



## ASC Complaints Handling Procedure

### Purpose and Scope

This Procedure, together with the Australian Sports Commission (ASC) [Complaints Handling Charter](#) provides the framework for all ASC employees on how complaints are handled. This document refers to complaints made by external customers, clients or parties, that relate to any aspect of the ASC's services, performance or the way we do our business. This document also relates to the ASC's role in reviewing the handling of complaints by sporting organisations.

This procedure does **not** cover:

- Complaints in the form of Ministerial requests (refer to the procedure for Handling Ministerial Papers); or
- Allegations of criminal conduct against ASC staff members, which may include allegations of fraud, inappropriate behaviour, harassment or discrimination. Allegations of this nature should be referred to the Director, Human Resources, or a Public Information Disclosure Authorised Officer for investigation in accordance with the *Public Interest Disclosure Act* and the ASC Code of Conduct.

### Complaints management

The ASC complaints handling procedure has been modelled on the guidelines and procedures laid out in the Commonwealth Ombudsman [Better Practice Guide to Complaints Handling](#). The ASC complaints handling procedure is built on the principles of fairness, accessibility, responsiveness and efficiency to ensure that our customers and partners have confidence in our complaints system.

### Complaints workflow

The ASC utilises the ServiceNow ICT platform for the management of all formal complaints. All workflow aspects of complaints handling are processed through the ServiceNow platform, linked directly to the online complaints forms on the ASC website.

When a complaint is lodged through the ASC online complaints form, it is automatically triaged through ServiceNow, logged, and allocated a unique complaint tracking number. The ASC complaints team then assess the complaint and allocate it to the relevant business area for their consideration and actioning. It is therefore recommended that all formal complaints are logged through the online complaint form, either by the complainant directly or by an ASC staff member on receipt of a complaint.

A detailed flowchart for the workflow of complaints through ServiceNow is provided at **Attachment A** to this procedure.

## Service Standards

The ASC endeavours to finalise all complaints within 28 working days, and to undertake the following steps in the complaints handling process within the specified timeframes:

Record:	same day
Acknowledge:	48 hours
Respond:	five working days
Finalise:	within 28 days.

Response times to complainants can vary due to the nature and complexity of the complaint. Where response times are longer than the standard, the ASC, through the complaints team, will endeavour to keep the complainant informed about progress and provide them with estimated timeframes where possible.

## Procedures

The ASC follows a five step process for the handling of complaints:

1. Identify / record
2. Acknowledge
3. Investigate
4. Advise
5. finalise

### 1. Identify/Record

#### ***Informal Complaints - Complaints received in person or by telephone***

On occasions, customers / clients will informally express disagreement or dissatisfaction with the ASC. Wherever possible, try to resolve these informal complaints at the first point of contact.

Where a complaint has not been able to be resolved informally, the complainant may request to make a formal complaint. Formal complaints can be lodged about the ASC or its programs by completing the online complaints form located on the ASC website:

[http://www.ausport.gov.au/site\\_tools/contact\\_us/complaint](http://www.ausport.gov.au/site_tools/contact_us/complaint)

Formal complaints may also be lodged about sporting organisations, however complainants should be strongly encouraged to lodge their complaint directly with the sport prior to seeking ASC support. The ASC will not (except in exceptional circumstances) review a sport complaint unless it has been through the sports' complaint handling process first.

If the complainant does not have access to a computer or the website and they still wish to lodge a formal complaint, the complaint can be logged on the website on their behalf to ensure their complaint is actioned. In these instances please ensure the relevant information is collected including contact details to ensure that the complainant can be kept up to date with progress of their complaint.

On rare occasions complaints received informally may require urgent or immediate attention, and may be received outside of standard business hours, when more formal support is unavailable. In these instances the ASC recommends that a common sense approach be adopted; with the complaint escalated to an appropriate level of management available, consistent with the severity and urgency of the complaint. Some complaints may also require referral to an external agency. (refer complaints with statutory reporting requirements later in this document)

### ***Formal Complaints - Complaints received by email, letter or via the ASC online complaints form***

For the purpose of this procedure, formal complaints are defined as those received in writing. ASC staff should follow the steps in this procedure for handling formal complaints.

To ensure that complaints are officially logged and recorded correctly, complainants should be directed to the [online complaints form](#) on the ASC website to lodge a formal complaint. Any complaints received in writing via letter, hard copy complaint form (i.e. aquatics centre feedback form) or similar should be inputted into the online complaints form for logging and allocating, or forwarded to the Complaints Officer in the ASC Governance Section.

