

Complaints Handling Policy

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1 PURPOSE

Energy Safe Victoria (ESV) is committed to openly and responsively accepting complaints made by community members, industry participants, other agencies and our people. Fairness, transparency, responsiveness, privacy and accessibility, as reflected in ESV's Service Delivery Charter, are the cornerstones of this policy, which will also consider relevant Victorian and Commonwealth legislation.

Complaints can enable ESV to improve safety outcomes by:

- Identifying emerging issues
- Identifying potential areas of weakness in our monitoring or education programmes
- Encouraging compliance with the regulations and legislation that we are responsible for
- Aiding enforcement of those rules where appropriate.

2 SCOPE

The types of complaints that ESV accepts include:

- Complaints about unsafe, or non-compliant, electrical or gas equipment, installations, or infrastructure, or work practices
- Complaints about ESV service provision or processes and procedures
- Complaints about ESV employees.

Protected disclosures are not covered under this Policy and are handled in accordance with the Protected Disclosure Act 2012. For further information on protected disclosures and ESV's protected disclosure procedures, please follow the link provided below.

<http://www.esv.vic.gov.au/About-ESV/Contact-ESV/Protected-Disclosure-Act>

The Complaints Coordinator will direct complainants to other organisations or agencies to deal with their complaint when appropriate to do so. A list of organisations and agencies and the kinds of complaints they can assist with is available on our website: <http://www.esv.vic.gov.au/about-esv/working-with-other-organisations/other-organisations/>

3 DEFINITIONS

The following table lists key terms used in this document and provides a definition to explain their meaning.

Term	Definition
Complaint	An expression of dissatisfaction with a specific action or service provided by a person or agency, including the failure by an agency to comply with its public service charter or mission.
Complainant	The individual making the complaint to ESV.

4 PRINCIPLES

The complaints handling processes are underpinned by the following principles, which reflect the principles in ESV's Service Delivery Charter.

4.1 Fairness

We will take all complaints seriously, judging each complaint impartially on its merits and facts, giving unbiased treatment to all people, while being sensitive to the specific circumstances of each. We will investigate and take enforcement action when appropriate.

4.2 Transparency

Internally, this Policy will be available to all employees on the ESV intranet. Externally, this Policy will be available on the website and in electronic or hard copy on request. Decisions made during processing of a complaint will be communicated with the complainant and options for disputing these decisions will be provided.

4.3 Responsiveness

Communication will be prompt and courteous.

- Your complaint will be acknowledged within five business days of receipt
- An initial review of your complaint will be completed and you will be advised if more than twenty business days are required to do this
- If a lengthy formal investigation is required, you will be notified
- On request you will be notified of our findings and actions taken.

4.4 Privacy

ESV is committed to protecting the privacy of each individual's personal information according to the principles set out in the *Privacy and Data Protection Act 2014*.

4.5 Accessibility

There is no fee or cost associated with making a complaint to ESV. However, complaints are required to be in written form. The Complaints Coordinator may be contacted by telephone to assist in submitting a complaint.

ESV will accept anonymous complaints, though anonymity may limit the actions that can be taken by ESV. For example, witness statements cannot be obtained if a complainant remains anonymous.

5 RESPONSIBILITIES

The following employees have the main responsibility for the resolution of complaints made to ESV.

5.1 Complaints Coordinator

The Complaints Coordinator is responsible for:

- Recording and assessing complaints received
- Coordinating the complaint resolution process, including directing complainants to other organisations or agencies when appropriate
- (Where required) allocating the complaint for review by a section manager
- Responding to complainants based on recommendations by case managers
- Reporting complaint outcomes.

5.2 Section Manager

The section manager is responsible for:

- Determining if their section should investigate the complaint
- Prioritising the complaint
- Allocating the complaint to a case manager
- Approving recommendations to resolve the complaint.

5.3 Case Manager

The case manager may be a general manager, a section manager or another employee and is responsible for:

- Carrying out the investigation
- Conducting interviews
- Recording investigation findings, actions taken and results achieved
- Making recommendations to resolve the complaint.

6 HOW TO MAKE A COMPLAINT

To make a complaint to ESV the complainant must provide a written submission or, if this is not possible, contact the Complaints Coordinator by phone; (03) 9203 9700.

Postal address

Attn: Complaints
Energy Safe Victoria
PO Box 262
COLLINS STREET WEST VIC 8007

Email

complaints@energysafe.vic.gov.au

Fax

(03) 9686 2197

7 BREACH OF POLICY

If you believe that ESV has not handled your complaint according to this policy, you may consider contacting the Victorian Ombudsman on (03) 9613 6222 or by email to ombudvic@ombudsman.vic.gov.au.

8 REFERENCES AND RELATED DOCUMENTS

Title

Alternative complaint and dispute resolution bodies

[Victorian Ombudsman](#)

[Accident Compensation Conciliation Service](#)

[Consumer Affairs Victoria](#)

[Dispute Settlement Centre - Victorian Department of Justice](#)

[Energy and Water Ombudsman](#)

[Commissioner for Privacy and Data Protection Victoria](#)

[WorkSafe Victoria Complaints](#)

[The Independent Broad-based Anti-corruption Commission \(IBAC\)](#)

[Victorian Building Authority](#)

[Magistrates Court of Victoria](#)

[County Court of Victoria](#)

[Supreme Court of Victoria](#)

[Victorian Civil and Administrative Tribunal \(VCAT\)](#)

Legislative references

Privacy and Data Protection Act 2014 (Victoria)

Protected Disclosure Act 2012 (Victoria)

Privacy Act 1988 (Commonwealth)

Victorian Charter of Human Rights and Responsibilities Act 2006

Equal Opportunity Act 2010 (Victoria)

9 DOCUMENT CONTROL

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1.0	Sep 2017	Key changes made to document	Kevin O'Connor	Roanne Allan	Every three years	EMB