

Complaint Handling Policy and Procedure

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COMPLAINT HANDLING POLICY

Purpose

The purpose of this policy is to provide staff with clear guidelines for managing complaints submitted or referred to Regional Procurement concerning the level or quality of service or breach of Legislation, Act, Regulation or Code of Conduct. This policy also includes a process for the internal review of the way Regional Procurement handles a complaint.

The complaint handling process is designed to ensure concerns are treated seriously and that complaints are addressed promptly and fairly.

This policy concerns complaints about our service delivery as distinct from matters such as reporting corruption or misconduct. The Regional Procurement Code of Conduct is based on the Department of Local Government Model Code of Conduct, which includes procedures for reporting and investigation of breaches of conduct by Regional Procurement staff and the CEO of Strategic Services Australia.

The CEO has a duty to notify suspected corruption under Section 11 of the *Independent Commission Against Corruption Act 1988 (No. 35)*. This policy does not override that obligation.

Policy

Introduction

Regional Procurement is committed to providing and maintaining a high standard of customer service and welcomes customer feedback, which can include suggestions for improvement, complaints or compliments. Efficient management of complaints enables us to identify problems and continuously improve service standards.

Defining Complaints

Members of the public, suppliers or participating council personnel may be dissatisfied or have concerns about the level or quality of service provided by Regional Procurement and may wish to lodge a complaint. A valid complaint is one where Regional Procurement may appear to have failed to respond appropriately to a request for information regarding a tender or other service offered by Regional Procurement. A complaint may be received from a council's representative, a supplier who has tendered or a person or persons with vested interest in the outcome of a tender.

This policy operates primarily in circumstances where there is no statutory scheme covering the making of a complaint. For example, statutory schemes cover the making of the following:

- Protected disclosures under the *Public Interest Disclosures Act 1994*
- Applications for internal review/audit of alleged breaches of privacy under the *Privacy and Personal Information Protection Act 1998*
- Applications for internal review of refusals of access to or amendment of documents under the *Government Information (Public Access) Act 2009 (NSW)* and
- Complaints to a 'watchdog' body under its enabling legislation.

Information on the above can be obtained from www.legislations.gov.au.

Matters concerning corrupt conduct, which is defined as 'dishonest or partial exercise of any official functions of a Manager, Account Executive or CEO', which includes all employees of Regional Procurement is dealt with under the *Independent Commission Against Corruption Act 1988*.

Section 12 of Regional Procurement's Code of Conduct provides procedures for investigating suspected breaches of conduct by the Manager Regional Procurement and staff or CEO of Strategic Services Australia.

Strategic Services Australia will investigate reports of alleged breaches of conduct in accordance with this Complaints Handling Policy and Procedure.

COMPLAINT HANDLING PROCEDURE

Lodging a complaint

Complaints must include the name, address and contact number of the complainant and a brief description of the problem. This will allow Regional Procurement to appropriately address and respond to any issues raised.

Complaints relating to Regional Procurement can be submitted through any of the following:

- Manager Regional Procurement via email: peters@regpro.com.au or
- CEO of Strategic Services Australia via email: ceo@ssalimited.com.au or
- The 'Contact Us' section of the website at www.regionalprocurement.com.au. Review the notes on *Comments, Compliments and Complaints* and complete the required details.

Alternatively, a complaint can be forwarded in writing to either Regional Procurement or one of the External Organisations listed at the end of this policy.

If any Regional Procurement staff member receives a complaint either in writing or verbally, the staff member is to report the matter immediately to their supervisor or manager in accordance with the Code of Conduct.

Anonymous Complaints and Confidentiality

Regional Procurement cannot fully investigate anonymous complaints unless it can determine the validity and nature of the complaint. When the source of a complaint is unknown, Regional Procurement is unable to seek additional information to properly investigate the complaint. An anonymous complainant cannot be provided with reasons for any decision made about the complaint.

Confidentiality of the Complainant's Identity

Regional Procurement will maintain the confidentiality of a complainant's details at all times. We will not disclose the identity of any complainants to any other party unless required by law. Regional Procurement will manage personal and private information collected by us in accordance with the *Government Information (Public Access) Act 2009 (NSW)*.

In the event that an anonymous complaint is received, we will note the issues raised and, where necessary, try to resolve them appropriately. However, for the reasons outlined above, issues raised through anonymous complaints cannot be fully addressed.

