

## DEMPOL. 023 Complaints and Feedback Policy

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### Department for Energy and Mining Commitment

The Department for Energy and Mining (DEM) is committed to the highest standards of customer service and promotes a culture that values feedback and handles customer complaints in a positive and constructive manner.

We are committed to the management of feedback and complaints in a manner consistent with the principles of natural justice and equity of access, including being fair, courteous and respectful. We will build a culture of customer service excellence through leadership, knowledge, empowerment and enhancing our skills. We value and encourage feedback and complaints and use these to drive improvements to our practices, procedures and systems, and to assist us to evolve our customer service experience, services and behaviours.

### Purpose

This policy establishes a uniform approach in the management of feedback and complaints across DEM, including outlining staff responsibilities for managing feedback and complaints.

This policy is designed to identify opportunities for improving customer's experience and satisfaction with DEM service delivery. Implementation of this policy will:

- Increase customer satisfaction with services across the Department
- Facilitate a fair, efficient and transparent approach to handling feedback and complaints from people or organisations
- Respect the privacy of the complainant
- Respond to complaints and feedback and enable continuous improvement across the department
- Improve access for Aboriginal people, people from culturally and linguistically diverse communities, people with disabilities, and people from vulnerable and disadvantaged groups
- Enhance the transparency and responsiveness of the complaint handling process.
- Enable staff to identify and appropriately respond to unreasonable complaints.

### Scope

This policy applies to all DEM employees and contractors. It conforms to the guiding principles of the *Australian/New Zealand Standard – Guidelines for Complaints Management in Organisations (AS/NZS 10002:2014)*. This policy responds to the requirements of [Premier and Cabinet Circular PC039](#) – Complaint Management in the South Australian Public Sector

The following issues are dealt with through other policy instruments:

- Complaints relating to public consultation for regulatory processes, for example where the public has been invited to comment on mining lease proposals, petroleum licences or other regulatory matters.
- Complaints relating to administrative law, appeal decisions, judicial decisions, staff grievances or the *Public Interest Disclosure Act 2018*.

## DEMPOL. 023 Complaints and Feedback Policy

- Reports made directly to the Independent Commissioner Against Corruption (ICAC) concerning reasonable suspicion of corruption, misconduct and maladministration by public officers and authorities in South Australia.
- Where an alternative whole of Government Complaints Management Policy is mandated, for example the [State Procurement Board's Supplier Complaints Policy](#).

### Policy Detail

The [Code of Ethics for the South Australian Public Sector](#) requires all public-sector employees to comply with the principles and values of public sector behaviour. Public officers are to exhibit the highest standards of professional conduct in undertaking their duties.

All complaints will be investigated in a manner that is objective, respectful and professional, and in a way that upholds this Code of Ethics.

#### ***Our Principles***

- Customer focused
- No disadvantage to complainant
- Responsiveness and flexible
- Work with other agencies to effectively resolve complaints
- Empower employees through resources and training
- Objectivity and fairness
- Privacy and disclosure
- Monitoring and reporting
- Transparency and access to information
- Continuous improvement

#### ***Our Complaints and Feedback Management Standards***

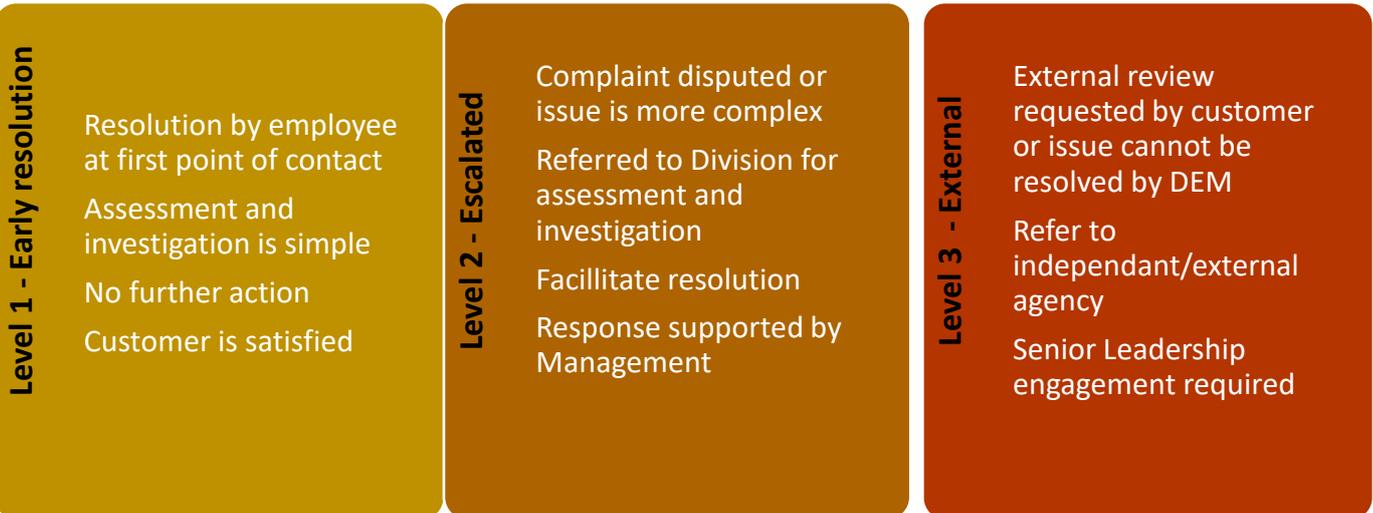
1. We will develop internal procedures and processes to effectively manage complaints and feedback.
2. We will ensure people or organisations are able to easily contact, submit and provide a complaint or feedback in a variety of ways. We will inform people or organisations about their right to seek an external review if they are dissatisfied with the outcome of our complaint process through SA Ombudsman.
3. We will log and record all feedback and complaints in the DEM Complaints Management System (CMS)
4. We will acknowledge all forms of feedback within **three working days**.
5. We aim to address, resolve and advise of the outcome within **21 working days**.
6. We will provide notice to a complainant within 21 working days if the complaint cannot be resolved within that timeline. We will provide an interim response and timeline for when the matter is likely to be resolved. Regular updates on the progress of the complaint will be provided to the complainant.
7. No cost is associated with lodging a complaint, and DEM will take all reasonable steps to ensure that complainants are not adversely affected because of a complaint made by them or on their behalf.
8. We will have a customer focused approach to resolving complaints, complainants will be treated with dignity and in an unbiased, non-discriminatory and fair manner.

