

## Complaints Handling and Dispute Resolution Policy

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## Document Creation and Review

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1	Donna Carey			1 December 2015

## Document Control

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		Nam	Organisation	

### 1. Context

Narara Ecovillage Co-operative Limited (NEV) is creating a socially, environmentally and economically sustainable community.

NEV will be responsible for the design, construction, commission, operation and maintenance of all energy, potable, non-potable and sewerage infrastructure and distribution networks from source to the customer connection points in accordance with the Water Services Association of Australia (WSAA) guidelines.

NEV plans to produce and treat water on site for household use, irrigation and possibly for small commercial applications. NEV goal is to become carbon neutral, self sufficient and independent in energy. This aspect is critical to the success of the village and the quality of life of NEV residents and visitors. NEV aims to be self-sufficient in providing water and be a model for sustainable water management for a community.

### 2. Aim

The purpose of this Policy is to set out how NEV Water deals with complaints and resolves disputes from customers. While it is hoped that there will be few complaints received from customers, it is recognised that complaints may arise and this Policy will assist workers with the process involved for handling complaints and resolving disputes.

When necessary or appropriate, NEV Water may make use of an approved ombudsman scheme such as EWOS (Energy & Water Ombudsman NSW).

### 3. Abbreviations

EWOS	Energy & Water Ombudsman NSW
NEV	Narara Ecovillage Co-operative Limited
WSAA	Water Services Association of Australia

## 4. Purpose of this Policy

### 1. Introduction

- NEV Water is committed to dealing with complaints and resolving disputes efficiently and fairly. The NEV Board expressly endorses this commitment
- Handling complaints well gives NEV Water an opportunity to better understand its customers, improve service and minimise disputes
- Workers are required to follow this Policy
- If you have any queries about this Policy, you should contact NEV's **Customer Relations Officer**, (i.e. the **Company Secretary**) by phone on 1300 NARARA

### 2. Terminology

- **Narara Ecovillage** also means NEV for the purposes of this policy
- **Board** means the board of directors of NEV
- **Customer** means an NEV Water customer
- **Complaint** means any expression of dissatisfaction with a product or service offered or provided by NEV Water <sup>1</sup>
- A complaint can be made orally or in writing
- **Dispute** means a pursued unsatisfied complaint <sup>2</sup>. In other words, it is a matter that has been dealt with as a complaint under this Policy but where the complainant is still not satisfied with the outcome
- **Relevant Workers** means employees, consultants and contractors who may receive complaints from customers

## 5. ASIC requirements

### 1. ASIC's requirements are as follows <sup>3</sup>

- a. The complaints/disputes handling procedures must satisfy the Essential Elements of Effective Complaints Handling set out in section 2 of AS 4269-1995 (these Essential Elements are set out in paragraph 6.1 of these Procedures).
- b. The procedures must appropriately document the internal complaints handling and dispute resolution procedures.

This includes setting out in writing the procedures and policies for:

- receiving complaints
- investigating complaints
- responding to complaints within appropriate time limits
- referring unresolved complaints to an external dispute resolution scheme
- recording information about complaints
- identifying and recording systemic issues
- the types of remedies available for resolving complaints, and
- internal structures and reporting requirements for complaints handling

A copy of the procedures must be available to all Relevant Workers.

A simple and easy-to-use guide to the procedures should also be made available to customers either on request or when they want to make a complaint.

- c. The procedures must include a system for informing complainants about the availability and accessibility of the relevant external dispute resolution scheme.

<sup>1</sup> AS 4269-1995, para 1.4.2

<sup>2</sup> AS 4269-1995, para 1.4.4

<sup>3</sup> RG 165.10

This means that this Policy must provide that if a complaint has been through the internal Complaints Handling Process but remains unresolved, or is not resolved within the appropriate time limits, the relevant complaints handling workers:

- must inform the complainant that they have a right to pursue their complaint with an external dispute resolution scheme, and
- provide details about how to access the relevant external dispute resolution scheme

## 6. Key Principles for Complaints Handling and Dispute Resolution <sup>4</sup>

The Key Principles which underpin this Policy are as follows:

