

Immigration Detention-In-Confidence  
Not for public dissemination

Immigration Ombudsman  
Post visit observations and suggestions -  
Nauru Regional Processing Centre  
25 February – 2 March 2015

---

**Introduction**

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



s 22



### **Management of asylum seeker feedback and complaints**

#### ***Transfield complaint handling***

Transfield has the responsibility for managing the complaints processes within the RPCs including:

- ✦ clearing the complaints boxes,
- ✦ initial registration of complaints,



# Contains deletions under FOI

## Immigration Detention-In-Confidence Not for public dissemination

- ✦ issuing acknowledgment slips within 24 hours of receipt,
- ✦ distribution to business areas within Transfield and to other stakeholder organisations,
- ✦ monitoring stakeholder compliance with contractual timeframes.

Unfortunately s 22 [REDACTED] we were unable to view a copy of:

- ✦ the acknowledgement slip
- ✦ standard letters relating to the complaints process
- ✦ investigations into the complaints
- ✦ final responses.
- ✦ Complaints register

A detailed assessment of the process was not possible therefore we are unable to offer any observations on the efficiency, efficacy or compliance with contractual requirements of the asylum seeker complaints management.

### ***Save the Children Complaint handling***

On receipt of a complaint from Transfield the complaint is registered and referred to the appropriate line area for investigation and/or draft response for final approval by the SCA manager. On closure by SCA details are forwarded to Transfield and closed.

A review of the SCA complaints register for the period 1 January 2015 to 26 February 2015 indicated that:

- ✦ All complaints received in this period were closed within the required seven day time frame.
- ✦ The information recorded on the database was clear and concise and provided a sound understanding of the complaint issues.

An examination of a small number of complaint files identified that

- ✦ the quality of the investigation reports was reasonable
- ✦ resolution letters were of a good quality clearly identifying the issues raised, providing a sound explanation and constructed in plain language.

### ***IHMS***

Due to time constraints an assessment of the IHMS complaint management processes were not undertaken during this visit noting that we are familiar with the policy and processes as they replicate those applied in mainland facilities.

s 22 [REDACTED]

Contains deletions under FOI

Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination  
Page 10 of 17

Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



# Contains deletions under FOI

Immigration Detention-In-Confidence  
Not for public dissemination

s 33



s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22





Contains deletions under FOI

Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence

Not for public dissemination

**Immigration Ombudsman  
Post visit observations and suggestions -  
Manus Island Regional Processing Centre  
13 – 20 April 2015**

s 22



Immigration Detention-In-Confidence

Not for public dissemination

Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22





Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



#### **Management of transferee feedback and complaints**

##### ***Transfield complaint handling***

Transfield has the responsibility for managing the complaints processes within the RPC including:

- clearing the complaints boxes,
- initial registration of complaints,
- issuing acknowledgment slips within 24 hours of receipt,
- distribution to business areas within Transfield and to other stakeholder organisations,

Immigration Detention-In-Confidence  
Not for public dissemination

# Contains deletions under FOI

## Immigration Detention-In-Confidence Not for public dissemination

- monitoring stakeholder compliance with contractual timeframes.

A review of the complaint management process identified the following:

- The acknowledgement slips are not delivered in a secure <sup>13</sup> manner and could be read by anyone.
- The interim responses are not signed or secured in an envelope nor do they provide a point of contact for any questions the complainant may have or who is investigating the complaint.
- The complaint investigations undertaken by Transfield staff were generally of a reasonable quality and addressed the issues raised.
- The investigations of complex complaints undertaken by the Wilson Security staff were generally of a high standard.
- Although the complaint response template is sound none are signed nor sent to a manager for final consideration before closure. The responses are drafted by the business area with a quality assurance process in place by the complaints management team. The absence of management input is mitigated to an extent by the complaint trend analysis however it does not provide effective or proactive quality control of the responses.
- A review of the responses undertaken by Wilson Security were lacking in detail and would benefit from a more fulsome response that:
  - addresses all the issues raised.
  - provides detail of the steps taken to investigate the complaint eg "Zac spoke to you" does not provide any information of substance regarding the conduct of the investigation or supports the conclusions drawn. It would be preferable and in accordance with effective complaint management to include in the response:

*During the course of this investigation I considered:*

1. *List the relevant legislation, policy or procedural guidelines*
2. *List the documents sourced eg medical, property, IMPs etc*
3. *Any consultation with transferees and staff (by title rather than name), etc*
4. *Any other information considered during the course of the investigation into the complaint that informs the decision maker and the final outcome.*

The inclusion of the above information achieves a number of goals when managing complaints. These include assuring the complainant that the matter has been fully considered, critical information was not overlooked, and the management has been thorough and the complaint taken seriously. This assists in reducing the possibility of the complainant not being satisfied

---

<sup>13</sup> Secured means sealed in such a manner that it is not possible for an unauthorised person to determine if a transferee has made a complaint

## Immigration Detention-In-Confidence Not for public dissemination

and coming back with either the same complaint or a complaint that the original complaint was not fully considered.

- did not include jargon and police terminology and abbreviations that are not appropriate for a complaint response and may lead to confusion and misunderstanding. We found that both investigation reports and responses drafted by Wilson Security tended to include these.

We were advised that Transfield staff are reticent to sign responses and are fearful of the consequences should the responses be released publicly. In part this appears to be based on a view that staff need to be named in the responses. It would be open to Transfield to refrain from naming specific staff members in responses allowing that supporting records clearly identify those involved e.g. incident reports, investigation reports etc.

### Suggestions:

It is suggested that Transfield consider:

- providing all complaint correspondence to transferees in a sealed envelope.
- placing signatures on all interim and final responses
- reviewing Wilson Security investigation responses and ensuring that the responses are fulsome and meaningful. As a minimum responses should acknowledge the complaint, state the issues, state the steps taken to assess the issues, address the issues, conclude the complaint and provide review rights<sup>14</sup>.
- removing the use of jargon and police terminology that could not reasonably be expected to be understood by a transferee.
- addressing the reticence of staff to sign complaint responses or otherwise take ownership of the response.
- reviewing the current quality control processes to ensure a more robust oversight of complaint management.

Response required within 90 days: Yes

### **IHMS**

Due to time constraints we were unable to undertake a detailed review of the IHMS complaint management processes and noted that complaints continue to be recorded and responded to in accordance with IHMS policies.

s 22



<sup>14</sup>Commonwealth Ombudsman Better Practice Guide to Complaint Handling, 1 April 2009.  
<http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22





Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



Immigration Detention-In-Confidence  
Not for public dissemination

s 22



FINAL RESPONSE TO IMMIGRATION OMBUDSMAN

POST VISIT OBSERVATIONS AND SUGGESTIONS

VISIT TO MANUS REGIONAL PROCESSING CENTRE 13–20 April 2015

s 22



s 22





s 22





s 22



s 22



s 22



s 22



#### Management of Transferee Feedback and Complaints

*It is suggested that Transfield consider:*

*Suggestion 22: providing all complaint correspondence to transferees in a sealed envelope.*

Transfield Services advise that processes have been reviewed and ongoing monitoring systems established to ensure that sealed envelopes are used for all correspondence relating to complaints.

# Contains deletions under FOI

*Suggestion 23: placing signatures on all interim and final responses.*

All correspondence identifies the line manager (by first name only) that the complaint relates to and the notation "On behalf of the Feedback and Complaints team". Transfield Services includes the company logo in responses to transferees. Transfield Services has reviewed the rationale and advise they present a team response to mitigate the risk of a transferee playing individual staff members against each other and as such first names are typically only included when an individual has spoken with the transferee. They never share surnames with transferees in any circumstance and believe it is appropriate to support a team approach to service delivery and achieving results.

Responses from other agencies and/or service providers (e.g., ICSA, DIBP and IHMS) are provided in line with the information provided to Transfield Services.

*Suggestion 24: reviewing Wilson Security investigation responses and ensuring that the responses are fulsome and meaningful. As a minimum responses should acknowledge the complaint, state the issues, state the steps taken to assess the issues, address the issues, conclude the complaint and provide review rights.*

Transfield Services advises that its processes have been reviewed and ongoing monitoring systems established to ensure consistency with Wilson Security complaint management.

*Suggestion 25: removing the use of jargon and police terminology that could not reasonably be expected to be understood by a transferee.*

Transfield Services advise that processes have been reviewed and ongoing monitoring systems established to ensure Transfield Services uses plain English and terminology appropriate for transferees when acknowledging and responding to complaints.

Transfield Services note that the reason for the call sign terminology is so that precise and succinct calls can be made of the radios, especially in the case of emergency. Radios are the key form of communication in the RPC due to the mobile limitations and as such the use of radio call signs is an acceptable operational process. These call signs are standard and well understood.