Complaints that will not be investigated

Regional Procurement may determine that a complaint will not be investigated where the complainant:

- Is considered frivolous, vexatious, not made in good faith or concerns a trivial matter.
- Involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses the remedy or right of appeal.
- Is subject to a existing mediation process.
- Relates to a decision made by a meeting of Regional Procurement management, CEO Strategic Services Australia or the Strategic Services Australia Board.
- Relates to conduct before a court, Coroner or tribunal.
- Relates to matters under investigation by the Minister for Local Government, ICAC, the NSW Ombudsman's office, a Minister of the Crown or Government Department or the NSW Police Service.
- Relates to the appointment or dismissal of any employee and/or any industrial or disciplinary issues.
- Relates to a decision recommendation, act or omission which is more than one year old.
- Relates to a matter awaiting determination by Strategic Services Australia Board.
- Relates to actions or conduct of private individuals.
- Involves a matter where the complainant declines or refuses to provide further information and/or there are threats made against Regional Procurement or Strategic Services Australia staff.

If Regional Procurement decides not to investigate a complaint the complainant will be advised in writing of the reason for the decision.

Principles for Managing Complaints

1. Complaints should be resolved in a timely and cost effective manner and, where possible, without recourse to the courts.
2. Staff should try to resolve difficulties, disagreements or disputes by discussion, negotiation, mediation or conciliation wherever appropriate.
3. Complainants have the following rights:
 - Any member of the public has the right to lodge a complaint.
 - Regional Procurement should inform members of the public, suppliers and member councils that they have a right to lodge a complaint if they are unsatisfied with a service.
 - Any complaint lodged will be assessed and investigated in a timely manner.
 - The person who lodges a complaint has the right for their privacy to be maintained, if requested.
 - Complainants will not be subjected to any form of prejudice or harassment in reprisal of their complaint.

Process for Managing Complaints

Regional Procurement staff members are expected to either manage complaints or refer complaints to the appropriate person to resolve as soon as complaints are received. Most complaints can be satisfactorily and expediently resolved at the level the complaint is lodged.

The process for handling a complaint is:

1. The staff member receiving a complaint should manage the complaint at the time or refer it immediately to the appropriate member of staff who may be able to resolve the problem. Staff should record the complaint and record the action taken to resolve the matter and file a copy of all records in the \\Customer Feedback and Marketing\Complaints folder.
2. A complaint of a more serious nature or where the above has not been satisfactorily resolved should be referred to the appropriate member of staff or management for investigation, action or response to the complainant.
3. The appropriate member of staff or management investigating the complaint will determine what, if any, remedial action will be taken and must ensure that all details of the investigation and remedial action taken or offered to the complainant are recorded and placed in the Complaints folder.
4. If complaints have not been satisfactorily resolved at this stage or the complaint is a complex matter requiring investigation across a number of areas then the complaint should be referred to Management or the CEO of Strategic Services Australia to resolve.
5. All complaints should be resolved within 15 working days from lodgement of the complaint.

Review Processes

Reviewing Process of Complaint Handling

The Complaint Handling Policy requires the finalisation of complaints by relevant Regional Procurement personnel.

If complaints have not been actioned or resolved in accordance with the above process, the Regional Procurement Advisor – Audit and Quality Management (AAQM) will investigate the matter and review how the complaint has been actioned and whether the required steps have been followed to resolve the issue.

The AAQM will provide a report to the Manager Regional Procurement, detailing the history of the complaint and actions taken to resolve the issue. The Manager Regional Procurement will determine the appropriate resolution of any outstanding complaints and, if appropriate, review the complaint handling process. The Manager Regional Procurement will report any serious complaints or matters that remain unresolved to the CEO Strategic Services Australia.

Regional Procurement Contact Details

Mail:	Regional Procurement PO Box 3137, THORNTON NSW 2322
Phone:	02 4978 4016
Fax:	02 4966 0588
Email:	admin@regpro.com.au
Website:	<i>Comments, Compliments and Complaints at</i> http://regionalprocurement.com.au/contact-us/
In person:	Strategic Services Australia Regional Procurement 59 Bonville Avenue, THORNTON NSW 2322

External Organisations for Reviewing Complaints

Various external agencies are concerned with reviewing complaints:

Agency	Issue
NSW Department of Local Government Phone: (02) 9289 4000 Website: www.dlg.nsw.gov.au	Breaches of Local Government Act 1993 Breaches of the Code of Conduct
NSW Ombudsman Phone: (02) 9286 1000 Website: www.nswombudsman.nsw.gov.au	Maladministration
Independent Commission Against Corruption (ICAC) Phone: (02) 9268 5588 Website: www.icac.nsw.gov.au	Corrupt conduct
Privacy NSW Phone: (02) 9268 5588 Website: www.lawlink.nsw.gov.au	Breaches of the <i>Privacy and Personal Information Protection Act 1998 (No. 133)</i>
Anti-Discrimination Board Phone: (02) 9268 5555 Website: www.agb.nsw.gov.au	Discrimination, disability and harassment