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Complaint handling improvement program Commitments implementation review

A Special Report to Parliament under section 31 of the *Ombudsman Act* 1974

31 August 2018

NSW Ombudsman Level 24, 580 George Street Sydney NSW 2000

Phone: 02 9286 1000 Toll free (outside Sydney Metro Area): 1800 451 524 National Relay Service: 133 677 Website: www.ombo.nsw.gov.au Email: nswombo@ombo.nsw.gov.au

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ABN 76 325 886 267 Level 24, 580 George Street, Sydney NSW 2000 T 02 9286 1000 | F 02 9283 2911

Tollfree 1800 451 524

www.ombo.nsw.gov.au



31 August 2018

The Hon John Ajaka MLC President Legislative Council Parliament House SYDNEY NSW 2000

The Hon Shelley E Hancock MP Speaker Legislative Assembly Parliament House SYDNEY NSW 2000

Dear Mr President and Madam Speaker

Pursuant to section 31 of the *Ombudsman Act* 1974 I am providing you with a report titled *Complaint Handling Improvement Program Commitments Implementation Review.*

I draw your attention to the provisions of section 31AA of the *Ombudsman Act 1974* in relation to the tabling of this report and request that you make the report public forthwith.

Yours sincerely

Michael Barnes Ombudsman

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Executive Summary

This report is about the implementation of the NSW Government's Whole of Government Commitments to Effective Complaint Handling (the Commitments), which form part of the Complaint Handling Improvement Program (CHIP). The CHIP involved a collaboration between the NSW Ombudsman, the office of the Customer Service Commissioner, the Department of Finance, Services and Innovation (DFSI), and representatives from all ten of the departmental clusters.

The NSW Government's Secretaries Board endorsed the implementation of the Commitments in strong recognition of the value and importance of complaints – as well as the need for a consistent approach to best practice complaint handling.

At the time the Commitments were endorsed, several NSW Government agencies already had mature complaint handling systems and practices that they continue to review and refine over time. However, other agencies seemed to respond to complaints on a more ad hoc basis – and, in some cases, complaints were seen as a negative reflection on the agency and its staff.

This report outlines the findings of a review by the NSW Ombudsman's office of the level of implementation and application of each of the six Commitments by the agencies in scope.

The findings demonstrate the significant value of the CHIP to the public sector and the community, and highlight what is being done to improve complaint handling and in turn satisfaction with government services.

The endorsement of the Secretaries Board and the CHIP governance arrangements were key to promoting the Commitments and leading to widespread change across the sector. The review shows there have been a number of very positive changes since the Commitments were introduced, as well as some excellent progress in the quality of complaint handling over the past decade.

However, there are still areas where public sector agencies can and should do more to meet the Commitments and continue to build the ongoing confidence of the community in government services. For example:

- Although the results indicate a generally positive shift in attitudes toward complaints, some agencies would benefit from more focus in this area. All agencies would benefit from continuing efforts to ensure there is a workplace culture that values complaints (see section 2.1 on workplace culture and section 3 on the commitment to respectful treatment).
- Agencies need to make sure they have publicly available information about their complaints process that is easy to access. There should also be an ongoing focus on making sure the complaint process is accessible to all members of the community, particularly those who may need assistance (see section 4 on the commitment to information and accessibility).
- Agencies need to improve the way they manage complainant expectations at the outset as well as improving their proactive communication with complainants throughout the complaint handling process (see section 5 on the commitment to good communication).
- Results from the staff survey indicate the need for improvements in the way agencies provide relevant staff with the training, support and resources they need to deal with complaints and complainants appropriately and efficiently (see section 6 on the commitment to taking ownership).
- Agencies need to improve their awareness and monitoring of time frames to resolve complaints, as well as communicating with complainants when there is an unavoidable delay with their matter. The review found that not all agencies have set or are monitoring time frames and key performance indicators for finalising complaints as they are obliged to do to comply with the Commitments (see section 7 on the commitment to timeliness).
- Agencies need to improve data collection and analysis of complaint information to identify any policies, practices and procedures that could be improved. The review also showed room for improved sharing of insights learnt from complaints among staff (see section 8 on the commitment to transparency).

During the review, the NSW Ombudsman made 86 suggestions for improvement to agencies under section 31AC of the *Ombudsman Act 1974*. The suggestions have generally been accepted by agencies with undertakings for further action, and these will be monitored over the coming months.

If the improvements detailed in this report are to be maintained and built upon, ongoing monitoring and reporting of complaint handling practice is essential.

It is therefore recommended that the Ombudsman Act be amended to include a 'keep systems under scrutiny' function consistent with the Ombudsman's functions relating to community services, the public interest disclosure scheme, the child protection reportable conduct scheme, and the protection of people with a disability reportable conduct scheme. This would mean our office would continue to monitor and evaluate the complaint handling policies and practices of NSW public sector agencies and report on them, for example, to both the agencies and the Secretaries Board.



Respect Information & accessibility Communication Ownership Timeliness Transparency

1. The Complaint Handling Improvement Program

1.1. Overview

The Ombudsman's office has advocated for a more efficient and effective approach to complaint handling across the public sector for almost thirty years. The development of the CHIP in 2015 has been the most comprehensive attempt to develop a whole-of-government complaint handling framework in the NSW public sector so far.

The Complaint Handling Improvement Program (CHIP) is a two-part program. The first part was the implementation of the Commitments by all major customer-facing state government agencies in the ten clusters. The Commitments are a high level principle-based approach to effective complaint handling and lay the foundation on which agencies can build their complaint management systems. The second part of the CHIP included the creation and implementation of an online website tool 'Feedback Assist' – designed to provide people with an efficient and consistent method of providing feedback, both positive and negative, on government services.

To ensure the Commitments were working as intended, the Secretaries Board endorsed ongoing monitoring and review of their implementation – including an initial review in 2017. The Ombudsman's office put forward a framework for conducting this initial review, which was endorsed by the Customer Service Council in September 2017.

This report is the result of that review – which included 44 agencies across the ten clusters. Given the breadth of the review and the diversity of the NSW public sector, it was considered that a single review method would not give a sufficiently comprehensive picture of complaint handling practices. To address this, the methodology included a combination of quantitative and qualitative ways of collecting and assessing information. The full methodology is set out in Appendix D.

The review does not include the implementation of Feedback Assist. Feedback Assist is an important innovation, with the potential to change the way people comment on government services. A full description of Feedback Assist has been included at Appendix A.

1.2. Background and development of the Commitments

The appointment of the first Customer Service Commissioner in 2012 placed customer service in the public sector at the forefront, with that office later becoming the catalyst for the creation of the CHIP. The Customer Service Commissioner's 2015 Customer Satisfaction Measurement Survey found that people who had their complaints handled well by government agencies had higher than average overall satisfaction. However, more than half of those surveyed thought their complaint was handled poorly.

Survey respondents told the Customer Service Commissioner in a follow up complainant experience survey that they want:

- A dedicated person or team to manage their complaint, as well as someone they can contact easily to get more information.
- Regular updates on the status of their complaint through their preferred method of communication.
- Up-to-date and relevant information on the complaint process and what to expect from it before they make a complaint.
- Complaints dealt with in a reasonable timeframe.
- Information about how long their complaint will take to finalise.

Respondents also said they wanted it to be easy to make a complaint, and wanted to know that their feedback made a difference. Some of those who were not satisfied with a government service said that they did not complain because they did not think anything would change or because they believed it was too hard to make a complaint.

Based on the feedback received from the community, the Ombudsman's office worked with the Customer Service Commissioner and government agencies from all clusters to develop six Commitments to effective complaint handling. The Commitments are an undertaking to customers on what they can expect when they provide feedback to a NSW Government agency.

In July 2016, the Secretaries Board endorsed the Commitments and agreed they would be implemented by all major agencies within the ten NSW Government clusters by 31 December 2016. Below is an overview of the Commitments, with the full text included in Appendix C.

Overview of the Commitments

Respectful treatment

We are responsive and treat our customers with courtesy and respect.

Information and accessibility

We make it easy for our customers to give us feedback so we can make improvements.

Good communication

We keep our customers informed about the status of their complaint or feedback.

Taking ownership

We are trained and skilled to manage customer complaints and one person, or our team, will manage the complaint.

Timeliness

We do our best to deal with customer complaints as soon as possible. Our customers know our timeframes for finalising their complaint.

Transparency

We record and analyse information on our complaint handling processes to help improve our services.

2. Staff insights on workplace culture and complaint handling systems

The analysis in this report provides a consolidated view of results. Detailed cluster reports with a comparative analysis of results at an agency level were provided to the Secretaries of each department during January to April 2018.

2.1. Workplace culture

The Commitments will only be effective if they are seen as an enduring change in approach and culture.

Their success will depend on regular communication and commitment to good complaint handling at all levels of an organisation. Agency heads and senior management should champion effective complaint handling as a way of strengthening administration and improving customer satisfaction and trust in government.

