



Government of **Western Australia**
Department of **Corrective Services**

Complaints, Compliments and Suggestions Policy

April 2008

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1. Introduction

1.1 Background

The Department of Corrective Services (the Department) is committed to delivering services of the highest quality in an accountable and transparent manner. People who use the Department's services, whether satisfied or dissatisfied, are recognised as a valuable source of information about those services.

1.2 Purpose

1.2.1 The purpose of this policy is to establish clear parameters for the professional administration of all feedback received from clients and members of the community. The Administration of Complaints, Compliments and Suggestions (ACCESS) of the Professional Standards Division Integrity Directorate is responsible for administering all complaints, compliments and suggestions received by the Department.

1.2.2 It is the intent of this policy to:

- Maintain public, client, staff and government confidence in the Department's processes
- Ensure that the administration of feedback is consistent with legislated obligations
- Ensure that confidentiality is maintained to the extent possible in respect of the administration and resolution of feedback
- Improve transparency and accountability in decision making
- Facilitate continuous improvement to service delivery across the agency
- Facilitate the joint coordination, administration and resolution of inter-agency feedback
- Ensure adequate procedures for the professional administration and resolution of feedback.

2. Scope

This policy applies to all feedback received from complainants as specified in section 3. It applies to all services, actions and inactions of the Department and its employees, including those provided on behalf of the Department by external organisations and individuals.

2.1 This policy does not apply to the following types of complaints:

- Prisoner placement and assessment except where appeal procedures do not apply or cannot be accessed (refer to [Adult Custodial Rule 18](#) for the appeal procedures)
- Unit conference decisions except where appeal procedures do not apply or cannot be accessed (refer to [Adult Custodial Rule 18](#) for the appeal procedures)
- Acts and Regulations
- Statutory disciplinary decisions.

- 2.2 This policy does not apply to employees wishing to lodge a complaint in their capacity as employees. Information on the complaint avenues available to employees is available on the [Grievances](#) page of the Intranet (CSinet).
- 2.3 This policy does not apply to employee grievances. These matters are dealt with via the [Workplace Grievance Management Policy](#) on the Intranet (CSinet).
- 2.4 This policy does not apply to reports of suspected misconduct. These matters are dealt with via the [Reporting and Management of Suspected Misconduct and/or Criminal Activity by Employees Policy](#).

3. Definitions

ACCESS	Administration of Complaints, Compliments and Suggestions - the branch of the Professional Standards Division Integrity Directorate responsible for the administration of complaints, compliments and suggestions
Client	A recipient of the Department's services, including but not limited to, adult and juvenile offenders in the community or in custody
Complainant	Any client or member of the community, including members of external agencies, who lodge a complaint, compliment or suggestion. An employee cannot lodge a complaint except in their capacity as a private member of the community, or if lodging a complaint on behalf of a client or member of the community.
Complaint	An expression of dissatisfaction with the services, actions and/or inactions of the Department and/or its employees.
Compliment	An expression of satisfaction with the services and/or actions of the Department and/or its employees.
Employee	All classes of employees of the Department. This policy also applies to volunteers, persons engaged in work experience and persons engaged on contracts for service.
Employee grievance	An issue, problem or concern raised by an employee in relation to their treatment in the workplace and within the scope of the Workplace Grievance Management Policy .
Feedback	Complaints, compliments and suggestions
Misconduct	Breaches of discipline as described in the Reporting and Management of Suspected Misconduct and/or Criminal Activity by Employees Policy
Suggestion	A suggestion for the improvement of the services and/or actions of the Department.

4. Principles

Principles underlying this policy are:

- Accessibility
- Compliance
- Confidentiality
- Continuous improvement
- Professionalism, efficiency and effectiveness
- Transparency of process and accountability

5. Policy

This policy should be read in conjunction with any relevant procedures produced by ACCESS.

5.1 Compliance and reporting

- 5.1.1 The Department complies with the requirement of the [Public Sector Commissioner's Circular 2009-27 - Complaints Management](#) that all WA government agencies comply with the Australian Standard on Complaints Handling AS ISO 10002.
- 5.1.2 The Integrity Directorate reports to various business areas within the Department on feedback activity and trends to facilitate the continuous improvement of services. Where legislated or otherwise agreed, the Integrity Directorate also reports on feedback activity and trends to external agencies. Any such reports are provided in accordance with the confidentiality provisions of section 5.7 of this policy.

5.2 Accessibility and lodgement

- 5.2.1 A fair and effective feedback process must be easily accessible for all potential complainants. As such, ACCESS is promoted in a culturally appropriate and easily understood manner in all centres where this information would be expected to be available, including in custodial and community justice environments, visitor centres, and on the Department's website.
- 5.2.2 The Department recognises that complainants come from a variety of backgrounds, and no single mechanism for lodging feedback is necessarily appropriate for every complainant. The Department provides for feedback to be lodged in a number of ways, including via mail and the telephone as a minimum.
- 5.2.3 The Department further recognises that language barriers may represent an impediment to some potential complainants wishing to provide feedback. The Department provides assistance to these individuals as required, including through the use of interpreting services and the acceptance of face to face feedback.

