

Complaint handling in Small Agencies

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Office of Regulatory Services

- Established in 2006
- Workcover
- Fair Trading
- Registrar General
- Parking Operations and Review
- Independent Competition and Review Commission

Functions of ORS

- **Client services function**
 - Births, Deaths and Marriages;
 - Land titles;
 - Business Names;
 - Rental Bonds;
 - Associations and Charitable Collections;
 - Licensing of Regulated Industries;
 - Advice.
- **Education and Public Information function**
 - Alcohol awareness;
 - OH&S awards;
 - Publishing industry specific guides;
- **Compliance function**
 - Workplace safety compliance;
 - Workers compensation'
 - Industry specific compliance (agents, liquor,);
 - General Fair Trading compliance;
 - Some health related compliance (tobacco)
 - Local government compliance (parking, public places)

- **Enforcement/Appeal function**
 - Review of parking infringements;
 - Workplace safety prosecutions (criminal);
 - Industry disciplinary action (liquor board);
 - Civil proceedings on behalf of consumers;
 - Mediation under industry codes of practice.

Complaint handling

- Each part of business conducted by ORS included a separate advice and complaint function
- Resources put into handling complaints varied
 - Workcover and Fair Trading had units devoted to complaint handling;
 - Parking Review deals with large number of complaints;
 - Some functions limited (ie audit);
 - Some areas had no process (ie charitable collections)
- Complaints vary
 - Safety in the workplace;
 - Selling and lighting fireworks;
 - Fee setting in retirement villages;
 - Unsatisfactory goods or services;
 - Illegal parking;
 - Inappropriate business name;
 - Not honouring warranties.
- Complaint can be about other government agencies;
- Complaint can be about services provided by ORS
 - Appeals against parking infringements;
 - Fair Trading cannot enforce judgment;
 - Workcover cannot give priority to inspection.
- Response to complaints varies:
 - Phone discussions between parties;
 - Formal requests for information;
 - Mediation;
 - Statutory power to undertake disciplinary action, or refer for criminal proceedings;
 - Statutory power to undertake civil action on behalf of consumer.

Challenges for small agencies

- What expertise do you need to deal with complaints (ORS administers over 70 pieces of legislation)?;
- Prioritising complaints (some may be life and death);
- The level of assistance (statutory powers can exceed the actual ability to help);
- The level of discretion used to resolve a complaint;
- Consistency in approach.

We handle complaints well when

- Our processes are documented and known to our stakeholders;
- Our staff are clear about their roles;
- We act within our knowledge and capacity;
- We treat all stakeholders fairly and impartially.

We don't handle complaints well when we

- Deal with people differently;
- Handle complaints outside the normal process (we don't follow procedure);
- Make promises that we cannot keep –“we will get your money back”
- Pretend that we are stronger than we are.

Early lessons learned

- Too many points of entry for consumers/stakeholders; (2 locations, perhaps 6 points of entry)
- No common complaint handling policy
- Need to share information better;
- Systems need greater interaction.