### ***Complaints with statutory reporting requirements***

Due to the large number children participating in sport and the closeness of relationships formed, ASC staff may come across children being abused and / or children who disclose abuse to them. In most states and territories, ASC staff are mandated to report any incidence of suspected child abuse, neglect or where a child or vulnerable person is suspected to be at risk. All states and territories have different reporting requirements, however to ensure consistency and as a matter of best practice the ASC has adopted the approach of mandatory reporting across all states and territories.

Complaints involving statutory reporting requirements should be referred to the appropriate staff member as indicated in *Table 1 - Classification used for escalating complaints*.

### ***Complaints about staff misconduct***

Complaints about ASC staff misconduct are not within the scope of this procedure. If a staff member receives a complaint about staff misconduct, it should be immediately referred to their relevant Manager and Director, Human Resources, or to an ASC Public interest Disclosure Authorised Officer. Complaints about staff misconduct will be investigated according to the Public Interest Disclosure Act and the *ASC Code of Conduct*.

## **2. Acknowledge**

The ASC is required to provide an acknowledgement within 48 hours of receipt of a complaint. Where a complaint has been lodged through the online complaint form and an email address has been provided, the complainant will automatically receive an acknowledgement of their complaint, and a complaint reference number.

Where complaints are not received through the online form, staff should be aware of the specified times for acknowledgement of the complaint.

### 3. Investigate

Complaints often require further investigation to confirm the true nature of the issue, and to determine an appropriate course of action. The purpose of an investigation is twofold: to resolve the complaint by reaching a fair and independent view on the issues raised by a complainant; and to provide an appropriate response.

The three principles of fair investigation are:

- **Impartiality** - Each complaint should be approached with an open mind, and the facts and contentions in support of a complaint should be weighed objectively.
- **Confidentiality** - A complaint should be investigated in private, and care should be taken when disclosing to others any identifying details of a complaint.
- **Transparency** - The complainant should be told about the steps in the complaint process and be given an opportunity to comment on adverse information or before a complaint is dismissed.

#### Internal (ASC) complaints

The staff member responsible for resolving the complaint may undertake the investigation in person or nominate another staff member to undertake the investigation. The staff member may interview members of staff and inspect facilities or documents. The staff member must document the actions taken and the outcomes of the investigation.

#### Sport complaints

The ASC receives a considerable number of complaints relating to sport or sporting organisations. However, the ASC is not a regulatory body and therefore cannot interfere in the processes or decisions of another body.

As national sporting organisations are required to document their complaints handling procedures within their member protection policies, the ASC will in certain circumstances review the process that the sport has undertaken to ensure the sporting organisation have followed their own processes in the handling of a complaint. As with internal complaints, the staff member may review documentation and conduct interviews as required. The ASC will only make a determination on whether the sporting organisation has adhered to their complaints handling processes and cannot review an actual decision made by a sporting organisation.

The following are among the requirements that are relevant to complaint investigation:

- A finding on a disputed factual matter should be based on evidence that is relevant and logically capable of supporting the finding—not on guesswork, preconceptions, suspicion or questionable assumptions.
- A written record should be kept of evidence that is provided orally.
- A complainant is not obliged to substantiate each fact or element in their complaint, although it is reasonable for the investigator to ask them to assist the investigation by providing documents they have or explaining things they know.
- A complainant must be given an opportunity to comment on contrary information or claims from another source before a decision is made to dismiss the complaint.
- Confidentiality must be maintained at all times.

When managing sport complaints the following additional requirements need to also be adhered to:

- Permission must be sought in writing from the complainant, in accordance with privacy requirements, to formally progress the complaint with the respective national sporting organisation.
- The national sporting organisation should also be notified that the ASC can provide support to them to facilitate a timely and appropriate resolution to the matter.

### ***Escalation***

There may be occasions where complaints need to be escalated. A summary of escalating procedures follows in *Table 1 - Classification used for escalating complaints*.