As part of the review, a number of interviews were conducted with staff from seven agencies. Most interview participants had many years of experience in complaint handling. Importantly, staff who had worked in complaint handling roles within government for some time indicated that in recent times there had been a noticeable positive shift in the attitude towards complaints. Management were now seen to be more accepting of complaints as a valuable form of feedback, whereas previously they were something to be avoided.

Complaint handling is best seen as a 'customer recovery opportunity' which can build customer trust and satisfaction. A workplace culture that values complaints does not see them as a mark against the agency, but as valuable feedback and an opportunity to improve their services.

This culture is reflected in the:

- attitudes and decisions of staff, including senior management
- policies and processes used by the agency
- resources allocated to complaint handling training and staffing
- internal recording and reporting of complaint data
- publicly available information about complaint processes and outcomes.

There has been a great level of engagement with the Commitments from the CHIP reference group in particular. However, the staff and manager survey showed low awareness of the Commitments across the sector – with only 43% of staff indicating that they had heard of them. As would be expected, of those staff, specialist complaint handlers were significantly more likely to have heard of the Commitments (61%). Following these results, agencies are working on strategies to improve awareness of the Commitments.

The survey results positively indicated a workplace culture that values complaints. Results compared at a cluster level were fairly consistent across the sector. For example:



The review of agency complaint samples provided further supporting evidence of positive cultural changes. For example, it was noted that apologies were given in 35% of cases and customers were thanked for providing feedback in almost half of all files reviewed (44%). Where appropriate, a prompt and sincere apology will often avoid a dispute escalating and the significant time and resources that this can involve. Agencies have become more willing to apologise since the *Civil Liability Act 2002* was amended to provide protections for apologies.

2.2. Effectiveness of complaint handling systems

Staff perceptions of the effectiveness of complaint handling systems were reasonably consistent across the sector at a cluster level, with 82% of staff reporting that overall their work area's complaint handling system was 'somewhat' or 'very effective'.

There was a wide variety of suggestions from staff about how to improve the effectiveness of complaint handling – with the most common centred around providing ongoing comprehensive training and having structured procedures that are well known to all.

In some agencies where staff had lower perceptions of the effectiveness of systems, they also indicated that their agency faced major obstacles to improving complaint handling. One third of staff indicated in the survey that their work area faced major obstacles to improving complaint handling (35%). Of those staff, the top four obstacles were identified as:

- dealing with unreasonable conduct by complainants
- staffing and resource levels
- inconsistent application of procedures
- issues with technology.

Staffing and resource levels were also raised as a theme throughout the in-depth interviews with staff. For example, participants acknowledged the importance of ongoing support and communication for a complainant. However, they also said that this presented a challenge as to do so properly took time, which was difficult to find with so many conflicting priorities. Staff also considered the impact of unreasonable conduct by complainants on staff members and agency resources to be significant.

It was noted that results were comparable with results from the Public Service Commission's People Matter Employee Survey (PMES) though that survey is open to all employees across the NSW Government. For example, in the PMES, 85% of staff agreed that their workgroup strives to achieve customer/client satisfaction and 69% feel that their organisation focuses on improving its work. Public Service Commission, *People Matter 2017 – NSW Public Sector Employee Survey Main Findings Report November* 2017, https://www.psc.nsw.gov.au/reports---data/state-of-the-sector/people-matter-employee-survey accessed 23 March 2018, pp 32 and 21.

2.3. Staff insights on complaint handling policy

The staff and manager survey demonstrated strong staff awareness of their agency's complaint handling policy and procedures. More than 80% of staff indicated that they were aware of their responsibilities under their agency's complaint handling policy (86%), with some uncertainty (11%) expressed mainly among frontline staff (17%). Also, 73% of staff stated that they had used their agency's complaint handling policy or procedure in the previous six months.

A clear understanding of the definition of a complaint by staff is critical for ensuring that complaints are appropriately identified and addressed under an agency's policy and procedures.

The Australian/New Zealand Standard Guidelines for complaint management in organizations (AS/NZS 10002:2014) defines a complaint as an:

Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Several staff acknowledged the guideline when providing their agency's definition of a complaint. Staff were also asked how well their agency's definition of a complaint aligned with the guideline, with 83% of staff saying it aligned 'extremely' or 'quite well'. The survey results showed that staff were confident in their understanding of the definition of a complaint and how it is applied in their agency.

The next six chapters of this report outline our findings regarding each of the Commitments.

3. Respectful treatment

We treat you with courtesy and respect. We are responsive and will ensure you receive no detriment for having complained.

- a) We have a complaint policy that requires staff to treat you with courtesy and respect.
- b) Our public contact staff are trained in customer service, complaint handling and managing unreasonable behaviour.
- c) We review the type and number of complaints we receive about our staff, and take appropriate action to respond as necessary.

3.1. Why is this commitment important?

Every person has the right to be treated with respect. For complaint handlers, showing respect is not optional – it is an operational imperative.

Failure to show respect is a common trigger for the escalation of a complaint and involving challenging behaviour from a complainant. Many entrenched disputes can be traced back to an initial real or perceived imposition on a person's dignity or feeling of self-worth. Complainants may feel disrespected if they perceive they were treated rudely or without due courtesy, they believe their complaint was considered frivolous or was not taken seriously, or their competence or motives were questioned. For many people, being treated as an individual is very important to them – with blanket statements and generic responses being a source of irritation and frustration.

3.2. How is respectful treatment being applied in practice?

All the agency complaint handling policies reviewed included an expectation that staff treat customers with respect.

In the complaint sample review, numerous examples of an open and empathetic approach to complaint handling were noted. The following two case studies, both from local health districts, show how taking this approach can make a real difference to the complainant – particularly in difficult and stressful circumstances.

Case study 1: Courtesy and respect

The complaint related to the care and treatment of a family member at a health facility. The following comment by the Chief Executive Officer of the local health district was noted to demonstrate a clear focus on courtesy and respect for complainants:

'I would like to convey my sincere apologies for any distress caused to you and your family. I appreciate that you are a very loving family who simply want the very best of care... I want to thank you for your persistence with this matter and, in particular, making sure that we have understood the family's concerns.'

A meeting between the relevant staff, clinicians and family members was also held which appeared to result in a number of positive outcomes.

Case study 2: Restoring trust

The primary issues in this complaint related to health care and the outcomes of an internal review. The complainant stated they were experiencing significant emotional distress as a result of an incident at a facility. A meeting was organised with the complainant so that she could share her story. The complainant felt that this action showed the agency respected her and wanted to empathise with her.

The outcomes of the complaint included further steps to rehabilitate the lost trust in the relationship – including inviting the complainant to work with consultants engaged to improve communication and listening skills for staff.

This demonstrates a genuine effort to resolve a service problem and restore the complainant's trust and confidence. The flexibility and empathy shown by staff as well as the exploration of options to help make the complainant feel at ease and restore trust in the relationship were exemplary.

In the staff survey, most staff agreed that they treat complainants with respect (98%) and encouragingly 93% believed that the person they report to always treats complainants with respect. However, only 65% of respondents agreed that all staff in their agency treat complainants with respect. This is similar to the results of 2017 customer research conducted by the Customer Service Commissioner as part of the Annual Customer Satisfaction Measurement Survey. The research found that satisfaction for customers in relation to the statement, 'I was treated with respect throughout the complaint process' had an average score of 5.6 out of 10.²

3.2.1. Checking the quality of interactions between staff and customers

Agencies should provide training and support to staff to develop their interpersonal skills and monitor staff interactions with customers to make sure that they adhere to good customer service practices. Of those reviewed, 84% of agencies advised that they do some form of quality assurance. The most common methods reported were the use of customer satisfaction surveys followed by periodic reviews of communications and mystery shopper spot checks.

3.2.2. Unreasonable conduct by complainants

One quarter of the respondents to the staff survey (24%) indicated that dealing with unreasonable conduct by complainants was the most significant obstacle to improved complaint handling. This conduct can include unreasonable demands, persistence, lack of cooperation, arguments or other unreasonable behaviours. Aggressive and sometimes violent behaviour is a very real risk for frontline staff, particularly complaint handlers. More than two-thirds of staff (70%) reported that they felt supported by management through difficult interactions with complainants, which seemed to be a positive result.

Concerns were raised by respondents about the impact of unreasonable behaviours on staff. The following anonymised quote is illustrative:

'Unreasonable complainants keep demanding time and escalate the processes for everyone... Complainants often break every protocol and courtesy without consequence whereas the complaint managers are under constant scrutiny and requirements to comply. Some complainants are so unreasonable and ongoing that they impact on the health and wellbeing of department officers where there is no acknowledgment. When is 'enough is enough' for dealing with unreasonable people and complaints - they are consuming time and health of managers and the system. In some cases it NEVER STOPS.'

^{2.} Office of the Customer Service Commissioner, Q2 2017 Quarterly Pulse Check Survey Summary Report, p 39.

From the staff interviews, it was noted that all participants had experienced unreasonable conduct by complainants in one form or another – including, in particular, aggressive or persistent behaviour. Unreasonable conduct by complainants was seen to be an unavoidable part of the complaint handling role. Staff believed that an internal focus on understanding the challenges they face and the importance of debriefing are key to staff feeling supported.

