

Guidelines for the Client Complaint Resolution Process

Purpose

This document is designed to provide guidelines and advice for the timely completion of client complaints.

Process

1. A complaint is received in the Resolutions Team

- Via e-mail or mail. For the purpose of this process, complaints include all correspondence to the Deputy Chief Executive – Immigration (DCE-I) relating to individual cases and any correspondence received in relation to a service failure.

2. Initial assessment of complaint

- The Resolutions Team Complaints Co-ordinator (RTCC) will assess the complaint against Application Management System (AMS) records. If the complaint has not been considered by the relevant Branch or equivalent 5th tier Manager (BM), the complaint will be forwarded to the BM in the first instance.

3. Referrals to Branch Managers

- Where a complaint is allocated to a BM for response the RTCC will:
 - Raise a Stage 1 Complaint/Feedback application in AMS
 - Forward the complaint to the relevant BM with a reminder that the complaint must be answered within **15 working days** of its receipt
 - Dispatch an acknowledgement to the complainant within **2 working days**.
- The BM will:
 - Investigate the complaint as a priority
 - Complete and send a response which addresses all points and issues raised in the complaint
 - Close the complaint on AMS
 - Complete this process within **15 working days** of receipt of the complaint by Resolutions Team (RT). The BM may extend this timeframe once in complex cases but must inform the client before the expiry of the original 15 day period, give a reason for the extension and advise the new timeframe.¹
 - BM's have the option of escalating complaints which they decide require the attention and sign off from a Regional (or equivalent 4th tier) Manager (RM). If this course of action is required the BM should:
 - Complete a response to the complaint
 - Forward the response and complaint to the appropriate RM
- The RM will:
 - if satisfied with the response, sign off and dispatch response to complainant
 - if not satisfied with response, arrange for changes to be made by the BM

Note: Branch Managers are responsible for monitoring the timeliness of branch level (stage 1) complaints

¹ It is expected that such extensions will be infrequent

4. Referrals to Regional Managers

Upon receipt of a complaint that has previously been addressed at Branch level but resolution has not been achieved,

- the RTCC will:
 - Raise a “Deputy Secretary” (Stage 2) complaint in AMS and Silent One
 - Send acknowledgement to client
 - Scan the complaint (if received by letter)
 - Create a ‘complaint template’
 - Dispatch, via e-mail, the complaint and complaint template to the relevant RM, and
 - Complete this process within **2 working days** of receipt of the complaint.
 - Monitor the timeliness of stage 2 complaints and provide reminders as necessary.

5. RM responsibilities

Upon receiving a complaint from RT, the RM will:

- Consider whether preservation of status is appropriate and if it is, action accordingly
- Decide who will investigate the complaint
- Instigate a thorough investigation into the validity of and circumstances surrounding the complaint in order to fully address the issues raised
- Complete the complaint template
- Complete a response to the complainant which addresses all points raised in the complaint
- Dispatch response to complainant by mail
- Close the complaint on AMS
- Send, via email, a copy of the completed complaint template and response to RTCC, and

Complete this process within **20 working days** of RT receiving the complaint.

- The RTCC will:

- Close Silent One, and
- Retain a copy of the response for audit purposes.

Escalation of a complaint

When an RM decides that a complaint sign off by the Deputy Secretary-Legal (DS) or the DCE-I is appropriate, an optional escalation process is available.

- Appropriate reasons for escalation include, but are not limited to:
 - sensitive issues
 - media interest
 - to ‘head off’ any further complaint from the client
 - complaint results in a marginal decision which requires a second opinion, and
 - if the complaint has previously been dealt with at RM level.
- Where this course of action is required the RM will:
 - Investigate the complaint and complete a response as outlined above, and forward the response and completed complaint template to RT for Quality Assurance no later than the **15th working day** from the date of receipt of the complaint in RT.

- The RT will:

- Be available to provide advice and guidance on the completion of responses, where requested

- Undertake Quality Assurance on response

- The RTCC will:

- Forward response to the DS or DCE-I
- Receive response back from the DS or DCE-I and either:
 - Dispatch the signed response to the complainant, or
 - Make amendments as required and return to the DS or DCE-I
- If amendments to the RM's initial response are undertaken, a copy of the amended document will be sent to the RM
- Close the complaint on AMS and Silent One.

Escalated complaints must be signed and dispatched within **20 working days** of receipt of the complaint by the RT. The DS or DCE-I may extend this timeframe in complex cases and will direct the RTCC to keep the client informed.

Further information

Preservation of Status for the subjects of a Stage 2 Complaint

- There is no prima facie preservation of status
- Preservation of status may be considered on a case by case basis
- During any period of status preservation no removal action will be undertaken although preparation for removal may continue
- The Department reserves the right to remove preservation of status on a case by case basis and continue with a client's removal if that is an appropriate course of action
- A decision to remove preservation of status may be made by a RM, DS or DCE-I.

Concurrent Complaints

If there is a concurrent Ministerial or review by the Department (e.g. in response to an Ombudsman's complaint) that fact will be evident from AMS via an information warning. The person responsible for resolution of the complaint must liaise with those responsible for resolution of any other form of review to ensure that their actions are co-ordinated and all points raised in the client's correspondence are addressed.

Style

All responses to complainants should exhibit the following:

- Tone required is respectful, honest and empathetic
- Use plain language (i.e. not quoting policy direct from the Operations Manual);
- Address each question clearly and succinctly
- Offer suggestions where appropriate
- Include an apology or remedy where required at the beginning of the response; and
- Verdana font, size 11 should be used for all responses.

Timeframes

Complaints being responded to at BM level must be responded to within **15 working days** of receipt of the complaint by the RT unless the BM has extended the timeframe and notified the client in advance. The BM is responsible for monitoring the timeliness of stage 1 complaint handling

Complaints being responded to by an RM must be responded to within **20 working days** of the receipt of the complaint by the RT. Complaints which are escalated to the DS or DCE-I must be with the DS or DCE-I no later than **15 working days** from the receipt of the complaint.

Complaints escalated to the DS or DCE-I must be responded to within **20 working days** of the receipt of the complaint unless the DS or DCE-I has extended this timeframe. The RTCC will be responsible for monitoring the timeframes of stage 2 complaint responses.

Note that complaints involving multiple issues and/or the actions of multiple branches are likely to take longer to answer than the timeframes indicated above.

Process scope

This process is designed to capture and deal with complaints received by way of correspondence to the DCE-I relating to individual cases and any correspondence received in relation to a service failure.

Complaints against staff relating to allegations or incidents of fraud, corruption or dishonesty are excluded from this process and will be referred to Internal Audit for investigation.

Data Capture and reporting

One purpose of this process is to allow the extrapolation of complaint information from AMS into a 'lessons learned' report which can be analysed in order to identify trends and service issues.

Service Design Group is currently progressing work which may see RT:

- Conduct regular AMS audits to ensure complaints are recorded and closed correctly
- Compile and conduct analysis of the information gleaned from complaints via AMS and RM / DS responses
- Extract information into a 'lessons learned' report which will be dispatched to internal stakeholders on a regular basis
- Supply an analysis of this information and provide suggestions as to how this information can be fed back into processes, procedures and service to clients by trainers, toolbox and operational policy
- Include information from Ministerial Appeals, Privacy Commissioner and Ombudsmen investigations.

The information contained in these reports will allow stakeholders to identify issues such as training needs, resource planning and internal controls.