

# Dispute Referral Internal Review Policy



PO\_DR\_002

## 1. Policy statement

Good administrative practice demands that agencies have an efficient and robust internal review mechanism for people who disagree with their decisions. Such a mechanism assists in ensuring that an agency's decision-making is accountable, consistent and transparent, and aids in continuously improving business practice.

This policy sets out the principles and practices for dealing with customers who seek a review of a decision by the Energy and Water Ombudsman Queensland (EWOQ) in respect of their dispute referral.

EWOQ's policy is that there will be one review only, conducted by the person to whom the decision-maker reports.

## 2. Scope

This policy applies to all electricity, gas, water and privacy dispute referrals by customers who seek a review of a decision to refuse to investigate or to discontinue an investigation into a dispute referral or close an investigation into a dispute referral once a negotiated outcome has been reached.

## 3. Definitions

<b>Customer</b>	Small customer (energy), small customer (water), an eligible customer, and an eligible non-residential energy customer within the meaning of s.6 of the <a href="#">Energy and Water Ombudsman Act 2006</a> .
<b>Decision</b>	Decision to: <ul style="list-style-type: none"><li>• refuse to investigate a dispute referral;</li><li>• discontinue an investigation into a dispute referral;</li><li>• close an investigation into a dispute referral once a negotiated outcome has been reached.</li></ul>
<b>Dispute referral</b>	A dispute within the meaning of s.18 of the <a href="#">Energy and Water Ombudsman Act 2006</a> .
<b>EWOQ</b>	The Energy and Water Ombudsman Queensland established under the <a href="#">Energy and Water Ombudsman Act 2006</a> .
<b>Reviewer</b>	EWOQ officer responsible for considering a review request, and any subsequent review.
<b>Review request</b>	A request by a customer for a decision to be reviewed.

## 4. Who conducts a review?

Consideration of the review request, and any subsequent review, will be conducted by the EWOQ officer to whom the decision-maker reports.

## 5. Obligation on customer seeking a review

A review will not be conducted merely because the customer disagrees with a decision. The customer must provide clear, logical grounds justifying a review by:

- explaining why EWOQ's decision was wrong/inappropriate/unfair in the circumstances;
- providing any new information or evidence that would justify a review;
- stating the outcome or remedy being sought.

The customer's request for a review must be made in writing unless there is good reason for the customer making their request orally, for example, age, infirmity or disability. If a review request is made orally the request should be reduced to writing by the reviewer and forwarded to the customer to confirm that the reviewer's record of the grounds for the request is complete and accurate.

## 6. Time Limit

Unless exceptional circumstances exist, a review request must be made within 12 months of the customer being notified or made aware of the decision.

## 7. Conduct of Review

A review of the decision may include, but is not limited to, one or more of the following outcomes:

- insufficient information was provided by the customer to warrant any further action being taken;
- the decision was correct and no further investigation is necessary;
- the decision was wrong and should be remade without further investigation;
- the decision was wrong and further investigation is warranted;
- the decision may be wrong and further investigation is warranted;
- the decision was correct but a better explanation is warranted;
- improvements to EWOQ's policies, procedures and practices are warranted;
- an apology from EWOQ and/or other remedy is required.

The reviewer will assess whether sufficient information was provided by the customer to warrant further action being taken within ten business days of its receipt, or in the case of an oral review request, within ten business days of the customer confirming the accuracy of the reviewer's record of their conversation.

The reviewer will advise the customer of the outcome of the review in writing.

## 8. Related resources

### Related legislation

- [Energy and Water Ombudsman Act 2006](#)
- [Public Sector Ethics Act 1994](#)
- [Public Service Act 2008](#)
- [Public Records Act 2002](#)

## Useful links

- [Code of Conduct for the Queensland Public Service](#)
- [Ethics in the Queensland Public Sector](#)

## EWOQ policy, business rules and standards

- [Community Complaints Policy and Procedures](#)

## Approval

Approved by the Energy and Water Ombudsman and effective from the date endorsed.

### **Forbes Smith**

Energy and Water Ombudsman

Date 15 / 12 / 2015

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