



# FACS Complaints and Feedback Management Policy

This Policy outlines the Family and Community Services' (FACS) principles and objectives regarding the management of customer complaints and feedback, and the standard of behavior expected from all FACS workers in dealing with these matters.

# Document approval

The FACS Complaints and Feedback Management Policy has been endorsed and approved by:

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# 1 Purpose and objectives

## 1.1 Purpose

The FACS Complaints and Feedback Management Policy (the “Policy”) aims to:

- set out the principles and objectives in complaints handling which reflect our commitment to managing complaints promptly, fairly and effectively
- ensure that complaints and feedback received are being managed in line with these complaints handling principles and objectives, and
- guide the standard of behaviour for FACS employees who are managing complaints.

## 1.2 Objectives

The Policy aims to establish a standardised, uniform principles and objectives to complaints and feedback handling across FACS in order to:

- manage complaints in a fair and just manner
- support the principles of FACS’ person-centred approach
- help employees clearly understand their roles and responsibilities in managing and responding to complaints and feedback about FACS services - whether they are delivered by FACS directly or by service providers funded by FACS
- support employees to identify and act appropriately where assistance may be needed to submit a complaint and/or feedback, and when cultural, language, socio-economic, and other factors need to be considered, such as Aboriginal people that may prefer to talk to an Aboriginal person in relation to the complaint, customers from a linguistically diverse background, senior customers, or people with a disability
- ensure FACS complies with all relevant complaints handling legislative and administrative requirements
- capture and utilise complaints and feedback data from across the cluster to inform strategic decision making
- support our Ministers and our business areas by effectively and efficiently handling complaints and feedback internally
- increase public confidence in FACS administrative processes

## 1.3 Background and policy links

This Policy supports the *FACS Service Charter* by ensuring we respond to complaints about a breach of the Charter, as well as utilising feedback in enhancing our services, and should be read in conjunction with the following:

- *Code of Ethical Conduct*
- *Conflicts of Interest Policy*
- *Fraud & Corruption Prevention Control Policy*

## 2 Definitions

The table below provides a list of terms, keywords and/or abbreviations used throughout this document.

Term	Definition
<b>allegation of fraud and/or corruption</b>	Allegations of fraudulent or corrupt behaviour are <b>not</b> a complaint for the purposes of this Policy. Allegations of this nature are to be referred for action to the appropriate area in FACS in accordance with the <i>Fraud &amp; Corruption Prevention Control policy</i> .
<b>allegation of staff misconduct</b>	Allegations of staff misconduct are usually received from a manager within FACS and are referred directly to the Professional Conduct Unit (PCU) in accordance with the relevant departmental policies and procedures for investigating reported staff misconduct. Allegations of staff misconduct are <b>not</b> a complaint for the purposes of this Policy.
<b>appeal</b>	When a FACS customer is not satisfied with a decision made by FACS and requests for it to be reviewed.  When a FACS customer is not satisfied with the outcome of an internal review of a decision, and requests a further external or independent review.
<b>business area</b>	Usually a Directorate within a Division/Entity of FACS, headed by a Director or Executive Director
<b>complaint</b>	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.” <sup>1</sup>
<b>Complaint and Feedback Management System (CFMS)</b>	All policies, fact sheets, procedures, practices, staff, hardware and software used in the management of complaints and feedback
<b>dispute</b>	A disagreement, misunderstanding, or conflict involving FACS <sup>2</sup>
<b>enquiry</b>	Does <b>not</b> meet the definition of a complaint - Relates to requests for service and/or information.
<b>FACS customer</b>	The end users of services that are planned, designed, funded, and/or delivered by FACS or its funded Service Providers.
<b>FACS Cluster</b>	The Family and Community Services (FACS) Cluster is made up of the following Entities: <ul style="list-style-type: none"> <li>• Aboriginal Housing Office (AHO)</li> </ul>

<sup>1</sup> Australian and New Zealand Standard *Guidelines for complaint management in organizations (AS/NZS 10002:2014)*

<sup>2</sup> Based on NSW Justice’s information on disputes.

