



POLICY P7.1.2 PUBLIC COMPLAINTS MANAGEMENT

ITEM	DESCRIPTION
Version Number	2.0
SOPs	<ul style="list-style-type: none">> SOP P7.1.2-1 Managing a complaint> SOP P7.1.2-2 Reporting and Analysis
Owner	Executive Director, Membership and Strategic Services
Contact	Director, Professional Standards
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1 Purpose

- 1.1 This policy is intended to ensure that the NSW RFS handles complaints fairly, efficiently and effectively.
- 1.2 The public complaints management process is intended to:
 - a. Enable the NSW RFS to respond to complaints made by members of the public in a timely and cost-effective way;
 - b. Boost public confidence in the NSW RFS' administrative process; and
 - c. Provide information that can be used to deliver quality improvements in service delivery, assist staff members and improve complaint handling.
- 1.3 This policy applies to all staff members receiving or managing complaints from the public made to or about the NSW RFS, regarding service delivery, its members and complaint handling.
- 1.4 Complaints not covered by this policy, but to be handled with the same best practices outlined in this policy include:
 - a. A bush fire hazard complaint made pursuant to Division 2A of the *Rural Fires Act 1997*;
 - b. A Grievance – refer to Service Standard 1.1.3 Grievances;
 - c. An allegation of a breach of Discipline – refer to Service Standard 1.1.2 Discipline;
 - d. A Public Interest Disclosure – refer to Service Standard 1.1.30 Public Interest Disclosures in the NSW RFS;
 - e. Reports or expressions of concern received from the public in relation to fires, hazard reduction works or non-fire emergency operations;
 - f. Responses to requests for feedback about the standard of the NSW RFS' service delivery (see the definition of "feedback");

- g. Reports of problems or wrongdoing merely intended to bring a problem to the notice of the NSW RFS with no expectation of a response (see the definition of "feedback");
 - h. Service delivery requests;
 - i. Requests for information;
 - j. Volunteer membership matters;
 - k. Development applications;
 - l. Fire trail matters; and
 - m. Environmental approvals.
- 1.5. Where a complaint is made about a member the focus is on rectifying issues and improving systems rather than apportioning blame, although in some circumstances further action may be necessary or required.

2 Definitions

- 2.1 For the purpose of this policy the following definitions apply:
- a. **Complaint management process:** means all legislation, regulations, service standards, SOPs, policies, procedures, practices, staff members, hardware and software used by the NSW RFS in the management of complaints.
 - b. **Dispute:** means an unresolved complaint escalated either within or outside the NSW RFS.
 - c. **Feedback:** means opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about the NSW RFS, about its services or complaint handling where a response is not explicitly or implicitly expected or legally required.
 - d. **Public Complaint:** means an expression of dissatisfaction from a member of the public made to or about the NSW RFS, its service delivery, its members or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

3 Policy

Organisational Commitment

- 3.1 The NSW RFS expects all staff members to be committed to fair, effective and efficient public complaint handling and to treat complainants with courtesy and respect.
- 3.2 The following table outlines the nature of the commitment expected from staff members and the way that commitment must be implemented.

Who	Commitment	How
Commissioner	Promote a culture that values complaints as an opportunity to improve and to encourage their effective resolution	<ul style="list-style-type: none"> > Report publicly on the NSW RFS' complaint handling. > Provide adequate support and direction to key staff members responsible for handling public complaints. > Regularly review reports about complaint trends and issues arising from complaints. > Encourage staff members to be alert to complaints and assist those responsible for handling complaints resolve them promptly. > Encourage staff members to make recommendations for system improvements. > Support recommendations for service delivery, member and complaint handling improvements arising from the analysis of complaint data.