- NEV is committed to the efficient and fair resolution of complaints (noting that in this context, “fairness” means fairness to both the complainant and the person complained about)
- NEV has allocated adequate resources for handling complaints
- NEV tells *Relevant Workers* and *Customers* about its complaints handling policy
- NEV makes this complaints handling mechanism available to all of its customers
- If appropriate and a complainant requests, NEV will provide assistance to the complainant in the formulation and lodgement of complaints
- NEV aims to deal with complaints quickly and courteously
- Subject to statutory requirements, complaints handling under this Policy is at no charge to the complainant
- The **Customer Relations Officer** (where appropriate in conjunction with the **General Counsel**) has the capacity to determine and implement remedies to complaints/disputes
- Data is collected and recorded about complaints, and their outcomes
- Complaints are classified and analysed so that systemic or recurring problems are identified and rectified
- There is appropriate reporting on the operation of this Policy against documented performance standards
- This Policy is reviewed at least annually to ensure that it is delivering effective outcomes

This Policy embraces these Key Principles.

## 7. Procedures

### 1. If a Customer submits a complaint to NEV

NEV:

- must, if the complaint is oral, either resolve it “on the spot” to the customer’s satisfaction, or if that is not done, request the *Customer* to submit a written complaint (however, there is no requirement that the complaint be in writing before it can be dealt with according to these procedures), and refer the complaint to the **Customer Relations Officer**;
- must, if the complaint is in writing, acknowledge in writing receipt of the complaint as soon as practicable and in any event within 14 days from receipt, and enclose a copy of this Policy for the customer’s information;
- must ensure that the complaint receives proper consideration resulting in a determination by the **Customer Relations Officer** as the person designated by NEV as appropriate to handle complaints;
- must act in good faith in dealing with and resolving the complaint;
- must investigate the complaint including by:
  - seeking all relevant information from the complainant;

<sup>4</sup> These “Key Principles” address the “Essential Elements of Effective Complaints Handling” in Section 2 of AS 4269-1995

- ii. obtaining all relevant information from NEV workers,
- f. may in its discretion give any appropriate remedy to the complainant, including any of the following:
  - i. information and explanation regarding the circumstances giving rise to the complaint;
  - ii. an apology; or
  - iii. compensation for loss incurred by the complainant,
- g. must communicate to the complainant in relation to the complaint as soon as practicable and in any event not more than 45 days after receipt by NEV of the complaint:
  - i. the determination in relation to the complaint;
  - ii. the remedies (if any) available to the *Customer*; and
  - iii. information regarding any further avenue for complaint.

## 2. Resolution of Complaints

All oral complaints not resolved “on the spot” and all written complaints must be referred to the **Customer Relations Officer** on receipt. The **Customer Relations Officer** must ensure the steps listed in 6.1(b)-(g) are carried out. In doing this, the **Customer Relations Officer** must take into account and act consistently with the Key Principles set out in Section 8 of this Policy. The **Customer Relations Officer** must liaise as appropriate with the **General Counsel** when dealing with and resolving complaints.

## 3. Resolution of Written Complaints

Where a customer has been notified in writing of a decision about a complaint, and no response has been received from the *Customer*, the complaint can be treated as “*resolved to the satisfaction of the customer*”.

## 4. Resolution of Oral Complaints

These can be treated as “*resolved to the satisfaction of the customer*” where:

- a. the complaint has been resolved to the customer’s satisfaction “*on the spot*” or
- b. the customer has been notified of a decision about a complaint, and no response has been received from the customer, the complaint can be treated as “*resolved to the satisfaction of the customer*”

## 5. If customer asks for information about complaints handling procedures

If a *Customer* asks for information about NEV’s complaints handling methods, workers must refer that request to the **Customer Relations Officer** as soon as possible. The **Customer Relations Officer** must ensure the customer is provided with a copy of this Policy within 7 business days of the request.

## 6. If customer asks for assistance in formulating or lodging complaint

If a *Customer* asks for assistance in the formulation and lodgement of his/her complaint, workers must refer that request to the **Customer Relations Officer** as soon as possible. The **Customer Relations Officer** must ensure reasonable assistance is provided to the customer.

## 7. Where complaint not resolved to customer’s satisfaction

For each complaint that cannot be resolved to the customer’s satisfaction within 45 days, the **Customer Relations Officer** must inform the complainant in writing that the complainant may have a right to pursue their complaint with Energy & Water Ombudsman Service NSW (EWOS) and provide details about how to access EWOS, or the designated arbitrator to be determined between NEV and IPART.

