



Direct referral

This fact sheet discusses what happens when the NSW Ombudsman makes a direct referral of a complaint to an agency. It explains why we make a direct referral and the process after we have done so. The fact sheet also tells you when to expect a response from the agency, and what to do if this does not happen, or you are not happy with the response.

If you would like to get in touch with us, our contact details are provided at the end of this fact sheet.

What is a direct referral?

A direct referral is when the NSW Ombudsman refers your complaint to an agency to deal with in line with its own internal complaints processes. This includes the agency responding directly to you as the complainant.

Why do we directly refer your complaint?

While we know you might like us to investigate your complaint, it is not always possible or necessary to do so. Our policy is that an agency should have a reasonable opportunity to deal with a complaint, once we have obtained your consent to refer it. The agency is often better placed to respond to the issues you raise, and our referral can help achieve this.

If we did not refer your complaint, we would be advising you to complain to the agency first before coming to us. By directly referring your complaint, we remove one step in the process so that your issues can be resolved faster.

What is the direct referral process?

Who will handle your complaint?

Once we have directly referred your complaint to the agency, its complaint-handling team will handle your complaint.

What will we send to the agency?

We will send the agency a copy of your complaint to us, including any attachments. The agency must adhere to relevant privacy laws and any confidentiality obligations that apply.

How long will it take to receive a response from the agency?

When we write to you about the direct referral, we include the agency's timeframes for acknowledging and responding to complaints. Usually, you should receive an acknowledgment within five business days and a final response within four weeks from the date we referred your complaint to the agency.

Some complex complaints may take longer. If this is the case, the agency should let you know how long it will take. The agency's website and/or complaint-handling policy has more information.

What if I am not happy with the agency's response?

If you are not happy with the agency's response, call our office to discuss the response and your concerns. Our staff may be able to explain something about the reply or help identify if there is clear information the agency has acted unreasonably or unlawfully. Our staff can discuss the next steps with you, including if you need to submit a further complaint to the Ombudsman.

If you contact us again, you should clearly explain what has happened since we referred your complaint and provide us with a copy of any new and relevant information or documents, such as the agency's response to you. This information will help us assess your complaint. We will then decide if we need to contact the agency.

What if I do not receive a response from the agency?

We provide you with the agency's contact details in case you need to follow up. If you do not receive a response after following up with the agency, call our office to discuss what you should do next.



Scan the QR code
to find out more
on our website.

Contact us

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