Who	Commitment	How
Director Professional Standards/ Director Regional Services	Manage the NSW RFS complaint management process	<ul style="list-style-type: none"> > Professional Standards Unit will coordinate the public complaints management process as defined in this policy. > Provide regular reports to the Commissioner on issues arising from public complaint handling work. > Ensure recommendations arising out of complaint data analysis are canvassed with the Commissioner and implemented where appropriate. > Recruit, educate and empower staff members to resolve complaints promptly and in accordance with NSW RFS' policies and procedures.
Managers	Train staff members in best practice public complaint handling	<ul style="list-style-type: none"> > Encourage staff members managing complaints to provide suggestions on ways to improve the NSW RFS' complaint management process. > Encourage all staff members to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. > Recognise good complaint handling by members. > Intervene if a complaint process is not following the correct process
Staff members	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> > Be aware of the NSW RFS' complaint handling process > Treat all people with courtesy and respect, including complainants. > Assist people to make a complaint. > Be alert to complaints and assist other staff members handling complaints to resolve matters promptly > Comply with this policy and any related SOP. > Keep informed about best practice in complaint handling. > Provide feedback to management on issues arising from complaints. > Provide suggestions on ways to improve the NSW RFS' complaint management process. > Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by the Commissioner.

Facilitate public complaints

- 3.3 The NSW RFS is committed to receiving feedback and acting on complaints about its services, systems, practices, procedures, members and complaint handling.
- 3.4 Members of the public making complaints will be:
- a. Provided with information about the NSW RFS' public complaint handling procedure;
 - b. Provided with multiple and accessible ways to make complaints, including letter, email, telephone and NSW RFS public website;
 - c. Listened to, treated with courtesy and respect by members and are actively involved in the complaint process where possible and appropriate; and
 - d. Provided with reasons for decision/s and any options for review.
- 3.5 Complaints relating to child protection matters must be immediately reported to the Director Professional Standards.
- 3.6 Complaints alleging corrupt conduct must be immediately reported to the Director Professional Standards in accordance with Service Standard 1.1.32 Fraud and Corruption Prevention.
- 3.7 The NSW RFS will take all reasonable steps to ensure that complainants are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous complaints

- 3.8 The NSW RFS accepts anonymous complaints.
- 3.9 Where there is enough information provided the NSW RFS will assess the matter and manage accordingly.

Accessibility

- 3.10 The NSW RFS will ensure that information about how and where complaints can be made is well publicised.
- 3.11 The NSW RFS will ensure that its public complaint handling process is easily understood and accessible to everyone, particularly people who may require assistance.
- 3.12 A person may prefer or need another person or organisation to assist or represent them in making a complaint (e.g. advocate, family member, legal or community representative, Member of Parliament, another organisation).
- 3.13 Complaining to the NSW RFS is free.

Respond to public complaints

Early resolution

- 3.14 The NSW RFS aims to resolve complaints at the first point of contact.
- 3.15 Where this is not possible, the NSW RFS may decide to refer the complaint to an appropriate staff member who will:
 - a. Conduct an assessment of the complaint and decisions already made as per SOP P7.1.2-1; and/or
 - b. Facilitate a resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).
- 3.16 In complex or matters that need additional information or research the NSW RFS may determine that an investigation may be required to ascertain the full facts of the complaint.

Responsiveness

- 3.17 The NSW RFS will promptly acknowledge receipt of complaints via the most appropriate medium.
- 3.18 The NSW RFS will assess and prioritise complaints 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.
- 3.19 The NSW RFS is committed to managing people's expectations, and will inform the complainant as soon as possible, of the following:
 - a. The complaints process;
 - b. The expected time frames for dealing with the matter;
 - c. The progress of the complaint and reasons for any delay;
 - d. Their likely involvement in the process; and
 - e. The outcome of their complaint.
- 3.20 The NSW RFS will advise the complainant as soon as possible when it is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Objectivity and fairness

- 3.21 The NSW RFS will address each complaint with integrity and in an equitable, objective and unbiased manner.
- 3.22 The NSW RFS will ensure that the person handling a complaint is independent of any member whose conduct or service is being complained about.
- 3.23 Conflicts of interests, whether actual or perceived, will be managed responsibly and in accordance with P1.1.3 Conflicts of Interest. In particular, internal reviews of how a complaint was managed will be conducted by a staff member independent of the original decision maker.

Response flexibility

- 3.24 Staff members are empowered to resolve complaints promptly and with as little formality as possible. The NSW RFS will adopt flexible approaches to service delivery and problem solving to enhance accessibility for complainants and/or their representatives.
- 3.25 The NSW RFS will assess each complaint on its merits and involve the complainant and/or their representative in the process as far as possible.