**Table 1: Classification used for escalating complaints**

<b>Classification</b>	<b>Escalate to</b>
The complaint is clearly outside a staff member's delegation or area of expertise	<ul style="list-style-type: none"> <li>• Relevant Supervisor and/or Deputy General Manager</li> </ul>
The complainant requests that it be escalated	<ul style="list-style-type: none"> <li>• Relevant Supervisor and/or Deputy General Manager</li> </ul>
The complainant's behaviour becomes unreasonable (e.g. they are abusive, threatening or unreasonably demanding)	<ul style="list-style-type: none"> <li>• Relevant Supervisor and/or Deputy General Manager</li> </ul>
The issue may possibly appear in the media	<ul style="list-style-type: none"> <li>• Relevant Director and Deputy General Manager</li> <li>• Deputy General Manager People, Capability and Communications</li> </ul>
The issue may go to court or to an external agency (such as the ombudsman)	<ul style="list-style-type: none"> <li>• Relevant Director and General Manager</li> <li>• Corporate Counsel</li> </ul>
Staff conduct	<ul style="list-style-type: none"> <li>• Relevant Manager and Deputy General Manager People, Capability and Communications</li> <li>• To be addressed as per the Public interest Disclosure Act and the ASC Code of Conduct</li> </ul>
Privacy issues	<ul style="list-style-type: none"> <li>• Relevant Director and Deputy General Manager</li> <li>• ASC Privacy Officer</li> <li>• Corporate Counsel</li> </ul>
Complaints with statutory reporting requirements	<ul style="list-style-type: none"> <li>• Relevant Director and General Manager</li> <li>• Corporate Counsel</li> </ul>

#### 4. Advise

If the complaint has not been resolved within five working days of receipt, the complainant is to be advised on the estimated time for finalisation, the actions that have been taken to date, and the further action that will be undertaken to resolve the complaint. For all complaints lodged through ServiceNow, the complaints team will manage this communication.

#### 5. Finalise

In order to finalise the complaint, the complainant should be advised in writing of the actions that were taken in response to the complaint and the results of any investigation.

When the investigation has been finalised and the complainant has been notified of the outcome, the complaint should be recorded as closed in the complaints database. For all complaints lodged through ServiceNow, the complaints team will manage the notification of the outcome and the recording of all correspondence.

The service standard for finalisation of complaints (that is the time in which complaints are to be finalised) is within 28 days of receipt.

## Reporting Requirements

The ASC Complaints Officer will provide biannual summary reports to the ASC Board and Executive to ensure that all ASC complaints are addressed in a timely manner and to provide the opportunity to identify any trends. Should any complaint highlight a significant risk issue, information will be provided to the ASC Board as part of the risk management process.

## Definitions

<b>Informal Complaint</b>	A statement (usually verbal) expressing disagreement or dissatisfaction that requires action or response
<b>Formal Complaint</b>	An official (written) expression of dissatisfaction or unmet expectation by or on behalf of a customer /client.
<b>Complainant</b>	A person or party making a complaint, either directly or through someone acting on their behalf.
<b>Customer</b>	Different organisations use different terms to refer to their customers, clients or consumers. We have used the generic term 'customer' to refer to all of these groups.
<b>Privacy</b>	Investigations of complaints are aligned with the <i>Privacy Act 1988</i> in ensuring fairness and transparency of the process. Only those involved in the case need to have access to information and any documents relating to complaints are stored appropriately and are restricted to authorised staff.
	All records, documentation and files about complaints should be marked In-Confidence and stored appropriately.

**Statutory Reporting**

A duty imposed by a statute/legislation to report an incident or occurrence to the relevant authority.

**Related Documents**

This procedure should be read in conjunction with the [ASC Complaints Handling Charter](#).

