

# Checklist for developing a complaint management system

## EFFECTIVE COMPLAINT MANAGEMENT ORGANISATIONAL CHECKLIST

Organisation:

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Name/Title of person completing:

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Date completed:

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### **PART A: What makes an effective complaint management system?**

This section is for senior executives/leadership team and senior managers to consider.

#### **Define what is and isn't a complaint**

- Your organisation adopts a broad definition of a complaint to recognise the range of concerns that your customers may have.

A complaint is an expression of dissatisfaction made to or about an organisation related to its products, services, staff or management of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.<sup>7</sup> Customers may complain directly to your organisation or to a third party.

- All staff know what a complaint is (and isn't), how it will be managed and by whom.

#### **Understand the barriers to making a complaint**

- Your organisation is aware that there are barriers that make it difficult for some customers to complain.

- Your organisation proactively seeks to reduce or remove these barriers by embedding the 6 principles for effective complaint management.

#### **Embed the 6 principles for effective complaint management**

- Your organisation's complaint management system enables and helps your staff to fulfil the 6 principles.

**1. Respectful Treatment**

**2. Information and Accessibility**

**3. Good Communication**

**4. Taking Ownership**

**5. Timeliness**

**6. Transparency**

- Your complaint policy and procedures include information about the 6 principles, and guidance for staff to apply them in managing complaints.

#### **Create a positive complaint management culture**

- Senior leaders champion the complaint management system and demonstrate that complaints are welcomed and valuable.

- Senior leaders and managers encourage reflection and innovation to support continuous improvement of your complaint management system and service/s.

### **Design a clear policy and procedures**

- Your complaints policy clearly states your commitment to managing complaints effectively.

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- Your policy is supported by procedures that provide detailed guidance about how your organisation manages complaints and who is involved in the process at all stages.

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- Your policy and procedures are in line with your organisation's:
  - relevant statutory and regulatory requirements
  - financial, operational and other requirements.

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- Your policy and procedures are developed in consultation with complainants, staff and other stakeholders, where possible.

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- All staff have access to your policy and procedures and know how to implement them.

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- You regularly review and update your policy and procedures.

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- Your policy is available and accessible to the public – especially to your customers.

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- Complainants know about your complaints process, including who they can talk to if they're dissatisfied with how their complaint is managed or the outcome of it.

### **Introduce a 3-level model for escalating complaints**

- Your organisation has developed and implements a 3-level model for escalating complaints and there is clear written guidance about how the model works.

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- Frontline staff are trained to achieve early resolution where possible, and they know:
  - the types of complaints they can deal with directly
  - what options they have to address a complaint
  - what authority they have
  - when they should delegate or escalate a complaint to a colleague or senior employee for help with early resolution.

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- Frontline staff know when to escalate a complaint to level 2 – to their line manager, dedicated complaint management officer or senior management.

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- Senior staff and specialist officers know the processes for level 2 escalation options, and how to conduct them:
  - internal review of the original complaint decision
  - internally facilitated resolution
  - internal investigation.

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- Senior staff and specialist officers know when to escalate a complaint to level 3 – for external complaint management – and which option is the most appropriate:
  - externally facilitated alternative dispute resolution
  - external investigation
  - external review or appeal.

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- Your complaint policy and procedures include reasonable timeframes for escalation.

## Enable a skilled and supported team

- When recruiting complaint handling staff, you look out for candidates who have suitable:
  - **attributes** (for example, empathy, negotiation and strong communication)
  - **knowledge** (for example, relevant legislative frameworks, procedural fairness and case management)
  - **awareness** (for example, identify communication styles, cultural differences and diverse needs).

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- Complaint handling staff receive induction training during their onboarding and regular refresher training throughout their employment.

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- Complaint handling staff receive specific training and skill development in:
  - mental health first aid
  - disability confidence
  - cultural competence
  - trauma-informed approaches to complaint management
  - enabling and managing storytelling by the complainant.

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- Your organisation records what training your complaint management staff receive.