Staff suggested improving the training on dealing with unreasonable conduct, building staff resilience, and rotating staff in the most challenging roles as some strategies that could help reduce any impact of unreasonable conduct on staff wellbeing. In the survey, 19% of staff indicated that they did not have enough training in responding to unreasonable conduct by complainants. Considering responses at a cluster level, between 9% and 27% did not believe they had been given sufficient training in responding to unreasonable conduct by complainants.

3.3. Is there an opportunity to improve on respectful treatment?

Results varied across the sector at an agency level and further action to address possible issues around workplace culture was suggested for those agencies with lower results. Actions taken to continue to improve workplace culture will include communication and engagement strategies for staff around the value of complaints and other types of feedback for an agency. In addition, it is suggested that agencies should be proactive in seeking regular feedback from complainants about their experience of the process – including their perception of whether they felt they were treated with respect.

4. Information and accessibility

We make it easy and accessible for you to make a complaint and if you need help to lodge a complaint we will help you. You can readily access information about our complaint processes in a variety of formats and across a range of media. This information includes:

- a) available avenues to make a complaint for example electronic (email and online), in person, in writing, etc
- b) what you can expect about the process for example, next steps and time frames
- c) a contact point to enable you to get more information about the complaint process
- d) examples of how complaints have helped improve our services.

4.1. Why is this commitment important?

Providing complaint information that is easily accessible and simple to understand is important because it increases public confidence in the services provided and may reduce the unnecessary escalation of matters.

This is essential to building a culture that values transparency, open communication, and a sense for the community that complaints are welcome and valued. Agencies should also be proactively releasing complaint handling polices under open access information obligations.

Complaint information is accessible if it is easily located, identified and understood. Providing complaint information in a variety of formats will help facilitate complaints and provide access to people who may not have the knowledge or ability to make a complaint otherwise. The *Disability Inclusion Act 2014* requires the NSW Government to ensure people with disabilities are able to pursue complaints just as other members of the community are able to.

4.2. How is information and accessibility being applied in practice?

In the staff survey, most respondents indicated that they provide assistance in making a complaint to those who may need it because of their age, language, literacy, disability or other reason (48% strongly agree, 40% agree, 10% neutral). This is a positive indication that agencies are committed to ensuring that the complaints process is accessible to all members of the public.

4.2.1. Improvements over time

The Ombudsman's office has been reviewing and producing reports about complaint handling practices across the public sector for a long time. This current CHIP review has identified some significant and very promising improvements.

Agencies have reported improvements in providing information about the complaint process in the following formats:

- Online in English 95% of agencies in their responses to the 2017 CHIP review, an increase from 86% in the Ombudsman's 2015 review and 64% in 2007.
- Online in other languages 24% of agencies in the 2017 CHIP review, an increase from 13% in 2015. In 2007, agencies were asked if they provided information on the complaint process in community languages, which 9% stated that they did.

- Online in alternative formats 32% of agencies in 2017, an increase from 19% in 2015.
- Community outreach initiatives 32% of agencies in 2017, an increase from 11% in 2015.

The results also indicate that there have been improvements in the different channels available to the public if they want to make a complaint:

- Post all agencies in 2017, an increase from 94% in 2007 and 2015.
- Email all agencies in 2017, an increase from 94% in 2015 and 91% in 2007.
- Phone all agencies in 2017, an increase from 84% in 2015 and 91% in 2007.
- Online complaint form 92% of agencies in 2017, an increase from 69% in 2015 and 59% in 2007. The implementation of Feedback Assist in 2017 increased this result significantly.

4.3. Is there an opportunity to improve on information and accessibility?

There is a need for ongoing review and focus on ensuring the complaint process is accessible to all members of the community, particularly to those who may need assistance. Agencies should focus on providing simple and easy to access information about the complaint process to reduce barriers to providing feedback. The review did identify some gaps – and suggestions for improvement were provided in the detailed cluster reports. The Ombudsman's office developed and provided guidance to agencies to help them review their websites and ensure they are providing critical information about the complaint process.

Providing examples of how complaints have helped improve services demonstrates the value of complaints and shows the community that the government is listening to them and using their feedback. Websites are the main way that agencies communicate with their customers about the complaint process, but very few publicly available examples of how complaint data was used to improve services were identified by the review. There is an opportunity for agencies to use their websites to encourage feedback by providing examples of how complaints have resulted in daily and longer term improvements to services.

5. Good communication

We keep you informed about the status of your complaint by:

- a) acknowledging receipt of your complaint and providing you with information about the process that includes:
 - a contact point for enquiries
 - the likely next steps of the complaint process
 - the expected time frame to finalise your complaint.
- b) providing you with updates on your complaint at regular intervals as specified in our procedures
- c) communicating the outcome of your complaint and the reasons for the outcome through the most appropriate channel
- d) providing you with information about internal and external avenues of review where available.

5.1. Why is this commitment important?

When people make a complaint they want to know approximately how long it will take to finalise after initial acknowledgement, and they want to be kept up-to-date throughout the process.

'I was advised that an apology was forthcoming from this person... Since that time there has been no contact... I have called a couple of times since but with no luck to be able to talk to the person I complained to. I can only now assume that the matter has been 'swept under the carpet'.' – Complainant

Complainants are often not aware of an agency's role, procedures or practices for dealing with complaints. It is therefore important to test and manage complainant expectations at the earliest possible opportunity to minimise the likelihood of later disappointment, anger or frustration.

It is now well recognised that people are likely to care as much about how their complaint is dealt with as they do about the issue that triggered the complaint. This means that following a process that is seen to be fair and reasonable (including timely), treating complainants in ways they perceive to be respectful, and providing adequate information at appropriate times (including regular progress reports) will mean that complainants are more likely to accept an outcome even if it is unfavourable.

Research conducted by the office of the Customer Service Commissioner with customers of the NSW Government showed that among other things, proactive communication during the complaint process improved overall satisfaction with the complaint experience.³

^{3.} Office of the Customer Service Commissioner, Q2 2017 Quarterly Pulse Check Survey Summary Report, p 45.

5.2. How is good communication being applied in practice?

Agencies provided the Ombudsman with 280 randomly selected complaint samples which were reviewed according to the criteria of the Commitments. Of those reviewed:



The review identified consistent results about communication with complainants when comparing staff perceptions with analysis of the complaint samples. For example, 36% of staff indicated that the contact details of the person or team responsible for handling a complaint are always given to the complainant. The complaint sample review showed this happened in 38% of cases. In the survey, 39% of staff indicated that their work area always tells complainants at the outset what the next steps will be in the complaint handling process. The complaint sample review showed this happened 41% of the time. However, results varied significantly across clusters. Individual agency results in comparison to cluster and whole-of-government results were provided in detailed reports issued to the Secretary of each cluster.

Table 1 shows staff perceptions of communications with complainants compared to what the review of complaint samples showed us.

Table 1: (Comparison	between	staff	perceptions	and	sample results	
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Staff said		Complaint samples showed
36%	the contact details of the person responsible for handling the complaint are always given to the complainant	38% of cases
39%	the agency always tells complainants what the next steps will be at the beginning of the complaint process	41% of cases
36%	complainants are always given a timeframe in which their complaint will be managed	28% of cases
17%	complainants are always given progress updates on their matter	21% of cases

Providing reasons is critical to helping complainants to understand a decision made or action taken that affects them. Giving reasons is a basic principle of good administration and good communication. In case study 3, the reasons for the decision were clearly and simply articulated to the complainant with references to relevant policies and procedures.

Case study 3 : Good communication and giving good quality reasons for decisions

The complaint related to allegations of misconduct by a staff member including bullying, bias and failure to take proper action. The complainant said he felt humiliated by the actions of an agency staff member and was clearly experiencing emotional distress.

Given the complexity of the issues raised, a response to the complaint took some time. The agency maintained contact with the complainant throughout the process and reasons were given for the length of time taken to respond.

The agency's response acknowledged the complainant's distress and demonstrated that the issues raised had been understood and taken seriously. An explanation was provided about the analysis of the issues raised and details about the steps taken to gather the information that informed the outcome of the review. The agency explained where their treatment of the issues raised had and had not been in accordance with relevant policy, procedure and legislation.

Although the claims of misconduct were not substantiated, the agency review identified some room for improvement and an apology was given for errors made. Importantly, the complainant was advised of the steps taken to mitigate the possibility of similar issues happening again. The complainant was also provided with an avenue of external review if he wanted to pursue the matter further.

This case study provides an example of good communication throughout the complaint process and providing good quality reasons for decisions.

5.3. Is there an opportunity to improve on good communication?

The key message for complaint handlers is – communicate early and communicate often.

The review has identified opportunities to improve communication with complainants – particularly when setting and managing complainant expectations at the outset and providing progress updates throughout the process. There is also a need for an ongoing focus and commitment by agencies to ensure that staff are always giving good quality reasons for decisions.

