

# COMPLAINT HANDLING POLICY

*Office of the Valuer  
General*

*2 December 2013*

# Complaint Handling Policy

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## Document control

### Document approval

<p><b>Rachael Burn</b>                  Manager Policy and Projects                  Office of the Valuer General</p>	<p>Dated 02/12/2013</p>
<p><b>Philip Western</b>                  Valuer General</p>	<p>Dated 02/12/2013</p>

### Document version control

Prepared by:	Sally Davies, Project Officer, Office of the Valuer General
Reviewed by:	Rachael Burn, Manager Policy and Projects, Office of the Valuer General
Status:	APPROVED
Implementation date:	2 December 2013
Responsible division:	Office of the Valuer General
Contact:	Rachael Burn, Office of the Valuer General
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### Review date

This policy will be reviewed by 2 December 2015.

It may be reviewed earlier in response to post-implementation feedback of as necessary.

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## Policy statement

The Valuer General is committed to providing services of the highest quality. Key to meeting this commitment is using feedback from those who use the services of the Office of the Valuer General and Land and Property Information (LPI) Valuation Services as opportunities to improve the quality of the services provided. Feedback can be in the form of a complaint, a compliment or a suggestion.

A complaint is defined as *any expression of dissatisfaction, however made, about the standard of service, policies, procedures, costs, or staff of the Office of the Valuer General/LPI Valuation Services.*

The Valuer General is committed to ensuring that complaints received by the Office of the Valuer General are handled in a manner which is fair, courteous and respects the privacy of the person making the complaint.

The Valuer General is also committed to ensuring that reasons are provided for decisions made in relation to any complaint received and providing all reasonable assistance to those who choose to make a complaint.

## Purpose

The purpose of the Complaint Handling Policy is to:

- provide guidance for employees of the Office of the Valuer General who may be required to receive and/or address public complaints
- ensure complaints are handled in a manner which is consistent, fair, courteous and respectful of privacy
- ensure that reasons are provided for decisions made in relation to any complaint received
- ensure all employees are aware of their responsibilities regarding handling complaints.

## Overview

This policy applies to *all employees of the Office of the Valuer General who may receive, manage and/or investigate complaints.*

Complaints may take various forms including phone calls, letters and emails to the Valuer General and formal letters written to the Minister for Finance and Services or local members of parliament. Complaints may be made by external individuals, firms, organisations and agencies, or their representatives, who use the services of the Valuer General or LPI Valuation Services. Complaints may come from the private or public sector.

Complaints received by the Office of the Valuer General may be about:

- Merits of decisions made and/or information provided by employees of LPI Valuation Services or employees of contract valuation firms engaged by LPI (such as an increase in valuation).
- Merits of decisions made and/or information provided by employees of the Office of the Valuer General.

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- The conduct of employees of LPI Valuation Services, or employees of contract valuation firms engaged by LPI, including the quality of service provided.
- The conduct of employees of the Office of the Valuer General, including the quality of service provided.
- Practices, policies and procedures of LPI Valuation Services.
- Practices, policies and procedures of the Office of the Valuer General

Complaints not covered by this policy include those relating to, for example:

- Policies or decisions made by the Premier, Ministers or other political office-holders.
- Decisions made by Courts or Tribunals.

The Office of the Valuer General may also not accept or action complaints relating to matters that are very old, which have been previously dealt with or finalised, are outside its jurisdiction or which are vexatious or frivolous.

The NSW Ombudsman identified customer complaints handling as a vital component of public accountability, and this policy has been designed to comply with the Ombudsman's guidelines.

## Key responsibilities

Employee (including all contract, agency and temporary staff) responsibilities include:

- dealing professionally, promptly and courteously with complaints and, where appropriate, provide assistance and information to people looking to make a complaint in accordance with this policy
- working in a constructive manner to address and identify opportunities to resolve complaints as promptly as possible, and to avoid their escalation
- ensuring appropriate records are kept.

Managers are responsible for:

- ensuring complaints are effectively addressed in accordance with this policy
- ensuring any serious complaints are appropriately and promptly recorded and acknowledging the receipt of the complaint
- reviewing the available information and determining the most appropriate approach to addressing serious complaints
- monitoring the progress of serious complaint processes and ensuring complainants receive a response/decision within 21 days, or otherwise receive an explanation as to when a response will be provided.

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## Principles

### Valuing feedback from customers

Feedback, including complaints, helps the Office of the Valuer General and LPI Valuation Services to improve its services. Responding to a complaint is also an essential part of providing a quality service. A key function of any complaints process is to help identify areas that need improvement. Careful analysis of complaint sources and trends will assist decisions about planning and resourcing those improvements.

### Making it easy for customers to provide feedback

Customers have a right to know they can complain, and how to go about it. Assistance should be provided, where required, to help customers formulate and lodge feedback, including by telephone and face to face. Employees who receive oral feedback should endeavour to accurately record the feedback.

Information about the Valuer General's feedback system is included on the Valuer General's website.

### Resolving complaints quickly and effectively

Efforts should be made to resolve a complaint as early as possible. Customers need to be assured that even if a complaint cannot be immediately resolved, action is being taken. It is important to give realistic timeframes for enquiries and responses and to follow up with progress reports if there are any delays. When customers do get a response it must be comprehensive, accurate and deal with all the issues articulated in the complaint.

### Treating all complaints fairly and impartially

Even if staff do not agree with the behaviour of a complainant, our focus must be on resolving the substance of the complaint.

