

# Customer and Scheme Participants complaints policy

PO\_OM\_005



## Statement

The Energy and Water Ombudsman Queensland (EWOQ) is committed to maintaining the highest standards of professionalism and integrity in providing a free, fair and independent dispute resolution service for people who are unable to resolve a complaint with their electricity, gas or water supplier.

EWOQ is committed to maintaining an effective complaints management process; the EWOQ takes any complaint about our services seriously. Your feedback and complaints provide EWOQ with an opportunity to improve the way we provide our services.

This document sets out EWOQ's process for dealing with complaints from our customers and scheme participants (together - complainants) concerning our conduct and/or service and provides option on what you can do if you are unhappy with how we have undertaken our work or delivered our services.

This procedure applies to all complaints, as defined, received by EWOQ.

## Definitions

<b>Complaint</b>	A complaint is all contact with EWOQ excluding enquiries, including a verbal or written expression of dissatisfaction about the service or actions of EWOQ in relation to any aspect of the service provided by EWOQ or the conduct of an officer.
<b>Complainant</b>	A person (including an employee or a person on behalf of a scheme participant) who makes a complaint about the service provided by EWOQ, or the conduct of any officer.
<b>Complaint officer</b>	An officer appointed by the EWO to investigate a complaint. The complaint officer is independent from the matter.
<b>Delegated officer</b>	A person to whom a function or power has been delegated.
<b>Employee</b>	As defined in Section 9 of the <a href="#">Public Service Act 2008</a>
<b>EWO</b>	Energy and Water Ombudsman, appointed pursuant to the <i>Energy and Water Ombudsman Queensland Act 2006</i> .
<b>EWOQ</b>	Energy and Water Ombudsman Queensland established under the <i>Energy and Water Ombudsman Queensland Act 2006</i> .
<b>Review request</b>	A request by a complainant for a decision to be reviewed.
<b>Reviewer</b>	EWOQ officer responsible for considering a review request, and any subsequent review.

## Principles

The EWO will ensure that the rights of complainants and EWOQ employees are upheld throughout the complaints management process.

All complainants can expect the following from EWOQ:

- confidentiality;
- honesty;
- responsiveness and accountability;
- respect for all opinions and people;
- employees who are polite, willing to listen and courteous;
- employees who are sensitive to cultural diversity;
- reasonable access to our service for all persons regardless of background and circumstance;
- professional, fair and independent advice;
- assessment and/or investigations conducted in a timely manner;
- clear explanations about what we can and cannot do;
- regular updates on the progress of our consideration of complaints;
- a clear explanation of our final decision and any recommendations we make.

EWOQ takes all complaints concerning its decisions and the actions and conduct of employees seriously and:

- actively encourages feedback about how we carry out our core complaints function;
- takes a client focused approach to how we deal with complaints about our services;
- accepts complaints about our services orally or in writing;
- uses complaints about our service to drive improvements to our business processes.

## Complaint process

### Resolving issues and concerns informally

Informal and early resolution is to be used where possible to resolve a complaint, preferably at the point of first contact and/or within the first 24 hours of the complaint. The most effective and service focused way to resolve an issue or concern is to discuss the matter with the employee in our office you are dealing with either in person or by telephone.

All EWOQ employees are encouraged to resolve issues such as incorrect addresses, lack of advice, a misunderstanding, a response correspondence or a telephone call, errors in records or delays in receiving advice or responses to correspondence or telephone calls in this way. If you are unhappy with the response from the employee handling your complaint, ask to speak with their supervisor or manager before taking further action.

### Receiving a complaint

The EWO is responsible for ensuring all complaints received by EWOQ are dealt with appropriately.

Complaints may be lodged orally or in writing, however, complainants are encouraged to submit their complaint in writing. Where this is not possible, a record of the complaint is to be made by the receiving officer.

Assistance is available to non-English speaking complainants through the Translating and Interpreter Service on 13 14 50. EWOQ prefers that family and friends not be used as interpreters.

Where a complaint is lodged orally, the receiving officer will:

- listen carefully to the complainant;

- work through the complaint with the complainant, and contemporaneously document the details of the complaint;
- ask the complainant what outcome or remedy they are seeking;
- provide further information about the complaint management process;
- provide/forward a copy of the completed complaint to the complainant;
- register the complaint within 24 hours of receipt;
- advise the EWO in writing immediately.

In addition, where the complaint is lodged in person, the receiving officer may if agreed to by the complainant arrange an interview or meeting room to receive and document the complaint in private. In this case, the complainant will be asked to sign the documented complaint as an accurate record of the complaint.

## Anonymous complaints

Complaints may be made anonymously, and will be considered in the same way as a complaint lodged by a person whose identity is known, however it is sometimes more difficult to investigate an anonymous complaint.