Notwithstanding, Transfield Services has committed to reviewing the use of call signs to see if there is a more appropriate way to manage communications. DIBP will suggest an improvement to the incident reporting where the report is to use the officer name as well as the call sign.

*Suggestion 26: addressing the reticence of staff to sign complaint responses or otherwise take ownership of the response.*

All correspondence identifies the line manager (by first name only) that the complaint relates to and the notation "On behalf of the Feedback and Complaints team". Transfield Services includes the company logo in responses to transferees. Transfield Services has reviewed the rationale and advise they present a team response to mitigate the risk of a transferee playing off one individual staff member against another and as such first names only are typically only included when an individual

## Contains deletions under FOI

has spoken with the transferee. They never share surnames with transferees in any circumstance and believe it is appropriate to support a team approach to service delivery and achieving results.

Responses from other agencies and/or service providers (e.g., ICSA, DIBP and IHMS) are provided in line with the information provided to Transfield Services.

*Suggestion 27: reviewing the current quality control processes to ensure a more robust oversight of complaint management.*

Transfield Services has conducted a review of its complaint and request handling process to ensure appropriate oversight of the process. In addition, new software is being developed to assist in the management of complaints.

s 22





s 22







s 22



s 22



s 22



s 22



s 22





s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination



Level 5, 14 Childers Street ■ Canberra  
GPO Box 442 ■ Canberra ACT 2601  
Phone 1300 362 072 ■ Fax 02 6276 0123  
ombudsman@ombudsman.gov.au  
www.ombudsman.gov.au

Our ref: A347144

~~14~~ December 2015

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaedvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

Post visit observations and suggestions – Manus Island Regional Processing  
Centre

s 22

s

For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



**Complaint Management**

10. During this visit we undertook a detailed review of the complaint management undertaken by the ABF and their service providers. This review highlighted a number of shortfalls in the ABF complaint management processes including:

- a. Broadspectrum rather than the ABF responds to all complaints addressed specifically to the ABF. The process currently in place is:
  - i. ABF drafts a response
  - ii. The response is emailed to Broadspectrum
  - iii. Broadspectrum copy the response into a letter on the then Transfield letter head and deliver it to the relevant asylum seeker.

s 22



# Contains deletions under FOI

## **For Official Use Only Immigration Detention - Not for Public Dissemination**

This is a poor administrative practice that is not supportive of the principles of good complaint management. Furthermore this practice reinforces the view held by many asylum seekers that:

- i. The ABF do not respond to complaints addressed to them
- ii. Any assessment of the complaint addressed to the ABF about the service providers is not adequately or fairly dealt with, that is it appears that Broadspectrum are responding to complaints about themselves or IHMS.
- b. In responses to complaints about property handling in the IDN, transferees were advised that the issue had been referred to Serco for resolution however they should make a complaint to Global Feedback Unit (GFU) in Australia. This practice does not align with the onshore practices for complaints of this nature. The onshore practice is to automatically register complaints regarding property issues with the GFU, rather than the transferee being advised to register the complaint separately with them. In light of the limitations on access to external communication it would be open to the ABF to consider replicating the onshore process.
- c. There is no auditable trail of complaint management undertaken by the ABF. Complaint management records were not maintained nor was it possible to form a view on the steps taken to investigate, resolve/respond to a complaint from the documents available.

### Suggestions:

11. It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>5</sup> with a view to addressing the above issues.

---

<sup>5</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009  
<http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



s 22



## Complaint Management

21. We undertook a review of the complaints management processes within the RPC. While each stakeholder manages their own complaints Broadspectrum maintains a central complaints register and monitors the progress of complaint resolution. We noted:

- a. Broadspectrum undertake the daily clearance, registration and allocation of complaints.
- b. Interpreters will provide a direct translation of complaints of less than 100 words and a summary of complaints of more than 100 words.
- c. While the summary approach has some risk these are mitigated by the complaints co-ordinator sitting with the interpreters while they are providing the summaries and confirming with the interpreter that the summary covers all of the issues raised in the complaint.
- d. SOPs for the management of complaints have been developed and are in place. A limited assessment of the SOPs indicated that they were comprehensive and provided a suitable level of staff guidance for the management of complaints. These included the appropriate classification of complaints and the escalation process for when issues relating to the safety or an individual or security of the centre are identified. However the structure of the SOP is somewhat disjointed as each section has a single document relating to specific roles and task in complaint management.

22. A review of a number of complaints identified the following:

- a. The quality of complaint responses was overall of a high quality.
- b. Responses lacked in substantive detail on the manner in which a complaint had been resolved. For example we noted the use of phrases such as "*as discussed with you, we now consider the matter closed*". While verbal closure of complaints is a useful tool it remains that the follow up resolution letter should contain the details of the verbal explanation given and/or any agreement that was reached to resolve the complaint.

---

<sup>7</sup> We have been since advised that the issue of information sharing has been addressed with matters relating to personal privacy continuing to be negotiated.

# Contains deletions under FOI

## **For Official Use Only Immigration Detention - Not for Public Dissemination**

- c. Inconsistent record keeping between complaint types. For example comprehensive records are retained for the investigation of staff complaints in the form of an investigation report, however, the records retained relating to non-staff complaints are minimal or non-existent.

23. A quality assurance program is in place with all final responses checked by a senior officer. This appears to have resulted in an improvement in the quality of responses.

### Suggestions:

24. It is suggested that Broadspectrum:

- a. Collate the individual section SOPs into one generic complaint handling SOP.
- b. Develop a template investigation report for non-staff complaints to assist recording the steps taken to investigate and determine the outcome of all complaints.
- c. Introduce a single central repository for all documents relating to individual complaints.

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





Australian Government  
Department of Immigration  
and Border Protection

s 22

A large, solid black rectangular box covers the majority of the page, indicating that the content has been redacted under FOI section 22.

s 22



**Complaint Management (page 4)**

It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling with a view to addressing the above issues.

**Response:**

The Department is committed to continuous improvement of its policies, programmes and services. The Department commits to reviewing its regional processing arrangements internal complaint management processes with an intention to align the process with best practice complaint handling principles.

The Ombudsman's suggestion has been noted and new practices were implemented immediately to ensure ABF responses are provided to Transferees on ABF letterhead, and that complaint management records are better managed. BRS advised the Department on 8 February 2016 that the 'Better Practice Guide to Complaints Handling' has been distributed to the respective complaints management teams on both Nauru and Manus.

BRS has welcomed the Ombudsman's feedback and is endeavouring to standardise the complaint management process across Nauru and Manus. BRS advised the Department on 8 February 2016 that their systems have been reviewed with respect to the electronic provision of complaints and resolution letters to ensure an auditable trail. The Feedback and Complaints Coordinator now reviews all response letters.

BRS has undertaken organisational changes which have resulted in the transition of the complaints management process to the newly formed Internal and Safety and Security Team within BRS. BRS has advised this transition will be finalised by the end of March 2016.

In December 2015, the ABF established a section which has primary responsibility for scrutiny and compliance matters. This team will engage proactively with BRS to ensure that improvements are made to service delivery and more specifically to address recommendations.

s 22



s 22



s 22



#### **Complaints Management (page 11)**

It is suggested that Broadspectrum:

- a. Collate the individual section SOPs into one generic complaint handling SOP.
- b. Develop a template investigation report for non-staff complaints to assist recording the steps taken to investigate and determine the outcome of all complaints.
- c. Introduce a single central repository for all documents relating to individual complaints.

#### **Response:**

BRS advised the Department on 8 February 2016 that the 'Better Practice Guide to Complaints Handling' has been distributed to the respective complaints management teams on both Nauru and Manus.

BRS has welcomed the Ombudsman's feedback and is endeavouring to standardise the complaint management process across Nauru and Manus. BRS advised the Department on 8 February 2016 that their systems have been reviewed with respect to the electronic provision of complaints and resolution letters to ensure an auditable trail. The Feedback and Complaints Coordinator now reviews all response letters.

Currently, BRS's complaint process is managed in accordance with the ABF RPC Guideline as well as contractual requirements. A new guideline (SOP) will be developed as part of the new BRS contract.

BRS advises it intends to conduct a full review of the BRS complaints management processes. In the course of the review, BRS will consider collating the individual SOPs into one generic complaint handling procedure as suggested by the Ombudsman. The review will also consider a template report for non-staff complaints as well as the introduction of a single central repository for complaint documentation.



s 22



s 22



s 22



s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination



Level 5, 14 Childers Street, Canberra  
GPO Box 442, Canberra ACT 2801  
Phone 1300 362 072 ■ Fax 02 6276 0123  
ombudsman@ombudsman.gov.au  
www.ombudsman.gov.au

Our ref: A360407

16 March 2016

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaadvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

Post visit observations and suggestions – Nauru Regional Processing Centre

s 22

A large rectangular area of the document is redacted with a solid black box.

s 22

A large rectangular area of the document is redacted with a solid black box.