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- Managers are trained to be aware of the warning signs and impacts of stress, burnout and vicarious trauma.

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- Managers can identify the type of self-care strategies and supports that frontline staff need in response to stress, burnout and vicarious trauma, for example:
  - rotating staff in positions that have high exposure to stress
  - supporting staff to access regular supervision
  - individualised support through Employee Assistance Programs.

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- You have enough staff to manage the volume and complexity of complaints your organisation receives, and these staff are appropriately trained.

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- You have adequate materials and equipment, such as computer software.

## Commit to continuous improvement

- Your organisation has systems in place to record and document complaint information to help monitor, analyse and report on complaints.

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- Your organisation's complaint policy and procedures detail how to use its complaint management system and you train your staff how to use it in practice.

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- Managers regularly report to senior management about complaint trends, systemic issues, how well the system is working and how to improve it.

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- Your organisation's complaint management system is subject to organisational cyber security controls and action protocols for managing risks and breaches, and privacy and confidentiality policies and procedures.

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- You use tools like customer satisfaction surveys, audits and root cause analysis to facilitate continuous improvement.

## **PART B: How do you manage complaints?**

This section is for frontline staff and managers who supervise and manage frontline staff to consider.

### **Understand what is and isn't a complaint**

- You know what a complaint is and apply the definition consistently:
  - an expression of dissatisfaction, made to or about an organisation, about its products, services, staff or complaint handling, where a response or resolution is explicitly or implicitly expected or legally required.

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- You can recognise what **isn't** a complaint – for example, is the customer asking for a service or information instead of making a complaint?

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- You are aware of barriers that exist to people making a complaint. You can provide additional assistance to people with accessibility barriers, wherever possible.

### **Receive, clarify and acknowledge the complaint.**

- You can receive complaints in various ways, for example, online or via social media, by phone, email or in person.

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- You clarify **why** a complainant is dissatisfied or concerned by encouraging them to:
  - send you a written record of what has happened, where possible
  - state clearly what they think is wrong and what should have happened
  - describe what they have already done to address the issue
  - decide what outcome they want to achieve by formally complaining
  - understand what the complaints process involves and how long it will take.

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- You can help a complainant find the right pathway if your organisation is not the right one to manage the complaint by:
  - referring them to another organisation
  - giving them contact details for the complaints department at another organisation
  - giving them details of an advocate or support service.

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- You let the complainant know that you have received their complaint either as soon as possible or within 3 business days of receipt. You use the most appropriate channel for communicating with the complainant.

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- You keep copies of your acknowledgements, and if your acknowledgement is verbal, you record the details in the complaint file.

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- When letting the complainant know that you've received their complaint, you also include:
  - what their complaint identification number is (assign this when you receive the complaint)
  - how the complaints process works and how long it takes
  - how long your organisation will need to complete tasks related to the complaint
  - who to contact for more information
  - what will happen next
  - what the complainant needs to do, how and when
  - what the expectations and responsibilities are of the case officer, your organisation and the complainant.

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- If you use an automated written acknowledgement, you or your manager checks that the content is right, it is delivered in an appropriate way and meets the needs of the complainant.

## Record the complaint

- You record key information from complainants to help manage their complaint, track its progress and assist your organisation to be accountable and improve service delivery.

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- You maintain the confidentiality of complaints and complainants by adhering to NSW Government privacy laws, your organisation's policy and procedures and ethical obligations when disclosing or using any personally identifiable information.

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- You respond to requests for records made by a complainant in line with your organisation's policy and procedures – for example, can you provide the whole record or does it need to be in another format?

## Assess the complaint

- You assess a complainant's needs by considering things like whether they need additional supports – for example, do they need an interpreter?

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- You clarify the complexity of the complaint issues – for example, is it a simple singular issue or are there multiple complex issues?

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- You decide how urgent the complaint issue/s are – for example, are there any health and safety concerns?

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- You then consider any broader issues that may be relevant – for example, is the complainant's desired outcome achievable? Will you need to manage their expectations? Will you need to refer them elsewhere?

