

32

316



Australia Post's investigation of a complaint about a Postal Delivery Officer

December 2007

Report by the Postal Industry Ombudsman,
Prof. John McMillan, under the *Ombudsman Act 1976*

REPORT NO. 17/2007

CONTENTS

EXECUTIVE SUMMARY	1
PART 1—THE COMPLAINT	2
PART 2—THE INVESTIGATION	2
PART 3—MR H'S COMPLAINT TO AUSTRALIA POST.....	3
.....	3
.....	3
s 47 E (d)	3
.....	3
.....	4
.....	4
PART 4 – ISSUES AND VIEWS	5
4.1 Management of Mr H's complaint.....	5
Views.....	6
Australia Post's comments.....	7
Response	8
4.2 Investigation of Mr H's complaint	8
Mr H's first complaint.....	8
Mr H's second complaint.....	8
Views – the first complaint	9
Views – the second complaint	9
Australia Post's comments.....	10
Response	10
4.3 Confidentiality	11
The issue.....	11
Australia Post's comments.....	11
Views and response	12
PART 5 – RECOMMENDATIONS	13

EXECUTIVE SUMMARY

Mr H complained to my office that his confidentiality had been breached by Australia Post.

Mr H had complained to Australia Post both about a card that had been left in his mail box in relation to a parcel; and about an incident in which he said the local Postal Delivery Officer (PDO) had been drinking alcohol on her round.

In the course of Australia Post's investigation, Australia Post officers contacted local police to ask questions about Mr H's character. They also, in asking the PDO about the allegations, showed her a record of the complaint which identified Mr H. Mr H has subsequently alleged that the PDO has visited his residence and place of work and acted in a harassing and threatening manner.

Investigation of Mr H's complaint by Ombudsman staff showed that Australia Post did not have a comprehensive single record of Mr H's contacts with it nor of the actions that its staff took in response to them.

There was a flow-on effect when Mr H complained to Australia Post that his confidentiality had been breached. Australia Post's Chief Privacy Officer became involved, but in reaching his conclusions he had to rely on information about Australia Post's actions given to him by another staff member – information which was not complete or accurate.

Nor, it appears, does Australia Post have guidelines available to staff about how to handle more difficult or sensitive complaints. Its existing guidelines do not differentiate between complaints about missing mail items and complaints, such as the present, about staff misconduct.

I have concluded that Australia Post's complaint management systems are not in accordance with best practice in that there is no single, accessible record of how a complaint is handled. I have also concluded that the lack of guidelines on complaint handling is not in accordance with best practice, and led to the two major deficiencies in the investigation of Mr H's complaint: the disclosure of his identity to the PDO, and what I consider to have been an inappropriate contact with local police which itself breached Mr H's privacy.

This report recommends that Australia Post should:

- review its complaint handling systems with a view to providing clearer guidelines on assessment and management of complaints, and establishing a centralised complaint management system accessible to all complaint handling officers
- ensure that guidelines are available to staff on maintaining the confidentiality of complainants.

PART 1—THE COMPLAINT

1.1 On s45 Mr H complained to the Ombudsman's office that Australia Post had compromised his privacy. He said that he had recently made a complaint to Australia Post in confidence and s45. Since then, he said, in the course of investigating his complaint Australia Post had revealed his name to the Postal Delivery Officer (PDO) who was the subject of it.

s45

1.3 Identified as s45 had visited his home. s45 the PDO (later had visited his workplace

PART 2—THE INVESTIGATION

2.1 Ombudsman investigation officers first obtained from Mr H details of his concerns. They then sought from Australia Post's s47E(d) relevant information and documents. Subsequently, they interviewed the following Australia Post officers:

s47E(d)

2.2 Ombudsman officers also interviewed s47E(d) s47E(d)

2.2 During the investigation we asked Australia Post for, and were provided with, a copy of all documentary records (paper or electronic) it held regarding its actions in response to Mr H's complaint. Australia Post also provided us with what it told us was a copy of all extant guidelines or policy documents relevant to the situation.

s47E(d)

7
314

PART 3—MR H'S COMPLAINT TO AUSTRALIA POST

s 47E(d)



347E(d)

30

PART 4 – ISSUES AND VIEWS

4.1 Management of Mr H's complaint

s47e(d)

s 47E(d)

4.8 Ombudsman officers asked for a copy of procedures or guidelines about how Australia Post officers should deal with complaints of alleged serious misbehaviour by staff or contractors. In response, Australia Post provided several documents. The documents do not specifically address the issue of staff misbehaviour or how a Postal Manager was to resolve a complaint relating to such misbehaviour. They do not set out any process identifiably different from the 'routine'. There are no specific provisions for when Australia Post personnel should respond to customer complaints that allege serious misbehaviour on the part of an Australia Post employee or contractor. We were told that there are no national complaint-handling guidelines in Australia Post.