Our key concerns arising from this visit relate to:

s 22

A large rectangular area of the document is redacted with a solid black box.

3. The poor management of internal complaints by the ABF and their service providers.

For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



### **Complaint Management**

#### *Broadspectrum*

53. BRS continues to be responsible for the overall receipt, distribution and monitoring of complaint resolution for all internal complaints in the RPC. We conducted a partial audit of the complaints register and the records randomly selecting complaints and examining the

**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

records held in relation to them. It is concerning that the issues raised in our previous report continue to be apparent during this assessment including:

- a. Poor record keeping such as:
  - i. Complaint records did not provide an auditable trail of steps taken to resolve the complaint
  - ii. No clear records that recorded how the outcome had been achieved.
  - iii. Failure to store records relating to complaints in a central location.
- b. While there had been some improvement in the quality of complaint resolution letters, some letters continued to be poorly constructed and failed to address all of the issues of the complaint.
- c. We remain concerned that the issues identified in the previous report have not been addressed and include:
  - i. None of the resolution letters we viewed had the name of the person who had investigated the complaint on it and were signed "Broadspectrum".
  - ii. Several did not address all of the issues raised in the complaint.
  - iii. It was apparent from reading some of the responses that the response letters comprised a direct "cut and paste" of the information provided from the responding departments and line areas into standard template letters. This practice has commonly generated resolution and closure letters that are disjointed difficult to understand and in some cases referred to the complainant in the third person.
  - iv. It was apparent that template responses or paragraphs were in use. While this is acceptable in some circumstances, caution needs to be exercised to ensure that the templates adequately address the complaint issues and properly respond to the individual circumstances of the complaint. For example, in one case the complainant advised he had kept records to support his claims. In the response what appeared to be a template paragraph was used, that advised the complainant that in future he should keep records to support his claims.
- d. In many cases it was apparent that no proper assessment or analysis of the complaint had been completed. This was evidenced by a failure to properly identify the complaint issues and complaints misdirected to the wrong stakeholder.

54. BRS' management of internal complaints continues to be a concern. We note that the feedback that was provided during our previous visit does not appear to have been applied despite assurances that investigation plans and record keeping shortfalls would be addressed. We understand that BRS have taken some steps to improve the Nauru RPC complaint management capability. We noted that a staff member was undertaking an assessment of the process undertaken at Manus Island RPC with a view to adopting a number of their processes and procedures.

**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

55. We remain of the view that further reinforcement and development of robust complaint quality control and assurance procedures are required to address the shortfall in record keeping and complaint management.

*Wilson Security*

56. We undertook a limited audit of the Wilson Security complaint records and it was pleasing to note that feedback provided during our last inspection appeared to have been implemented. We noted the following:

- a. The Wilson Online Records System database is being used to provide a central repository for complaint records, including the initial complaint, investigation report, and response letters and any other relevant documents. However, we noted that in a number of the records we examined not all of these documents had been uploaded.
- b. An increased use of investigation reports for non-staff related complaints.
- c. An improvement in the overall quality of response letters with the majority clearly explaining the outcome of the complaint.

57. In a number of the records we examined no response letter had been sent and the complaints were recorded as having been resolved orally. We acknowledge that verbal responses may be reasonable in some circumstances however it is best practice to respond to all complaints in writing. Where a verbal response is provided a detailed record of conversation should support this action and it must be made direct to the complainant and not to a family member with the expectation that the information will be passed on.

58. The review of the Wilson Security Investigations Team<sup>7</sup> records did not identify any anomalies and reflected the experience of the Investigators in the conduct of investigations. We noted that the investigation reports continue to be comprehensive and contain contemporaneous notes regarding interviews with staff, detainees and other stakeholders.

Suggestions:

59. It is suggested that:

- a. BRS and Wilson Security review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>8</sup>.
- b. BRS implement a quality control process that ensures that complaint responses meet minimum standards.
- c. Wilson Security cease the practice of verbal responses.

---

<sup>7</sup> Wilson Security Investigation team has responsibility for the formal investigation of all Wilson Security staff complaints, complaints about contracted security staff, serious complaints about detainees made by other detainees and allegations of criminal acts occurring within the RPC.

<sup>8</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009 <http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination



Our ref: A383336

7 July 2016

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaadvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

Post visit observations and suggestions – Manus Island Regional Processing Centre

s 22

A large rectangular area of the document is completely redacted with black ink, covering several lines of text.

s 22

A large rectangular area of the document is completely redacted with black ink, covering several lines of text.

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Yours sincerely

s 22



Richard Glenn  
Acting Commonwealth Ombudsman

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

## Complaint Management

18. During this visit we undertook a review of the BRS complaints management system and noted:

- a. The quality of complaint handling has improved with responses addressing the key issues raised and clearly explaining the outcomes.
- b. Record keeping was of a reasonable standard. We continue to support the development of a template that would provide an auditable trail of the steps taken to resolve non-staff related complaints. The current practice of detailing steps taken to investigate complaints within the action field on the complaints spreadsheet is reasonable however it fails to record the outcome of those actions.

19. Wilson Security complaint management remains at a good standard with detailed investigation reports to support complaint resolution. Complaint response letters were comprehensive, addressed the issues raised and clearly explained the outcome of the complaints. All records relating to the complaints management continue to be held in a central database.

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination



Level 5, 14 Childers Street ■ Canberra  
GPO Box 442 ■ Canberra ACT 2601  
Phone 1300 362 072 ■ Fax 02 6276 0123  
ombudsman@ombudsman.gov.au  
www.ombudsman.gov.au

Our ref: A341063

~~/4~~ December 2015

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaedvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

**Post visit observations and suggestions – Nauru Regional Processing Centre**

s 22



s 22



Our key concerns arising from this visit relate to:

s 22



2. The poor management of internal complaints by the ABF.

s 22



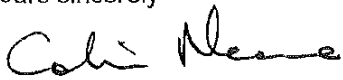
For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

## **Complaint Management**

18. During this visit we undertook a detailed review of the complaint management undertaken by the ABF and their service providers. This review highlighted a number of significant shortfalls in the ABF complaint management processes including:

- a. Broadspectrum rather than the ABF responds to all complaints addressed specifically to the ABF. The process currently in place is:
  - i. ABF drafts a response
  - ii. The response is emailed to Broadspectrum
  - iii. Broadspectrum copy the response into a letter on Transfield letter head and deliver it to the relevant asylum seeker.

This is a poor administrative practice that is not supportive of the principles of reasonable complaint management. Furthermore this practice reinforces the view held by many asylum seekers that:

- i. The ABF do not respond to complaints addressed to them.
  - ii. Any assessment of the complaint addressed to the ABF about the service providers is not adequately or fairly dealt with, that is it appears that Broadspectrum are responding to complaints about themselves, SCA or IHMS.
- b. The responses provided by the ABF to Broadspectrum were often trite and did not address the issues raised in the complaint or referred them back to the service provider in the first instance without any reasonable explanation. This was particularly noted in complaints regarding delay in the provision of medical services or staff complaints.
- c. There is no auditable trail of complaint management undertaken by the ABF. Complaint management records were not maintained nor was it possible to form a view on the steps taken to investigate, resolve/respond to a complaint from the documents available. In one case a response to an asylum seeker's complaint to the ABF about how Broadspectrum managed their complaint followed the established practice and was sent out on Broadspectrum letterhead. The response was

*ABF have reviewed your complaints as well as the investigation and letter of resolution offered to you by Broadspectrum and are satisfied that the complaint requires no further investigation.*

There were no records kept by the ABF that detailed how the ABF had reached this conclusion. We were further advised that the officer investigating the complaint had undertaken a number of discussions with the relevant service providers but we were unable to locate any records of conversations or other records that would support this action.

- d. Complaints concerning actions undertaken by the ABF's Australian based detention service providers prior to transfer to an RPC were not effectively managed. The

# Contains deletions under FOI

## **For Official Use Only Immigration Detention - Not for Public Dissemination**

current practice of the ABF transferring the complaint to the relevant Australian IDF detention service provider for follow-up action and then closing them is inappropriate. This is especially so in cases where the complaint is presented to the IDF as "for information" and never resolved rather than as an action item for resolution.

19. We acknowledge that the ABF have started to address these shortfalls. During the visit:

- a. a number of closed complaints were reopened and actively pursued
- b. A Standard Operating Procedure for complaints management was drafted,
- c. An ABF response letter template and ABF complaints register were developed.