Confidentiality

- 3.26 The NSW RFS will protect the identity of complainants where this is practical and appropriate.
- 3.27 Personal information that identifies individuals will only be disclosed or used by the NSW RFS in accordance with Service Standard 1.1.14 Personal Information and Privacy.

Manage the parties to a complaint

Complaints involving multiple agencies

- 3.28 Where a complaint involves multiple organisations, the NSW RFS will work with the other organisation/s where possible; to ensure that communication with complainants and/or their representative is clear and coordinated.
- 3.29 Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.
- 3.30 Where a complaint involves multiple areas within the NSW RFS, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.
- 3.31 Where the NSW RFS' services are contracted out, the NSW RFS expects contracted service providers to have an accessible and comprehensive complaint management process. The NSW RFS take complaints not only about the actions of its members but also the actions of its service providers.

Complaints involving multiple parties

- 3.32 When similar complaints are made by related parties the NSW RFS will try to arrange to communicate with a single representative of the group.

Managing unreasonable conduct by people making complaints

- 3.33 The NSW RFS is committed to being accessible and responsive to all people who approach the NSW RFS with feedback or complaints. At the same time its success depends on:
 - a. Its ability to do its work and perform its functions in the most effective and efficient way possible;
 - b. The health, safety and security of its members; and
 - c. Its ability to allocate our resources fairly across all the complaints the NSW RFS receive.
- 3.34 When people behave unreasonably in their dealings with the NSW RFS, their conduct can significantly affect the progress and efficiency of its work.
- 3.35 The NSW RFS will take proactive and decisive action to manage any conduct that negatively and unreasonably affects the NSW RFS and will support its members to do the same.

4 Related documents

- > *Government Sector Employment Act 2013*
- > *Privacy and Personal Information Protection Act 1998*
- > *Public Interest Disclosures Act 1994*
- > *Rural Fires Act 1997*
- > Ombudsman NSW – Complaint Management Framework and Model Policy
- > Service Standard 1.1.2 Discipline

- > Service Standard 1.1.3 Grievances
- > Service Standard 1.1.7 Code of Conduct and Ethics
- > Service Standard 1.1.14 Personal Information and Privacy
- > Service Standard 1.1.30 Public Interest Disclosures in the NSW RFS
- > Service Standard 1.1.32 Fraud and Corruption Prevention
- > Service Standard 1.4.3 Public Access to Government Information
- > Service Standard 2.1.6 Joining the NSW RFS as a Volunteer (including transfer applications)
- > Policy P1.1.3 Conflicts of Interest
- > Policy P5.1.6 Records Management

5 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
9 May 2016	1.0	Initial release
5 Dec 2017	2.0	<ul style="list-style-type: none"> > Repeals and remakes P7.1.2 v1.0 > Title amended to “Public Complaints Management” > Reviewed to align with the whole of government commitment to effective complaint handling

SOP P7.1.2-1

Managing a Public Complaint

1 Purpose

- 1.1 When responding to public complaints, staff members should act in accordance with the NSW RFS complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Staff members should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

2 Procedures

Receipt and recording of public complaints

- 2.1 The initial complaint and all supporting documentation and correspondence must be recorded and maintained in accordance with NSW RFS Policy P5.1.6 Records Management.
- 2.2 The NSW RFS will keep comprehensive records about:
 - a. How it managed the public complaint;
 - b. 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);
 - c. Any outstanding actions that need to be followed up; and
 - d. Any systemic issues identified.

Acknowledgement of complaints

- 2.3 The NSW RFS will acknowledge receipt of a complaint within 3 working days and consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the complainant.
- 2.4 The acknowledgement of a complaint may be delayed during periods of operational activity.