Term	Definition
	<ul style="list-style-type: none"> <li>• Advocate for Children and Young People (ACYP)</li> <li>• Department of Family and Community Services</li> <li>• Land and Housing Corporation (LAHC)</li> <li>• Multicultural NSW (MNSW)</li> <li>• and any other entity under the FACS Cluster umbrella</li> </ul> <p>The terms 'FACS Cluster' and 'FACS' are used interchangeably throughout this Policy.</p>
<b>feedback</b>	Relates to opinions, comments and expressions of interest that can be positive or negative regarding services provided by FACS or its funded Service Providers. Information may be documented for consideration in service enhancement, and in some instances a response may not be deemed necessary by FACS.
<b>funded services</b>	Are services provided by person(s) or organisations that are funded (wholly or partially) by FACS to provide that service. These are usually based on a funding agreement between FACS and the service provider. The services delivered in this way are deemed to be FACS services.
<b>notifiable incident</b>	<p>A 'notifiable incident' under the relevant NSW work health and safety legislation pertains to<sup>3</sup>:</p> <ul style="list-style-type: none"> <li>• the death of a person</li> <li>• a serious injury or illness of a person, or</li> <li>• a potentially dangerous incident.</li> </ul>
<b>outcome</b>	FACS' resolution of a complaint. This may or may not meet the expectations or requirements of the complainant. The outcome should be fair and reasonable, and in line with this Policy.
<b>public interest disclosure</b>	Does <b>not</b> meet the definition of a complaint - A report about wrong doing made by a public official in New South Wales that meets the requirements of the <i>Public Interest Disclosures Act 1994</i> ..
<b>service provider</b>	A person, organisation, or company that is funded wholly or partially by FACS to provide a service to FACS customers.
<b>service request</b>	Does <b>not</b> meet the definition of a complaint – as it is an act of asking for action by FACS or for information.
<b>staff</b>	<p>Staff are:</p> <ul style="list-style-type: none"> <li>• employees with ongoing, temporary or casual employment.</li> <li>• those people engaged through agencies, volunteers, students on work experience or placements, consultants, contractors and subcontractors.</li> </ul> <p>The terms 'staff' and 'worker/s' are used interchangeably</p>

<sup>3</sup> Definition sourced from [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)

Term	Definition
	throughout this Policy.
<b>staff grievance</b>	Does <b>not</b> meet the definition of a complaint. These matters should be addressed with the relevant staff member's line manager and handled in accordance with the relevant Human Resources Policies.
<b>worker/s</b>	<p>Workers include:</p> <ul style="list-style-type: none"> <li>• FACS employees with ongoing, temporary or casual employment</li> <li>• Senior executives</li> <li>• Members of councils or committees managed by FACS</li> </ul> <p>Ongoing, temporary and casual employees</p> <ul style="list-style-type: none"> <li>• Interns and graduates</li> <li>• Consultants</li> <li>• Contractors/contingent labour workers (agency staff)</li> <li>• Persons on work experience</li> <li>• Students over 18 years of age</li> <li>• Volunteers</li> </ul> <p>The terms 'worker/s' and 'staff' are used interchangeably throughout this Policy.</p>

### 3 Policy scope, application, and appeals

This Policy applies to FACS staff, whether by way of appointment, secondment, contract, ongoing, casual, temporary assignment, volunteer or on a fee-for-service basis and to related entities within the FACS Cluster.

This Policy outlines FACS' principles and standard of behaviour of FACS workers to be applied when receiving and handling complaints and feedback.

A **complaint** is defined 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.”<sup>4</sup>

For the purposes of this Policy the following are **not** considered ‘complaints’ and are subject to other requirements and processes:

- Staff grievances
- Public interest disclosures
- Appeals against a decision made about eligibility to receive services

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<sup>4</sup> Australian and New Zealand Standard *Guidelines for complaint management in organizations (AS/NZS 10002:2014)*

- Complaints from funded or licensed service providers regarding the terms and conditions of their contractual arrangements with FACS
- Feedback and/or criticism for which a response is not expected
- Work health and safety notifiable incidents
- Disputes (e.g. legal, contractual)
- Allegations of fraud and corruption
- Service/information requests
- Allegations of staff misconduct

### **Complaints about services directly provided by FACS**

A complaint related to the services directly provided by FACS, including services provided by its staff, and FACS' complaints handling processes, is to be referred to the relevant business area in the first instance through the various channels available to report a complaint - via phone, post, email, in person, web form, or the Feedback Assist widget on FACS public-facing websites.

