Complaint handling in Small Agencies

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Commonwealth Ombudsman 30th Anniversary Seminar 9 August 2007

Office of Regulatory Services

- Established in 2006
- Workcover
- Fair Trading
- Registrar General
- Parking Operations and Review
- Independent Competition and Review Commission

Functions of ORS

- **Client services function**
  - Births, Deaths and Marriages;
  - Land titles;
  - Business Names;
  - Rental Bonds;
  - Associations and Charitable Collections;
  - Licensing of Regulated Industries;
  - Advice.

- **Education and Public Information function**
  - Alcohol awareness;
  - OH&S awards;
  - Publishing industry specific guides;

- **Compliance function**
  - Workplace safety compliance;
  - Workers compensation’
  - Industry specific compliance (agents, liquor,);
  - General Fair Trading compliance;
  - Some health related compliance (tobacco)
  - Local government compliance (parking, public places)
• **Enforcement/Appeal function**
  – Review of parking infringements;
  – Workplace safety prosecutions (criminal);
  – Industry disciplinary action (liquor board);
  – Civil proceedings on behalf of consumers;
  – Mediation under industry codes of practice.

**Complaint handling**

• Each part of business conducted by ORS included a separate advice and complaint function
• Resources put into handling complaints varied
  – Workcover and Fair Trading had units devoted to complaint handling;
  – Parking Review deals with large number of complaints;
  – Some functions limited (ie audit);
  – Some areas had no process (ie charitable collections)

• Complaints vary
  – Safety in the workplace;
  – Selling and lighting fireworks;
  – Fee setting in retirement villages;
  – Unsatisfactory goods or services;
  – Illegal parking;
  – Inappropriate business name;
  – Not honouring warranties.

• Complaint can be about other government agencies;
• Complaint can be about services provided by ORS
  – Appeals against parking infringements;
  – Fair Trading cannot enforce judgment;
  – Workcover cannot give priority to inspection.

• Response to complaints varies:
  – Phone discussions between parties;
  – Formal requests for information;
  – Mediation;
  – Statutory power to undertake disciplinary action, or refer for criminal proceedings;
  – Statutory power to undertake civil action on behalf of consumer.
Challenges for small agencies

- What expertise do you need to deal with complaints (ORS administers over 70 pieces of legislation)?
- Prioritising complaints (some may be life and death);
- The level of assistance (statutory powers can exceed the actual ability to help);
- The level of discretion used to resolve a complaint;
- Consistency in approach.

We handle complaints well when

- Our processes are documented and known to our stakeholders;
- Our staff are clear about their roles;
- We act within our knowledge and capacity;
- We treat all stakeholders fairly and impartially.

We don’t handle complaints well when we

- Deal with people differently;
- Handle complaints outside the normal process (we don’t follow procedure);
- Make promises that we cannot keep –“we will get your money back”
- Pretend that we are stronger than we are.

Early lessons learned

- Too many points of entry for consumers/stakeholders; (2 locations, perhaps 6 points of entry)
- No common complaint handling policy
- Need to share information better;
- Systems need greater interaction.