

## Smart complaining

Here are some tips to help you increase your chances of having your complaint understood and acted upon, and making it more likely (though that's not guaranteed) you will get the result you want.

### Be clear

People have different communication styles because of (among other things) their personality, culture or ethnicity. People also use different styles in different situations.

When you complain, it's most effective to write or speak clearly, be brief and stick to the facts.

Writing or saying clearly what your complaint is and what outcome you want helps the agency to understand your complaint correctly.

Focus on the facts that are relevant to your complaint and say much less about your feelings, beliefs or thoughts about what has happened. These are important to you, and it's natural that you may want the agency to know about them, but keep these comments brief.

Don't write words, sentences or pages entirely in capital (upper case) letters. This has the effect on the reader of being shouted at. For similar reasons it will not help your case if you use bold or different size fonts or colours for emphasis. It can make you appear to be more emotional than reasonable.

### Be polite

You want to be treated with respect, and so does everyone else. This includes the people who are dealing with your complaint. When you treat people with respect, they are more likely to treat you with respect.

Don't use sarcasm. This makes your complaint less clear, and can make you appear malicious or unreasonable.

It's never acceptable to use rude or abusive language.

## smart complaining

Making derogatory comments about the character of people you are complaining about (e.g. that they are corrupt, lazy or malicious) without proof to back up those claims is not useful, and may damage your own credibility.

If you find yourself becoming angry and starting to shout or swear at a complaint handler, they might quite reasonably decide to terminate the call. Instead, you could choose to politely end the call and ring back later when you are calm. Or you could write to them about your concerns instead.

### Be honest

Tell the truth, not just because it's the right thing to do, but also because it's likely you will be found out if you don't.

Tell the whole story. Sometimes people don't tell complaint handlers all the facts because they think some of the facts might hurt their case. Sometimes people argue that the facts are much more favourable to their case than they actually are. This usually does not help the complainant, because if an agency or a complaint handler makes inquiries about your complaint, it is likely they will get copies of documents and other evidence, such as records of any phone calls you made to the agency. If these records show that what you have said isn't true, it can damage your credibility.

Don't say that a person has lied if it's likely they gave you wrong information by mistake.

Stick to the facts (e.g. you were given wrong information) and don't make claims about matters you can't know the truth about (e.g. that someone deliberately gave you wrong information).

## Be realistic

When you tell the agency what outcome you want, make sure it's something they can do, and that it's a reasonable request in the circumstances.

You might want to check whether the agency can do what you want them to do by making inquiries with the agency before you make your complaint.

Asking for staff to be fired is not usually a reasonable request or a likely outcome.

If there is proof of criminal conduct, staff may be prosecuted. If there is proof of serious wrong conduct, then disciplinary action may be taken. However, most cases don't involve this kind of serious wrong conduct.

In cases where a mistake has been made, an agency can be expected to offer an apology and to take reasonable action to put the complainant in the position they would have been in if the mistake hadn't been made. In some circumstances this may include compensating a complainant for reasonable costs incurred through the fault of the agency or its staff, or waiving or refunding a fee.

In the absence of credible evidence of intentional misconduct, complaint handlers usually focus on fixing the problem (where this is possible) rather than on blaming or punishing people who have made mistakes.

If things happened in the past that can't be changed now, complaint handlers focus on what can be done to make things better (for you and perhaps other clients of the agency) now and in the future.

This might involve changing the system or process to avoid the mistakes made, or delays experienced, in your case.

## Be cooperative

Give the agency all the information in your possession which is necessary to explain or prove your complaint (such as documents, letters or photographs). Do this at the beginning, but if this isn't possible, let the agency know there is further information available, and when you can provide it.

If you have documents you want to attach to your complaint, make sure they are necessary to explain your complaint, or to prove important points. Provide copies of documents, not originals.

If you have a large number of documents, arrange them in order (e.g. by date or relevance to numbered issues of complaint), number each document and provide an index so that when you mention each document in your complaint you can refer to those numbers.

It is also important that you update the complaint handler when new information becomes available.

Make a copy of your complaint before you send it in.

Let the complaint handler know if you don't want to continue with your complaint.

## Be informed

If you don't understand the complaints procedure or something you have been told, ask questions.

If you don't understand the answers, ask for an explanation, or ask to speak to someone else.

If you are not satisfied with the outcome of your complaint, ask about your rights of review/appeal.

You can find important information about the agency and/or complaint handler (and usually about its complaints and review processes) on their websites.

If you don't have access to the internet, librarians at your local council library can help you.

---

## Contact us for more information

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

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

Level 24, 580 George Street  
Sydney NSW 2000

**Email** [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

**Web** [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

**General inquiries** 02 9286 1000

**Facsimile** 02 9283 2911

**Toll free** (outside Sydney metro) 1800 451 524

**National Relay Service** 133 677

Telephone Interpreter Service (TIS): 131 450  
We can arrange an interpreter through TIS or you can contact TIS yourself before speaking to us.

ISBN: 978-1-925061-83-3

© State of New South Wales, June 2018

*This publication is released under a Creative Commons license CC BY 4.0.*

 This fact sheet is one of a series produced by the NSW Ombudsman. Feedback is welcome.