



POLICY P7.1.2

PUBLIC COMPLAINTS MANAGEMENT

ITEM	DESCRIPTION
Version Number	2.1
SOPs	<ul style="list-style-type: none">➢ SOP P7.1.2-1 Managing a Public Complaint➢ SOP P7.1.2-2 Reporting and Analysis
Owner	Director, Office of the Commissioner
Contact	Director, Office of the Commissioner
Approved Date	20 December 2021
Effective Date	17 January 2022
Next Review Completion Date	20 December 2026
Document Control	Electronic - Printed Copies are Uncontrolled

1 Purpose

- 1.1 The NSW RFS values public complaints and feedback as an opportunity to improve service delivery to the community.
- 1.2 This policy is intended to ensure that the NSW RFS:
 - a. handles public complaints fairly, efficiently and effectively; and
 - b. captures and acts on complaint information to improve our service.

Scope

- 1.3 This policy applies to all staff members receiving or managing complaints from the public.
- 1.4 A public complaint is an expression of dissatisfaction from a community member about a NSW RFS service or member; where a response or resolution is explicitly or implicitly expected or legally required.
- 1.5 Complaints covered by this policy include those related to the:
 - a. decision-making processes of the NSW RFS;
 - b. conduct and behavior of members of the NSW RFS;
 - c. quality of services provided;
 - d. timeliness of communication and response to issues raised;
 - e. policies, procedures and practices of the NSW RFS.
- 1.6 A complaint which is covered by this policy can be distinguished from:
 - a. Allegations of misconduct or breach of discipline by staff or volunteer members which are managed under the *Government Sector Employment Act 2013* and relevant NSW RFS policies;
 - b. Public Interest Disclosures which are managed under Service Standard 1.1.30 *Public Interest Disclosures in the NSW RFS*;

- c. Requests for information managed under the *Government Information (Public Access) Act 2009* (GIPA Act);
 - d. Complaints, appeals or requests for review which are managed under specific statutory or policy processes, including those related to development applications, environmental assessments, fire trail matters, bush fire hazard complaints, and membership appeals;
 - e. General feedback where a response is not expected or required (see definition of “feedback”);
 - f. Service requests (see definition of “service request”); and
 - g. Anonymous complaints (see clause 3.35).
- 1.7 Complaints not covered by this policy should be handled using the same best practices outlined in this policy, with focus upon rectifying the issues and improving our systems, or managed in accordance with the appropriate statutory and/or governance framework.

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. **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.
 - c. **First contact:** means one single communication between the staff member attempting to resolve the complaint with the complainant. In circumstance where a second or subsequent communication is required, this is not deemed to be resolved at first contact.
 - d. **Public complaint:** an expression of dissatisfaction from a community member about a NSW RFS service; a staff member, or volunteer member; where a response or resolution is explicitly or implicitly expected or legally required.
 - e. **Service request:** means routine inquiries about NSW RFS business and operations, requests for provision of advice and assistance, requests for explanation of policies, procedures and decisions, and reports or inquiries in relation to fires, hazard reduction works, or non-fire emergency operations.

3 Policy

Organisational Commitment

- 3.1 The NSW RFS is committed to providing services of the highest quality.
- 3.2 In managing complaints effectively, the NSW RFS is committed to ensuring that all persons are treated in a manner that is fair, courteous and respectful.
- 3.3 Members of the public making complaints should 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 NSW RFS members;
 - d. Actively involved in the complaint process where possible and appropriate; and
 - e. Provided with reasons for decision/s and any options for review.

Facilitate public complaints

- 3.4 The NSW RFS is committed to receiving feedback and acting on complaints about its service delivery, including interactions with NSW RFS members, NSW RFS systems, practices and procedures.
- 3.5 Where a complaint involves child protection matters and/or alleged corrupt conduct, these must be immediately reported to the Director People & Culture in accordance with *Service Standard 1.1.33 Reporting and Investigating Allegations of a Child Protection Nature* and *Service Standard 1.1.32 Fraud and Corruption Prevention* respectively.
- 3.6 Where a complaint involves an alleged breach of discipline or misconduct, it should be referred to the appropriate Director Area Operations or Manager Performance & Conduct.
- 3.7 For all other complaints not covered by this policy, it should be referred to the Director Office of the Commissioner.
- 3.8 The NSW RFS should take all reasonable steps to ensure that complainants are not adversely affected because a complaint has been made by them or on their behalf.

