



Kimberley Development Commission

Complaints Management Policy

DOCUMENT CONTROL

This document has been endorsed and approved for use by:



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8.0	28 February 2022	Yvette Parker	Annual Review
9.0	1 December 2025	Regional Development Officer	Review & update

DOCUMENT REFERENCES	
Policy Reference	GOV-06
Associated Policies	Privacy Public Interest Disclosure
Associated Documents	Ombudsman WA: Guidelines for Effective Complaint Handling
Associated Legislation	Equal Opportunity Act 1984 Freedom of Information Act 1992 Public Sector Management Act 1994
Policy Owner	Chief Executive Officer
File References	

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BACKGROUND

The Kimberley Development Commission (Commission) is committed to providing customers with high quality services to meet their needs. If customers are not happy with the services provided, or the way in which they are provided, they have the right to make a complaint.

Feedback is encouraged to enable any issue to be investigated and, if necessary, the problem rectified. The Commission also appreciates positive feedback, which helps reinforce the good work of its employees.

The Complaints Management Guidelines issued by the Ombudsman Western Australia recommends conformance to the principles of the Australian Standard on Complaints Handling AS/NZS 10002:2014.

The Complaints Management Policy exists in the context of legislation including the *Freedom of Information Act 1992* and the *Equal Opportunity Act 1984*, which may impose restrictions and obligations on the parties involved.

Consistent with the Western Australian Government's 'whole of Government' complaints management policy, the Commission will manage all complaints with respect and fairness in a timely manner and ensure access to assistance with lodging a complaint.

To ensure effective complaints management, the Commission has established a Complaints Management Unit comprising:

- The Chief Executive Officer;
- The Director, Regional Development and
- The Senior Regional Development Officer.

PURPOSE

To promote the Commission's effective, culturally appropriate and timely management of complaints and to ensure that:

- Any complaints are addressed immediately and appropriately
- The process of addressing complaints leads to improvements in service delivery
- The complaints process remains open and accessible at an agency level
- Guidelines are provided to assist employees and Board Members of the Commission to promptly and effectively respond to client feedback in a consistent and positive manner.

SCOPE

This Policy applies to complaints made by people other than the Board or Staff of the Commission.

DEFINITIONS

A complaint against the Commission is any expression of dissatisfaction or concern by or on behalf of an individual client or group regarding any aspect of service provision or activity of the Commission that requires a formal response.

POLICY

Guidelines

As required by the Complaints Management Guidelines issued by the Ombudsman of Western Australia, the Commission will conform to the principles of the Australian Standard on Complaints Handling AS ISO 10002. These principals are:

- **Visibility:** Information about how and where to complain will be well publicised to customers, personnel and other interested parties.
- **Accessibility:** The complaints handling process will be easily accessible to all complainants. This includes readily accessible information about the process, flexibility in the methods of making complaints and special arrangements and/or support for complainants with specific needs (including interpreters).
- **Responsiveness:** Receipt of each complaint will be acknowledged to the complainant immediately. Complaints will be addressed promptly; complainants will be treated courteously and kept informed of the progress of their complaint through the complaints handling process.
- **Objectivity:** Each complaint will be addressed in an equitable, objective and unbiased manner through the complaints handling process.
- **Charges:** Access to the complaints handling process will be free of charge to the complainant.
- **Confidentiality:** Personally identifiable information concerning the complainant will be available where needed, but only for the purposes of addressing the complaint and will be actively protected from disclosure, unless the customer or complainant expressly consents to its disclosure.
- **Investigation of Complaints:** Every reasonable effort will be made to investigate all the relevant circumstances and information surrounding a complaint.
- **Customer-Focused Approach:** The Commission will adopt a customer-focused approach, be open to feedback including complaints, and will show commitment to resolving complaints by its actions.
- **Resolution of Complaint:** Following an appropriate investigation, the Commission will offer a response to the complaint. The decision or action taken regarding the complaint will be communicated to the complainant as soon as the decision or action is taken.
- **Accountability:** The Commission will ensure that accountability for and reporting on the actions and decisions of the Commission with respect to complaints handling is clearly established.

- **Continual Improvement:** The continual improvement of the complaints handling process and the quality of services will be a permanent objective.

Respect

The Commission acknowledges the right of a person to:

- complain when he/she is dissatisfied with its service;
- have complaints treated as genuine, with confidentiality and be properly investigated, documented and addressed;
- be given appropriate and easily understood information regarding the process of complaints and the opportunity to comment on the complaint management process;
- not be victimised or harassed as a result of any complaint made nor suffer any negative impact as a result of making a complaint and
- not be discriminated against because of any disability, race, religion, age, sex or sexual orientation and be treated with respect and courtesy.

The Commission expects complainants to:

- lodge complaints in writing addressed to the Chief Executive Officer (retaining a copy) or by completing the online feedback form on the Commission's [website](#);
- treat all staff with courtesy and respect;
- give a full and accurate explanation of events related to the complaint;
- provide the Commission with evidence and all relevant information about the complaint;
- keep appointments and meetings about the complaint, and if it is not possible, let the relevant person know; and
- raise any concerns or queries about the complaint management process with the Commission staff promptly.

The Commission will:

- provide sufficient resources to ensure that all complaints are properly managed and investigated without prejudice;
- ensure the complaints process is prioritised to comply with its time frames for resolution;
- provide support to employees dealing with complaints; and
- ensure that clients with special needs are provided with appropriate information and/or assistance in making a complaint and are allowed to bring a support person to any meetings.

Fairness

Complaints will be dealt with effectively and promptly without prejudice or bias. At all times the Commission will be honest and fair in its dealings with customers. It is

recognised that complainants and those against whom a complaint has been lodged, are entitled to adequate protections, procedural fairness and natural justice through the course of the investigation.

The complaints process must be fair, which requires that:

- the decision-maker must be fair and unbiased;
- those directly involved in the complaint should not act as decision makers;
- both parties in a complaint are entitled to be listened to and have their views considered;
- the person at the centre of the complaint must be advised of all the claims that are made that are relevant to them and have the opportunity to put their case; and
- all information relevant to the case must be considered.

Confidentiality

Confidentiality must be maintained during the resolution of a complaint, although information may need to be shared with others involved in the investigation process.

Notwithstanding the Commission's commitment to protect any matters of confidentiality that arise during a complaint process, any information or documents provided to and generated by the Commission are subject to the statutory requirements as specified under the Freedom of Information Act 1992.

Assistance

The Commission will offer and provide complainants with assistance to lodge their complaint. This may include the use of a professional Interpreter or assistance with documenting the complaint.

Timeliness

The Commission will work to resolve all complaints in a timely manner and will as soon as practicable advise the complainant of the expected timelines in dealing with a complaint.

Vexatious, Malicious or Frivolous Complaints

Correspondence containing personal abuse, inflammatory statements or material clearly intended to intimidate will be returned to the sender and not acted upon. Where such comments or statements are made in telephone conversations or interviews, these may be terminated at the discretion of Commission staff after warning callers of that intention.

Complaints that are found to be vexatious, malicious or frivolous constitute an unreasonable demand on the Commission's resources. These cases will only be responded to where the complainant provides significant new information about the complaint or raises new issues which the Commission believes requires fresh action.

Taking a Complaint Further

If the complainant is not satisfied with the way in which a complaint is dealt with by the Commission, the Commission will assist the complainant to access other appropriate review agencies, for example the State Ombudsmen and the Equal Opportunity Commission.

Review of Complaints

The Complaints Management Unit will review complaints at least each financial year and review and revise its policies and procedures where the need is apparent from the complaints data.

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