Views

4.9 In my view, the existence of four sets of related but mutually-inaccessible documentary records contributed significantly to Australia Post's failure to properly respond to Mr H's complaint.

s 47E(d)

4.12 In my view, the failure by Australia Post to document significant actions taken in pursuit of a complaint about serious alleged misbehaviour suggests an absence of good complaint management practices. Australia Post's complaint handling guidelines do little to assist its officers with responsibility for handling complaints. Insofar as the guidelines refer to record-keeping, it is primarily with mail-service complaints and associated standard forms in mind. The guidelines do not contain a discrete section dealing with principles of good record-keeping.

4.13 Australia Post's existing guidelines for dealing with complaints about serious staff misbehaviour do not set out clearly what are the lines of responsibility for investigation and resolution of such complaints. The existing guidelines do not provide for even the most serious complaints to be addressed in a way that is substantively different from the way in which routine and minor complaints are treated. They do not provide guidance on what should be investigated and how, and do not provide for escalation where there is clear customer dissatisfaction with an initial investigation.

Australia Post's comments

s47E(d)

Response

4.16

§ 47E(d)

My view is that [redacted] should review Australia Post's complaint handling systems with a view to offering clearer guidelines on assessment of the seriousness of complaints, and establishing a centralised complaint management system accessible to all complaint-handling officers. I do not propose that Australia Post staff should routinely update contemporary records of conversations with customers or staff, but do see a need for better contemporary records of the investigation of serious allegations about conduct of officers or contractors.

4.2 Investigation of Mr H's complaint

§ 47E(d)

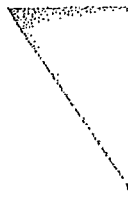
7

(4)

35

S47E(d)

That advice to the Chief Privacy Officer was not accurate.



s47E(d)

In my view, the effect of this failure to provide accurate information to the Chief Privacy Officer was that Australia Post failed properly to investigate Mr H's second complaint.

Australia Post's comments

s47E(d)

Response

4.29

s47E(d)

As noted previously, the focus of a complaint investigation should be upon the complaint allegation. In this case, it was that a PDO had been drinking on duty. The appearance arising from the Australia Post record is that the complaint was dismissed on the Investigator's view of the person making the complaint. The credibility of a complainant can be relevant, but it is a subsidiary consideration.

s47E(d)

4.31

s47E(d)

I consider that the lack of a centralised complaint management system meant that the Chief Privacy officer had to consider the matter without access to all relevant facts. My conclusions about the question of confidentiality are set out below.

7

(v)

310

4.3 Confidentiality

The Issue

s45

s47e(d)

Australia Post's comments

s47e(d)

the postal delivery contractor was, we would contend, both necessary and appropriate to the proper investigation of the original complaint.

Views and response

4.38 Mr H's two complaints – as to mail delivery, and alleging that a PDO was drinking on duty – could have been dealt with separately and differently.

s47E(d)

the more important point is that his identity did not need to be disclosed. An added reason for separating the complaints is that one was of a routine nature, and the other was more serious.

4.39 Australia Post staff should have been alive to the possible consequences of revealing Mr H's identity to the PDO.

s45

4.40

s47E(d)

Had the Chief Privacy Officer had access to a comprehensive record of the way in which Mr H's complaints had been dealt with, this issue could have been identified and acknowledged at an earlier stage.

7
A

259

PART 5 – RECOMMENDATIONS

Arising from the above, I make the following recommendations:

Recommendation 1

Australia Post's s47E (d) should review Australia Post's complaint handling systems with a view to:

- providing clearer guidelines on assessment and management of complaints, having regard to the seriousness of the issues that they raise
- establishing a centralised complaint management system accessible to all complaint handling officers.

Recommendation 2

Australia Post should ensure that guidelines are available to staff on maintaining the confidentiality of complainants, and that these guidelines should specifically address:

- contacting or providing information to third parties about complaints
- maintaining the confidentiality of complainants where failure to do so could foreseeably lead to disadvantage to them.