

## NSW ARB Policy

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# COMPLAINTS

### Purpose

This document outlines the policy and procedure for managing complaints about the NSW Architects Registration Board ('NSW ARB') by stakeholders. It ensures that the NSW ARB handles complaints effectively.

This policy provides an overarching framework for complaints handling based on the NSW Ombudsman's [Whole of Government Commitments to Effective Complaint Handling commitments](#):

- Respectful treatment
- Information and accessibility
- Good communication
- Taking ownership
- Timeliness
- Transparency

The 6 commitments are a guarantee to members of the public about what they can expect when they complain to a NSW government agency, including the NSW ARB, about the agency's processes, services, and employees.

### Scope

This policy applies to NSW ARB staff, including employees and consultants.

### What is a complaint?

Complaints as defined in the *Australian and New Zealand Standard – Guidelines for complaint management in organisations (AS 10002:2014)*, are 'expressions of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required'.

NSW ARB stakeholders need to have their complaints and feedback about us, our services, our staff, or the handling of a complaint resolved appropriately.

Complainants can make a complaint to the NSW ARB about:

- Any aspect of the services the NSW ARB provide
- The behaviour or conduct of NSW ARB staff
- Any policy or procedure
- Any decision made by the NSW ARB (excluding decisions of the Board under the [Architects Act 2003](#))

Staff grievances and public interest disclosures are not covered by this policy. Guidance for staff in these areas are set out in separate policies.

Frontline staff are expected to handle all complaints however, they should refer the complaint to a senior member of staff if they:

- Are unresolved
- Are outside the staff member's delegation or expertise
- Involve serious allegations
- Involve complex issues or a number of different staff
- Are likely to result in significant disciplinary or other action by the organisation.

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Level 2, 156 Gloucester Street Sydney NSW 2000 02 9241 4033 mail@architects.nsw.gov.au [architects.nsw.gov.au](http://architects.nsw.gov.au)

## Complaint handling process

### 1. Complaint is received

Complaints can be made to the NSW ARB in writing via email to [mail@architects.nsw.gov.au](mailto:mail@architects.nsw.gov.au) or via the NSW ARB's online [enquiry form](#).

Complaints should include the complainant's name, contact details, the nature of the complaint, and any supporting documentation.

An anonymous complaint can be made to the NSW ARB, however it may be difficult to resolve a complaint if the complainant does not provide contact details. The NSW ARB may require further information for clarification. Complainants who do not provide contact details will not receive information about any action taken in response to the complaint or outcomes to the complaint.

### 2. Record the complaint

We will record details of the complaint:

- The full name of the person making the complaint
- Contact details of the person making the complaint
- Issues raised by the complainant
- How the complainant wants the complaint to be resolved
- Any other information required to properly respond to the complaint
- Any additional support the person making the complaint may need
- If the complaint is resolved at first contact, details about the resolution – such as referrals or information provided.

### 3. Acknowledge the complaint

We will email the complainant and confirm receipt of their complaint as soon as possible, and will aim to acknowledge receipt of the complaint within 20 working days. The email will include a contact point for the complainant, key timeframes and the likely next steps. This helps to manage what the NSW ARB expects of the complainant and what the complainant can expect of us.

The NSW ARB is committed to managing customer expectations and assisting them to an outcome for their complaint. This means we:

- promptly acknowledge complaints
- inform the complainant as soon as possible of:
  - our complaints process, including possibilities for internal and external reviews
  - the expected timeframes for our actions
  - the progress of the complaint and reasons for any delay
  - the complainants likely involvement in the complaint resolution process.
- assess and prioritise the complaint according to the urgency and/or seriousness of the issues raised.

Most complaints are handled within 30 business days. Complex complaints and investigations will take longer. If it seems unlikely that a timeframe will be met, the complainant should be informed of the reasons and provided with an estimated timeframe to manage expectations.

### 4. Assess the complaint

We will assess the complaint to decide what action to take next. An initial assessment may consider:

- The NSW ARB's jurisdiction
- Involvement of other organisations
- Feasibility of the complainant's suggestion

- Severity, urgency and complexity
- Health and safety implications
- Impact on the individual, the general public, and the NSW ARB
- Potential to escalate
- If more than one issue is raised in the complaint we will check if issues need to be handled separately.

The NSW ARB staff member handling a complaint must not be the staff member whose conduct or service is being complained about. Conflicts of interest, whether actual or perceived, will be managed responsibly and professionally.