6. Taking ownership

The staff who manage your complaint are appropriately trained and skilled. One person and/or a team is responsible for managing your complaint, and their contact details are made available to you. We will inform you if your complaint is transferred to another person or team.

6.1. Why is this commitment important?

Staff whose duties include complaint handling need to have the appropriate authority, training and support to be able to respond to complaints and complainants appropriately and effectively. To avoid any unnecessary escalation of matters, it is important that staff are:

- aware of their delegations to resolve complaints
- given clear guidance about what steps they are allowed to take to respond to common issues of complaint and the conduct of complainants.

This information and guidance should form part of the agency's complaint handling policy and procedures.

6.2. How is taking ownership being applied in practice?

Responses to the staff and manager survey showed there was a high level of confidence in handling complaints – with 87% of staff indicating that they are 'quite confident' or 'extremely confident' that they know what to do when handling a complaint. Specialist complaint handlers and managers reported an even higher level of confidence in their complaint handling abilities (100%).

Most staff felt they had the authority to resolve simple complaints in their role (86%). However, looking at individual agency results there were some that differed significantly from the cluster and consolidated averages.

Staff and managers were asked in the survey whether one person and/or team is responsible for managing a complaint from beginning to end. More than two-thirds (71%) of staff felt that this happened 'all the time' or 'most of the time'. Results across clusters varied and ranged from 3% disagreement to 18% disagreement. Across the sector, there was a fairly high level of uncertainty about whether complainants are informed if their complaint is transferred to another person or team (22%) – with 63% of staff indicating that this happened 'all the time' or 'most of the time' while only 6% said that this rarely or never occurred.

All staff and managers interviewed as part of the review felt they could take ownership of the complaints they received and most stated they would attempt to resolve the issue themselves before escalating the complaint. If they were not able to resolve a complaint, they felt confident in their ability to identify an appropriate escalation point to another person or area which could take responsibility for resolving the issue. Having ownership of complaints was indicated to lead to greater job satisfaction for the complaint handler and also a higher level of satisfaction for the complainant.

6.2.1. Training in complaint handling

In the staff survey, 71% of staff agreed they have been given sufficient training in complaint handling relevant to their role while 13% disagreed. Results across clusters ranged from 6% disagreement up to 25% disagreement. Specialist complaint handlers (86%) and managers who supervise complaint handling staff (76%) agreed the most with this question. 63% of managers with complaint handling responsibilities and 67% of frontline staff agreed, while 11% from both groups disagreed.

Separately, staff were asked what would increase the effectiveness of complaint handling in their work area. Respondents had a number of suggestions – with the most common being focused on the need for ongoing and comprehensive training for staff.

Table 2: Survey results about provision of complaint handling training over time

Role description	1999	2007	2015	2017 CHIP review
Frontline	68%	59%	25%	67%
Specialist complaint handler	42%	47%	34%	86%
Manager	60%	52%	18%	68%

Note: The survey data for 1999 – 2015 was coordinated by one person per agency and the data for 2017 was gathered directly from complaint handling staff. There does not appear to have been a consistent trend over time although it is noted that the 2017 results from staff are the strongest.

6.3. Is there an opportunity to improve on taking ownership?

The staff survey results indicate the need for an ongoing focus and improvement in terms of ensuring that staff training needs are continually reviewed to ensure they are adequately identified and addressed. Training needs to be provided on a regular basis – as a refresher for existing staff and an essential requirement for new staff. Training enables the policy and procedures which set out the expectations of staff to be put into practice. Complaint handling is specialised and the communication and dispute resolution skills required for successful complaint handling should be seen as a necessity.

7. Timeliness

We do our best to deal with your complaint as soon as possible. We have set and made public expected timeframes and KPIs for finalising complaints which recognise the differing levels of seriousness, urgency and complexity of complaints received. If there are unavoidable delays in dealing with your complaint, we will inform you and explain the reasons.

7.1. Why is this Commitment important?

Complainants expect their matters to be resolved within a reasonable time.

Research conducted by the office of the Customer Service Commissioner shows that customer expectations of NSW government have generally increased since 2016.⁴ The Premier's Priority to improve government services notes that customers expectations of government are changing rapidly, largely driven by the modernisation of services provided by the private sector and the impact of new and emerging technologies'.⁵

As part of the Customer Service Commissioner's research, participants were asked what their expectations were around communication during the process of making a complaint to a government agency. Participants indicated the following:

- 64% of respondents expected to receive acknowledgement of their complaint immediately or within 24 hours.
- 60% of respondents said they would like to be updated on the progress of their complaint every 2-5 business days.
- 75% of respondents expected to be notified of the outcome of their complaint within one week. ⁶

Research conducted in Canada since 1998 found timeliness to be the single most important driver of satisfaction with government services. The research also found that the threshold for waiting for service across all communication channels is diminishing. The latest survey conducted in 2014 found that the majority of respondents consider:

- up to 2 minutes is an acceptable amount of time to wait on hold on the phone
- a phone call should be returned on the same day it was made.⁷

These expectations provide insight into what complainants expect from government and highlight the importance of agencies managing complainants' expectations from the outset.

7.2. How is timeliness being applied in practice?

In the staff survey, four in five staff indicated that they were aware of the time frame in which their work area aims to respond to complaints (79%). Considering the results by role description, frontline staff were least likely to be aware of this time frame (64%). The speed of their response to a complaint was identified by 23% of staff as something their work area does particularly well.

Customer Service Commissioner, NSW Whole of Government Customer Satisfaction Measurement Survey – 2017 Key Findings, https://static.nsw.gov.au/nsw-gov-au/1515559545/2017-Customer-Satisfaction-Measurement-Survey-Key-Findingsaccessible041217.pdf accessed 23 March 2018.

^{5.} https://www.nsw.gov.au/improving-nsw/premiers-priorities/improving-government-services/, accessed 30 May 2018.

^{6.} Office of the Customer Service Commissioner, Q2 2017 Quarterly Pulse Check Survey Summary Report, pp 43-44.

^{7.} Institute for Citizen-Centred Service, Citizens First 7, December 2014, pp 77, 79.

Only 63% of staff indicated that their work area monitors the time taken to resolve complaints – which indicates some room for improvement. At a cluster level, results varied significantly between 30% and 91% of staff stating that the time frame was monitored. Over two thirds of staff (69%) indicated that complainants are informed of any unavoidable delay in dealing with their complaint – including the reasons for the delay (27% 'all the time', 42% 'most of the time').

Case study 4: Education and centralised complaint handling

As part of the CHIP, Education established a new Feedback and Complaints Team and a complaint management system. The Feedback and Complaints Team is leading a range of initiatives to improve the way that the department manages and reports on customer feedback and complaints. The introduction of a complaint management system across the cluster is part of this work. The team is also responsible for developing resources for customers to make complaint processes and pathways clearer, and resources for staff to build capacity in managing complex issues and complaints. The team is not a complaint resolution service, as families and communities are encouraged to raise and resolve issues locally wherever possible.

The complaint management system, which went live in April 2018, is the primary case management system for staff handling escalated and significant complaints from customers. This system will – for the first time – provide centralised visibility of escalated and significant complaints across Education. Importantly, among other things, the system includes key stages and prompts to ensure actions are completed according to KPIs as well as monitoring and reporting against them.

7.2.1. Performance against key performance indicators (KPIs)

Agencies were asked whether they have a KPI for acknowledging complaints as received and what percentage of complaints were acknowledged within KPIs over the last 12-month period:

- Three-quarters of agencies stated that they did have a KPI for acknowledging complaints.
- On average, agencies stated that complaints were acknowledged within KPIs 94% of the time.
- 82% of agencies confirmed that they have a KPI to finalise complaints and, of those, they reported that on average 84% of complaints were completed within their KPIs over the last 12 months.⁸

Our review of 280 agency complaint samples showed that the average time taken to acknowledge a complaint was 2.5 days. Complaints were finalised within 26 calendar days on average.

7.3. Is there an opportunity to improve on timeliness?

The survey results indicate room for improvement in terms of staff awareness of time frames to resolve complaints as well as communicating with complainants when there is an unavoidable delay with their matter. The Commitments require agencies to have set time frames and KPIs for finalising complaints and the review found that not all did. The review supports the need for improved monitoring of KPIs for compliance and evaluation of performance.

^{8.} However, it should be noted that the results are simply an average across agencies and do not take into account the difference in number of complaints finalised between agencies.

8. Transparency

We record and analyse information on our complaint handling processes, including:

- a) the number of complaints received
- b) the number of complaints finalised
- c) the percentage of complaints finalised within our KPIs
- d) the issues raised by complaints
- e) the actions taken in response to complaints
- f) systemic issues identified
- g) the number of requests received for internal and/or external review.

8.1. Why is this commitment important?

It is important for agencies to analyse complaints so that systemic issues and problem areas that go beyond individual complaints are identified, and improvements can be made to the overall quality of services provided.

Analysing complaint information gives agencies access to information from customers with direct experience of products and services. This can also be used to inform decision-making around changes to policy and processes and staff capability requirements.