Formal approval for the change in processes was pending at the conclusion of this visit.

### Suggestions:

20. It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>5</sup>

---

<sup>5</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009 <http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Page 9 of 36

For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



---

<sup>8</sup> The spreadsheet is a detailed copy and paste of the content of the BMP and we are satisfied that it includes all relevant and key information.

s 22



## Complaint Management

### *Broadspectrum*

19. Broadspectrum is responsible for the overall receipt, distribution and monitoring of complaint resolution for all internal complaints in the RPC. The complaint handling process undertaken by Broadspectrum includes the following steps:

- a. The complaint is acknowledged within 24 hours of receipt.
- b. Update letters on behalf of all stakeholders are generated every five days. These "letters" are a templated slip of paper hand delivered by the cultural advisors.
- c. Complaints are distributed to the relevant stakeholder for action.
- d. Complaints requiring translation are passed to ABF who arrange to have onsite interpreters translate. Complaints up to 100 words are translated exactly. Complaints of more than 100 words are summarised.
- e. ABF are advised of all staff related complaints and then Broadspectrum distribute them as follows:
  - i. Broadspectrum – onsite operations manager
  - ii. Wilson Security – to Corporate headquarters for allocation subject to the nature of the complaint to either an onsite Operations Manager, Investigation section or the Behaviour Management Team
  - iii. SCA – onsite SCA manager
  - iv. IHMS –Health Services Manager

20. We conducted a partial audit of the complaints register and the records randomly selecting complaints and examining the records held in relation to them. We identified a number of major anomalies including:

# Contains deletions under FOI

## **For Official Use Only Immigration Detention - Not for Public Dissemination**

- a. Poor record keeping that included significant shortfalls as evidenced by:
  - i. We were unable to identify an auditable trail of steps taken to resolve the complaint or how the outcome had been achieved.
  - ii. A number of the records did not have supporting resolution or closure letters despite the Complaints Spreadsheet indicating otherwise.
  - iii. There was significant confusion concerning where the investigation progress reports for staff complaints were stored or who held them. Initially we were advised that these documents were secured centrally. Upon requesting to view a number of these reports we were advised that the individual department managers held them. Ultimately we were unable to locate these records and key staff were unable to provide further information to verify their existence.
  - iv. The one investigation report that was located did not provide an adequate account of the investigation steps or explain how certain conclusions were drawn.
- b. Complaint resolution letters were poorly constructed and secured as evidenced by:
  - i. None of the resolution letters we viewed had the name of the person who had investigated the complaint on it.
  - ii. One had a position number listed and the remainder were signed "Transfield Services".
  - iii. The complaint letters were poorly constructed containing multiple basic spelling and grammatical errors.
  - iv. Several did not address the issues raised in the complaint.
  - v. It was apparent from reading the responses that the response letters comprised a direct "cut and paste" of the information provided from the responding departments and line areas into standard template letters. This practice has generated resolution and closure letters that are disjointed, refer to the complainant in the third person and in one instance made negative comments about the complainant.

21. Broadspectrum's management of internal complaints is a concern. We acknowledge that Broadspectrum have responded to the immediate feedback provided with the development of a new template investigation record. We understand that complaint record keeping is to be reviewed and the appropriate guidelines developed. However, we remain of the view that further reinforcement and development of robust complaint quality control and assurance procedures are required to address the shortfall in record keeping and complaint management skills.

### *Wilson Security*

22. We undertook a limited audit of the Wilson Security complaint records and identified the following:

- a. The complaint records were limited to the initial complaint and the response letter.

# Contains deletions under FOI

## For Official Use Only Immigration Detention - Not for Public Dissemination

- b. We were unable to locate the relevant investigation reports, running sheets or other records to reflect how the complaint was resolved and the evidence that informed the conclusions drawn.
- c. While the response letters were of a reasonable grammatical quality, they were generally brief with a tendency to either gloss over or not identify all the issues raised in the complaint.

23. The review of the Wilson Security Investigations Team<sup>9</sup> records did not identify any anomalies and reflected the experience of the Investigators in the conduct of investigations. We noted that the investigation reports were comprehensive and contained contemporaneous notes regarding interviews with staff, detainees and other stakeholders. Due to a variety of concerns we were unable to view the letters responding to the allegations and complaints relating to staff members that have been formally investigated.

### Suggestions:

24. It is suggested that:

- a. Broadspectrum and Wilson Security review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>10</sup>
- b. ABF accept the offer for this office to undertake complaint management training with relevant stakeholder staff during our next visit.

s 22



---

<sup>9</sup> Wilson Security Investigation team has responsibility for the formal investigation of all Wilson Security staff complaints, complaints about contracted security staff, serious complaints about detainees made by other detainees and allegations of criminal acts occurring within the RPC.

<sup>10</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009 <http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



s 22



Contains deletions under FOI

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Page 29 of 36  
For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Contains deletions under FOI

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





# Contains deletions under FOI

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





Australian Government  
Department of Immigration  
and Border Protection

---

5 May 2016

Omb Ref: A341063  
DIBP Ref: OHR-15-00567

**Response to the Ombudsman's Post Visit Report for Nauru Regional Processing  
Centre (RPC) 13 to 20 September 2015**

s 22

A large rectangular area of the document is completely blacked out, indicating redacted content. This redaction covers the majority of the page's body text.

s 22



#### **Complaint Management**

The Department is committed to continuous improvement of its policies, programmes and services. The Department commits to reviewing its regional processing internal complaint management process with an intention to align the process with best practice complaint handling principles.

s 22



s 22



s 22



#### **Complaint Management**

- a. BRS advised the Department on 8 February 2016 that the 'Better Practice Guide to Complaints Handling' has been distributed to the respective complaints management teams on both Nauru and Manus.

BRS has welcomed the Ombudsman's feedback and is endeavouring to standardise the complaint management process across Nauru and Manus. BRS advised the Department on 8 February 2016 that their systems have been reviewed with respect to the electronic provision of complaints and resolution letters to ensure an auditable trail. The Feedback and Complaints Coordinator now reviews all response letters.

BRS has undertaken organisational changes which have resulted in the transition of the complaints management process to the newly formed Internal and Safety and Security Team. BRS has advised this transition will be finalised by the end of March 2016.

In December 2015, the Services Management Branch established a section which has primary responsibility for scrutiny and compliance matters. This team will engage proactively with BRS to ensure that improvements are made to service delivery and more specifically to address recommendations.

- b. ABF will formally require BRS to undertake complaint management training with the Ombudsman's team during their next visit.

s 22



s 22



s 22





s 22



s 22



s 22



s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination



Level 5, 14 Chidders Street, Canberra  
GPO Box 442, Canberra ACT 2601  
Phone 1300 362 072 ■ Fax 02 6276 0123  
ombudsman@ombudsman.gov.au  
www.ombudsman.gov.au

Our ref: A360407

16 March 2016

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaadvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

**Post visit observations and suggestions – Nauru Regional Processing Centre**

s 22

s 22

Our key concerns arising from this visit relate to:

s 22

3. The poor management of internal complaints by the ABF and their service providers.

For Official Use Only  
Immigration Detention - Not for Public Dissemination

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





**For Official Use Only  
Immigration Detention - Not for Public Dissemination**

s 22



**Complaint Management**

18. During this visit we undertook a detailed review of the complaint management undertaken by the ABF and their service providers. Unfortunately despite assurances from local ABF officers during our last visit, the shortfalls identified during our previous visit have not been addressed including:

**For Official Use Only  
Immigration Detention - Not for Public Dissemination**

- a. BRS rather than the ABF continues to respond to all complaints addressed specifically to the ABF. We acknowledge that guidance was sought on this matter from ABF national office and the status quo was to be retained. We remain of the view that this is a flawed administrative process that is not supportive of the principles of reasonable complaint management.
- b. The responses provided by the ABF to BRS were often trite and did not address the issues raised in the complaint or referred them back to the service provider in the first instance without any reasonable explanation. This was particularly noted in complaints regarding delay in the provision of medical services or staff complaints.
- c. There is no auditable trail of complaint management undertaken by the ABF. Complaint management records were not maintained nor was it possible to form a view on the steps taken to investigate, resolve/respond to a complaint from the documents available.

19. During this visit we undertook a training/information session on complaint management. Participation levels were high with representatives from all stakeholder groups attending. In light of our ongoing concerns relating to the management of complaints we would be open to conducting this training on future visits.