For more information about lodging a complaint, please visit:

[www.facs.nsw.gov.au/about/contact/complaints](http://www.facs.nsw.gov.au/about/contact/complaints)

The business area will aim to review and where appropriate, resolve the complaints, in accordance with their own complaints handling policies, procedures, guidelines, and timeframes as appropriate; and in accordance with the provisions of this Policy.

### **Appeal process**

When a customer is not satisfied with the initial decision of the business area, the customer can escalate the complaint to the relevant FACS business area by sending a request for a review of the initial decision via the Feedback Assist Widget on the FACS website. .

When a customer is not satisfied with the outcome of FACS' review of a decision, and requests a further external or independent review, the customer may refer the matter to:

#### **NSW Ombudsman**

Level 24, 580 George Street, Sydney NSW  
 phone: 02 9286 1000; email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
 website: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au);

### **Complaints about funded services**

Funded services are services provided by person(s) or organisations that are funded (wholly or partially) by FACS to provide that service. These are usually based on a service and/or funding agreement between FACS and the service provider. Complaints and feedback relating to the service provided are within scope of this policy.

For the purposes of this Policy:

- a complaint made, or feedback received, by FACS relating to a service provider is to be recorded and then referred to the service provider for resolution
- if a complaint or feedback relates to the funding contract, or contractual compliance, then the matter should be referred to the relevant contract manager in FACS
- funded services providers are expected to manage complaints in accordance with their service agreements with FACS, and in line with relevant legislations, industry practices and standards, and
- the exception to the above is when a concern relates to potential fraud or corruption of high-level / senior officers of the service provider, then the matter should be referred to the relevant business area which is managing the contract, consistent with the requirements of the FACS *Fraud and Corruption Prevention Control Policy*.

## 4 Legislation

FACS operates in a legislative and regulatory environment. This Policy has been developed to be used in conjunction with legislation outlined below

- *Anti-Discrimination Act 1977 (NSW)*
- *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- *Community Housing Providers (Adoption of National Law) Act 2012*
- *Community Services (Complaints, Review and Monitoring) Act 1993 (NSW)*
- *Disability Inclusion Act 2014 (NSW)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- *Independent Commission Against Corruption Act 1988*
- *Ombudsman Act 1974 (NSW)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*

## 5 Policy statement

As recognised in the Australian and New Zealand Standard *Guidelines for complaint management in organizations (AS/NZS 10002:2014)*, everybody has the right to complain.

FACS is committed to good complaint and feedback handling practices to inform the improvement of its services, systems and practices which enable people to achieve outcomes that reflect their needs, strengths and goals.

We recognise that the effective management of complaints and feedback is critical to service delivery and improvement. It provides us with an opportunity to

address suggestions, concerns and issues of our customers in a fair and just manner and creates an environment of accountability and transparency in FACS service delivery.

There is no charge to providing feedback or making a complaint to FACS about its services and practices.

FACS will accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

## 5.1 Complaints and Feedback Management Policy Principles

### 5.1.1 Respectful treatment

We will:

- treat all complainants with courtesy, respect, and integrity
- handle the complaint or feedback in a fair, objective and unbiased manner,
- ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about,
- protect the identity of complainants where this is practical and appropriate.
- personal information that identifies individuals will only be disclosed or used by FACS as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations, and
- ensure no unfair treatment comes from making a complaint or providing feedback.

### 5.1.2 Information & Accessibility

We will:

- help people to make a complaint and provide feedback
- ensure our processes will be easy to find, and
- ensure our processes are available in a variety of formats.

### 5.1.3 Good Communication

We will:

- promptly acknowledge receipt of a complaint or feedback, and
- keep people or their representative informed about the status of their complaint, from beginning to end, about the progress, or any delays in resolving the complaint.