While the nature and frequency of complaint data reporting should be fit for purpose, regular reporting to senior management based on an analysis of complaint data should be done – even in agencies with small complaint numbers. Complaint data is capable of providing great value to an agency, particularly when a consistent set of information is maintained over time. Reporting on complaint data can increase customer focus within an agency and may also form a useful part of other internal governance mechanisms such as audit and risk committees.⁹

8.2. How is transparency being applied in practice?

8.2.1. Insights learned from complaints

In the staff survey, two-thirds of staff indicated that insights learned from analysis of complaints are shared with their work area (66%) and 81% agreed that insights were shared in a way that was useful to them as a complaint handler. Considering responses by role description, specialist complaint handlers were significantly more likely to agree that insights are shared with them (82%) compared to frontline staff (54%). Insights were shared mainly via team/staff meetings but were also circulated by email and were also used in training.

^{9.} Commonwealth Ombudsman, An Investigation into the Management of Complaints by Commonwealth and ACT Government October 2014, http://www.ombudsman.gov.au/__data/assets/pdf_file/0011/30017/October-2014-Complaint-management-bygovernment-agencies.pdf accessed 7 May 2018, p 50.

Case study 5: Revenue and the creation of a learning culture

Revenue NSW is the state's principal revenue management agency. In January 2017, they implemented MyCustomer – a single feedback management platform which centralised all customer feedback for the agency. This has helped to ensure transparency and accountability as well as enabling trends to be identified and analysed. The new standardised process for managing complaints is aligned with the NSW Ombudsman's complaint management framework.

All complaint handling staff are trained in root cause analysis, which has to be done before a complaint is closed. Revenue has found root cause analysis to be pivotal in helping to understand the common root causes across products and services and prioritise improvements to address them. They also engage team leaders in the assessment and complaint handling process to deliver closed loop coaching and learning opportunities for staff.

MyCustomer has enabled Revenue to regularly report to the Executive on trends across the organisation for the first time. 'Customer at heart' is a standing agenda item at the corporate management forum, which includes the Deputy Secretary and other senior managers. This forum has visibility of the data from all customer feedback, and invited business units talk about how they have applied the insights from MyCustomer and other activities to put the customer at the heart of all that they do.

A quarterly community of practice event is open to all Revenue staff to focus on sharing lessons learnt, best practice and use of customer insights through feedback. Customer complaints are used at these forums as case studies for attendees to map the customer journey that led to the complaint. These collaborative sessions promote discussions on the importance of using customer feedback and understanding pain points in the customer's journey to help set priorities and deliver the right improvements.

8.2.2. Data collection and analysis

As part of the review, agencies provided copies of a recent complaint data reports. It was noted that the frequency and quality of reporting varied across agencies. Although most agencies are collecting complaint data and even reporting internally on that data, very few were able to demonstrate detailed analysis of the trends, lessons learnt and recommendations for improvements.

In the staff survey, some respondents indicated that implementing recommendations made as a result of complaints can be a challenge if there is insufficient support from senior management or allocation of resources to the task.

Comparisons with the results of previous surveys done by our office indicate that complaint data collection appears to have improved over time.

Table 3: Agency data collection about complaints over time

	1994	1999	2007	2015	2017 CHIP review
Records information about the complaints they receive	78%	81.5%	79%	83%	89%

Case study 6: Transport for NSW and complaint data analysis

TfNSW's Customer Services Division has a specialist team that analyses customer complaints and feedback from across the cluster to identify emerging trends. This analysis provides evidence and support to relevant business areas and agencies within the cluster to see where there are opportunities to improve the customer experience, products and services.

This large scale analysis of feedback – together with operational data – has resulted in significant improvements to transport routes and services such as increasing the frequency of some services to address demand.

The TfNSW Customer Liaison team also manages and monitors emerging day-to-day customer issues and has used analysis of customer feedback and complaints to work with individual business areas to improve outcomes for customers. Some examples of this includes updates, changes and improvements to online services and information.

8.3. Is there an opportunity to improve on transparency?

For frontline staff to be able to respond to complaints with confidence, they need to understand what constitutes a complaint and when to escalate a matter. The review has identified the need for better sharing of insights learnt from complaints within teams, particularly among frontline staff. In the survey, staff identified this as an opportunity to improve the effectiveness of complaint handling in their work area.

While implementing an electronic case management system helps agencies to collect complaint data, that information needs to be analysed to identify systemic issues and determine any underlying causes. Agencies also need systems to be able to monitor the progress and implementation of any recommendations made about service improvements. An assessment of the resources required to make any recommended improvements should also be done, and an internal commitment made to provide those resources.

9. Review outcomes

This report represents a consolidated view of outcomes from the review. In the reports provided to clusters outlining individual agency results, 86 suggestions were made under s 31AC of the Ombudsman Act to improve complaint handling. Several of the suggestions made to agencies focused on action to be taken to further imbed the Commitments in complaint handling practices and culture – as opposed to action required to comply with them in the first place.

A suggestion made under s 31AC is a formal means of informing an agency what is considered to be best practice or a better way of doing things. It does not indicate any wrongdoing on the part of the agency or its staff. Action taken by agencies in response to the suggestions will be monitored by the Ombudsman's office at 3 and 6-monthly intervals.

9.1. Response to NSW Ombudsman suggestions

Cluster responses to the review reports have been very positive, with undertakings given to make improvements throughout 2018. Some common actions being taken by clusters include:

- Developing a communication and engagement strategy around review outcomes, the value of feedback to an organisation, and revised complaint handling policy and procedures.
- Reviewing and making improvements to agency websites.
- Developing new complaint handling resources to support staff and taking a consistent approach to complaint handling including guidelines, a staff toolkit and standard letters.
- Implementing an education and training strategy for complaint handlers and managers.
- Increasing the use of internal channels to promote good complaint handling practices and share case studies.
- Implementing centralised and regular internal reporting and analysis of complaints.
- Providing more publicly available examples of customer feedback that have led to changes to services.

Case study 7: DFSI response to Ombudsman suggestions

The DFSI formed an internal working group early in the CHIP to drive implementation of the Commitments and Feedback Assist. The working group continues to be the model for progressing change and activity across agencies with differing responsibilities across multiple locations. DFSI's working group will evolve into a service complaint community of practice that shares information and best practice in relation to complaint handling and quality assurance across the cluster.

In response to our review, DFSI advised that its program of work will address the suggested improvements. In particular, focus will be given to standardised complaint management across agencies and the development of an internal guideline, risk matrix, capability framework and staff toolkit to support this. Targeted workshops have started to progress this collaborative initiative. A policy will also be developed in line with the Ombudsman's guidance for managing complex behaviour by complainants.

Although DFSI agency websites generally performed well against the criteria of the Commitments, action will be taken to:

- ensure the complaint handling policy and information about the process is easily accessible to all members of the public
- source a complaint data reporting option that complies with the requirements of the Commitments and will represent a single 'source of truth'.

9.2. What the Ombudsman is doing to support agencies

The Ombudsman's office is working to support agencies in raising awareness of the Commitments and best practice complaint handling by visiting agency sites to talk to staff. We also hold a regular series of forums for complaint handling practitioners to discuss issues relevant to their work. These forums are a way to share best practice and innovative approaches to complaint handling, and enable agencies to learn from each other and increase staff capability across the sector.

As a result of the review, the Ombudsman's office is developing further guidance to be published online which will help agencies with:

- maintaining and restoring relationships with complainants
- defining a complaint and distinguishing complaints from other types of requests
- providing publicly available information about the complaint process
- acknowledging and responding to complaints
- learning from complaints.

9.2.1. Resources on complaint handling

The following resources are available at no cost to users on the NSW Ombudsman website www.ombo.nsw.gov.au:

- Applying the Commitments to effective complaint handling, July 2017.
- Apologies: A practical guide 2nd edition, March 2009.
- Complaint management framework and model policy, June 2015.
- Effective complaint handling guideline, 3rd edition, February 2017.
- Handling complaints fact sheet, April 2017.
- Managing Unreasonable Complainant Conduct Practice Manual 2nd edition, May 2012 (soon to be updated by a 3rd edition).
- The importance of respect in effective complaint handling fact sheet, July 2017.
- Tips for accessible complaint handling fact sheet, September 2016.

10. Mandate to monitor

The Ombudsman's office will continue with a range of activities to assist agencies to improve their complaint handling practices. However, a legislative basis is required to ensure that continuous improvement of complaint handling across the sector is embedded and does not drift away when other priorities come to the fore.

I will therefore be writing to the Premier requesting that the Ombudsman Act be amended to provide a statutory mandate that my office evaluates complaint handling and reports on those findings on a regular basis.

The functions given to the Ombudsman relating to community services, the public interest disclosure scheme, the child protection reportable conduct scheme, and the protection of people with a disability reportable conduct scheme are supported by express statutory powers to keep systems under scrutiny, to monitor/audit systems and processes, and to refer matters to other agencies. However, there are no equivalent provisions in the Ombudsman Act relating to the Ombudsman's traditional jurisdiction regarding the conduct of public sector agencies. Although government agencies usually cooperate when complaint handling related surveys are conducted, in the absence of a statutory obligation to participate, not all do.