Suggestions:

20. It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>3</sup>

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



### **Complaint Management**

#### *Broadspectrum*

53. BRS continues to be responsible for the overall receipt, distribution and monitoring of complaint resolution for all internal complaints in the RPC. We conducted a partial audit of the complaints register and the records randomly selecting complaints and examining the

# Contains deletions under FOI

## **For Official Use Only** **Immigration Detention - Not for Public Dissemination**

records held in relation to them. It is concerning that the issues raised in our previous report continue to be apparent during this assessment including:

- a. Poor record keeping such as:
  - i. Complaint records did not provide an auditable trail of steps taken to resolve the complaint
  - ii. No clear records that recorded how the outcome had been achieved.
  - iii. Failure to store records relating to complaints in a central location.
- b. While there had been some improvement in the quality of complaint resolution letters, some letters continued to be poorly constructed and failed to address all of the issues of the complaint.
- c. We remain concerned that the issues identified in the previous report have not been addressed and include:
  - i. None of the resolution letters we viewed had the name of the person who had investigated the complaint on it and were signed "Broadspectrum".
  - ii. Several did not address all of the issues raised in the complaint.
  - iii. It was apparent from reading some of the responses that the response letters comprised a direct "cut and paste" of the information provided from the responding departments and line areas into standard template letters. This practice has commonly generated resolution and closure letters that are disjointed difficult to understand and in some cases referred to the complainant in the third person.
  - iv. It was apparent that template responses or paragraphs were in use. While this is acceptable in some circumstances, caution needs to be exercised to ensure that the templates adequately address the complaint issues and properly respond to the individual circumstances of the complaint. For example, in one case the complainant advised he had kept records to support his claims. In the response what appeared to be a template paragraph was used, that advised the complainant that in future he should keep records to support his claims.
- d. In many cases it was apparent that no proper assessment or analysis of the complaint had been completed. This was evidenced by a failure to properly identify the complaint issues and complaints misdirected to the wrong stakeholder.

54. BRS' management of internal complaints continues to be a concern. We note that the feedback that was provided during our previous visit does not appear to have been applied despite assurances that investigation plans and record keeping shortfalls would be addressed. We understand that BRS have taken some steps to improve the Nauru RPC complaint management capability. We noted that a staff member was undertaking an assessment of the process undertaken at Manus Island RPC with a view to adopting a number of their processes and procedures.

**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

55. We remain of the view that further reinforcement and development of robust complaint quality control and assurance procedures are required to address the shortfall in record keeping and complaint management.

*Wilson Security*

56. We undertook a limited audit of the Wilson Security complaint records and it was pleasing to note that feedback provided during our last inspection appeared to have been implemented. We noted the following:

- a. The Wilson Online Records System database is being used to provide a central repository for complaint records, including the initial complaint, investigation report, and response letters and any other relevant documents. However, we noted that in a number of the records we examined not all of these documents had been uploaded.
- b. An increased use of investigation reports for non-staff related complaints.
- c. An improvement in the overall quality of response letters with the majority clearly explaining the outcome of the complaint.

57. In a number of the records we examined no response letter had been sent and the complaints were recorded as having been resolved orally. We acknowledge that verbal responses may be reasonable in some circumstances however it is best practice to respond to all complaints in writing. Where a verbal response is provided a detailed record of conversation should support this action and it must be made direct to the complainant and not to a family member with the expectation that the information will be passed on.

58. The review of the Wilson Security Investigations Team<sup>7</sup> records did not identify any anomalies and reflected the experience of the Investigators in the conduct of investigations. We noted that the investigation reports continue to be comprehensive and contain contemporaneous notes regarding interviews with staff, detainees and other stakeholders.

Suggestions:

59. It is suggested that:

- a. BRS and Wilson Security review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>8</sup>.
- b. BRS implement a quality control process that ensures that complaint responses meet minimum standards.
- c. Wilson Security cease the practice of verbal responses.

---

<sup>7</sup> Wilson Security Investigation team has responsibility for the formal investigation of all Wilson Security staff complaints, complaints about contracted security staff, serious complaints about detainees made by other detainees and allegations of criminal acts occurring within the RPC.

<sup>8</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009 <http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

s 22





For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22



**Complaint Management**

15. Although a detailed assessment and analysis of the CSS complaints management was not undertaken a copy the CSS policy and procedures document on Managing Complaints and Feedback of Refugees was provided. A review of this document identified it includes the key elements of good complaint management including:

**For Official Use Only**  
**Immigration Detention - Not for Public Dissemination**

- a. clear guidance to staff at all levels about the expected practices and behaviours when dealing with complaints
- b. guidance on documenting oral complaints,
- c. the expected steps when investigating a complaint
- d. appropriate record keeping methods and strategies
- e. review process in place should a refugee not be satisfied with the response to a complaint.

Contains deletions under FOI

For Official Use Only  
Immigration Detention - Not for Public Dissemination

s 22





Australian Government  
Department of Immigration  
and Border Protection

21 December 2016

Omb Ref: A360407  
DIBP Ref: OHR-16-00090

**Response to the Ombudsman's Post Visit Report for  
Nauru Regional Processing Centre (RPC)**

s 22



s 22



## Complaint Management

**20. It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling.**

### DIBP Response

The Department is committed to continuous improvement of its policies, programmes and services. In particular, the Department is reviewing its internal complaint management processes for its regional processing arrangements. To support this, the Department is developing a standard operating procedure (SOP) for complaint management which incorporates best practice complaint handling principles and requirements for recording and retaining complaints and supporting documentation. The Commonwealth Ombudsman will be invited to comment on the SOP in the coming weeks and will be provided with a copy once the Department has finalised it.

s 22



s 22





s 22



s 22



s 22



s 22



### **Complaint Management**

**59. It is suggested that:**

- a. BRS and Wilson Security review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling.**
- b. BRS implement a quality control process that ensures that complaint responses meet minimum standards.**
- c. Wilson Security cease the practice of verbal responses.**

### **DIBP Response**

BRS has reviewed and strengthened the complaints management process on Nauru. BRS has confirmed that Wilson Security do provide a written response for all complaints received. Further work continues to align Nauru practices with those on Manus to promote consistency and best practice. To date, the file management and response management systems and processes have been reviewed. BRS is considering options for internal audits of its complaints management procedures.

BRS has requested that the Department passes on their thanks to the Ombudsman's Office for the training provided to BRS personnel. As per your office's suggestion, BRS has indicated its intention to undertake trend analysis on complaints to identify issues and remove irritants. BRS has considered the matter of identifying staff on complaint responses and has agreed to include a position name and contact information.

s 22



# Contains deletions under FOI

s 22



s 22



s 22



s 22





For Official Use Only  
Not for public dissemination



Our ref: A485795

// May 2017

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaadvlieg  
Commissioner  
Australian Border Force  
PO Box 25  
BELCONNEN ACT 2616

Dear Mr Pezzullo

A handwritten signature in dark ink, appearing to read "Mike", written over the typed name "Mr Pezzullo".

Post visit observations and suggestions – Manus Island Regional Processing Centre

s 22

A large rectangular area of the document is completely blacked out, indicating redacted content. This redaction covers the majority of the page's body text.

s 22

A second large rectangular area of the document is completely blacked out, indicating redacted content. This redaction covers the lower portion of the page's body text.

For Official Use Only  
Not for public dissemination

s 22



Yours sincerely



Michael Manthorpe  
Commonwealth Ombudsman

For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



## Complaint Management

20. Our assessment of the ABF complaints management processes identified the following anomalies:

- a. A number of complaints addressed to the ABF continue to be managed and responded to by BRS. ABF has indicated that certain complaints addressed to ABF are to be responded to by BRS. Copies of these complaints are provided to the ABF on allocation to a BRS line area for investigation. The responses do not include an explanation why BRS are responding and not the ABF.
- b. A number of the responses appeared to be generic and did not address the issues raised within the complaint.
- c. The templated response *I can assure you that IHMS has and will continue to provide you with appropriate medical care* continues to be used despite the risks that responses of this type generate.
- d. All responses now go out on DIBP letterhead rather than ABF letterhead. While not a significant issue it was not clear why this is the only area that ABF appear to use DIBP rather than the customary ABF letterhead<sup>5</sup>.

21. We noted three key themes within the complaints we reviewed:

---

<sup>5</sup> Confirmed that the investigation is conducted by ABF officers

# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

- a. Delays in approvals for transfer to either Port Moresby or Australia for medical treatment. ABF now liaise with Detention health to confirm receipt of the transfer request and monitor the progress of the requests
- b. Shortages of air conditioners in resident accommodation. These complaints are linked to the nature of a number of the accommodation compounds where the buildings are not suitable for the installation of air-conditioning units. The unauthorised relocation of air conditioners within the accommodation areas would appear to also be linked to this issue.
- c. The overall shortage of interpreters available to assist residents when undertaking settlement interviews, medical appointments etc.