Accessibility

- 3.9 The NSW RFS should ensure that information about how and where complaints can be made is well publicised.
- 3.10 The NSW RFS should ensure that its public complaint handling process is easily understood and accessible to everyone, particularly people who may require assistance.
- 3.11 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).
- 3.12 Complaining to the NSW RFS is free.

Respond to public complaints

Early resolution

- 3.13 The NSW RFS aims to resolve complaints at the first point of contact.
- 3.14 Where this is not possible, the NSW RFS may decide to refer the complaint to an appropriate staff member who should:
 - 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).
- 3.15 Where matters are complex or require further information or research, the NSW RFS may determine that an investigation may be required to ascertain the full facts of the complaint.

Responsiveness

- 3.16 The NSW RFS should promptly acknowledge receipt of complaints via the most appropriate medium.
- 3.17 The NSW RFS should 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 should be immediate and escalated appropriately.
- 3.18 The NSW RFS is committed to managing people's expectations, and should inform the complainant as soon as possible, of the following:
 - a. The complaints process;
 - b. The name and contact details of the member who is managing the complaint;
 - c. The expected time frames for dealing with the matter;
 - d. The progress of the complaint and reasons for any delay;
 - e. Their likely involvement in the process; and
 - f. The outcome of their complaint.

- 3.19 The NSW RFS should 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

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

Response flexibility

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

Confidentiality

- 3.25 The NSW RFS will protect the identity of complainants where this is practical and appropriate.
- 3.26 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

- 3.27 Where a complaint involves multiple organisations, the NSW RFS should work with the other organisation/s where possible; to ensure that communication with complainants and/or their representative is clear and coordinated.
- 3.28 Subject to privacy and confidentiality considerations, communication and information sharing between the parties should also be organised to facilitate a timely response to the complaint.
- 3.29 Where a complaint involves multiple areas within the NSW RFS, responsibility for communicating with the person making the complaint and/or their representative should also be coordinated.
- 3.30 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

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

Managing unreasonable conduct by people making complaints

- 3.32 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:
- Its ability to do its work and perform its functions in the most effective and efficient way possible;
 - The health, safety and security of its members; and
 - Its ability to allocate our resources fairly across all the complaints the NSW RFS receive.
- 3.33 When people behave unreasonably in their dealings with the NSW RFS, their conduct can significantly affect the progress and efficiency of its work.
- 3.34 The NSW RFS should 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.

Anonymous complaints

- 3.35 The NSW RFS accepts anonymous complaints.
- 3.36 Complaints with no means of identifying or contacting the complainant are not covered by this policy as there are no means for the NSW RFS to resolve the complaint.
- 3.37 If a complaint is received anonymously the information should be assessed to determine if any improvement to service delivery is warranted.

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 1.1.33 Reporting and Investigating Allegations of a Child Protection Nature](#)
- › [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
20 December 2021	2.1	<ul style="list-style-type: none">› Repeals and remakes P7.1.2 v2.0› Implemented the findings of the independent audit of NSW RFS’ Public Complaints Management, conducted June 2019› Complaint management procedure added to SOP P7.1.2-1 to better 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

Complaint Management

- 2.1 The NSW RFS complaint management procedures are based upon a three-level approach to complaints handling, as recommended by the Ombudsman NSW. See Flowchart on page 9.
- 2.2 Complaints should be resolved in a timely manner and at the lowest possible level.
- 2.3 Staff whose duties include complaint handling need to have the appropriate delegations, aptitude, knowledge and skills to be able to respond to complaints effectively.