The coercive investigative powers given to the Ombudsman by the Act could be used, but they are not best suited to monitoring complaint handling systems and practices. It would be preferable for the Ombudsman Act to contain an obligation on my office to keep such matters under scrutiny and for all relevant agencies to have a complimentary obligation to provide the necessary data.

What do your customers want?

Your customers want to feel that you respect them, they want regular communication from you, information on their complaint process, and to know that their feedback makes a difference.

NSW Government agencies are required to develop best practice complaint management systems.



Respect Information & accessibility Communication Ownership Timeliness Transparency Customers of NSW Government agencies who have their complaint handled well have higher than average overall customer satisfaction.

Ask your complaint handling manager for information about how your agency handles complaints.

For more information about the Commitments: www.ombo.nsw.gov.au email: nswombo@ombo.nsw.gov.au ph: 1800 930 977

Appendix A: Feedback Assist – innovation in complaint handling

Public sector agencies provide a service to the community. As with any other service, the community should have the ability to provide feedback quickly and easily. This could be a complaint, a compliment or a suggestion on how a service could be improved.

The Ombudsman's experience reviewing complaint handling systems over two decades has shown that the way agencies record this information can vary significantly. A small number of agencies have had sophisticated case management systems to help them control, monitor and respond to complaints and compliments and general feedback. Most others relied on recording systems that require more effort and manual maintenance from staff, such as an excel spreadsheet. Some agencies had clear and easy to access complaint systems, while in others it was unclear how people could complain or raise an issue of concern.

In response to this lack of consistency – which had the potential to have a negative impact on customers' complaint handling experiences – the DFSI developed Feedback Assist as the second part of the CHIP. Feedback Assist is an online tool for agency websites intended to create a consistent way for customers to give feedback to NSW public sector agencies. It provides another channel for people to provide feedback and does not necessarily replace existing channels.

The Feedback Assist tool is found on the right-hand side of agency websites (on the Home and Contact Us pages at a minimum), and is a quick and easy way for people to provide feedback at any stage of their contact with an agency. Clicking on one of the three icon options (compliment, complaint or suggestion) guides the user through a simple process that allows them to provide information about their feedback as well as their expectations of an outcome. They can provide their details if they require further contact or they can remain anonymous.



Agencies that do not have an existing Complaint Management System are provided with a full solution for managing feedback. For those agencies with an existing Complaint Management System, the Feedback Assist solution can be integrated – so that the feedback received in Feedback Assist automatically flows into their existing system.

At the time of writing this report, Feedback Assist was on most customer facing NSW Government websites – including the main website for each cluster.

Implementation of the Commitments and Feedback Assist has been driven and guided through the Customer Service Council.

Appendix B: Governance structure of the CHIP

The CHIP has involved a large number of stakeholders. To ensure the project operated effectively, a detailed governance structure has been in place since it first began. The CHIP also forms part of the broader governance relating to Premier's Priority – Improving Government Services. The work of the following additional streams under the priority is overseen by the Customer Service Council:

- Customer Service Improvement Plans reporting on customer satisfaction based on targeted customer service improvement plan initiatives within each cluster.
- Customer Experience Capability increasing public sector knowledge and capability, and working across the public sector to identify common customers and solutions focused on customer needs.
- Customer Insight Research Centre capturing whole-of-government customer insights and research to help to adapt and improve customer experiences.

Customer Service Council

The Customer Service Council was established to ensure Premier's Priority – Improving Government Services was delivered through each of the clusters of government agencies. The council has 18 members, including a representative from each cluster, and a representative from the Premier's Implementation Unit, the Premier's Priority – Improving Government Services Project Executive Sponsor, Service NSW, and the NSW Ombudsman.

Each representative in the council is responsible for decision-making and tracking progress in their cluster in relation to the Premier's Priority. The council is responsible for:

- providing governance around Premier's Priority Improving Government Services
- ensuring customer initiatives across different clusters are effectively connected and sharing information about Customer Service Improvement Plans
- monitoring the performance of each cluster's Customer Service Improvement Plan and any related activities and initiatives.

CHIP Steering Committee

The CHIP Steering Committee is made up of the Customer Service Commissioner, the NSW Ombudsman, representatives from both of their offices, staff from the DFSI, and two cluster representatives on a rotational basis. The Steering Committee oversees the development and implementation of the CHIP. It is responsible for:

- ensuring that the implementation of the initiatives is strategically aligned with NSW Government priorities
- reviewing progress against the schedule of milestones
- reviewing regular reports from the program governance bodies on development and implementation issues
- identifying areas of divergent views across agencies and resolving them
- monitoring and managing identified and emerging risks
- approving progress reports for the Customer Service Council and Secretaries Board
- evaluating proposals from the CHIP team in relation to the Commitments and Feedback Assist
- undertaking reviews at key stages in program delivery, and requiring the CHIP team to report on project progress and risks
- considering and proposing any legislative changes required.

CHIP Reference Group

The CHIP reference group was established to ensure that NSW Government departments and agencies are represented and engaged in the development and implementation of the whole-of-government complaint handling approach. Each of the ten clusters has a representative. The reference group is tasked with:

- analysing and responding to information provided by the CHIP team, and ensuring this information is put to good use within their department
- ensuring agreed activities are fully implemented within their department
- providing information and context to internal working groups
- sharing good practices with other members of the reference group.

Appendix C: Whole-of-Government Commitments to Effective Complaint Handling

What is a complaint?

The Australian/New Zealand Standard Guidelines for complaint management in organizations (AS/NZS 10002:2014) defines complaints as an:

Expression of dissatisfaction made to or about an organization, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

The Commitments apply to complaints about an agency made by members of the public, including their representatives. The definition of a complaint does not apply to grievances raised by staff or to public interest disclosures, which are dealt with through separate mechanisms. Agencies can refer to guidelines published by the NSW Ombudsman for more information on what a complaint may relate to and what is not considered to be a complaint.

The Australian/New Zealand Standard is recognised in both countries as the best practice standard in complaint management. It provides guidance on the 'planning, design, operation, maintenance and improvement of the organization's complaint management system.'¹⁰

Implementation of the Commitments will ensure that agency complaint management systems are consistent with the Standard. Complaint management systems should be fit for purpose, having regard to the agency's size, volume of complaints, functions and customer base.

What are the Commitments?

The Commitments are a guarantee to the customer on what they can expect when they complain to a NSW Government agency about their processes, services and/or employees.

The Commitments:

- represent the NSW Government's undertaking to improve complaint handling and service delivery
- are the first step along a path to a whole-of-government approach to complaint handling
- are based on insights about things that matter most to customers
- lay the foundation on which agencies can build their complaint management systems.

Improved complaint handling can benefit agencies in a number of key areas, including:

- better customer satisfaction
- strengthened relationships with customers
- reduced impact on resources from poorly handled complaints
- continuous improvement and the opportunity to identify systemic issues.

^{10.} Guidelines for complaint management in organizations (AS/NZS 10002:2014), (p 5).

Commitment 1:

Respectful treatment

We treat you with courtesy and respect. We are responsive and will ensure you receive no detriment for having complained.

- a) We have a complaint policy that requires staff to treat you with courtesy and respect.
- b) Our public contact staff are trained in customer service, complaints and managing unreasonable behaviour.
- c) We review the type and number of complaints we receive about our staff, and take appropriate action to respond as necessary.

Commitment 2:

Information and accessibility

We make it easy and accessible for you to make a complaint and if you need help to lodge a complaint we will help you. You can readily access information about our complaint processes in a variety of formats and across a range of media. This information includes:

- a) available avenues to make a complaint for example electronic (email and online), in person, in writing etc
- b) what you can expect about the process for example, next steps and time frames
- c) a contact point to enable you to get more information about the complaint process
- d) examples of how complaints have helped improve our services.

Commitment 3:

Good communication

We keep you informed about the status of your complaint by:

- a) acknowledging receipt of your complaint and providing you with information which includes:
 - i) a contact point for enquiries
 - ii) the likely next steps in the complaint process
 - iii) the expected time frame to finalise your complaint.
- b) providing you with updates on your complaint at regular intervals as specified in our procedures
- c) communicating the outcome of your complaint and the reasons for the outcome through the most appropriate channel
- d) providing you with information about internal and external avenues of review where available.

Commitment 4:

Taking ownership

The staff who manage your complaint are appropriately trained and skilled. One person and/or a team is responsible for managing your complaint, and their contact details are made available to you. We will inform you if your complaint is transferred to another person or team.

Commitment 5:

Timeliness

We do our best to deal with your complaint as soon as possible. We have set and made public expected time frames and KPIs for finalising complaints which recognise the differing levels of seriousness, urgency and complexity of complaints received. If there are unavoidable delays in dealing with your complaint, we will inform you and explain the reasons.