## Suggestions

22. It is suggested that the ABF:

- a. Respond to all complaints addressed to them or where this is not feasible acknowledge receipt and transfer of the complaint to another area
- b. Where a complaint is responded to by BRS ensure that their response clearly identifies that they are responding on behalf of the ABF and the reason for this.
- c. Cease using templated responses that state that the ABF is certain that a particular medical care plan is the most appropriate under the circumstances unless there is clear medical evidence that this is the case.

s 22



# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

s 22





For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22



## Complaint Management

30. During this visit we undertook a limited assessment of both the BRS and Wilson Security complaint management. Overall we noted a significant improvement with most suggestions arising from our previous visits implemented. Those anomalies we did identify were of a minor nature.

31. We noted that:

- a. Complaint investigation report is now used for all complaints providing clear details of how the complaint was investigated and the final conclusion reached.

# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

- b. Records relating to complaint management are held in central database rather than in multiple locations.
  - c. There is a general improvement in the quality of complaint responses including what action can be taken if the complainant is not satisfied with the result.
  - d. ICSA now have their own complaint boxes. These are still cleared and registered by BRS.
32. Wilson Security complaint management continues to be at a high standard. We undertook a limited review of the complaints and noted:
- a. Investigations undertaken continue to be of a high standard.
  - b. In one instance where a resident complained that an officer had thrown items at his face the assessment was very literal. The investigation showed that the officer had thrown the items at the resident albeit they landed at his feet rather than on his face. The conclusion drawn was that the behaviour was inappropriate, however, the response stated that the complaint was un-substantiated because the items had not been thrown at the resident's face.

s 22



For Official Use Only  
Not for public dissemination

s 22



For Official Use Only  
Not for public dissemination

s 22





# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

s 22



# Contains deletions under FOI

For Official Use Only  
Not for public dissemination

s 22





Australian Government  
Department of Immigration  
and Border Protection

---

24 February 2017

Mr Richard Glenn  
A/g Commonwealth Ombudsman  
GPO Box 442  
Canberra  
ACT 2601

Dear Mr Glenn

Thank you for your letter of 19 December 2016 relating to the visit of your office to the Manus Island Regional Processing Centre (RPC) over the period 10-14 October 2016.

s 22



Yours sincerely

s 22



Stephen Hayward  
First Assistant Secretary  
Integrity, Security and Assurance Division



Australian Government  
Department of Immigration  
and Border Protection

---

23 February 2017

Omb Ref: A334233

DIBP Ref: OHR-16-00231 and OHR-16-00441

Response to the Ombudsman's Post Visit Report for  
MRPC May 2016 and October 2016

s 22

A large rectangular area of the document is completely redacted with a solid black fill, covering the majority of the page content below the title.

#### 14. Complaints Management

The Department can advise that the concerns you raised during your May visit around ABF complaint management have now been addressed.

s 22



# Contains deletions under FOI

s 22



s 22



s 22





s 22



s 22



**1.d A view that complaints are not managed fairly and the staff version of events is always accepted as the most accurate and correct. Even when interviewed by the investigation team they consider their information is dismissed or not weighted as highly as the staff member.**

The MRPC consider all complaints as serious and does not dismiss information without fully investigating details.

The Department undertakes a review of complaints when they involve the conduct of a staff member. This is conducted within a weekly meeting with the complaints team, the investigations team, management of BRS and ABF, with feedback and action items either being agreed to or directed to relevant staff for further action or investigation. The Department continues to work with the service provider to develop and review RPC Guidelines, including those related to complaints, to ensure that complaints are managed appropriately and without bias to all parties involved.

s 22



s 22



#### **Complaint Management**

**14. It is suggested that ABF staff ensure all relevant documents are uploaded into the complaints database before a complaint is closed.**

The Department has noted your comments in the October 2016 report that all issues relevant to complaints management have been addressed.

s 22



s 22



s 22



# Contains deletions under FOI

s 22



# Contains deletions under FOI

s 22



s 22





# Contains deletions under FOI

s 22



# Contains deletions under FOI

s 22



For Official Use Only  
Not for Public Dissemination



Our ref: A383336

19 December 2016

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Commissioner Roman Quaedvlieg  
Australian Border Force  
PO Box 25  
BELCONNEN ACT 2616

Dear Mr Pezzullo

Post visit observations and suggestions – Manus Island Regional Processing Centre

s 22

A large black rectangular redaction box covering the majority of the page content below the section header.

s 22

A large black rectangular redaction box covering the majority of the page content below the section header.

For Official Use Only  
Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



#### Complaint Management

14. Our concerns about the ABF's complaint management that arose from our previous visit have been addressed. The ABF now directly respond to complaints addressed to them with the responses being written on ABF letter head rather than BRS letterhead. We noted an overall improvement in the quality of responses to complaints.

For Official Use Only  
Not for Public Dissemination

s 22





For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

For Official Use Only  
Not for Public Dissemination

s 22



## Complaint Management

15. During this visit we undertook a limited assessment of both the BRS and Wilson Security complaint management. Overall we noted a significant improvement with most suggestions arising from our previous visits implemented. Those anomalies we did identified were of a minor nature.

16. We noted that:

- a. Complaint investigation report is now used for all complaints providing clear details of how the complaint was investigated and the final conclusion reached.
- b. Records relating to complaint management are held in central database rather than in multiple locations.
- c. There is a general improvement in the quality of complaint responses including what action can be taken if the complainant is not satisfied with the result.
- d. ICSA now have their own complaint boxes. These are still cleared and registered by BRS.

17. Wilson Security complaint management continues to be at a high standard. We undertook a limited review of the complaints and noted:

- a. Investigations undertaken continue to be of a high standard.
- b. In one instance where a resident complained that an officer had thrown items at his face the assessment was very literal. The investigation showed that the officer had thrown the items at the resident albeit they landed at his feet rather than on his face. The conclusion drawn was that the behaviour was inappropriate, however, the response stated that the complaint was un-substantiated because the items had not been thrown at the resident's face.

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Not for Public Dissemination

s 22





# Contains deletions under FOI

For Official Use Only  
Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination



Our ref: A414282

4 November 2016

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

For Information:  
Mr Roman Quaadvlieg  
Commissioner  
Australian Border Force

Dear Mr Pezzullo

Post visit observations and suggestions

Nauru Regional Processing Centre, August – September 2016

s 22

A large rectangular area of the document is completely redacted with a solid black box.

s 22

A large rectangular area of the document is completely redacted with a solid black box.

POSTAL INDUSTRY OMBUDSMAN • PRIVATE HEALTH INSURANCE OMBUDSMAN • OVERSEAS STUDENTS OMBUDSMAN

GPO Box 442 Canberra ACT 2601 • Phone 1300 362 072 • [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

For Official Use Only  
Immigration Detention – Not for Public Dissemination

For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



Yours sincerely



Colin Neave  
Commonwealth Ombudsman

For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



## Complaint Management

16. During this visit we reviewed the complaint management process undertaken by the ABF and their service providers. Despite assurances from local ABF officers during our last two visits; previously identified shortfalls have not been addressed, including:

- a. The ABF practice of using BRS or CSS letterheads to respond to complaints. We remain of the view that this is a flawed administrative process that is not supportive of the principles of reasonable complaint management. Furthermore this practice undermines the confidence of complainants in the independence of the ABF complaints process. We were advised that following our previous visit this issue was raised with ABF National Office, however no response had been received.
- b. The responses provided by the ABF to BRS and CSS were often brief, did not address the issues raised in the complaint or referred them back to the service provider in the first instance without any reasonable explanation.
- c. There is no central repository for documents relating to individual complaints. Incoming email records are held within a complaints mailbox and outgoing emails are held in the sent box.
- d. Complaint resolution is not clearly recorded. In particular we are concerned about the absence of records of conversation relating to the investigation and resolution of a complaint. We were unable to determine if the outcome of a complaint was supportable and the conclusions drawn reasonable and in compliance with best practice complaint management.

### Suggestion:

17. It is suggested that ABF review their internal complaint management processes with a view to adopting the principles in the better practice guide to complaint handling<sup>3</sup>.

---

<sup>3</sup> Commonwealth Ombudsman Better Practice Guide 1, *Better Practice Guide to Complaint Handling*, April 2009  
<http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf>

For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



## Complaint Management

### Broadspectrum

29. BRS continues to be responsible for the overall receipt, distribution and monitoring of complaint resolution for all internal complaints in the RPC. We conducted a partial audit of the complaints register and the records by randomly selecting complaints and examining the records held in relation to them. Overall we noted an improvement in complaint management with the majority of suggestions made in our previous report having been adopted.

