

Complaints management policy



Tasmanian
Audit Office

Policy category	Governance
Relevant State/Federal Govt. Legislation	<i>Archives Act 1983</i> <i>Audit Act 2008</i> <i>State Service Act 2000</i> <i>Integrity Commission Act 2009</i> <i>Ombudsman Act 1978</i> <i>Personal Information Protection Act 2004</i> <i>Public Interest Disclosures Act 2002</i> <i>Child and Youth Safe Organisations Act 2023</i> <i>Registration to Work with Vulnerable People Act 2013</i> <i>Children, Young Persons and Their Families Act 1997</i>
Next review date	September 2026

Policy statement

1. Scope and objective

The Complaints management policy articulates the overarching principles the Tasmanian Audit Office (the Office) applies to the handling of complaints relating to the services provided by, or operations of, the Office. Complaints can come from inside and outside the Office and can be made by our stakeholders, including members of Parliament, public sector employees, or members of the public.

The Office is committed to providing a quality service to its stakeholders: the Parliament, State entities subject to audit and members of the public. A key element of this commitment is an effective and efficient complaints management system.

This policy only applies to complaints received about services provided by, or operations of, the Office. This policy does not cover:

- Public Interest Disclosures made under the [*Public Interest Disclosures Act 2002*](#) (see [*Public Interest Disclosure \(PID\) Procedure*](#))

- complaints made to the Ombudsman under the [Ombudsman Act 1978](#)
- complaints made to the Integrity Commission under the [Integrity Commission Act 2009](#)
- procurement related complaints (see [Procurement Complaints Procedure](#))
- a grievance by an employee of a work-related problem or concern
- Referrals received by the Office from various parties suggesting an audit, examination or investigation of a State entity or State entities, which may be undertaken pursuant to section 23 of the [Audit Act 2008](#)
- alleged reportable conduct.

If a complaint is received that is not to be handled under this policy, the Office will, where appropriate, refer the complaint to the relevant body or provide information on where to direct the complaint.

2. Definitions and acronyms

AAG	Assistant Auditor-General
Complaint	A formal expression of dissatisfaction made about the services or conduct, actions or lack of action by the Office, or a member of staff
Complainant	The individual or entity aggrieved or dissatisfied by a particular situation
CSS	Corporate Support and Strategy (CSS)
Deputy	Deputy Auditor-General
EC	Executive Committee
Investigator	A person external to the Office, appointed to undertake a factual investigation of a complaint that is unable to be resolved informally
Misconduct	Unacceptable or improper behaviour in an official capacity which could impact the Office's reputation and breach the State Service Code of Conduct
Office	Tasmanian Audit Office (TAO)
PID	Public Interest Disclosure
Reportable behaviour	Behaviour that poses a risk of harm to children, young people and vulnerable persons, whether by reason of neglect, abuse or other conduct in accordance with the Registration to Work with Vulnerable People Regulations 2014 and Children, Young Persons and Their Families Act 1997
Reportable conduct	As outlined in Section 7 of the Child and Youth Safe Organisations Act 2023 :

- (a) a relevant offence committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded; or
 - (b) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or
 - (c) physical violence against a child; or
 - (d) grooming of a child; or
 - (e) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or
 - (f) significant neglect of a child; or
 - (g) conduct prescribed for the purposes of this section –
- regardless of whether or not the alleged conduct occurred within the course of a worker's duties in respect of an entity

3. Policy maker

Executive Committee (EC).

4. Policy provisions

In following the Complaints management procedure, the Office adopts the following principles when managing complaints:

Fairness and respect

To achieve fairness for the complainant, the Office handles complaints impartially and transparently. All complainants will be treated with respect by Office staff and each complaint will be considered with an open mind and evaluated with objectivity. A person whose interests are likely to be affected will be given notice of relevant matters and a reasonable opportunity to provide a reply to those matters.

The Office does not tolerate reprisals against complainants. Any evidence that a person has experienced any form of detriment as a result of making a complaint or raising a concern will be dealt with promptly and appropriate action taken, including investigation as to whether an employee has breached the Code of Conduct.

Safety and accessibility

A copy of this policy is available on the Office website. There are several options for people wishing to make complaints. Complaints can be made either online, by email, by letter, or by telephone.

The Office will provide reasonable adjustments, noting that at times there may be multiple processes for a complaint and the Office will do its best to ensure complainants do not need to repeat themselves. The Office will seek to promote the physical and emotional safety and wellbeing of the complainant and others affected by the complaint.

The Office will also support employees receiving or responding to complaints to mitigate the risk of vicarious trauma and provide ongoing professional development opportunities to staff to maintain best-practice complaint handling practice in a trauma-informed manner.

Where possible, the Office utilise staff trained in complaints handling to reduce any re-traumatisation.

Responsiveness

The Office is committed to responding to complaints within a reasonable timeframe and keeping the complainant up to date with the progress of their matter. Generally, simple complaints will be responded to within approximately 2 weeks and more complex complaints within approximately 4 weeks.

Confidentiality

All complaints will be dealt with confidentially and personal information will be managed in accordance with the information protection principles in the [Personal Information Protection Act 2004](#). For further information refer to Office's Privacy Policy. Confidentiality and privacy in a complaint investigation will be maintained unless the Office is required by law to refer the information to another body, such as Tasmania Police or the Independent Regulator of the Reportable Conduct Scheme.

To assist the Office to identify trends and risks, Corporate Support and Strategy will maintain a confidential and centralised register of complaints. On a quarterly basis, de-identified reports will be provided to the Office's Executive Committee.

The Office will dispose of personal information where it is no longer required (except where required to be kept in compliance with the [Archives Act 1983](#) or any other applicable legislation).