Commitment 6:

Transparency

We record and analyse information on our complaint handling processes, including::

- a) the number of complaints received
- b) the number of complaints finalised
- c) the percentage of complaints finalised within our KPIs
- d) the issues raised by complaints
- e) the actions taken in response to complaints
- f) the systemic issues identified
- g) the number of requests received for internal and/or external review.

Appendix D: Methodology and scope

Forty four key agencies from across the NSW public sector were included in the review. Most of the agencies were included because they receive more than 40 complaints a year. Other agencies were included or excluded after consultation with the CHIP Reference Group members and to ensure there was representation from all clusters.

There are some minor differences in the agency sample size for the different components of the review because some agencies only participated in certain parts of the review.

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Cluster	Agencies/business units included in the review
Department of Finance, Services and Innovation	 Department of Finance, Services and Innovation State Insurance Regulatory Authority (SIRA) SafeWork NSW NSW Fair Trading Revenue NSW Service NSW State Archives and Records NSW
Treasury NSW	Treasury NSW (Industrial Relations)Long Service Corporation
Department of Justice	 Department of Justice Corrective Services NSW NSW Court and Tribunal Services Juvenile Justice NSW Trustee and Guardian Legal Aid NSW NSW State Emergency Services NSW Registry of Births, Deaths and Marriages Victims Services NSW Office of the Public Guardian NSW Office of the Sheriff of NSW
Department of Family and Community Services	 Department of Family and Community Services Housing NSW NSW Land and Housing Corporation NSW Aboriginal Housing Office Multicultural NSW
Department of Education	• Department of Education

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Transport for NSW	 Transport for NSW Roads and Maritime Services NSW TrainLink Sydney Trains State Transit Authority of NSW
NSW Health	 NSW Health Sydney Local Health District Murrumbidgee Local Health District
Department of Premier and Cabinet	• Department of Premier and Cabinet
Department of Planning and Environment	 Department of Planning and Environment Office of Environment and Heritage NSW Environment Protection Authority Office of Local Government
Department of Industry	 NSW Department of Industry Local Land Services NSW Food Authority Liquor and Gaming NSW Crown Lands

Review methodology

The review involved a combination of quantitative, qualitative and investigative methods to analyse whether agencies are applying the Commitments – as no single method would provide a clear picture of the state of complaint handling in the sector and show what the next steps should be.

Website review

Agency websites were reviewed in November 2017 and March 2018 to identify whether the following information was included on their website and whether it was easy to locate::

- a complaint handling policy;
- information about the complaint process for customers;
- an online complaint form.

The ease of locating the complaint handling policies/information/forms was rated on the following scale:

- Easy to locate it could be located within '3 clicks' from the home page.
- Medium difficulty to locate it required more than '3 clicks' to locate from the home page and/or it required using the search function to locate.
- Not available the information was not available on the website.

Agency annual reports were also reviewed to see if they reported information required under the Annual Reports (Departments) Act 1985, including:

- the number of complaints received;
- the nature of the complaints received;
- services improved or changed in response to complaints.

Information gathering

The CHIP Reference Group member for each cluster ensured agencies within the cluster answered a number of questions about their complaint handling policies, procedures, KPIs, internal reporting, analysis of complaint data and quality assurance processes. This information was analysed to establish cluster and sector averages for comparative analysis. The information requested is listed in Appendix D.

Review of agency complaint samples

A randomised sample of complaints handled by each agency from 1 January 2017 were requested under section 13AA of the Ombudsman Act. The Ombudsman was given 280 complaint samples, which were reviewed against the criteria of the Commitments including:

- whether the complaint was acknowledged and what information was provided
- how many staff members handled the complaint
- whether the complainant received a progress update on their complaint before it was finalised
- time taken to acknowledge and finalise the complaint
- whether complainants were provided with the outcome of their complaint and what information was provided.

Staff and manager survey

The Ombudsman worked with Woolcott Research to develop a survey for staff and managers in agencies with complaint handling responsibilities. Woolcott Research was responsible for the administration and analysis of the survey and results.

The online survey was distributed to agencies by the CHIP Reference Group member for each cluster. Agencies were responsible for identifying and sending the survey link to the appropriate staff and managers.

The survey was open from 9 October 2017 to 6 November 2017. At a sector level, n = 1,232 staff were invited to complete the survey of which 592 did. This was a 48% response rate.

Staff and manager interviews

Qualitative research was conducted to further explore some key issues raised in the online survey. The Ombudsman worked with Woolcott Research to develop a discussion guide for a series of n = 21 in-depth interviews with staff from various agencies. Woolcott Research was responsible for the administration and analysis of the interviews, which were completed in April and May 2018.

Commitment	What data and information was collected
Commitment 1: Respectful treatment	 Staff were asked about their perceptions of how they treated complainants as well as how other staff in their work area and the staff who they report to treated complainants. Agency policies were also reviewed to see if they guided expectations of staff behaviour towards complainants.
Commitment 2: Information and accessibility	 Agencies were asked to provide information on the channels available to make a complaint, assistance provided to complainants, and the formats complaint information is available in.
	• Staff were asked about the assistance they provide to complainants who may need it.
	• Agency websites were reviewed to assess the availability and ease of locating information about the complaint process, complaint handling policies and online complaint forms.
Commitment 3: Good communication	• Agencies were asked for information about how staff are expected to communicate with complainants, such as providing an acknowledgement.
	 Agency complaint samples were reviewed to see if the complainant was given an acknowledgement, progress updates, and reasons for the outcome of their complaint. Staff were asked about their perceptions of communication with complainants
	in their work area.
Commitment 4: Taking ownership	• Staff were asked about their views on whether they were given sufficient training in complaint handling for their role. They were also asked if they had appropriate authority to resolve routine complaints, and if they felt supported by management through difficult interactions with complainants.
Commitment 5: Timeliness	• Agencies were asked to provide information about their expected time frames and KPIs for key stages in the complaint process, and how they performed against those KPIs over the last 12 months.
	• Staff were asked questions about communication with complaints, their awareness of time frames to respond to complaints, and whether those time frames are monitored.
	• The time frames to acknowledge and finalise complaints in the agency complaint samples were recorded.
Commitment 6: Transparency	• Agencies were asked what information they record about complaints and to provide an example of how they report internally about complaint data and analysis.
	• Staff were asked questions about whether and how insights from complaints are shared with them.

Table 5: Review methodology by Commitment

Reporting

Cluster reports

A report detailing the results of the cluster was provided to the Secretary responsible for that cluster. The CHIP Reference Group for each cluster was given an opportunity to comment on a draft of their cluster's report before it was sent to the Secretary.

Rounding

Results are primarily presented as whole numbers, with rounding done at the last stage of the calculation for maximum accuracy. Values from 0.00 to 0.49 are rounded down, whereas values from 0.50 to 0.99 are rounded up. Therefore, in some cases, the data will not add up to 100%.

Appendix E: Complaint handling staff and manager survey

1. Profile

Q1 Please indicate your agency

Q2	Which of the following best describes your role?
	Staff member who has some complaint handling responsibilities, e.g. frontline staff
	Staff member who is a specialist complaint handler
	Manager who has complaint handling responsibilities
	Manager who supervises staff with complaint handling responsibilities
	I don't deal with complaints at all

2. General Complaint Handling

Scale: Open ended questions

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Q3 How does your agency define a 'complaint'
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Open ended

	Extremely	Quite	Somewnat	NOTAT	
Scale: 'Extremely well' to 'Not at all well'	well	well	well	all well	Unsure

Q4 Complaints, as defined in the Australian and New Zealand Standard Guidelines for complaint management in organizations (AS/NZS 10002:2014),

are "expressions of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required".

How well does this description align with your agency's definition of a complaint?

Scale:	'Extremely confident' to 'Not at all confid	dent'	Extremely confident	Quite confident	Somewhat confident	Not at all confident	
Q5	How confident are you that you know wh when you handle a complaint?	nat to do					
Scale:	'Yes' or 'No'					Yes	No
Q6	Does your agency have a complaint hand						
		Strongly				Stronly	
Scale:	'Strongly agree' to 'Strongly disagree'	agree	Agree	Neutral	Disagree	disagree	Unsure
Scale: Q7	'Strongly agree' to 'Strongly disagree' If 'yes' in Q6 ask:	agree	Agree	Neutral	Disagree		Unsure

Scale	: 'Yes' or 'No' or 'Unsure'		Yes	No	Unsure
Q8	Have you used your agency's complaint handling policy or proceed in the last 6 months? 'Used' includes applying, reading, accessing referring another person to the policy or procedure.				
Q9	Have you heard of the Whole-of-Government Commitments to Ef Complaint Handling?				
Scale	: 'Yes, all of it' to 'No, none of it'	Yes, all of it	Yes, part of it	No, none of it	Unsure
Q10	If 'ves' in Q9 ask:				
	Have you read the Whole-of-Government Commitments to Effect	ive Comp	laint Handli	ing?	

Q11 If 'no' to Q10 ask: Why not?