## 5. Decide what action to take

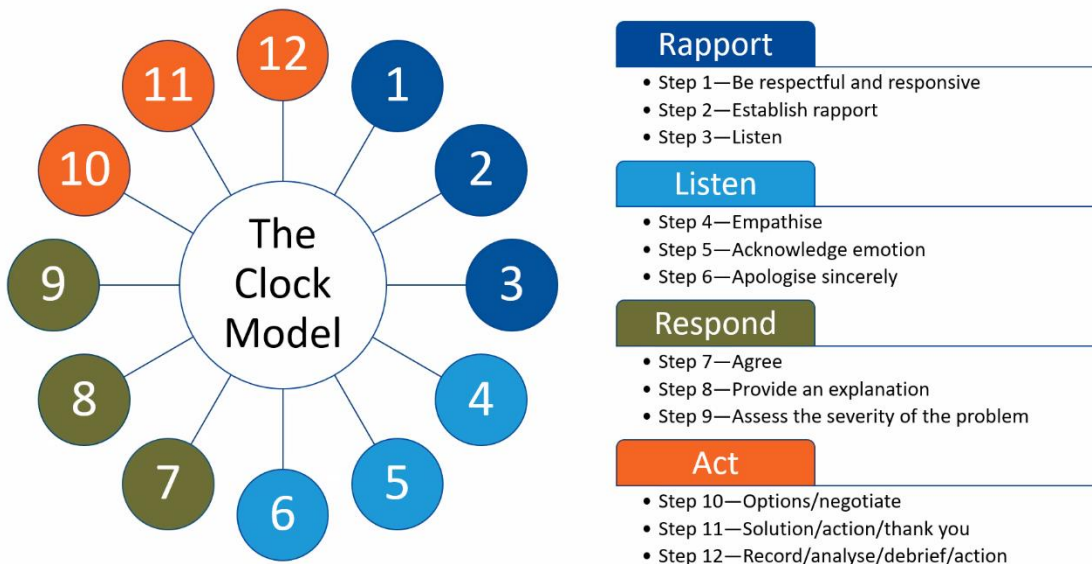
After assessing a complaint, we will need to decide what action to take next:

- If we need more information or the complaint is very serious, we may need to investigate the complaint.
- If we don't need to investigate the complaint, we will advise the complainant of the outcome. We will explain reasons for the decision, remedies and options for review.

The NSW ARB will keep records about how the complaint was managed, the outcome, recommendations and any actions that need to be followed up.

## Clock model

The NSW ARB will utilise the clock model, which is a guide for initial service provision and complaint handling interactions.

