



Customer Complaints Management Policy

June 2020

Customer Complaints Management

Purpose

In engaging with our customers, the NHVR is committed to responding effectively and efficiently to their feedback and complaints. This policy outlines the guiding principles the NHVR applies and our commitment to managing complaints received from our customers regarding our services, products and decisions. Responding to our customers effectively and efficiently assists us to:

- improve our services
- deliver better outcomes to our customers.

Scope

In scope

This policy applies:

- where a person expresses their dissatisfaction, orally or in writing, about the NHVR's decisions, services, products or actions.
- to an expression of dissatisfaction received relating to:
 - a decision the NHVR has made or not made
 - a service the NHVR has funded, provided or not provided
- the behaviour of an NHVR employee
- an act or practice of the NHVR in relation to the individual's personal information that may be a breach of the NHVR's obligations under the *Information Privacy Act (2009)*.
- an act or practice of the NHVR in relation to an individual's human rights that may be in breach of the NHVR's obligations under a Human Rights Act.

Out of scope

Complaints and feedback received by the NHVR, that are considered out of scope for this policy include:

- a query from a customer regarding a service, action, decision or policy of the NHVR.
- complaints and feedback received by the NHVR relating to the heavy vehicle sector and interpretation of the Heavy Vehicle National Law.
- a matter currently being dealt with or that has been previously dealt with, by a court, tribunal or external complaints agency.

- a complaint about a service, product or decision that has already been subjected to an internal review and an outcome has been determined.
- a service, action, decision or policy that is not delivered by or on behalf of the NHVR.

Policy statement

1. The NHVR is committed to managing customer complaints in an accountable, transparent, timely and fair manner.
2. The NHVR will strive to achieve best practice customer service and will use the insights generated through customer complaints management to guide business decisions to improve the products and services we offer.
3. The NHVR will:
 - a. recognise and respect everyone's right to provide constructive feedback.
 - b. demonstrate a commitment to addressing complaints in a timely manner under the NHVR's *Customer Service Charter*.
 - c. attempt early, informal resolution wherever possible.
 - d. offer remedies that are fair to all parties.
 - e. ensure clear information is available on the NHVR's website about how and where to make a complaint and how complaints are managed.
 - f. provide reasonable assistance to complainants with special needs in making complaints.
 - g. recognise and address complaints provided anonymously, or through an authorised third party as any other complaint.
 - h. record, track, acknowledge and process complaints in a timely manner under the NHVR's *Managing Customer Complaints Work Procedure*.
 - i. manage complaints objectively and deal with the complainant fairly, respectfully, consistently, in accordance with the principles of natural justice and without actual or perceived conflicting interests.
 - j. take all reasonable steps to ensure that a complainant is not adversely affected and act fairly towards NHVR officers where they are the subject of a complaint.
 - k. refuse to investigate a complaint if it is considered abusive, trivial or vexatious.
 - l. provide adequate and timely feedback on complaints to all parties.

- m. notify complainants of their internal and external review options.
- n. record and report on complaints in accordance with legislative and other requirements.
- o. commit to using complaints as an essential tool for business improvement.
- p. empower staff to implement the NHVR's customer complaint management process and ensure adequate resources, including training are made available.

Privacy, information rights and human rights

- 4. In managing and resolving customer service complaints, the NHVR will comply with all other legislation that impacts on how it manages customer complaints. Compliance will not simply be conformance with the strict requirements of those laws, but also with object and intention of them.

Information Privacy and Right to Information

- 5. The NHVR will manage and resolve complaints confidentially in accordance with the *Information Privacy Act 2009 (Qld)*. Privacy of the customer, and all parties relevant to the complaint, will be respected and protected to the extent provided by that Act.
- 6. Where customers require information that relates to a complaint, that information will be provided under the provisions of the *Right to Information Act 2009 (Qld)*.

Human rights

- 7. The following human rights legislation applies (the Human Rights Acts) to the NHVR:
 - a. in Queensland – the *Human Rights Act 2019 (Qld)*
 - b. in Victoria – the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
 - c. in the Australian Capital Territory – the *Human Rights Act 2004 (ACT) (HRA ACT)*.
- 8. This policy will ensure that in relation to complaints management, the NHVR:
 - a. makes decisions in a way that is compatible with an individual's human rights
 - b. in making a decision, gives proper consideration to an individual's relevant human rights.

Principles

The NHVR has adopted the five principles for effective complaint handling listed in the Australian Standard *AS ISO 10002-2006 Customer Satisfaction – Guidelines for complaints handling in organisations*. The application of this policy will be consistent with the following five key principles.

Visibility and access

- 9. The NHVR will make readily available, information on:
 - o where and how to complain
 - o how the complaint will be managed (timeframes and information regarding progress and result)
 - o reasonable assistance to make a complaint.

Responsiveness

- 10. The NHVR will ensure its employees:
 - o know the Complaints Management System and how it works
 - o respond to complaints in a timely manner
 - o monitor timeframes for resolution
 - o advise parties of progress.

Assessment and action

- 11. The NHVR will assess complaints and:
 - o decide how they will be dealt with and by whom
 - o refer them to external agencies where required,
 - o deal with the balance fairly and objectively.

Feedback

- 12. The NHVR will provide complainants with:
 - o timely feedback regarding outcomes
 - o notification of any external review mechanisms
 - o feedback internally, where potential system improvements are identified.