- 5.2.4 ACCESS will exercise its discretion in accepting or otherwise a complaint lodged on the behalf of another party. The complainant and represented party in such circumstances should understand that confidential information will not be released to unauthorised parties.
- 5.2.5 ACCESS is responsible for the receipt of all feedback received by the Department. Where feedback has been received by a business area other than ACCESS, the receiving business area will redirect that feedback to ACCESS.

5.3 Administering feedback

- 5.3.1 Feedback is administered in a timely and professional manner, in accordance with the Australian Standard on Complaints Handling AS ISO 10002. All feedback provided to the Department is acknowledged, and where appropriate a response is provided to the complainant.
- 5.3.2 ACCESS assesses all feedback received by the Department, and allocates this feedback to the responsible business area for resolution. The most appropriate method of resolution differs with each instance of feedback received, and is determined on a case by case basis.

5.4 Quality assurance

- 5.4.1 The progression and resolution of all feedback received is monitored by ACCESS. ACCESS regularly reviews the resolution of feedback to identify opportunities for improvement, and provides training and advice to Departmental stakeholders on effective feedback resolution.
- 5.4.2 ACCESS is responsible for ensuring that the Department's administration and resolution of feedback meets the Australian Standard on Complaints Handling AS ISO 10002. All complainants are provided the opportunity to comment on the administration and resolution of their feedback, and ACCESS may determine if a review of the feedback is warranted.

5.5 Unreasonable feedback

- 5.5.1 The Department recognises that both respondents and complainants have rights and responsibilities concerning feedback. For its part, the Department is committed to responding to all feedback in a professional, fair and impartial manner.
- 5.5.2 Although the vast majority of feedback is reasonable and made in good faith, there are instances in which this is not the case. Feedback may be determined to be unreasonable by virtue of being trivial or frivolous, an abuse of the complaint process, an attempt to reopen an issue which has already been determined, or is otherwise not made in good faith. Feedback determined to be unreasonable is not accepted, and ACCESS advises the complainant accordingly.

- 5.5.3 Complainants themselves may also behave unreasonably, by virtue of the manner in which they conduct themselves with respect to their feedback. Complainants who conduct themselves in an aggressive, abusive, or otherwise threatening manner towards those managing their feedback, or whose conduct is determined to be an abuse of the complaints process, may be determined by ACCESS to be unreasonable. ACCESS may elect to wholly or partially restrict contact with an unreasonable complainant.
- 5.5.4 A complainant behaving in an unreasonable manner may nonetheless have legitimate feedback. As such, reasonable efforts are made to treat individual contacts by unreasonable complainants on their merits, or to make alternative feedback mechanisms available to the complainant. If ACCESS determines to restrict contact with an unreasonable complaint, the complainant is advised in writing of the reason(s) for this decision.
- 5.5.5 Nothing in this policy affects a complainant's right to lodge feedback with an external agency.

5.6 Anonymous Complaints

Complainants may elect to lodge feedback anonymously and each case will be assessed on a case by case basis. An anonymous complainant should understand that this may prevent or otherwise hinder the resolution of the matter(s) raised.

5.7 Confidentiality

- 5.7.1 Feedback to the Department is treated in the strictest confidence. However, in order to effectively respond to feedback, it is usually necessary to disclose a complainant's identity to the business area responsible for the resolution of the feedback. ACCESS will exercise its discretion in disclosing a complainant's identity in such cases. A complainant may request that ACCESS not disclose his/her identity, however should understand that this may prevent or otherwise hinder the resolution of the feedback provided.
- 5.7.2 It may also be necessary to disclose a complainant's identity in the interests of natural justice or under legal compulsion. When such circumstances require the disclosure of a complainant's identity, the complainant will be notified before this occurs wherever practicable.
- 5.7.3 It may also be necessary to disclose a complainant's identity to an external agency (eg Ombudsman WA) in order to facilitate the resolution of feedback. ACCESS will exercise its discretion in disclosing a complainant's identity in such cases.

5.8 Public Interest Disclosure

Complaints may be lodged via the Department's [Public Interest Disclosure Policy and Procedures](#). Such complaints must be made to the Department's Public Interest Disclosure Officer who will assess whether it is an appropriate disclosure of public interest information. Generally, a disclosure is more than a general complaint about dissatisfaction with a product or service or a decision by the

Department. In order to be covered by the [Public Interest Disclosure Act 2003](#), the information needs to relate to a matter of public interest.

5.9 External agencies

The Department does not operate in isolation with respect to the administration and resolution of feedback. Feedback concerning the Department may also on occasion be lodged with external agencies such as the [Office of the Ombudsman Western Australia](#), the [Health and Disability Services Complaints Office](#) (formerly the Office of Health Review) and the [Aboriginal Legal Service of Western Australia](#). ACCESS coordinates the administration and resolution of all feedback provided to the Department by external agencies.

6. References

6.1 Policies and Directives

- [Public Interest Disclosure Policy and Procedures](#)
- [Reporting and Management of Suspected Misconduct and/or Criminal Activity by Employees Policy](#)
- [Workplace Grievance Management Policy](#)

6.2 Legislation

- [Public Interest Disclosure Act 2003](#)

6.3 Other Documents

- AS ISO 10002-2006 Customer satisfaction - *Guidelines for complaints handling in organizations*
- [Public Sector Commissioner's Circular 2009-27 - Complaints Management](#)

7. Acknowledgments

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8. Approval, Delegations and Maintenance

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