Level 1: Frontline Resolution

- 2.4 The majority of complaints received by NSW RFS will initially present as a Level 1 complaint.
- 2.5 Public complaints received by NSW RFS through the Webmaster or Feedback Assist online portals are to be managed at the lowest level and should be redirected to the appropriate frontline staff member in a timely manner.
- 2.6 The staff member receiving the complaint should make reasonable attempts to resolve the complaint during the first contact with the complainant (see definition of "first contact").
- 2.7 According to Ombudsman NSW, for frontline staff to be able to respond to complaints effectively and impartially, they need to:
 - a. Be respectful and responsive to the complainants concerns;
 - b. Establish rapport by showing genuine interest in treating the complainants concerns seriously;
 - c. Listen effectively and ask the right questions;
 - d. Express empathy where appropriate;
 - e. Be sensitive and acknowledge any emotion displayed by the complainant, whilst retaining some objectivity and distance;
 - f. Provide an apology to the complainant if it is deserved and appropriate;
 - g. Listen for things that you agree with and find common ground;
 - h. Provide an explanation to the complainant if one is available. Provide information about next steps and the complaint handling process;
 - i. Assess the expectations of the complainant by asking questions about the severity and complexity of the problem;
 - j. Try to resolve minor complaints on the spot and offer options to resolve the complaint at the lowest level;
 - k. Provide comprehensive and clear information about the way the complaint will be handled, as well as the outcome and reasons for the outcome; and
 - l. Document the complaint as required and follow-up actions that were agreed to with the complainant.

- 2.8 Should frontline staff be unable to resolve the complaint or in circumstances where a complainant expresses that they are dissatisfied with either the outcome or management of their complaint, these matters should be escalated to Level 2 using the *NSW RFS Complaint Management Form*.

Level 2: Internal Review

- 2.9 Complaints escalated for internal review should be received by the Director Office of the Commissioner who will then allocate the complaint to an appropriately trained member of staff to conduct the review.
- 2.10 The staff member conducting the internal review should review the complaint handling process and make an objective and fair decision based upon the weight of the available evidence, giving consideration to either confirm, vary or reverse the initial outcome as appropriate.
- 2.11 The complainant should be advised of the preliminary outcome of the internal review and offered an opportunity to respond to the reviewer before a final decision is reached.
- 2.12 The complaint will then be notified of the final decision.
- 2.13 Should the complainant express that they are dissatisfied with either the decision or management of their complaint, these matters should be escalated to Level 3.

Level 3: External Review

- 2.14 Where a complainant is dissatisfied with the outcome of the internal review of their complaint, they may seek an external review by an appropriate external agency outside of the NSW RFS.
- 2.15 The NSW RFS should inform the complainant about the external review options available to them (including any relevant Ombudsman or oversight bodies).

Complaint Handling

Receipt and recording of public complaints

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

Acknowledgement of complaints

- 2.18 The NSW RFS should acknowledge receipt of a complaint and provide information about the NSW RFS' complaint handling policy and procedures within 3 working days.
- 2.19 Consideration should be given to the most appropriate medium (e.g. email, letter) for communicating with the complainant.
- 2.20 The acknowledgement of a complaint may be delayed during periods of operational activity.

Initial assessment

- 2.21 The NSW RFS should 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.
- 2.22 The assessment should be conducted by the staff member responsible for handling the complaint
- 2.23 When determining how a complaint will be managed, the NSW RFS should consider:
- Whether issues raised in the complaint are within its control;
 - The outcome/s sought by the complainant;
 - 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

- 2.24 After assessing the complaint, the staff member responsible for handling the complaint should 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.
- 2.25 The NSW RFS should:
- 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

- 2.26 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.
- 2.27 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.