## Acknowledging the complaint

All complaints will be registered in the EWOQ Complaints Register within 24 hours of receipt.

All complaints will be acknowledged in writing, within 5 business days of the complaint being received by EWOQ.

## Assessing your complaint

This time provides the delegated officer with an opportunity to discuss the complaint with the complainant and where possible amicably and informally resolve the complaint in a timely manner without the need of a detailed investigation.

## Conducting an investigation

### Timeframe

The complaint will be investigated by a delegated officer (complaint officer), the investigation of the complaint should be completed within **20-60 working days** of its receipt. The investigation timeframe will depend on the complexity and seriousness of the allegation/s; and the availability of witnesses, documentation and other information.

### Delegating the investigation

The EWO will delegate the matter to a suitably qualified EWOQ employee (complaint officer) to investigate and determine the outcome.

Where a complaint is made against the Energy and Water Ombudsman, the Energy and Water Ombudsman in consultation with the Chair of the Advisory Council will decide who will investigate the complaint.

### Requesting additional information

Additional information may be requested from the complainant to complete the investigation. The complaint officer may decline to investigate until the additional information is provided. If a complainant declines to provide the information (expressly or by failing to respond to reasonable requests) a decision may be made on the basis of available information.

## The investigation

Complaints can be investigated in many ways, which will depend on the nature of the complaint. Investigating a complaint may include:

- clarifying details provided in the complaint;
- identifying actions taken to resolve the issue before the complaint was lodged;
- gathering and analysing information from relevant file notes, correspondence and/or other sources;
- reviewing documentation submitted by the complainant;
- reviewing previous administrative decisions or actions;
- interviewing complainants, employees and/or other individuals involved in the complaint;
- reviewing relevant policies, procedures and/or legislation; and
- reviewing previous complaints about the same issue.

It is important that the extent of the investigation is commensurate with the seriousness of the allegation.

## Outcome of the investigation

Outcomes that may result from the investigation include, but are not limited to:

- taking no further action;
- amending a decision;
- providing a written or oral apology;
- an explanation of how and why the problem occurred;
- changes to EWOQ service delivery;

The complainant will be provided with advice about the outcome of the investigation within **5 working days** of the completion of investigation.

## Request for internal review

Where a complainant is dissatisfied with the outcome of EWOQ investigation consideration of their complaint they may request an internal review of the decision. The request must be in writing unless there is good reason for the complainant making their request orally, for example, age, infirmity or disability.

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

If the review request is justified, the EWO will appoint an internal reviewer to conduct the review of the decision. Employees appointed to conduct an internal review will be from a different business area, and of equal or greater seniority, to the original complaints officer.

Internal review involves a review of the process used by the original complaints officer to investigate the complaint, and the merits of the decision or action taken. As well as considering the overall fairness of the remedy (to both the complainant and EWOQ), the internal reviewer will examine the standard of performance in the following key areas:

- Accessibility – of the complaint management process;
- Timeliness – of response, considering the degree of complexity or seriousness of the issue;
- Satisfaction – with the complaint assessment/investigation process and the outcome;
- Effectiveness – of the assessment/investigation, response and redress offered; and
- Compliance – with the complaint management policy and procedures.

The internal reviewer may:

- examine all materials in relation to the complaint, assessment and investigation;
- provide information to any final or external reviewer; and
- collect data about the internal review process for analysis.

A decision will be reviewed once only.

## Final review

If after receiving a response to your internal review you are still dissatisfied with the outcome, you may request a final review.

A request for a final review must be in writing, addressed to and marked:

'Private and Confidential'

Energy and Water Ombudsman

Energy and Water Ombudsman Queensland

PO Box 3640

SOUTH BRISBANE BC QLD 4101

The EWO will appoint a final reviewer to conduct the review of the original decision and internal review outcome. Officers appointed to conduct a final review will be from a different business area, and of equal or greater seniority, to the original decision-maker and internal reviewer. The final decision will be in writing within 30 working days.

A request for a final review received more than one year after the complainant was notified of the original decision will be granted only if the EWO or the internal reviewer considers that exceptional circumstances exist.

## Recordkeeping

A complete and accurate record of all material relating to a complaint (including actions and decisions made regarding issues resolved at the point of service delivery) is required to be held by EWOQ under section 7 of the [Public Records Act 2002](#).

## Related resources

### Related legislation

[Public Service Act 2008](#)

[Public Records Act 2002](#)

[Public Sector Ethics Act 1994](#)

[Right to Information Act 2009](#)

[Information Privacy Act 2009](#)

[Crime and Corruption Act 2001](#)

[Energy and Water Ombudsman Act 2006](#)

### Useful links

[Code of Conduct for the Queensland Public Service](#)

[Ethics in the Queensland Public Sector](#)

## Approval

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

**Lyn Stevens**

Acting Energy and Water Ombudsman

Date / / 2016

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