## DEMPOL. 023 Complaints and Feedback Policy

9. We are sensitive to individual requirements of our complainants, including support for those who are Aboriginal, from culturally and linguistically diverse communities, with disabilities, or from vulnerable and disadvantaged groups.
10. We maintain confidentiality and will not disclose personal information or data in accordance with the State Government Information and Privacy Principles.
11. We will be accountable and undertake continuous and regular monitoring of data to use for improvement of services and staff training.
12. We will undertake quarterly review and prepare regular reports of data from the Complaints Management System to ensure consistency and best practice.

### Resolution Model

DEM applies a three-level model for complaint and feedback handling, where possible the preferred response to complaints and feedback is resolution at the first point of contact (Level 1). Complaints and feedback will be triaged by a Complaint Coordinator and referred to the relevant DEM division for action. A Complaint Coordinator will monitor the progress of all complaints and feedback to ensure timely resolution. DEM will develop appropriate procedures to effectively manage all complaints and feedback.



## DEMPOL. 023 Complaints and Feedback Policy

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### Process Overview

This section gives an overview of the process for handling complaints and feedback. There are five major stages in the complaint or feedback handling process:

1. **Receive the complaint or feedback and acknowledge**
2. **Assess the complaint or feedback**
3. **Investigate the complaint or feedback**
4. **Resolve, respond and record the complaint or feedback**
5. **Continuous improvement of services and processes.**
6. **Reporting complaints and feedback**

#### 1. Receiving Complaints and Feedback

There are a variety of ways that complaints or feedback can be provided. They can be received at any time during office hours by staff across the Department and may be about products, services or staff interactions.

Complaints and feedback can also be received via:

- The DEM online complaints and feedback form – this is the whole of Government feedback webpage: [sa.gov.au form](http://sa.gov.au/form)
- Via email [resources.customerservices@sa.gov.au](mailto:resources.customerservices@sa.gov.au)
- Telephone +61 8 8463 3000 during office hours
- Complaints can be made or assisted by another person or organisation, e.g. an advocate, family member or community representative. Aboriginal customers can be offered a call back or personal interview with a DEM Aboriginal employee.

DEM will seek to engage with Aboriginal Peoples in a culturally appropriate manner throughout the complaint handling process. DEM will ensure the Complaints Management System is available to everyone, in particular we will provide additional assistance or flexible approaches for submitting complaints for people who have disabilities, have culturally or linguistically diverse backgrounds or live in remote areas.

#### 2. Acknowledgement and Initial Assessment

After receiving a complaint or feedback, DEM will acknowledge receipt within **three working days** and record the complaint or feedback. In order to ensure individual rights are respected, DEM officers will ensure that our processes are flexible and sensitive to individual requirements and that a persons' rights to make complaints or feedback are supported.

#### 3. Investigating Complaints

Investigation and assessment of complaints and feedback will be undertaken in an objective, equitable and unbiased way. All complaints and feedback will be assessed to determine if further investigation is warranted. People or organisations providing complaints or feedback have the right to expect that their complaint or feedback will be investigated confidentially, to the extent possible, unless consent to disclosure is provided or required under the *Freedom of Information Act 1991*.

## DEMPOL. 023 Complaints and Feedback Policy

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Conflicts of interest, either actual or perceived, will be managed and declared early in the process. If the initial investigation determines the complaint or feedback can be resolved through a different channel, the complainant will be referred to the appropriate body.

If there are delays due to the complexity of the complaint, DEM will provide the complainant with regular updates.