### Wilson Security

30. We undertook a limited audit of the Wilson Security complaint records and did not note any significant anomalies.

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22





For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22



### Complaint Management

9. A detailed assessment and analysis of CSS complaints management was undertaken during this inspection and we noted:

- a. The overall quality of the investigations of staff related complaints was of a high standard, with comprehensive investigation reports including records of interview/conversations with relevant people. The analysis of the information was recorded and supported the outcomes and conclusions drawn.
- b. Investigation reports are not completed for general non-staff related complaints and records held relating to these complaints were limited making assessment of the investigation process difficult.
- c. The final response letters were of a high standard. These letters were comprehensive, explaining the issues raised in the complaint, the steps taken to investigate, and clearly identifying the outcome and any follow-up action that would be taken.

Suggestion:

10. We suggest that CSS review the record keeping attached to non-staff related complaints and introduce a process such as a complaint resolution running sheet or similar where the steps undertaken to resolve the complaint are included.

For Official Use Only  
Immigration Detention – Not for Public Dissemination

s 22






Our ref: A525671

3 October 2017

Mr Michael Pezzullo  
Secretary  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2616

cc: Mr Michael Outram, APM  
Acting Commissioner  
Australian Border Force

Dear Mr Pezzullo 

Post visit observations and suggestions – Nauru Regional Processing Centre

s 22

A large black rectangular redaction box covering the first section of the letter's body.

s 22

A large black rectangular redaction box covering the second and third sections of the letter's body.

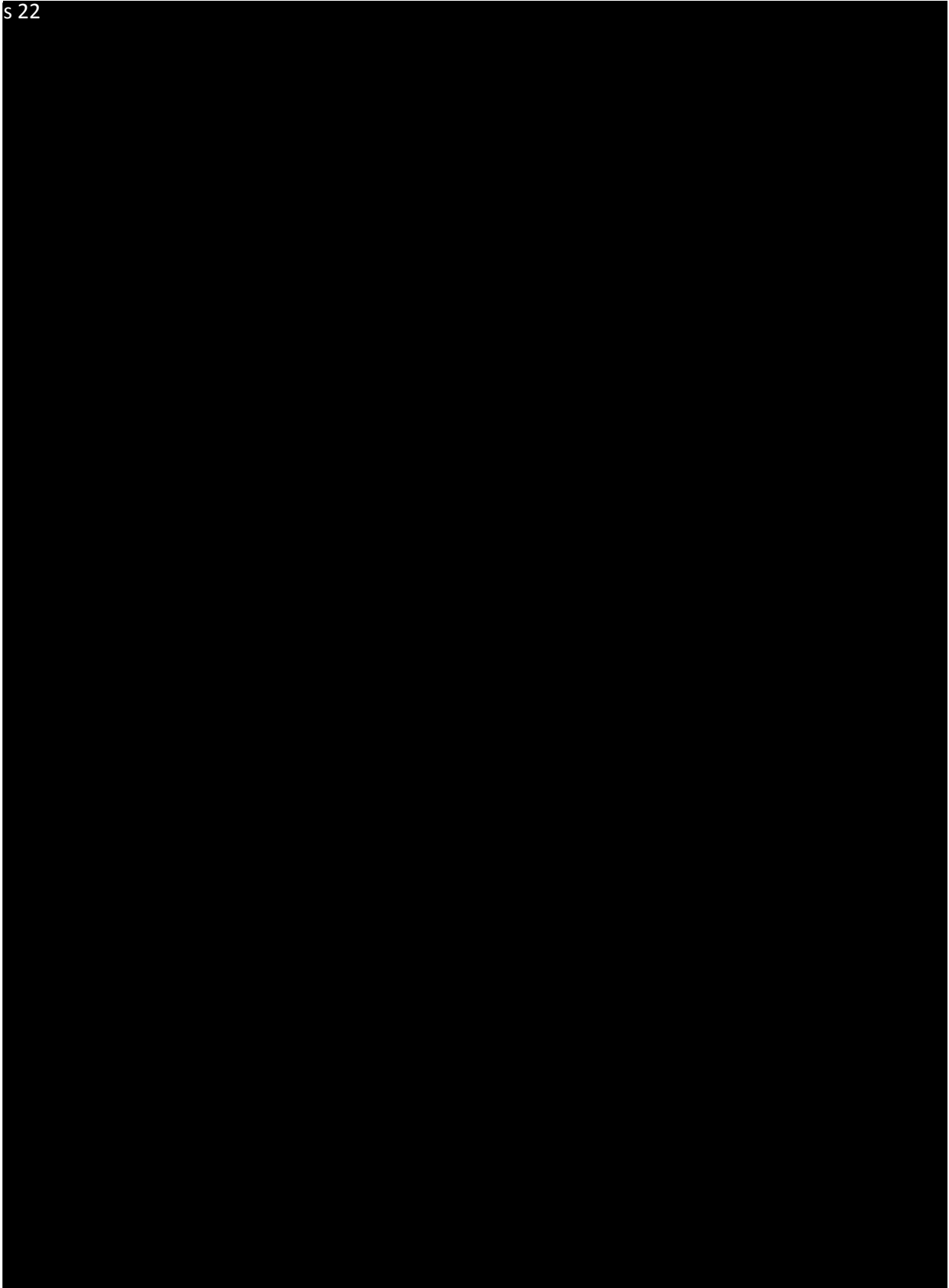
s 22



Yours sincerely



Michael Manthorpe, PSM  
Commonwealth Ombudsman





s 22



#### **Complaint Management**

19. During this visit we reviewed the complaint management process undertaken by the ABF and their service providers. We noted an overall improvement across the ABF complaint handling with no significant anomalies identified. The issues raised in our last report have been addressed; the complaint records have been centralised and are accessible, ABF are now responding to complaints on ABF letterhead and the responses are addressing the issues raised.

20. The ABF have established two separate complaint systems; one specifically dealing with issues relating to refugee settlement and the other to manage all other complaints. Most settlement complaints related to the payment of allowances. We noted that both ABF and BRS are responding to these types of complaints. It was unclear as to what was generating the split of complaints between the two especially where ABF had to source the payment information from BRS in the first instance. While it is possible that this stems from the complaint being addressed to the ABF in the first instance there is a potential for confusion and misunderstanding where both are responding to complaints on the same issue.

#### *Suggestions*

21. It is suggested that ABF consider the most effective way to manage allowance complaints to ensure consistency of response between stakeholders.

s 22



s 22



23. The Settlement Team continue to manage the complaints from the refugees living in the community and are supporting the establishment of a GoN settlement complaints system. Over 90 per cent of all complaints received relate to community housing.

s 22





s 22









s 22



s 22



### Complaint Management

#### *Broadspectrum*

28. BRS continues to be responsible for the overall receipt, distribution and monitoring of complaint resolution for all internal complaints in the RPC. We conducted a partial audit of the complaints register and the records randomly selecting complaints and examining the records held in relation to them. Overall we noted an improvement in the complaint management with the majority of suggestions made in our previous report being adopted.

#### *Wilson Security*

29. We undertook a limited audit of the Wilson Security complaint records and did not note any significant anomalies.

s 22



s 22



# Contains deletions under FOI

s 22





# Contains deletions under FOI

s 22



s 22





Australian Government  
Department of Immigration  
and Border Protection

9 November 2017

Mr Michael Manthorpe  
Commonwealth Ombudsman  
GPO Box 442  
Canberra ACT 2601

Dear Mr Manthorpe

Thank you for your letter of 3 October 2017 relating to the visit of your office to the Nauru Regional Processing Centre (RPC) over the period 19 - 23 June 2017. The Department appreciates the opportunity to comment on the post visit observations and suggestions enclosed with your letter. The Department's response is attached.

s 22



Yours sincerely

s 22



/ Cheryl-anne Moy  
Corporate Group

s 22



***Complaint Management (#21) – It is suggested that ABF consider the most effective way to manage allowance complaints to ensure consistency of response between stakeholders.***

The ABF is reviewing the current process and identifying areas of improvement through consultation with ABF staff and relevant stakeholders. The implementation of recommendations from this review will aim to provide greater clarity and facilitate the management and response of allowance complaints in a more effective and consistent manner.

The Department notes your particular concerns relating to complaints on payment of allowances. Subsequent to your inspection in July 2017, the ABF Settlement Team became responsible for addressing all complaints related to Refugee Income Support Payment (RISP) allowances.

This arrangement was established to ensure consistent complaint management and to provide the Settlement Team with oversight of the themes in RISP complaints. The Settlement team have established a robust complaints management tool that is now used to:

- register complaints
- identify when and to whom a complaint should be escalated
- track complaints through to resolution
- record responses to the complainant.

