideration will be given to how to manage it. This may include:

- Giving the person making a complaint information or an explanation

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- Gathering information about the service, or from the person or area that the complaint is about and/or
- Investigating the claims made in the complaint

The Complaints Handling Manager will keep the person making the complaint up to date on progress, particularly if there are any delays. The outcome of the complaint will also be communicated.

The action that is taken will be tailored to each case and take into account any statutory requirements.

## ***Stage 4: Providing information about our decisions***

Following consideration of the complaint and any investigation in the issues raised, the person making the complaint will be contacted and advised of:

- The outcome of the complaint and any action taken
- The basis for the decision
- The remedy or resolution that is proposed or put in place, and
- Any options for review that may be available to the complainant

In the course of investigation, if any adverse findings are made about a particular individual, we will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemption in or made pursuant to that Act, before sharing our findings with the person making the complaint.

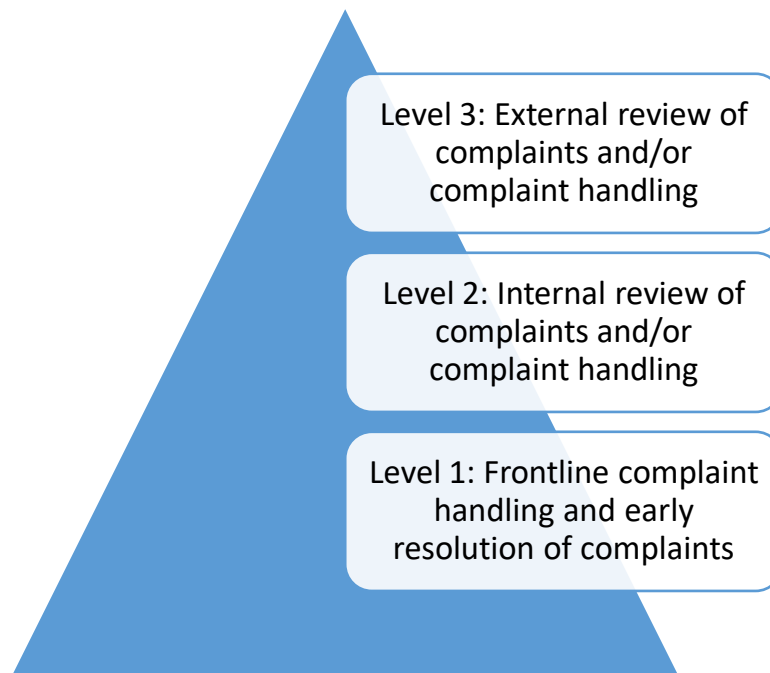
## ***Stage 5: Closing the complaint, record keeping, redress and review***

Staff/coaches investigating complaints are required to keep records about:

- How the complaint was managed
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations), and;
- Any outstanding actions that need to be followed up



## THREE LEVELS OF COMPLAINT HANDLING



### **Level 1: Frontline Resolution**

NSWIS aims to resolve complaints at Level 1, the frontline. Whenever possible, staff/coaches will be adequately equipped to respond to complaints.

### **Level 2: Internal Review**

Where it is not possible to resolve complaints at Level 1, the complaint may be escalated to a more senior staff member within NSWIS. The second level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision/s already made, and or;
- Facilitate resolution (where a person not connected with the complaint review the matter and attempts to find an outcome to the relevant parties).

### **Level 3: External Review**

Where a person making a complaint is dissatisfied with the outcome of an internal review of their complaint, they may seek external review of the decision (by the Ombudsman, for example).

## REPORTING

The Complaints Handling Manager ensures that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will contain information on:

- The number of complaints received
- The outcome of complaints
- Issues arising from complaints

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- Any systemic issues identified, and;
- The number of requests we receive for internal and/or external review of our complaint handling