

Board policy
Function

Complaint Handling Policy

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Version history

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1. Introduction

Department of the Premier and Cabinet (DPC) Circular 39: Complaint Management in the South Australian Public Sector requires all South Australian public sector agencies (i.e. including Funds SA) to establish and maintain an effective complaint management system.

Funds SA values feedback, in particular from its investors and other stakeholders, as a means of strengthening its processes and improving its relations. Funds SA is committed to treating complaints seriously and dealing with them promptly and fairly.

2. Definitions

- Complaint: an expression of dissatisfaction made to or about a product, service, decision, policy, procedure, employee, or supplier of Funds SA (including about its complaint handling process) where a response or resolution is explicitly or implicitly expected or legally required.
- Complainant: any person, organisation, or their representative making a complaint.
- Complaint Management System: includes policies, procedures, practices, employees, hardware and software used Funds SA for the management of complaints and feedback.
- Complaints Officer: is the person who will deal with a complaint in accordance with this policy. Funds SA's Complaints Officer is the Executive Manager, Governance, Risk and Compliance (EMGRC).
- Feedback is an opinion, comment or expression of interest or concern, made directly or indirectly, explicitly or implicitly to or about Funds SA's products, services, decisions, policies, procedures, employees, suppliers or its handling of a complaint. A response is not explicitly or implicitly expected or legally required. Feedback can be either positive or negative.

3. Objective

To set out Funds SA's complaint management system for dealing with complaints from external parties, along with the related roles and responsibilities, consistent with the principles in the Australian/New Zealand Standard: Guidelines for Complaint Management in Organisations (AS/NZS 10002:2014) as described in SA Ombudsman's Complaints Management Framework (March 2016), and the United Nations Guiding Principles on Business and Human Rights.

4. Scope

This policy applies to all Funds SA employees (and contractors) who may receive, manage, investigate and respond to complaints and feedback.

Matters not considered applicable to this policy are:

- internal workplace complaints
- disclosures made in terms of Public Interest Disclosure Act
- matters of an administrative appeal or other form of legal redress.

Superannuation Member complaints should be made with Super SA at <https://www.supersa.sa.gov.au/contact-us/make-a-complaint/> or another relevant site.

Matters of corruption can be reported to the Office of Public Integrity (OPI) at <https://www.publicintegrity.sa.gov.au/make-a-complaint-or-report>, and misconduct and maladministration can be reported to either the OPI or at Ombudsman SA at <https://www.ombudsman.sa.gov.au/make-a-complaint>

5. Related policies and procedures

- Information Privacy Policy
- Public Interest Disclosure Policy
- Complaint Handling Procedure

6. Approach

- 6.1 Funds SA employees who receive a complaint in the normal course of their duties are encouraged to resolve the matter as soon as it arises. Equally, complainants are encouraged to resolve any matters arising with the Funds SA employee with whom they have been dealing.
- 6.2 In the event that a complaint cannot be resolved immediately, Funds SA will make available information about how to lodge a complaint on its website, including this policy. This will include by in-person, mail, telephone, email or online to the Funds SA Complaints Officer.
- 6.3 When the Complaints Officer receives a complaint, the Complaints Officer will acknowledge the receipt of the complaint within 3 business days and will advise the complainant of the complaint handling process that will be undertaken.
- 6.4 If a complainant requires assistance in making a complaint (in particular Aboriginal, culturally and linguistically diverse, disadvantaged or vulnerable complainants), the Complaints Officer will provide or arrange assistance within available resources. For example, offering a translation and interpreter service or providing information in accessible formats.
- 6.5 The Complaints Officer may receive anonymous complaints which raise significant issues and will investigate if there is sufficient information to be able to assess and investigate these complaints.
- 6.6 The complaint handling process will involve the following:
 - 6.6.1 Assessment – of the urgency, seriousness and complexity of the matter. This will determine the likely response timeframe of which the complainant will be advised. Every endeavour will be made to have the matter resolved and a response provided to the complainant within 28 days of a complaint being received.
 - 6.6.2 Investigation – will be planned and undertaken by the Complaints Officer fairly and impartially as soon as practicable once a complaint has been received. Where possible, investigation should involve relevant business officers/units and be based on engagement and dialogue with complainants.