If any person believes personal information has been handled other than in accordance with Tasmanian privacy laws, they should direct their complaint to [Ombudsman Tasmania](#).

Efficiency

The Office will resolve complaints using resources appropriate to the nature of the complaint. Progress will be tracked regularly to ensure all complaints are dealt with promptly and efficiently.

Integration

Managing complaints effectively is important to the Office. In addition to the quarterly report on complaints, further oversight on trends and risks will be managed by the Office's Risk and Audit Committee.

4.1 Lodging a complaint

It is recommended that concerns are first discussed with the Director or Assistant Auditor-General (AAG) of the relevant area as this may provide the quickest possible resolution. If the relevant person is unknown or a complainant does not feel comfortable speaking with the Director or AAG, a formal complaint can be made.

A formal complaint can be made in writing to the office and submitted via our website (<https://www.audit.tas.gov.au/>) or via post:

Tasmanian Audit Office
GPO Box 851
HOBART TAS 7001

Or via email at admin@audit.tas.gov.au. It is the preference of the Office to receive formal complaints in writing as this provides a record of the complaint with the complainants concerns and thoughts expressed accurately.

If assistance is required to complete a complaint, please email admin@audit.tas.gov.au or call (03) 6173 0900.

4.2 Expected behaviour

Tasmanian Audit Office staff are expected to comply with the State Service Code of Conduct which requires, among other things, that employees:

- behave honestly and with integrity
- act with care and diligence
- treat everyone with respect and without harassment, victimisation or discrimination
- comply with all applicable Australian law
- maintain appropriate confidentiality
- disclose, and take reasonable steps to avoid, any conflict of interest
- use government resources in a proper manner
- not knowingly provide false or misleading information in connection with their employment
- not improperly use information gained in their employment to gain a gift, benefit or advantage.

4.3 Conflicts of interest

The State Service Code of Conduct contained in section 9 of the [State Service Act 2000](#) states:

"An employee must disclose, and take reasonable steps to avoid, any conflict of interest in connection with the employee's State Service employment."

A complaint can be made in relation to a possible conflict of interest of a staff member of the Office. A conflict of interest occurs when a private interest interferes with, or is seen to interfere, with a staff member's duties. A conflict of interest can be actual, perceived or potential. The Office manages conflicts of interest in accordance with its Conflict of Interest Policy and Procedure.

When the Office receives a complaint about any matter, the Office will ensure that the complaint is dealt with without any conflicts of interest. It is the duty of State Service employees handling a complaint to report any conflict of interest at the earliest opportunity and to the most appropriate authority.

4.4 Complaints management considerations

Anonymous complaints

The Office will accept and assess anonymous complaints. However, anonymity may limit the Office's ability to seek further information to assess the complaint adequately. It will also limit our ability to inform the complainant of the outcome of our assessment and where appropriate, the outcome of any detailed investigation.

Unreasonable complaints or complainants

From time to time, complainants to the Office may act unreasonably and/or make unreasonable complaints. For example, complainants may be rude or aggressive, they may continue to make the same complaint after it has been investigated and closed or make unrealistic or disproportionate requests. The Office will be guided by Ombudsman's publication, '[Managing unreasonable conduct by a complainant](#)' in responding in such cases, and will assess whether the complaint raises a matter in the public interest to justify continuing the complaint process.

If all reasonable avenues of inquiry or appeal have been exhausted and a complainant will not accept a result and continues to write, telephone, or otherwise contact the Office or its staff regarding their complaint, the Office may write to the complainant restating its position and advising that staff will:

- not accept any further phone calls from the complainant regarding the matter
- require all further communication to be put in writing
- continue to receive, read, and file correspondence but only acknowledge or otherwise respond to it if the complainant provides significant new information or raises new issues which warrant fresh action.

Mandatory notifications and reportable behaviour

The Office, along with other public authorities, has a responsibility under various legislation to report matters to other public sector bodies. Through the course of receiving complaints and information relating to a complaint, the Office may become aware of serious allegations that are not handled by this policy. For example allegations of:

- a sexual offence
- an assault
- a criminal offence
- serious misconduct.

If the Office becomes aware of behaviour that raises allegations of this nature, the matter will be referred to the appropriate body for further investigation. Where appropriate, complainants will be advised in writing if this occurs.

Dissatisfaction with the way the complaint was handled

If a complainant is not satisfied with the way the Office has responded to their complaint, it may be necessary to refer a complaint for internal review by a senior staff member not involved in the original matter. If a complainant is not satisfied with the outcome of the

internal review or is otherwise dissatisfied with how their complaint has been dealt with, then they have the option of pursuing their complaint with the Ombudsman.

4.5 No reply necessary

Generally, the Office will not reply to anonymous complaints where no return address details are provided and to complaints sent 'for information only' where it is explicit that a response is not sought.

5. Supporting procedures/guidelines/related documents

Complaints management procedure

Grievance resolution handbook

Privacy policy

[Procurement Complaints Procedure](#)

[Public interest disclosure \(PID\) procedure](#)

Quality manual

Referrals procedure

Conflict of interest policy and procedure

[State Service Code of Conduct](#)

Responsibilities

Implementation	CSS
Compliance	CSS
Monitoring and evaluation	AAGs responsible for quality and technical matters
Development and/or review	Executive Committee
Interpretation and advice	CSS

Policy history

Policy No.	COR 51.0
Approved / Rescinded	Approved
Date	29 March 2023
Executive Committee	Rod Whitehead (Auditor-General)
Signature	x

Date of Review	4 September 2024
Amendment Required	Routine review and development of supporting procedure
Name of Policy Maker	Executive Committee Chair
Title	Martin Thompson (Auditor-General)
Signature	x