The Department would welcome your review of this system when you next visit the RPC.

s 22



s 22







s 22



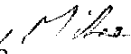


A1621269

2 July 2018

Mr Michael Pezzullo  
Secretary  
Department of Home Affairs  
PO Box 25  
BELCONNEN ACT 2616

cc: Mr Michael Outram, APM  
Commissioner  
Australian Border Force

Dear Mr Pezzullo 

Post visit observations and suggestions – Nauru Regional Processing Centre

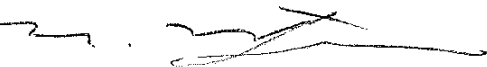
s 22

A large black rectangular redaction box covering several lines of text.

s 22

A large black rectangular redaction box covering the majority of the letter's body.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Manthorpe".

Michael Manthorpe, PSM  
Commonwealth Ombudsman

*Influencing systemic improvement in public administration*

s 22



s 22



#### Complaint Management

12. During this visit we undertook a basic assessment of the ABF complaints management process. We identified a number of shortfalls. The Standard Operating Procedures (SOPs) state that all complaints are to be registered in the ABF register. We noted that certain categories of complaints do not follow the SOPs.

13. Anonymous complaints:

- a. Not all anonymous complaints are being entered into the ABF complaints register
- b. Records of the complaint were not retained. The CSI complaints co-ordinator is advised, by the receiving officer that the complaint has been closed and no record of the complaint is kept.

While it is not possible to respond to an anonymous complaint, the complaint may raise issues that need to be investigated. Failure to record anonymous complaints also means that the data recorded in the complaints register is not complete, nor is the register a genuine representation of the issues being raised by residents.

14. Complaints about Nauruan staff:

- a. Complaints against Nauruan staff are not entered into the ABF complaints register and referred to the GoN for appropriate action as per the SOP. The complainant is advised that the ABF does not employ any Nauruan staff, and the complaint has been referred to the relevant stakeholder. The complaint is then closed. ABF staff have acknowledged that, in these circumstances, the referrals have not been made.
- b. We were advised that ABF staff considered that the raising of an Incident Report by CSI to GoN Operations Managers was meeting the referral requirements. From the information we received this process is not being considered to be a referral of a complaint as the GoN Operations Manager will only take action if a formal referral is received.

## Contains deletions under FOI

15. We noted that most of the ABF complaint responses appeared to be templated form letters, which staff are instructed not to amend. The language used in these letters is legalistic, making the response letters difficult for complainants to understand as English is usually a second language.

16. In many cases the responses fail to address the issues raised in the complaints or acknowledge relevant information provided. For example, one complainant wrote that he wished to provide additional information but would need the assistance of an interpreter. The ABF's response advised the complainant that, as he had not provided enough information, his complaint was being closed. The complainant was advised that his matter could be reopened if he could provide additional information.

17. Best practice in complaint handling is to ensure that responses directly address the issues raised in the complaint and are written in plain language able to be understood by the target audience. This ensures all the issues of the complaint are appropriately addressed and the outcome is understood by the complainant.

### *Suggestions*

18. It is suggested that the ABF in consultation with their service providers review the:

- a. Complaints management procedures to ensure that all staff are following the practices set out in the SOPs to ensure complaints are appropriately and adequately registered and referred.
- b. Use of standard response letter templates to ensure that templates enable all issues raised in complaints to be adequately addressed and that the language used is suitable for the target audience.

s 22



s 22



s 22



s 22





s 22



s 22



## Complaint Management

### *CSI complaints*

30. CSI continues to be responsible for the receipt, distribution and monitoring of complaint resolution for all internal complaints lodged by residents of the RPC and other stakeholders, as well as settlement related complaints for the ABF and the GoN Settlement Team.

31. We reviewed the CSI complaints management process and noted that all records continue to be stored in a central location and that the complaint summary report form remains in use.

32. We noted that the quality of information recorded on the complaint summaries was of a variable quality. While some of the reports were extremely comprehensive, a number we examined only contained very basic information and did not fully record the actions taken to investigate the complaint, did not appropriately record discussions with complainants and staff members, nor how the conclusion of the complaint was reached.

33. Responses were of an overall good quality with the complaint issues clearly being identified and responded to. The language used was appropriate to the target audience.

34. We noted that there is a 100 percent monthly post closure quality assurance check on all complaints. However, we are of the view that a pre closure quality assurance process may help address issues identified with the complaint summary report not always being fully completed.

## *Wilson Security Complaints*

35. We undertook an assessment of the complaints management process undertaken by Wilson Security. We noted that the records continue to be comprehensive and well maintained.

36. We noted that the Complaints Coordinator compiles the investigation reports related to all complaints. This is done based on information provided to the Complaints Coordinator by the investigating officer. However, the investigator's notes and records are not stored in the complaints database and do not make up part of the complaint record, making the complaint record incomplete and written by someone who was not involved in the investigation.

37. More serious staff complaints are referred to the Wilson Security investigator who investigates the complaints and compiles an investigation report. The investigation report used for serious staff complaints which we viewed were comprehensive and detailed, clearly setting out the investigation process, its findings and the outcome of the investigation.

## *Suggestions*

38. It is suggested that Wilson Security review the practice of the complaints co-ordinator compiling investigation reports on behalf of officers investigating complaints. Best practice complaint handling would be for the officers investigating complaints to complete the investigation report themselves.

s 22



s 22



s 22





Australian Government  
Department of Home Affairs

8 August 2018

Mr Michael Manthorpe, PSM  
Commonwealth Ombudsman  
GPO Box 442  
Canberra ACT 2601

Dear Mr Manthorpe,

Thank you for your letter of 2 July 2018 relating to the visit of your office to the Nauru Regional Processing Centre over the period 29 April – 6 May 2018.

The Department appreciates the opportunity to comment on the post visit observations and suggestions enclosed within your letter. The Department has considered your suggestions and is taking appropriate actions to address the issues that you have raised.

The Department's response to your observations and suggestions is enclosed.

s 22

Yours sincerely

s 22

Mark Brown  
Acting First Assistant Secretary  
Integrity, Security and Assurance Division  
Executive Group

**COMMONWEALTH OMBUDSMAN'S POST VISIT OBSERVATIONS AND  
SUGGESTIONS, NAURU REGIONAL PROCESSING CENTRE  
29 APRIL – 6 MAY 2018.**

s 22



## Contains deletions under FOI

***Complaint Management (paragraph 18) – it is suggested that the ABF in consultation with their service providers review the:***

- a. Complaints management procedures to ensure that all staff are following the practices set out in the SOPs to ensure complaints are appropriately and adequately registered and referred.***

The ABF will work with the on-site service providers to address the noted lapses in complaint registration and referral. All complaints, including anonymous complaints, will be registered.

- b. Use of standard response letter templates to ensure that templates enable all issues raised in complaints to be adequately addressed and that the language used is suitable for the target audience.***

The ABF is currently reviewing the templates used in responding to complaints. Where possible, suitable language will be substituted in the development of these templates.

s 22





s 22



s 22



*Complaint Management, Wilson Security Complaints (paragraph 38) – it is suggested that Wilson Security review the practice of the complaints co-ordinator compiling investigations reports on behalf of officers investigating complaints. Best practice complaint handling would be for the officers investigating complaints to complete the investigation report themselves.*

The Department agrees with the suggestion that Wilson Security review their complaint management practice and this has been sent to Canstruct Services International for review/implementation. The Department will follow this request and progress in the coming weeks.

s 22



s 22





A1590864

14 March 2018

Mr Michael Pezzullo  
Secretary  
Department of Home Affairs  
PO Box 25  
BELCONNEN ACT 2616

cc: Mr Michael Outram, APM  
Acting Commissioner  
Australian Border Force

Dear Mr Pezzullo

A handwritten signature in dark ink, appearing to be "M. Pezzullo", written over the typed name.

Post visit observations and suggestions – Nauru Regional Processing Centre

s 22

A large black rectangular redaction box covering the majority of the page content below the section header.

s 22

Yours sincerely

A handwritten signature in dark ink, appearing to be "Michael Manthorpe", written below the typed name.

Michael Manthorpe, PSM  
Commonwealth Ombudsman

s 22



s 22



**Complaint Management**

13. Due to the accommodation shortfalls and reduction in on island staff including those responsible for the management of ABF complaints, an assessment of the ABF complaint handling was not undertaken.

s 22



s 22



s 22





s 22



s 22



**Complaint Management**

*Construct*

27. Construct's complaint management processes were not assessed during this visit.

*Wilson Security*

28. We undertook a limited audit of the Wilson Security complaint records and did not note any significant anomalies.

s 22



s 22



s 22



s 22