### 4. Resolve and Respond

We aim to address and resolve complaints or feedback within 21 working days. On the conclusion of an investigation, a response will be provided outlining the:

- Outcome of the complaint and any action DEM has taken to rectify the situation
- The reason/s for our decisions.
- Remedies or policy changes to prevent reoccurrence of the issue
- Options for review that may be available to the complainant such as external review or appeal.

### 5. Recording and Continuous Improvement of Services

Accurate and complete records will be maintained in the Department's Complaint Management System. This includes outcomes and follow-up actions that have been implemented and completed. DEM will keep records to enable the monitoring of trends and identify opportunities for service improvements.

### 6. Reporting Complaints

Quarterly reports on complaints and feedback data and service improvements will be provided to DEM Executive Leadership. These reports can include:

- The number and types of complaints and feedback received
- The outcome of complaints and feedback including matters resolved at first point of contact
- Any systemic issues identified
- Any service improvements made resulting from complaint or feedback
- The number of requests received for internal and/or external review.

This information will also be used to meet DEM's annual reporting requirements.

As our complaints management maturity improves, we may add or change our reporting metrics and requirements.

#### Unreasonable Complainants

We recognise that a small number of complainants may act unreasonably in seeking to have their concerns addressed. Complainant conduct that involves behaviour which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for DEM, our staff, and/or other service users is likely to be deemed unreasonable. Unreasonable behaviour by complainants does not preclude valid issues being addressed by DEM.

DEM will put in place appropriate strategies for managing unreasonable behaviour in a manner that is fair, reasonable and ethical.

## Roles and Responsibilities

### DEM Chief Executive:

## DEMPOL. 023 Complaints and Feedback Policy

The Chief Executive promotes a culture that is committed to the highest standards of professional behaviour and values complaints and feedback, and their effective resolution. In addition, the Chief Executive supports the use of complaints data and monitors it every six-months to inform improvements leading to better service delivery.

### **Executive Directors, Directors and Managers (Senior Management):**

Senior Management must establish and manage our Complaint Management System, ensuring that complaint and feedback data is recorded, analysed and used to identify operational and systematic service improvements and implement where appropriate. Senior Management must provide opportunities for training, support and resources for employees who are managing complaints, and recognise best practice in managing customer complaints.

### **All DEM Employees:**

All DEM Employees must understand and comply with DEM's complaint and feedback handling practices. They are required to act professionally and comply with the Code of Ethics for the South Australian Public Sector and associated policy and procedural requirements when undertaking business activities. It is essential that employees assist people who wish to make complaints and support other employees handling complaints to resolve matters promptly.

## Definitions

Term	Definition
<b>Customer</b>	The people who receive or use our services. They can be internal or external to Government. They can be individuals or organisations who are directly affected by our services, policies or programs.
<b>Complaint</b>	An expression of dissatisfaction about the service or action of a South Australian public sector agency or its employees, by a person or organisation directly affected by the service or action where a response or resolution is explicitly or implicitly expected or legally required.
<b>Feedback</b>	Any opinion, comment/suggestion, compliment or expression of interest/concern made directly or indirectly by a person or organisation where a response or resolution is not explicitly or implicitly expected or legally required.
<b>Complainant</b>	A person or representative making a complaint.
<b>Complaint Coordinator</b>	A DEM employee who can: <ul style="list-style-type: none"> <li>• Maintain the Complaints Register, receive and record details of the complaint</li> <li>• Overseeing and coordinating complaint until the matter is resolved (unless escalated to Level 3),</li> <li>• Ensure follow up in a timely manner and triage complaints to relevant Divisions</li> <li>• Manage records detailing all verbal and written engagement associated including actions and decisions made.</li> </ul>
<b>Complaint Management System</b>	Comprises policy, procedures, practices, hardware, software and employees needed to manage complaints and feedback in a timely and effective manner.
<b>Public Officer</b>	Includes public sector employees and contractors performing contract work for a public authority or the Crown.

## DEMPOL. 023 Complaints and Feedback Policy

Term	Definition
<b>Procedure</b>	Instructions that set out how a policy will be implemented
<b>Unreasonable Complaint Conduct</b>	Any behaviour by a current or former complainant, which because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint.

### Relevant Documents and Web Links

- [Australian/New Zealand Standard: Guidelines for Complaints Management in Organisations \(AS/NZS 10002:2014\)](#)
- [Premier and Cabinet Circular PC039 – Complaints Management in the South Australian Public Sector](#)
- [Premier and Cabinet Circular PC013 – Annual Reporting Requirements](#)
- [Public Sector Act 2009](#)
- [Freedom of Information Act 1991](#)
- [Code of Ethics for the SA Public Sector](#)
- [SA Ombudsman's Complaints Management Framework \(March 2016\)](#)
- [State Records Act \(1997\)](#)
- Independent Commissioner Against Corruption ([ICAC Public Interest Disclosure Act 2018](#))

#### DOCUMENT CONTROL

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