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- 6.6.3 Resolution – a resolution of each complaint will be pursued. The remedy should be fair, practical and proportionate to the seriousness of the issue. However, Funds SA recognises that in some instances this may not be possible.
 - 6.6.4 Response – a response shall be provided to the complainant which provides sufficient information about the process and information discovered in arriving at the resolution. Further, a response should use plain English and avoid bureaucratic language, acronyms and jargon; set out any relevant laws or policies in simple language; and convey the outcome in a way appropriate to a person's particular communication needs (for example, literacy or disability).
 - 6.7 Where a complaint raises human rights issues including modern slavery case allegations, the Complaints Officer should seek to handle them in light of international human rights standards and national laws including the Commonwealth Modern Slavery Act 2018 and its guidance documents.
 - 6.8 If a complaint is frivolous or vexatious, the Complaints Officer may resolve the complaint by refusing to handle it and referring the complaint to an external body such as the SA Ombudsman if appropriate. However, care should be taken in assessing that a complaint is frivolous or vexatious.
 - 6.9 The Complaints Officer will record all complaints in the Funds SA Complaints Register and maintain adequate documentation in support of the complaint handling process.
 - 6.10 Funds SA's Complaints Officer is the Executive Manager, Governance, Risk and Compliance (EMGRC). It is noted that if the complaint is in relation to the Chief Executive Officer (CEO), the matter will be assessed and, if appropriate, will be escalated to the Chairman of the Board. In the event that the complaint is in relation to the EMGRC, the matter will be automatically escalated for consideration to the CEO.
 - 6.11 The complaint will be treated in confidence, on a need to know basis. It is noted that if a complaint is in relation to a particular Funds SA employee, the employee will be advised accordingly in order for relevant information to be discovered. Information received about the complainant will be treated in accordance with Funds SA's Information Privacy Policy.
 - 6.12 A report summarising complaints and their resolution will be provided periodically to the CEO. If any trends are identified, Funds SA is committed to making improvements to its processes as required, including to the complaint handling process itself.
 - 6.13 Where a complaint remains unresolved or cannot be resolved to the satisfaction of the complainant, the complaint may be escalated to the CEO if it was handled by the EMGRC or the Chairman of the Board if the complaint is in relation to the EMGRC or referred to an external body such as the SA Ombudsman.
 - 6.14 No retaliation is permitted against complainants or their representatives. Any employee who, or supplier that is found to have retaliated against complainants or their representatives will be subject to internal discipline procedures or contractual dispute provisions respectively.
 - 6.15 Consistent with DPC Circular 13: Annual Reporting Requirements, Funds SA's annual report will state how many and what valid complaints have been received.

7. Sub-Role and responsibilities

7.1 Board

The Board has a responsibility to:

- The Board is responsible for ensuring Funds SA has a complaint management policy and approving such.
- The Chairman is responsible for ensuring any valid complaints relating to the CEO are dealt with in accordance with the complaint handling process.

7.2 Chief Executive Officer

The position title has a responsibility to:

- ensuring a complaints management system is efficiently and effectively implemented, including this policy;
- encouraging an environment where feedback is valued;
- encouraging an environment where complaints are handled promptly and fairly;
- ensuring support and training is provided to employees handling complaints as appropriate;
- ensuring complaints in relation to the complaints handling process are dealt with accordingly; and
- escalating, as considered appropriate, serious complaints to the Board.

7.3 Executive Manager, Governance Risk and Compliance

The position title has a responsibility to:

- ensuring the complaint management system is promulgated to all Funds SA employees and contractors (and in particular, those who deal with Funds SA's investors and other stakeholders on a regular basis);
- ensuring serious complaints are escalated promptly to the CEO;
- periodically reporting a summary of complaints to the CEO;
- maintaining the Funds SA Complaints Register;
- communicating identified complaint trends to relevant senior managers together with proposed improvements; and
- ensuring relevant information is available to include in the Annual Report.

7.4 Employees

Employees who receive a complaint are responsible for treating complaints in accordance with this policy. In particular, complainants will be treated with respect, in a professional manner and confidentially. Complaints must be assessed fairly and impartially. Where the complaint is not resolved immediately, the complaints handling

process must be enacted. Assistance with the complaints handling process can be sought from the Complaints Officer.

8. Review

The position title will review this policy at least frequency. Changes will only be made following consultation with relevant employees. Add other review inclusions as required.

Next review due: November 2023

9. References

- Australian/New Zealand Standard: Guidelines for Complaint Management in Organisations (AS/NZS 10002:2014)
- Independent Commission Against Corruption Act 2012
- DPC Circular 39: Complaint Management in the South Australian Public
- DPC Circular 13: Annual Reporting Requirements
- DPC Circular 12: Information Privacy Principles (IPPS) Instruction
- Code of Ethics for the South Australian Public Sector
- Public Interest Disclosure guidelines
- SA Ombudsman's Complaint Management Framework March 2016
- United Nations Guiding Principles on Business and Human Rights
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10. Flow Diagram

Complaint

Raise complaint with a Funds SA employee or Complaints Officer

Assessment

Assess urgency, seriousness, and complexity of issue. Determine likely response timeframe

Investigation

Conduct fair and impartial investigation as soon as practical

Resolution

Pursue resolution and where appropriate remedy that is proportionate to seriousness of issue

Response

Respond to complainant providing sufficient information about process and information discovered in arriving at resolution