

# Effective Complaints Management

## 6: Responsiveness and Fairness

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This Fact Sheet forms part of a series designed to assist public sector agencies to ensure they have appropriate procedures in place to effectively manage customer complaints.

The Fact Sheet series has been kindly made available by the Queensland Ombudsman. It has been adapted for use in the Northern Territory.

For further information or advice, please contact the Northern Territory Ombudsman's Office on 08 8999 1818.

### Responsiveness and fairness – your commitment to your customers

Being responsive to your customers' needs lets them know you have a commitment to quality customer service. And there is no better way to demonstrate your commitment than by responding quickly, courteously and fairly to their concerns.

You can regain, maintain or increase customer satisfaction by having a complaints process that is open to customers and staff.

Complaints may be in the form of minor concerns or more formal complaints. Dealing with the problem early generally prevents issues from escalating to an unmanageable level.

Courtesy to customers and good business practice require that letters, telephone inquiries and questions be dealt with reasonably speedily.

- Telephone calls should be returned promptly
- Customers should be advised how their matters will be dealt with
- Consistent responses should be provided to complaints on like matters
- The agency should monitor the progress of the issue internally so that customers can be kept informed.

### Customers want to be treated seriously

Important responsiveness issues to consider include:

- Are your complaints lines answered quickly?
- Do you have established target time limits that are reasonable for all stages of the complaints handling process?
- Are your customers kept informed about the progress of their complaints?
- Does your computer system have a bring-up system for responses?

### It's not fair!

How often do you hear these words?

Showing that your complaints process is fair, even in difficult situations, reduces these types of allegations.

Customer complaints should be treated impartially. Staff managing complaints need to set aside personal attitudes and judgements and focus on the substance of the complaint. Customers should not be judged on their appearance, literacy skills or cultural background. This is one of the reasons it is important to select the right staff to handle complaints (see Fact Sheet 8, *Personnel and Training*).

You can also demonstrate fairness to your customers and staff if your complaint system is well publicised and easy to understand.

Here is a broad checklist for treating complainants fairly and reasonably:

- take all complaints seriously
- follow complaints handling policy and procedures
- treat complainants courteously, respectfully and sensitively
- act impartially, honestly and ethically
- use powers fairly and professionally
- make fair, objective and consistent decisions, taking all relevant circumstances into account
- ensure the person investigating the complaint is impartial
- avoid judgements based on appearance
- maintain confidentiality where required
- resolve complaints quickly and in accordance with your Code of Conduct
- provide reasons for decisions to all parties
- ensure an appropriate remedy is offered when complaints are upheld (see Fact Sheet 10, *Remedies*)
- inform customers of rights of appeal or external review.

Further information on how to make good administrative decisions may be found in the Clayton Utz series of pamphlets on 'Good decision making for government' at [www.claytonutz.com](http://www.claytonutz.com).

# EFFECTIVE COMPLAINTS MANAGEMENT – RESPONSIVENESS AND FAIRNESS

## What is responsiveness?

Responsiveness is about what you actually do with a complaint. It is about receiving and recording a matter, considering the issues it raises and how best to handle it, making decisions, and informing the complainant and relevant staff of your decision. All of these things need to be done within reasonable timeframes.

When establishing an internal complaints management system, responsiveness is the element that many agencies focus on. While it is an important factor, agencies must adequately consider all elements outlined in this series of Fact Sheets.

It is essential to have documented procedures if your system is to be truly responsive to your customers. This means setting specific levels of performance and service, not just general targets and meaningless promises. This will help staff and customers understand the importance of customer feedback within your agency.

## A timely approach

People often expect their complaint to be resolved immediately and usually by the first person they speak to. The longer it takes for them to receive a response, the more likely it is they will be dissatisfied with the outcome.

Agencies can address this by clearly telling complainants at an early stage what they can expect and when. However, don't make timeframes too unrealistic – broken promises will only add to dissatisfaction.

Establish time limits for each step in the complaints handling process, such as an acknowledgement by telephone or letter to customers within a few days and ongoing feedback throughout the process.

Timely attention to complaints may also prevent other customers from experiencing similar problems.

If your agency decides to provide leaflets for customers to explain what to expect during the process, from complaints receipt to investigation and resolution, include advice that some issues take more time to resolve than others.

## Fairness and natural justice

Natural justice – or procedural fairness as it is sometimes called – is a key element throughout the complaints management process. It has two main components.

Firstly, people likely to be adversely affected by a decision or an action must be given reasonable opportunity to comment on information or material you intend to rely on in making your decision before the decision is made. This is only fair and what we would expect were we to be the subject of the decision-making process.

Secondly, the decision-maker must act in an impartial and unbiased manner, and be seen to do so. Actual bias is often hard to prove, but there is also a requirement that you do not act in such a way that an informed onlooker would reasonably suspect or apprehend bias, such as if the decision-maker's relatives had a pecuniary interest in the matter under consideration.

## Keep it confidential and impartial

Your customers and staff have a right to expect appropriate confidentiality and impartiality. These are important considerations in all stages of the complaints handling process, but become particularly crucial if the issue proceeds to internal review.

When customers are unhappy with an initial decision or action, the original decision-maker may be asked to reconsider the matter. If a more favourable response is not forthcoming, customers can exercise their right to have the matter reviewed at a higher level.

The complaints reviewer should not have been involved in the issue before or have a personal interest in the outcome. The reviewer must act fairly and be seen to act fairly when considering the matter. This means making decisions strictly on the facts.

An important advantage of having a complaints unit or complaints officer is that it separates the reviewer from the original decision-maker, keeping the process fair to all parties.

## Fairness and anonymous complaints

Anonymous complaints can be difficult to investigate and it may also be difficult to guarantee that complainants will not be identified. Here are some tips for managing anonymous complaints:

- Try to get adequate contact details so they can be advised of the outcome
- Obtain sufficient information, including documents, to allow you to investigate
- Match the type of investigation to the complaint, e.g. strict confidentiality for whistleblower matters.

Do not use the correct last name on your database if complainants require confidentiality and have provided their name.

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