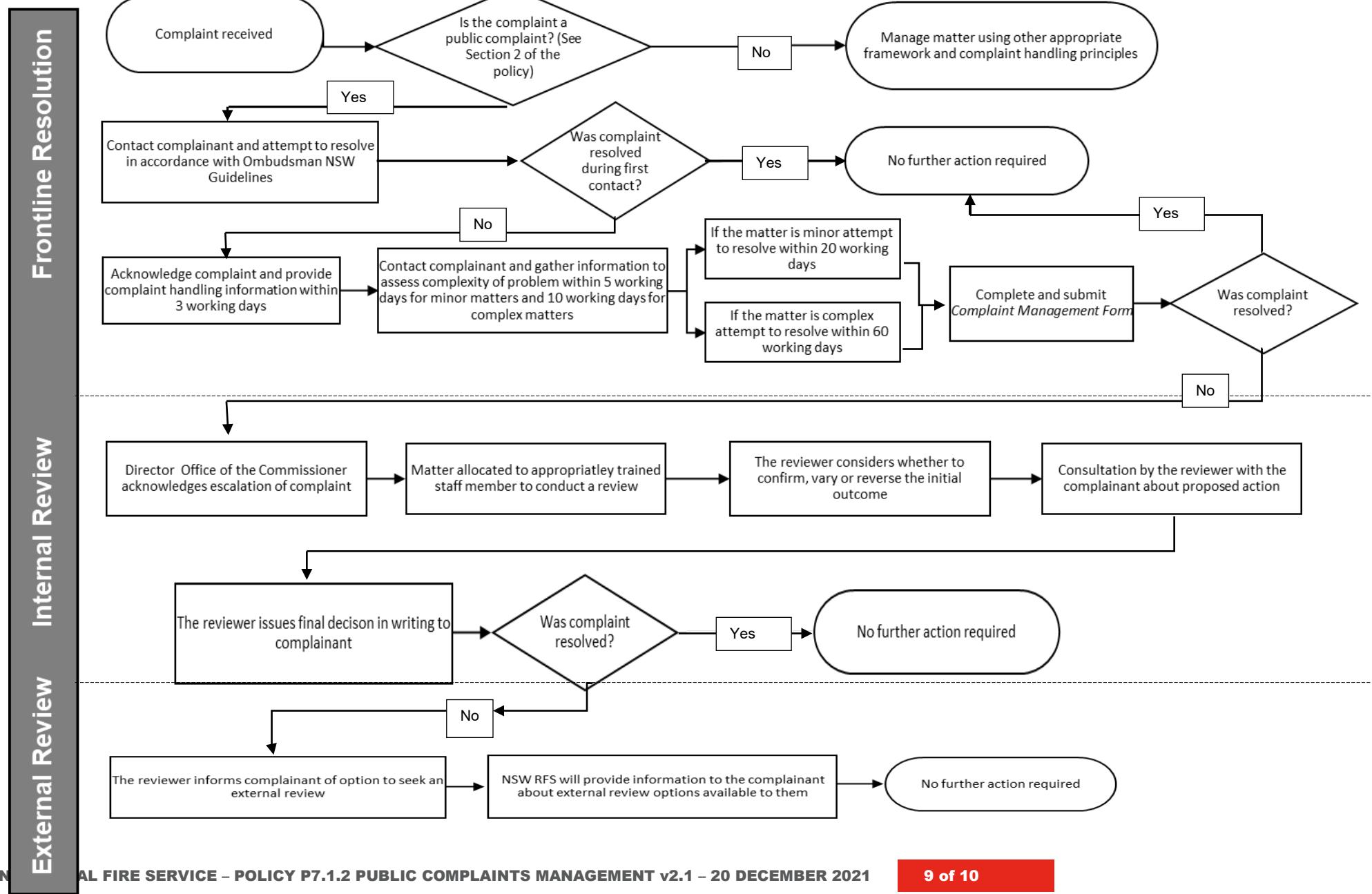
Closing the complaint and review

- 2.28 Where the complaint was not resolved on first contact, then:
- a. The NSW RFS should 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 management form and forward to the Director, Office of the Commissioner, by email to Commissioners.Office@rfs.nsw.gov.au.

3 Related forms

- [Complaint Management Form](#)

Flowchart: The NSW RFS three-level complaint management process



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 Director Office of the Commissioner, the Office of the Commissioner 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 should 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 should 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 should:
- Support the making and appropriate resolution of complaints;
 - Implement best practices in complaint handling;
 - 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