

Complaining to the NSW Ombudsman about NSW government agencies and local councils

The NSW Ombudsman has a broad jurisdiction. One of our roles is to handle complaints about the administrative conduct of NSW government agencies and local councils (the agency).

People contact us daily about making complaints. This information sheet includes our most common advice to help you check when to complain to us and the steps to take before you do.

If you are unsure about whether you should complain to the Ombudsman, call our inquiry staff on (02) 9286 1000 or 1800 451 524 between 9am and 4pm, Monday to Friday.

Before you make a complaint to the Ombudsman

You should take reasonable steps to try and resolve your complaint with the agency before contacting us. You can speak with the agency and try and resolve it informally, but if that does not work, your next step is usually to write to them. Always keep a copy of your complaint.

If your complaint is urgent, you should explain that clearly in your complaint. You also need to give the agency enough information to understand:

- Why you are complaining, and
- What steps you have taken already to try and resolve it, and
- Any evidence you have to support your complaint, and
- What you believe would resolve your complaint.

After lodging your complaint with the agency, we suggest you allow them up to six weeks to respond to it. Some agencies tell you how long you can expect to wait.

We will most likely not get involved in your complaint until you go through this process.

How do I complain to an agency?

An agency's website is a great source of information. It may have information that can help you resolve your complaint without the need to contact anyone. They also usually have a complaint or feedback form or an email or street address to write to and information about how to make a complaint about their service.

If you cannot see where to complain, scroll to the bottom of the agency's website and look for the 'contact us' or the 'feedback/complaint' link. If you cannot access the internet at home, maybe you can visit a local library and use a computer there. If you can't find the information, call the agency and ask them how you can complain. You can also ask them any questions you may have about their complaints process.

If you have difficulty writing to the agency (because of language, literacy, disability etc) we expect agencies to help you submit your complaint to them. They could take a complaint over the phone, assist you make a written complaint or arrange for translation or interpreters.

If the matter is urgent, we still expect you to take reasonable steps to first try and resolve the matter directly with the agency. You can call us to discuss this.

What do I do if they don't reply to my complaint?

If after writing the agency hasn't responded within six weeks (or by the time they say on their website/ correspondence) then call them and ask:

- When they will respond, and
- Why there is a delay?

Some matters can take longer, but the agency should keep you informed.

If, after calling them, you are still having trouble receiving a reply, you can complain to us – see 'When do I complain to the Ombudsman?' below for information about what we need from you.

What if they don't resolve my complaint?

If you believe the agency's reply does not properly address your complaint, you can call us to discuss it at that time. Our Inquiry & Assessment Officers will discuss your complaint with you and can give you advice about what to do next.

Sometimes our officers will explain that you should complain to us about the agency's action or inaction or its handling of your complaint. Other times they might explain a more appropriate process or why we do not believe the agency has done anything wrong.

When do I complain to the NSW Ombudsman?

You should complain to the Ombudsman after you have taken reasonable steps (as set out above) to try and resolve your complaint directly with the agency **and** you have a reasonable belief that the agency has done something wrong.

You should clearly set out your complaint and answer the following questions (you may even use them as headings to guide you):

- Who is your complaint about?
- Did you make a complaint to the agency? Explain how? (include a copy)
- Did the agency respond or take any action? (include a copy or explain)
- What is wrong with what the agency has or hasn't done?
- Do you have other information to support your complaint? (include a copy)
- What would resolve your complaint?

If you are not sure if we are the right organisation to handle your complaint, or you need to discuss what assistance we can offer, call us on (02) 9286 1000 or 1800 451 524 between 9am and 4pm, Monday to Friday.

What happens to my complaint when it's received by the Ombudsman?

Our Inquiry & Assessment Officers conduct an initial assessment of your complaint using our 'Complaint assessment criteria' and their complaint handling experience. Your complaint is then allocated to a case officer who completes their own assessment. You will hear from us within two weeks.

If you have any questions about any of this you can call our inquiry staff on (02) 9286 1000 or 1800 451 524 between 9am and 4pm, Monday to Friday.

Contact us for more information

Our business hours are: Monday to Friday, 9am–5pm (*Inquiries section closes at 4pm*)

If you wish to visit us, we prefer you make an appointment. Please call us first to ensure your complaint is within our jurisdiction and our staff are available to see you.

Level 24, 580 George Street
Sydney NSW 2000

Email nswombo@ombo.nsw.gov.au

Web www.ombo.nsw.gov.au

General inquiries 02 9286 1000

Facsimile 02 9283 2911

Toll free (outside Sydney metro) 1800 451 524

Tel. typewriter (TTY) 02 9264 8050

Telephone Interpreter Service (TIS): 131 450

We can arrange an interpreter through TIS or you can contact TIS yourself before speaking to us.