Open ended

3. Commitment 1: Respectful Treatment

Scal	le: 'Strongly agree' to 'Strongly disagree'	Strongly Agree	Agree	Neutral	Disagree	Stronly disagree	Unsure
Q12a	I believe I always treat complainants with respect and courtesy.						
Q12b	I believe all staff treat complainants with respect and courtesy.						
Q12c	I believe the person I report to always treats complainants with respect and courtesy.						
Q12d	Management recognises good complaint handling by staff.						

4. Commitment 2: Information and Accessibility

Scale	e: 'Strongly agree' to 'Strongly disagree'	Strongly Agree	Agree	Neutral	Disagree	Strongly disagree	Unsure
Q13a	Where possible, I provide assistance to people who may need it to make a complaint (e.g. because of their age, language, literacy, or disability).						
Q13b	My agency encourages people to provide feedback to make a complaint so that products and services can be improved.						

Scale: Open ended

Q14 If 'strongly agree' or 'agree' in Q13b ask:

Open ended

Open ended

In What way are people encouraged to provide feedback

Q15 What else could your agency do to encourage people to make a complaint

5. Commitment 3: Good Communication

Scal	le: 'All of the time' to 'Rarely/never'	All of the time	Most of the time	Occasionally	Rarely/ never	Unsure
Q16	When handling a complaint, does your work area tell complainants what the next steps will be at the beginning of the complaint process?					
Q17	At the beginning of the complaint process, does your work area give complainants a time frame within which their complaint will be resolved?					
Q18	Are complainants given progress updates while their complaint is being dealt with?					

6. Commitment 4: Taking Ownership

Sca	le: 'Strongly agree' to 'Strongly disagree'	Strongly agree	Agree	e Neutra	l Disagree	Strongly disagree	Unsure
Q19a	I have authority to resolve simple complaints.						
Q19b	I have been provided with sufficient training in complaint handling relevant to my role.						
Q19c	I have been provided with sufficient training in responding to unreasonable conduct by complainants (such as threats or anger).						
Q19d	I feel staff are supported by management through difficult interactions with complainants						
Scal	e: 'All of the time' to 'Rarely/never'		l of time	Most of the time	Occasionally	Rarely/ never	Unsure
Scal Q20	e: 'All of the time' to 'Rarely/never' Is there one person and/or team that is responsible for managing an individual complaint from beginnin to finalisation?	the			Occasionally		Unsure
	Is there one person and/or team that is responsible for managing an individual complaint from beginnir	the			Occasionally		

7.	Commitment 5: Timeliness			
Scal	e: 'Yes' or 'No' or 'Unsure'	Yes	No	Unsure
Q23	Do you know the timeframe in which your work area aims to respond to complaints?			
Q24	Does your agency monitor how long it takes to resolve complaints?			
Scal	All of Most of e: 'All of the time' to 'Rarely/never' the time the time	Occasionally	Rarely/ never	Unsure
Q25	Are complainants informed if there is an unavoidable delay in dealing with their complaint, including the reasons for the delay?			
8.	Commitment 6. Transparency			
Scal	Strongly e: ' Strongly agree' to 'Strongly disagree' agree Agree Neutro	ıl Disagree	Strongly disagree	Unsure
Q26	To what extent do you agree or disagree that your work area continually strives to improve services based on feedback from complaints?			
Scal	e: 'Yes' or 'No'		Yes	No
Q27	Are insights learnt from analysing complaints distributed/ shared intern work area?	ally to your		
Scal	e: List all that apply			
Q28	If 'yes' in Q27 ask: Staff meetings	Intrai	net	
	How are insights learned from analysing Team meetings complaints shared internally?	Traini	ng	
	Email	Othe	r, please sp	pecify
	Newsletter/bulletin			
Scal	Strongly e: ' Strongly agree' to 'Strongly disagree' agree Agree Neutr	al Disagree	Strongly disagree	Unsure
Q29	To what extent would you agree or disagree that insights learnt from analysing complaints			

are shared in a way that is useful to you in your

role as a complaint handler?

9. General Perceptions of Complaint Handling

Scale: Open ended

Q30 What improvements, if any, could your work area make to increase the effectiveness of its complaint handling?

Open ended

Note: 'Effective' complaint handling includes: making it easy to make a complaint, using good communication practices, providing accessible public information about the complaints process, dealing with complaints in a reasonable time frame, and making improvements as a result of complaints.

Scal		Very fective	Somewhat effective	Neutral	Somewhat ineffective	Very ineffective	Unsure
Q31	In your opinion, how effective is your work area's complaint handling system overall?						
Scal	e: Open ended						
Q32	Overall, what do you think your work area does	well in i	ts complaiı	nt handli	ng?	Open en	ded
Scal	e: 'Yes' or 'No'					Yes	No
Q33	Has your work area developed any innovative st	rategie	s for dealin	g with co	omplaints?		
Scal	e: Open ended						
Q34	If 'yes' to Q33 ask: What are they?					Open en	ded
Scal	e: 'Yes' or 'No'					Yes	No
Q35	Does your work area face any major obstacles to	o improv	ving compla	aint hand	dling?		
Scal	e: Open ended						
Q36	If 'yes' to Q35 ask: What are they?				Open e	nded	
Scal	e: List all that apply						
Q37	Can the NSW Ombudsman provide any addition of your agency with best practice complaint ha			would as	sist staff		
	Guidance material on restoring relationsh	nips witl	h complain	ants			
	Guidance material on conflict prevention	strateg	ies				
	Guidance material on distinguishing comp	olaints f	rom other	types of	requests		
	Template for acknowledging a complaint						
	Template for finalising a complaint						
	Video on treating complainants with cour	tesy an	d respect				
	Other, please specify						

Appendix D: Agency complaint handling overview information gathering

G	General				
Sco	ile: Open ended				
Q1	How many complaints did your agency receive in the last 12 months?	Open ended			
Q2	How many complaints did your agency finalise in the last 12 months?	Open ended			
Q3	Does your agency routinely check the quality of interactions between customers and staff to ensure that customers are treated in accordance with the agency's expectations? If so, how is this done?	Open ended			

Commitment 2: Information and Accessibility

Scale: List all that apply

Q4 Please detail which of the following methods are available for a complainant to get information about your agency's complaint handling processes. Please list all that apply.

	Information on website in English	Brochures or fact sheets in English
	Information on website in languages other than English	Brochures or factsheets in languages other than English
	Information on website in alternative formats (e.g. large print, simple English, audio-visual)	Brochures or fact sheets in alternate formats (e.g. simple English, Braille)
	Information on website in adjustable font size	Community Outreach Intiatives
	Mobile Apps	Facebook/Twitter/other media
		Other, please specify
Q5	Complainants can make a complaint through the foll	owing channels. Please list all that apply.
	Online	Phone
	In person	Mail
	Email	Social media

Q6 Our agency provides the following assistance/support to members of the public who wish to make a complaint. Please list all that apply.

Toll free number for regional areas	Authorised representatives can make complaints on behalf of complainants
Text telephone (TTY)/National Relay Service (NRS)	Resizing option for website text
Telephone Interpreter Service	Website access for people using screen readers
Assistance is offered when requested (e.g. accept complaints orally or assist with writing out the complaint)	Correspondence available in braille, large print and audio formats

Commitment 3: Good Communication						
Sca	ıle: 'yes', 'no', 'unsure'		Yes	No	No evidence	
Q7	Complainants are always given an acknowled has been received.	gement that their complaint				
Sca	le: List all that apply					
Q8	In the acknowledgement letter, the complainant is given the following. Please list all that apply.	Contact point for enque Likely next steps of the Expected timeframes	e complai			
Q9	In the final outcome letter, our agency includes a summary of the following. Please list all that apply.	A description of action Reasons for the decisi	on	·		

Commitment 6: Transparency

Scale: List all that apply

Q10 Our agency records the following. [Please list all that apply from the following]

Number of complaints received	Actions taken in response to complaints
Number of complaints finalised	Systemic issues identified
Number of complaints finalised within our KPIs	
Issues raised by complaints	Number of requests for internal and external review

Sca	e: Open ended	
Q11	Please provide your agency's KPI to acknowledge a complaint	Open ended
Q12	What percentage of complaints were acknowledged within KPIs over the last 12 months?	Open ended
Q13	Please provide your agencies KPI to finalise a complaint	Open ended
Q14	What percentage of complaints were finalised within KPIs over the last 12 months?	Open ended
Q15	Please provide your agency's KPIs for providing updates to complainants about the progress of their complaint. If not applicable, please state what the expectations are around updates for complainants.	Open ended
Q16	Are the KPIs for the time frame to deal with a complaint (to acknowledge, finalise, provide updates) publically available?	Open ended



NSW Ombudsman Level 24, 580 George Street Sydney NSW 2000

General enquiries: 02 9286 1000 Toll free: 1800 451 524 (outside Sydney Metro Area, NSW only) National Relay Service: 133 677

Email nswombo@ombo.nsw.gov.au

www.ombo.nsw.gov.au