## 8. Telling Customers about this Policy

NEV must tell *Customers* about this Policy in each service contract, and make it available on their website.

## 8. General

## 1. Communication within NEV

All *Relevant Workers* must be made aware of this Policy. It is the responsibility of the **Customer Relations Officer** to ensure this occurs.

Periodically (at least annually), the **Customer Relations Officer** must remind all *Relevant Workers* about this Policy.

## 2. Annual Review of this Policy

The **Customer Relations Officer** is responsible for ensuring this Policy is adhered to.

Periodically (at least annually), the **Customer Relations Officer** must review this Policy and report the outcome of this review to the CEO.

When reviewing this Policy, consideration must be given to whether the Policy:

- continues to comply with all applicable legislative requirements; and
- efficiently delivers effective outcomes.

## 3. The Complaints and Disputes Register

The **Customer Relations Officer** must ensure that a Complaints and Disputes Register is established, maintained and kept up to date. The Register is comprised of a copy of each Complaint Report (refer to Attachment A).

At a minimum, the Register must include the following information about every complaint and/or dispute that is received:

- Date complaint made/dispute notified
- Nature of complaint/issue
- Date resolved
- How resolved
- Was dispute referred to Ombudsman or arbitrator
- Does complaint/dispute indicate a recurring or systemic issue
- If yes, action taken to ensure issue does not recur/that systemic issue addressed

The **Customer Relations Officer** must periodically review the Register to check, amongst other things, that:

- complaints are being handled appropriately, including in accordance with this Policy, and within the required timeframes
- systemic or recurring complaints are being identified, and that the cause of those complaints is being identified and remedied

The Complaints and Disputes Register must be tabled at least quarterly at the NEV Water Utility group meetings.

## 4. Review against Documented Performance Standards

The **Customer Relations Officer** must establish documented performance standards against which adherence to this Policy can be tested. Those standards must be based on the requirements of this Policy. The **Customer Relations Officer** must review the adequacy and appropriateness of those standards, and amend them as necessary.

Periodically (at least annually), the **Customer Relations Officer** must review the operation of the Policy against the documented performance standards and report the outcome of this review to the CEO.

## 9. Attachment A: Complaint Report

1.	<i>Date of this Report</i>	
2.	<i>Date complaint made / dispute notified</i>	
3.	<i>Date resolved</i>	
4.	<i>How resolved</i>	
5.	<i>Was complaint / dispute referred to arbitration or the Ombudsman Service</i>	
6.	<i>Does complaint / dispute indicate a recurring or systemic issue</i>	
7.	<i>If yes, what action was taken to ensure the issue does not recur / that systemic issue has been addressed</i>	
8.	<i>Date by which remedial action must be completed</i>	
9.	<i>Date remedial action completed</i>	
10.	<i>Who is responsible for ensuring this action is carried out</i>	
11.	<i>Date by which this action must be completed</i>	
12.	<i>Date action completed</i>	
13.	<i>Is complaint / dispute significant?</i>	
14.	<i>If yes – date notified to NEV Board</i>	
15.	<i>If yes – date notified to Network Operations Group Meeting</i>	

## 10. Attachment B: Complaints Handling Procedures

### Documented Performance Standards

No.	Action required	Timeframe
1.	Send copy of NEV's Complaints Handling Policy to any Customer who asks for information about its complaints or disputes handling methods	Within 7 business days
2.	Oral complaints not resolved "on the spot" and written complaints to be referred to Customer Relations Officer	Immediately
3.	Where customer requests assistance in formulation/lodgement of complaint – refer matter to Customer Relations Officer	As soon as possible
4.	Customer Relations Officer to write to complainant acknowledging receipt of complaint, and forwarding copy of NEV's Complaints Handling Policy	Within 14 days of receiving complaint
5.	Customer Relations Officer to advise complainant in writing of outcome and (if complaint not resolved to complainant's satisfaction) advise complainant in writing of availability of external dispute resolution mechanism, Ombudsman Service (or designated equivalent); and how Ombudsman Service may be accessed.	Within 45 days of receiving complaint
6.	Complaints and Disputes Register – Customer Relations Officer to:  (a) record complaint on Register; and  (b) keep Register updated about the complaint	(a) Within 7 days of receipt  (b) Within 45 days of receipt