

26 September 2013

By email

Ms Chelo Morales
Project Manager
Technical Committee QR-015: Complaints Handling
Standards Australia

Dear Ms Morales

Draft Revision of AS ISO 10002-2006: Guidelines for Complaint Handling in Organisations

The Consumer Action Law Centre (**Consumer Action**) welcomes the opportunity to comment on the draft Revision of AS ISO 10002-2006: Guidelines for Complaint Handling in Organisations (**the draft guidelines**).

Overall, we support the draft guidelines. We have made the following recommendations:

- that the guidelines provide more guidance on developing complaint handling processes which meet the needs of disadvantaged or vulnerable consumers;
- that Standards Australia consider whether elements from the British Standard for Inclusive Service Provision could be incorporated into the draft guidelines, or whether a separate standard modelled on the British Inclusive Service Provision standard should be developed for Australia; and
- that minor amendments be made to the sections dealing with early resolution of complaints and communicating with complainants.

About Consumer Action

Consumer Action is an independent, not-for-profit, campaign-focused casework and policy organisation. Consumer Action offers free legal advice, pursues consumer litigation and provides financial counselling to vulnerable and disadvantaged consumers across Victoria. Consumer Action is also a nationally-recognised and influential policy and research body, pursuing a law reform agenda across a range of important consumer issues at a governmental level, in the media, and in the community directly.

Disadvantaged and Vulnerable Consumers

We believe the draft guidelines could be improved by including more guidance for organisations could design complaint handling processes which meet the needs of disadvantaged or vulnerable consumers.

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The draft guidelines (in particular Appendix B) already include content to this effect, but we recommend that the draft guidelines could be enhanced in the following ways:

- **Section 5.1.5 (that complainants should not be charged a fee to complain) should be amended to specify that complaints phone numbers must be free of charge.** We note that the Guidance on Accessibility at Appendix B of the draft guideline suggests that organisations should provide toll free numbers. Our suggested amendment would convert this suggestion into a clear statement that a toll free complaints number should be a minimum standard for accessible service. This change would support other parts of the 'enabling complaints' guiding principle (at 5.1 of the draft guideline), in particular that that complaint handling system should be accessible to everyone (5.1.5) and that organisations should be proactive in seeking and receiving feedback (5.1.1);
- **Section 6.3.4(a) (regarding training of relevant staff) should be amended to add that complaint handling staff should receive specific training on receiving and resolving complaints from disadvantaged or vulnerable complainants.** Training could targeted to focus on disadvantage or vulnerabilities that the organisation knows are common to their client base. Alternatively, this could be added as a suggestion to Appendix F;
- **Paragraph 6.3.4 (abilities of staff) and/or paragraph 6.4 (staff awareness) should be amended to require that staff be aware of other services that can assist disadvantaged and vulnerable complainants and how to make appropriate referrals.** For example, staff receiving a complaint indicating that the complainant is in financial hardship could provide contact details for a financial counselling service or (if appropriate) make a warm referral to that service on behalf of the consumer;
- **Paragraph 5.1.4 (accessibility of the complaint handling system) and/or 8.2 (supporting the making of a complaint) should be amended to include that organisations should have systems in place to allow complaints to be made by representatives of individuals affected.** This recognises that some complainants will rely on others to complain on their behalf (for example, a family member or community worker) and organisations should avoid creating unreasonable barriers to this occurring. For example, while organisations may require proof that a representative is authorised to act on behalf of an individual, the organisation should not require complainants to go through a more onerous process than is necessary. This amendment supports the intent behind the definition of 'complainant' (at paragraph 4.1) that complaints made by a representative of an individual should be treated the same as one made by the individual themselves.
- **Section 7.1 of the draft guideline (regarding design of the complaints system) should encourage organisations to ensure their complaint handling system contains no 'gaps' where progress of a dispute is likely to stall.** For example, if a complaint is not able to be resolved by frontline staff, it should proceed automatically to the next stage of the system (which might be management by a specialised complaint handling team). A system which requires a complainant to make a further complaint to progress the complaint to this next stage is likely to cause further frustration, exacerbating the complaint or leading the complainant to drop out of the process.

British Standard for Inclusive Service Provision

We recommend that Standards Australia consider whether elements from the British Standard for Inclusive Service Provision¹ could be incorporated into the draft guidelines. The value of this exercise would be that the draft guidelines would not only assist organisations to develop good complaint handling processes but encourage them avoid complaints arising at all.

Alternatively, we encourage Standards Australia to consider whether a separate standard modelled on the British Inclusive Service Provision standard should be developed for Australia.

Early resolution

We support the intent behind section 8.3 of the draft guidelines that organisation procedures should allow complaints to be resolved as early as possible. However, the draft guideline should note that early resolution is not always the best outcome.

For example, where a complaint can be linked to the complainant experiencing financial hardship, they are often in our experience given short-term temporary assistance (such as a moratorium on repayments for a certain time). The advantage of this response is that frontline staff may be able to provide it quickly and with minimum technicality. The disadvantage is that, for a consumer in serious financial hardship, it will only postpone rather than solving their problem. In this case, referring the consumer to a specialist hardship team for a more detailed assessment of the problem would be better than striving for the earliest possible resolution.

We recommend that section 8.3 be amended to clarify that, while early resolution is usually desirable for both parties, organisations should not seek quick solutions if a more detailed process will lead to a better result.

Communication in writing

We support the requirements at section 8.7.4 that organisations maintain communication with a complainant about progress of the complaint and results of the complaint after it has been processed. However, ***we recommend that this section be amended to require that communications with the complainant following consideration of the complaint should be confirmed in writing.***

If a complainant wishes to escalate a complaint to internal or external review, notice in writing of the organisations decision will allow a better informed consideration of what the organisation decided and why. We believe this information should be provided automatically in all cases, even where the notice in writing only serves to confirm what has already been expressed verbally. At a minimum, it should be provided in writing on request of the complainant.

¹ A summary of the British Standard is available here: <http://www.bsigroup.com/Documents/consumer-resources/BSI-Consumer-Brochure-Inclusive-Services-UK-EN.pdf>

Please contact David Leermakers on 03 9670 5088 or at david@consumeraction.org.au if you have any questions about this submission.

Yours sincerely

CONSUMER ACTION LAW CENTRE

A handwritten signature in black ink, appearing to be 'DB', written in a cursive style.

Denise Boyd
Director, Policy and Campaigns

A handwritten signature in black ink, appearing to be 'DL', written in a cursive style.

David Leermakers
Senior Policy Officer