### 5.1.4 Taking Ownership

We will:

- ensure concerns are handled by the relevant business area within FACS
- ensure each complaint will be handled by trained and skilled staff
- let the complainant know who will be dealing with their matter, and

- let the complainant know (and other relevant stakeholders), if we refer the matter to another person or team.

### 5.1.5 Timeliness

We will:

- resolve complaints at the first point of contact with FACS, where possible
- deal with complaints in a timely manner - we aim to acknowledge customer feedback within 2 business days, and generally resolve any issues within 20 business days
- communicate with the complainant if their complaint requires more than 20 business days to review and resolve, and keep them informed on the progress of their complaint, and
- ensure timeframes are clear to our customers , and match the differing levels of seriousness, urgency and complexity.

### 5.1.6 Transparency

We will:

- let complainants know the reasons for our decisions and where they can have their complaint, or our decision, reviewed
- inform our complainants or their representatives of the appeal process if they are not satisfied with the decision made by FACS on their complaint, and
- record, review and report on complaints handling data as a part of our commitment to continuous improvement.

## 6 Roles and Responsibilities

### 6.1 FACS Secretary

The roles and responsibilities of the FACS Secretary are to:

- implement and maintain policy and procedures in order to maintain an effective complaint and feedback management system
- implement and maintain an effective communication plan to ensure customers, stakeholders and the general public are aware of how complaints and feedback can be lodged with FACS
- implement and maintain a regular reporting process to identify significant complaints and systemic issues, and improvement opportunities
- encourage business areas to make recommendations for improvements based on analysis of data, and
- promote a culture where:
  - complaints and feedback will not be treated defensively, and
  - complaints and feedback data will be analysed and will inform our learning about what we can do better.

## 6.2 Business Areas

The roles and responsibilities of a business area (usually a Directorate under a FACS Division or Entity) in handling complaints and receiving feedback are to:

- develop and implement their own complaints handling policies and procedures as appropriate, consistent with FACS's existing policies, procedures, guidelines, and standards, to securely store and manage complaints accordingly, including regular reviews to ensure relevance and consistency with departmental complaints handling framework
- monitor the FACS Complaints and Feedback Management System (CFMS) to ensure its effectiveness in responding to and resolving complaints, identifying and correcting deficiencies in the operation of the system and ensuring that commitments made to complainants are fulfilled
- encourage staff to make recommendations to improve the CFMS
- provide relevant training, resources, and support to complaint and feedback handling staff and ensure they are able to resolve complaints promptly and in accordance with FACS policies and procedures
- provide data to the centralised reporting function, as requested, and
- analyse complaints data to help inform opportunities for improvements in services and business processes.

## 6.3 FACS Staff

The roles and responsibilities of staff handling complaints are to:

- treat customers with respect and where required assist people to make complaints and provide feedback
- be culturally aware when dealing with customers from various cultural backgrounds
- be aware of and comply with the CFMS policy and procedures
- report on complaint data as required by management
- provide feedback on issues arising from complaints and suggestions on ways to improve the organisation's CFMS
- implement and maintain changes from individual complaints and improvements approved by management, and
- appropriately allocate and manage cases received through various complaint management systems and channels including but not limited to Feedback Assist widget on FACS public-facing websites, telephone, and web forms.

## 6.4 Central Complaints Management Reporting

The Central Complaints Management Reporting function within FACS aims to:

- analyse all complaints data across the cluster
- ensure compliance with this Policy,
- look for opportunities to learn from complaints, and
- provide reports on complaints and feedback trends and insights that will help inform improvements in services and business processes.

## 7 Monitoring, Evaluation and Review

This Policy will be reviewed at least every two years or when any significant new information, legislative or organisational change warrants amendment to this document.

## 8 Support and Advice

You can obtain advice and support about this Policy from the Fraud, Corruption and Compliance Unit, Internal Audit and Compliance Directorate, Corporate Services, FACS: email: [CHIP@facs.nsw.gov.au](mailto:CHIP@facs.nsw.gov.au)