## Decide what to do

- You consider if it is possible to **resolve the complaint at first point of contact**, by:
  - understanding the key issues in the complaint
  - understanding the outcomes the complainant wants
  - having enough information
  - being authorised to decide.

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- If the complaint can be resolved at first point of contact, your response to the complainant is prompt, fair and reasonable.

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- You consider if a referral to another organisation is required – for example, the complaint falls outside your organisation's responsibilities or jurisdiction.

If a referral is required, you:

  - inform the complainant as soon as possible
  - obtain their consent to a referral
  - consider what additional assistance or support the complainant might need.

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- You consider whether the complaint can or needs to be notified to a relevant government agency – for example, NSW Police for any criminal allegations.

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- You **consider if you need to gather more information** by speaking or writing to the complainant or other parties.

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- If the complainant has previously contacted your organisation, you check your system to see whether their behaviour was challenging, complex or aggressive.

You **consider if you need to consult internal contacts**, including subject matter experts, colleagues with experience in similar matters or legal counsel.

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You **consider if an investigation is appropriate** – this is usually reserved for complaints involving serious, complex or systemic issues.

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If an investigation is appropriate, you determine whether it will be conducted internally or by an external investigator.

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If the complaint is investigated internally, a written investigation plan is developed that defines the how, why and when of the investigation.

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The investigator applies procedural fairness by giving anyone involved in the investigation an opportunity to provide their version of events and present relevant information before a final decision is made.

### **Finalise the complaint**

You consider if the issues raised in the complaint are substantiated by weighing them up against the available information. You base your decision on fact and sound logic.

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You consider if there is anything you can or need to do to fix the issues. You also consider if any additional issues you came across when gathering extra information, which are beyond the scope of the original complaint, need addressing.

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Once you've decided to finalise a complaint, you contact the complainant using the most appropriate channel and tell them the:

- outcome
  - reasons for your decision
  - actions taken to fix the issues in the complaint
  - reasons for not acting or reasons why you couldn't achieve the complainant's desired outcome
  - trends or systemic issues the complaint highlighted
  - other options to resolve the complaint: ask for an internal review or appeal, or complain to an external complaint management body.
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Before you close a complaint, you record:

- any actions to address the complaint
  - any actions you could not take
  - any outcomes including substantiated aspects of the complaint, recommendations and responses to recommendations
  - any follow-up actions needed.
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You are aware of and have observed the minimum legal requirements for procedural fairness in the complaint management process.

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You have followed your organisation's policies and procedures for procedural fairness in the complaint management process.

## Apologise when things go wrong.

- You are open to criticism or complaints about your organisation or yourself.

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- If you decide an apology is appropriate, in your apology you:
  - describe what went wrong
  - acknowledge that the action or inaction was incorrect, inappropriate or unreasonable
  - acknowledge that the complainant has been affected by their experience
  - accept responsibility for the wrong (this is protected from civil liability in NSW)
  - include any actions or steps to address the grievance or problem
  - commit to improve systems, procedures or practices.

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- You consider offering redress if a complainant experiences loss, damage or injury due to a poor quality service or program or an employee's actions or inaction.

## Specific types of complainants

- You have a policy that explains how to respond to complainants with challenging behaviour – including how to distinguish between normal, difficult and unacceptable behaviour.

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- Staff know how to respond to complaints from people who have diverse needs, and your complaints process is as accessible as possible.

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- You have a policy that explains how to manage complaints or grievances from staff in an appropriate, procedurally fair, transparent and timely way.

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- Staff are aware of the *Public Interest Disclosures Act 2022* (PID Act) and the protections it affords to staff reporting serious wrongdoing.

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- Staff know how to manage complaints from anonymous complainants.

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- Staff know what action to take when complaints allege criminal or corrupt conduct – for example, do reports need to be made to NSW Police or ICAC.

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- You have a policy about how to manage complaints about staff members in an appropriate, procedurally fair, transparent and timely way.

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- Staff know how to manage complaints involving multiple organisations.

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- Staff know how to manage complaints about contractors.