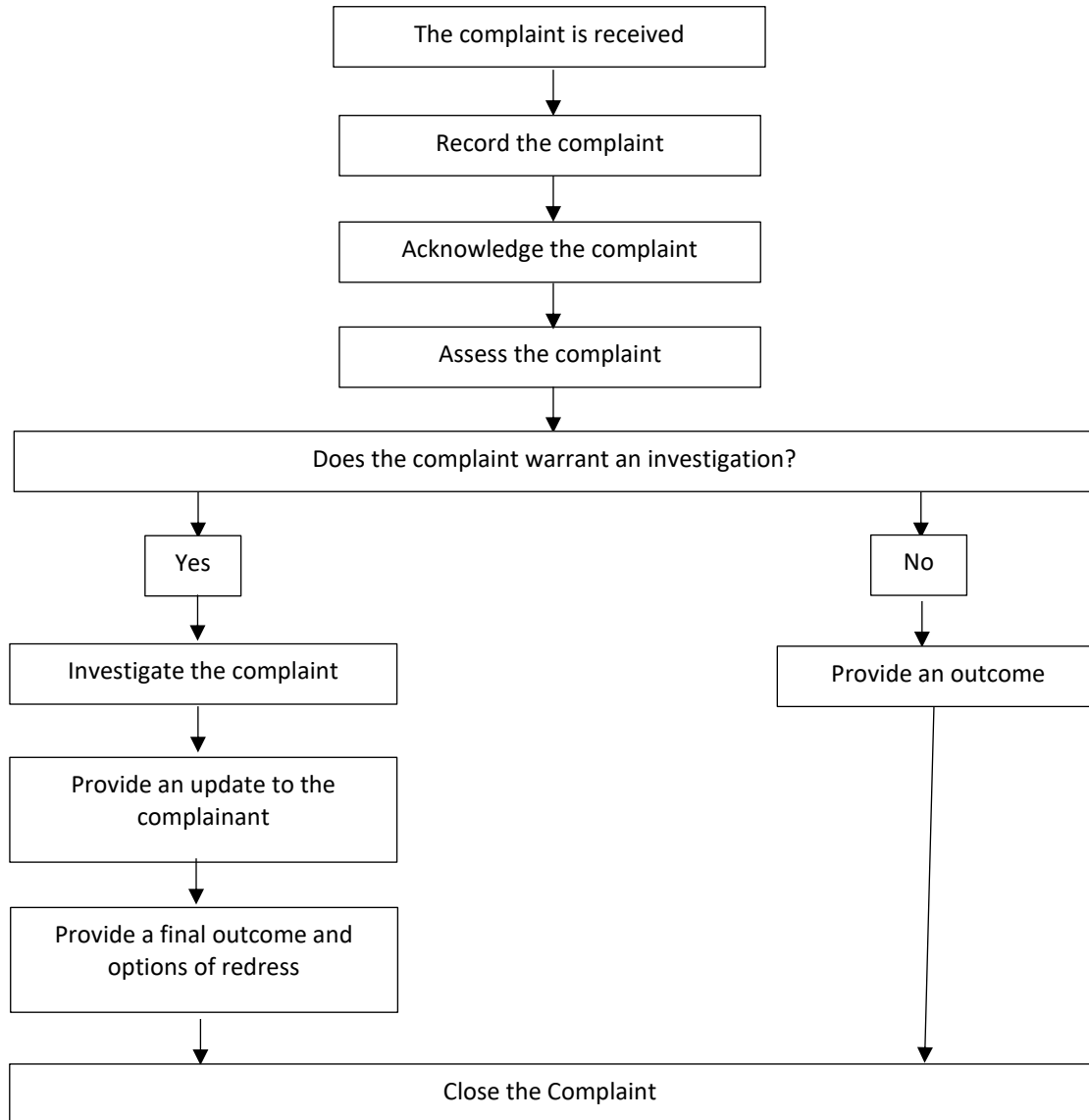


## Recording information

All staff are expected to complete the Complaints Register when responding to a complaint.

Recording and analysing information about complaint handling is also an obligation of NSW agencies under the [NSW Government Whole of Government Handing Commitment 6: Transparency](#).

## Complaint Handling Flow Chart



### Applying a three-level model of complaint handling

According to the Australian Standards (AS: 10002:2022): Guidelines for complaint management in organisations (ISO 10002:2018, NEQ), best practice dictates that an effective complaint management system incorporates three levels of complaint management:

- Level 1: Frontline complaint handling – early resolution by first point of contact staff
- Level 2: Assessment of serious complaints and reviews of Level 1 complaint handling by a senior staff member.
- Level 3: Referral to the NSW Ombudsman

Level 1: Frontline or first point of contact staff should be adequately equipped to respond to complaints, including being given authority, training and supervision. Complaints should be referred on from frontline staff to senior staff if they:

- Are unresolved
- Are outside the staff member's delegation or expertise
- Involve serious allegations
- Involve complex issues or a number of different staff
- Are likely to result in significant disciplinary or other action by the organisation.

Level 2: The seriousness of some complaints or a complainant's dissatisfaction with how the matter has been dealt with may warrant the complaint being dealt with at a more senior level.

Level 3: When a complainant is dissatisfied with the outcome of an internal assessment, investigation, review or process, referral to the NSW Ombudsman may be appropriate.

## Managing unreasonable conduct by complainants

In line with our Managing Unreasonable Conduct by Complainants policy, when complainants behave unreasonably in their dealings with us, their conduct can significantly affect our success in dealing with their complaint. As a result, the NSW ARB will take proactive and decisive action to manage any complainant conduct that has a negative impact on staff dealings with complainants. This may result in the complainant's interaction with us being restricted or in extreme cases, being terminated.

## Resolving complaints

Complaints should be resolved to the satisfaction of the NSW ARB, based on what is the right outcome given the legal, ethical, factual and policy considerations that apply in the circumstances of each case.

### Level 1 Frontline staff

Frontline staff are delegated the following resolution options:

- Have informal contact with a complainant to negotiate an outcome of a complaint
- Provide advice to a complainant about an organisation's decision or action and the reason for the decision or action
- Provide information, advice and a referral to another relevant person or team within the organisation or to an external organisation – when initial inquiries about the complaint identify it is either not within the frontline staff member's delegation to respond or decide, or the complaint is not within the organisation's jurisdiction
- Take no further action and inform the complainant of the decision and the reason for the decision.

### Level 2 Senior staff

Level 2 senior staff are delegated the following resolution options:

- Provide an apology
- Make significant case management decisions and remedial action about services or service systems
- Mediation or conciliation
- Formal evidence focused investigation
- Take no further action and inform the complainant of the decision and the reason for the decision.

## Review process

### Review by the NSW ARB

If a complainant is not satisfied with the initial decision made by a frontline staff member, they can request a review of the initial decision via email at [mail@architects.nsw.gov.au](mailto:mail@architects.nsw.gov.au) or via the NSW ARB's online [enquiry form](#). The request for review should be made within 10 working days from the initial complaint decision.

The NSW ARB will only review the complaint outcome or the complaint handling process once. If a complainant is not satisfied with the outcome of a review of a decision, they can refer the matter to the NSW Ombudsman.

### **Review by the NSW Ombudsman**

The NSW ARB is a public authority covered by the NSW Ombudsman scheme.

The NSW Ombudsman is an independent integrity agency that pursues fairness for the people of NSW. It strives to ensure that those entrusted with public power and resources fulfil their responsibilities and treat everyone fairly.

If the NSW ARB has not been able to resolve a complaint, and the complainant believes that the NSW ARB has done something wrong, the complainant may be able to take their complaint to the NSW Ombudsman:

[www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

To see when and how a complainant may be able to make a complaint to the NSW Ombudsman visit:

<http://www.ombo.nsw.gov.au/Making-a-complaint/how-to-make-a-complaint>.



**Policy updated August 2024.**

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#### **Disclaimer**

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