**Further Reading, References and Contacts**

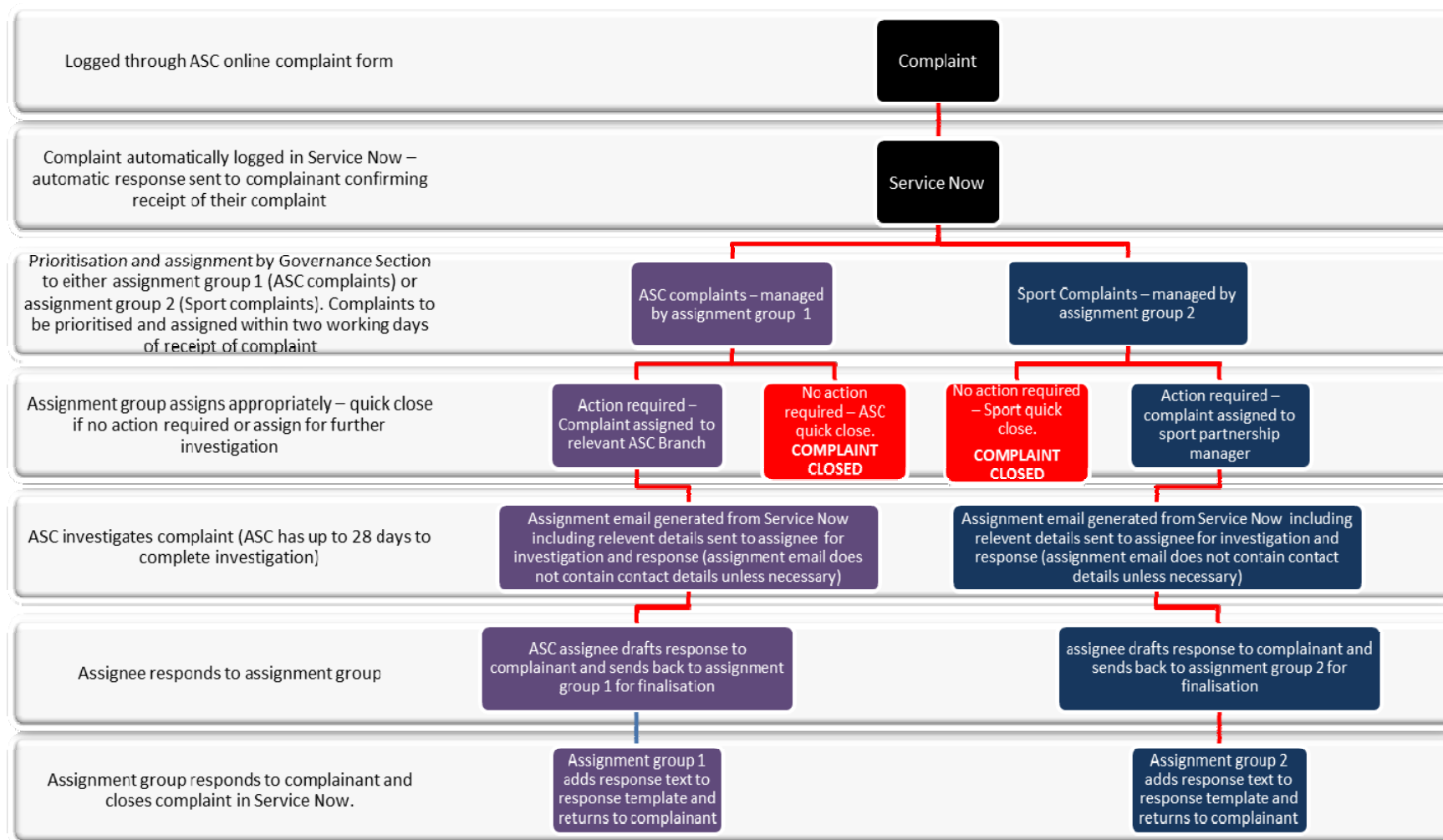
- Australian Standard on Customer satisfaction – Guidelines for complaints handling on organisations ISO 10002:2006; and
- The Commonwealth Ombudsman's Better Practice Guide to Complaint Handling.

- END -

Version	Created By	Originating Program	Approved by	Date	Revision Date	TRIM reference
Version 1.0	Natalie Ryall	Corporate Planning	Director, Corporate Services	3 September 2010	3 September 2011	2010/058964/D
Version 1.1	David Simpson	Governance		December 2014	December 2015	2014/232754/D



# PROCEDURES







## Complaint Handling Tips

To prevent complaints from escalating into a major dispute, staff should:

- listen carefully to the customer's concerns;
- acknowledge their comments;
- empathise; and
- offer an explanation or a solution.

In dealing with the specific aspects of the complaint, staff should:

- ask necessary questions in a polite and even-handed manner, to seek the most detailed response;
- paraphrase the customer's issue/s to confirm mutual understanding;
- agree on a solution, where possible; and
- take action on the agreed solution.

If the customer remains dissatisfied, staff should refer the matter to their supervisor or Manager. In investigating the complaint, the supervisor should aim for:

- an early resolution of the issue;
- ensure communication is accurate;
- use the least interventionist process as is necessary;
- keep it simple;
- ensure access to documentation and information;
- ensure cost efficiency; and
- ensure fairness and reasonableness in addressing the complaint