Monitoring effectiveness

- 13. The NHVR will ensure our Complaints Management System:
 - o meets statutory, policy and procedural reporting requirements regarding complaints
 - o identifies complaint trends
 - o monitors the time taken to resolve complaints.

Responsibilities

The following positions are responsible for implementing this policy.

Position	Responsibilities
Chief Executive Officer (CEO)	Establishes a system that manages complaints effectively and efficiently.
Chief Operations Officer (COO)	<ul style="list-style-type: none"> Facilitates the development, maintenance and annual reviews of the policy, procedure, tools and the delivery of an effective complaints management process. Provides specialist complaints management advice and support to service delivery and business areas of the NHVR. Provides effective complaints management capability for centrally investigated/managed complaints and internal reviews. Conducts internal reviews where the business unit has investigated, or alternate response and the client is not satisfied with the process. Ensures the recommendations made through investigation reports and internal reviews agreed to by the Executive Directors/Chief Officers/Managers, are finalised. Facilitates the internal reporting of complaints data, including the analysis of reporting including provision of trend data to identify areas of improvement. Refers matters to an external agency for action where appropriate.
Director, Legal Services	Coordinates external reviews of complaint decisions.
Manager Industry Engagement, Customer Experience	<ul style="list-style-type: none"> Implements this policy and <i>Managing Customer Complaints Work Procedure</i> and associated tools for the administration and recording of complaints (within the Division).

Position	Responsibilities
	<ul style="list-style-type: none"> Ensures all employees are appropriately trained in complaints management. Reviews recommendations and provides management responses, made through investigation reports, internal reviews or any complaint management process that relate to business improvement. Ensures recommendations made through investigation reports, internal reviews and any complaint management process are implemented, within agreed timeframes. Ensures ongoing continuous improvement of service delivery by making changes to business process where the trends and issues identified indicate a change to service delivery process is required.
Engagement Officer (Call Centre)	<ul style="list-style-type: none"> Coordinates organisational implementation of this policy, <i>Managing Customer Complaints Work Procedure</i> and associated tools for the administration and recording of complaints. Manages complaints for centrally investigated complaints and internal reviews. Provides complaints management advice and support to service delivery areas across the organisation. Analyses complaints management data to identify trends and areas of improvement. Implements recommendations, agreed by the Executive Directors/Chief Officers/Managers, made through investigation reports and internal reviews to improve service delivery, within agreed timeframes.

Position	Responsibilities
Receiving Officer	<ul style="list-style-type: none"> Determines the response to complaints received at their business unit, where the complaint can be managed at a business unit level. Ensures all complaints are handled under this policy and supporting work procedure. Ensures the organisational complaints management process and system is being used to record complaints received and actions taken in managing complaints. Escalates complaints to the Complaints Officer when the matter cannot be resolved at the local level or external action is required.
Internal Review Officers	Undertaking internal review investigations.

Definitions

The following terms are specific to this policy.

Term	Definition
Complaint	An expression of dissatisfaction about the organisation's products, services or staff that requires a response or resolution.
Complainant	The person who makes the complaint.
External review	Review of an action or decision of the NHVR by a court, tribunal or other statutory body.
Human rights complaint	<ul style="list-style-type: none"> When addressing a complaint about an alleged contravention of a Human Rights Act, ensuring that we have: <ul style="list-style-type: none"> acted or made a decision that is compatible with human rights and in making a decision, given proper consideration to a human right relevant to the decision.

Term	Definition
Staff or staff member	All temporary and permanent employees, consultants, contractors, students or any other person who provides us with services.
Systemic issue or problem	A failure of a product, service, system, policy or procedure which causes or contributes to a complaint, as opposed to a staff member's error in judgement.

Related legislation and documents

Commonwealth Ombudsman

- Better Practice Guide to Complaint Handling (2009)*
- Fact sheet series (2008 to 2010)

Human Rights Acts

- Human Rights Act (2019)*
- Charter of Human Rights and Responsibilities Act (2006) (Vic)*
- Human Rights Act (2004) (ACT)*

Public Service/Ethics

- Public Sector Ethics Act (1994)*
- Public Service Act (2008)*

Public Service Commission

- Code of Conduct for the Queensland Public Service (2011)*

Queensland Human Rights Commission

- Guide: Act and make decisions compatible with human rights (2019)*
- Guide: Handling human rights complaints (2019)*
- Guide: How to review policy and procedures for compatibility with human rights (2019)*
- Guide: Nature and scope of the rights (2019)*
- Guide: When human rights may be limited (2019)*

Queensland Ombudsman

- Complaints management fact sheet series (2006)
- Complaints Management Training - Internal Review Officers Workbook (2008)*
- Complaints management workshop material (2008)*
- Developing Effective Complaints Management Policy and Procedures (2004)*

- *Good Decisions Training Workbook (2011)*
- *Managing Unreasonable Complainant Conduct Practice Manual, 2nd edition (2012)*
- *Practical Administrative Investigation Training Workbook (2005)*

Standards Australia

- *Customer Satisfaction - Guidelines for complaint handling in organizations (AS ISO 10002:2014)*
- *Handbook (HB 229-2006) The why and how of complaints handling*

Information Privacy

- *Information Privacy Act (2009)*

Anti-Discrimination

- *Anti-Discrimination Policy*

NHVR

- *Employee Complaints Resolution Policy*
- *Dealing with a complaint involving a public official (CCA Act) Policy*
- *Public Interest Disclosure Policy*
- *Code of Conduct Policy*
- *NHVR Customer Service Charter*
- *Customer Experience Policy.*