Initial assessment

- 2.5 The NSW RFS will undertake an initial assessment of the complaint within 5 working days of acknowledging the complaint for less complex matters and up to 10 working days for complex matters.
- 2.6 The assessment will be conducted by the staff member responsible for handling the complaint
- 2.7 When determining how a complaint will be managed, the NSW RFS will consider:
 - a. Whether issues raised in the complaint are within its control;
 - b. The outcome/s sought by the complainant;
 - c. Where there is more than one issue raised, determine whether each issue needs to be separately assessed;
 - d. How serious, complicated or urgent the complaint is;
 - e. Whether the complaint raises concern about people's health and safety;
 - f. How the complainant is being affected;
 - g. The risk involved if resolution of the complaint is delayed;
 - h. The current level of operational activity and the consequent availability of resources to address the complaint; and
 - i. Whether a resolution requires the involvement of other organisations.

Resolving complaints

- 2.8 After assessing the complaint, the staff member responsible for handling the complaint will consider how to manage it. To resolve a complaint, the NSW RFS may:
- a. Give the complainant information or an explanation;
 - b. Gather information from the member or area that the complaint is about; and/or
 - c. Investigate the claims made by the complainant.
- 2.9 The NSW RFS will:
- a. Endeavor to resolve less complex complaints at the local level wherever possible within 20 working days and other more complex complaints up to 60 working days of the complaint being received;
 - b. Keep the complainant up to date on its progress fortnightly, unless otherwise agreed by both parties;
 - c. Communicate the outcome of the complaint using the most appropriate medium; and
 - d. Tailor actions, taking into account any statutory requirements.

Providing reasons for decisions

- 2.10 Following consideration of the complaint and any review into the issues raised, the staff member responsible for handling the complaint will contact the complainant and:
- a. Thank them for bringing their complaint to the attention of the NSW RFS; and
 - b. Advise them of:
 - i. The outcome of their complaint and any action the NSW RFS has taken or intends to take;
 - ii. The reason for the decision/s;
 - iii. The resolution/s proposed or put in place; and
 - iv. Any options to review that may be available to the complainant, such as an internal or external review.
- 2.11 If in the course of the review, the NSW RFS make any adverse findings about a particular individual, the NSW RFS will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing its findings with the complainant.

Closing the complaint and review

- 2.12 Where the complaint was not resolved on first contact, then:
- a. The NSW RFS will ensure that outcomes are properly implemented, monitored and reported to senior management and the complaint details are recorded in accordance with NSW RFS Policy P5.1.6 Records Management; and
 - b. Complete the complaint finalisation form and forward to the Professional Standards Unit by email to professional.standards@rfs.nsw.gov.au:

Alternative avenues for dealing with complaints

- 2.13 The NSW RFS will inform the complainant about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).
- 2.14 Where a complainant is dissatisfied with the outcome of the NSW RFS' review of their complaint, they may seek an external review of its decision.

3 Related forms

- Complaint Finalisation Form

SOP P7.1.2-2

Reporting and Analysis

1 Purpose

- 1.1 It is a requirement of the NSW Ombudsman that complaints are recorded in a systematic way to ensure the NSW RFS Commissioner meets mandatory reporting obligations.

2 Procedures

Analysis and evaluation of complaints

- 2.1 On matters that are notified to the PSU, the PSU is responsible for preparing reports on:
- The number of complaints received;
 - The outcome of complaints;
 - The number of complaints finalised;
 - The percentage of complaints finalised within KPIs;
 - The issues raised by complainants;
 - The actions taken in response to complaints;
 - Systemic issues identified; and
 - The number of requests received for internal and/or external review.
- 2.2 Analysis of these reports will be undertaken to monitor trends, measure the quality of NSW RFS customer service and make improvements.
- 2.3 Reports will be provided to the Commissioner and senior management for review.

Monitoring of the complaint management process

- 2.4 The NSW RFS will continually monitor its complaint management process to:
- Ensure its effectiveness in responding to and resolving complaints; and
 - Identify and correct deficiencies in the operation of the system.
- 2.5 Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools.

Continuous improvement

- 2.6 The NSW RFS is committed to improving the effectiveness and efficiency of the complaint management process. To this end, it will:
- Support the making and appropriate resolution of complaints;
 - Implement best practices in complaint handling;
 - Recognise good complaint handling by staff members;
 - Regularly review the complaints management system and complaint data; and
 - Implement appropriate process changes arising out of analysis of complaints data and continual monitoring of the system.

3 Related forms

- > None