### Keeping accurate records of complaints

As well as the Office of the Valuer General's obligations under the *State Records Act 1998*, keeping accurate records enables a complaint to be reviewed efficiently. It also means the Office has reliable data about complaints that it can use to improve services. Details regarding document management within the Office of the Valuer General can be found in the Office of the Valuer General's Procedure Manual.

### Protecting the privacy of complainants

As well as all staff members' obligations under the *Privacy and Personal Information Protection Act 1998*, staff must respect requests from a customer for a complaint to be handled confidentially or anonymously.

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## Policy details

The NSW Ombudsman has provided a model approach to complaint handling which consists of three tiers. The tiered approach is designed to lead to fast and effective resolution of complaints at the earliest opportunity. The aim is to promote customer satisfaction and ensure the most efficient use of the Office of the Valuer General's limited resources.

This tiered approach to complaint handling has been adopted within the Office of the Valuer General and can be found at **Appendix A**.

Despite the tiered approach, a complainant has the right at any time to escalate his or her complaint to an agency that is external to the Office of the Valuer General.

## Relevant legislation

- Privacy and Personal Information Protection Act 1998
- Freedom of Information Act 1989 (up to 30 June 2010)
- Government Information (Public Access) Act 2009 (from 1 July 2010)
- State Records Act 1998

## Key references/further info

- Fact sheet, Handling Complaints, NSW Ombudsman, January 2011.
- Effective complaint handling guidelines (2<sup>nd</sup> edition), NSW Ombudsman, December 2010.
- Managing unreasonable complainant conduct – Practice Manual (2<sup>nd</sup> edition), NSW Ombudsman, May 2012.
- Service Level Agreement between NSW Valuer General and Land and Property Information NSW.
- Office of the Valuer General Procedures Manual.

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## Appendix A - Tiered approach

### TIER 1: FRONTLINE COMPLAINT HANDLING

The Manager, Policy and Projects or the Executive Manager, Office of the Valuer General initially receives all customer complaints, whether written or recorded by staff in the Office of the Valuer General.

Complaints can be:

- Received directly by the Office of the Valuer General.
- Referred from Ministerial Services Unit (MSU) - Department of Finance and Services (i.e. “ministerial correspondence” which is usually by way of a formal letter written to a local member or the Minister for Finance and Services)
- Referred from LPI.

The Manager, Policy and Projects or the Executive Manager promptly allocates the complaint to the relevant officer for resolution.

An acknowledgement letter should be issued on the same day that a complaint is received by the Office of the Valuer General by the officer who is responsible for resolving the complaint. The officer must also record the complaint when it is received in the Correspondence Register. Details regarding the Correspondence Register can be found in the OVG procedures manual.

In general, a complainant should receive a response/decision within 21 days, or otherwise receive an explanation as to when a response will be provided.

In the case of ministerial correspondence a response should be provided back to MSU, Department of Finance and Services within the timeframe set by MSU. If this timeframe cannot be met MSU should be advised as soon as possible.

If the complaint relates to the conduct or decisions made by an employee of LPI/contract firm engaged by LPI, the officer resolving the complaint in the Office of the Valuer General will need to seek advice from LPI.

The process for seeking advice from LPI is detailed in the communication protocol in the most current Service Level Agreement between LPI and the Valuer General (Service Level Agreement).

All responses to Tier 1 complaints are reviewed and signed off by the Valuer General.

#### Complaint handling when LPI receives the complaint

LPI also receives complaints and/or is made aware of issues that impact on customers and these must be visible to the Valuer General. Under the existing Service Level Agreement LPI is required to provide briefing notes to the Valuer General on a number of different matters including when:

- LPI experiences non-performance, contract enforcement issues or other significant service matters.
- LPI receives complaints which appear likely to escalate to Ministerial correspondence.
- LPI receives complaints or issues related to operational staff or contractor performance.

A full list of matters, listed according to their level of priority, is contained in the communication protocol within the Service Level Agreement.

All briefing notes from LPI are signed off by the Valuer General and are recorded in the Briefing Note Register. The Valuer General may raise any concerns with the Director, Valuation Services or General Manager, LPI.

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In addition to matters that are reportable to the Valuer General under the Service Level Agreement, LPI receives a number of routine complaints. These are recorded by LPI staff in both LPI's contact management system (Valnet) and in LPI's Feedback and Complaints Handling System. The number of complaints per annum is reported to the Valuer General by LPI.

### **TIER 2: INTERNAL REVIEW OR INVESTIGATION**

A complaint may be dealt with by way of more formal internal review or investigation if it:

- Is of a very serious nature OR
- Has already been dealt with at Tier 1 level and the complainant is not satisfied with the process or outcome.

Tier 2 complaints are to be referred to the Valuer General who will review the information provided and make a decision to:

- Consult with and seek further information relating to the complaint from the complainant and/or other people involved.
- Investigate the complaint directly, or delegate the investigation to a Manager.

In all cases of Tier 2 complaints the Valuer General is responsible for monitoring progress of the internal review and ensuring the complainant receives a response/decision within 21 days, or otherwise receives an explanation as to when a response will be provided.

### **TIER 3: EXTERNAL REVIEW**

External review actions may be instigated either by the complainant, the Office of the Valuer General or the Department of Finance and Services. In limited circumstances, it may be appropriate to escalate a complaint to an agency external to the Department, such as the NSW Ombudsman or the Independent Commission Against Corruption.

Where it is proposed to escalate a complaint outside the Department of Finance and Services, the Director General should approve the escalation decision.

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## Acknowledgments

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