

Fact sheet 11

Tips for making a complaint to a Victorian public sector agency

There is now an expectation in both the public and private sectors that organisations have established complaint-handling procedures. You should firstly make a complaint direct to the organisation concerned to give them the opportunity to address your concerns. Apart from resolving your complaint, bringing the matter to the attention of the organisation may result in changes to their policies or procedures that will benefit other members of the community.

You can complain to Ombudsman Victoria if you have an unresolved complaint about a Victorian government department, statutory authority, local council.

Complaints about federal government departments such as Centrelink and private sector organisations and services such as telecommunications, banking, water, gas and electricity can not be resolved by the Victorian Ombudsman. These complaints must be taken to the relevant complaint body such as the Commonwealth Ombudsman or the Telecommunications Industry Ombudsman.

A letter to the agency is best but a telephone call may resolve the matter quickly

It is usually best to write a letter of complaint, particularly if you are dealing with a large organisation. If you write, someone will be given the job of answering your letter and it is more likely to be directed to the right area or person.

However an initial telephone call may help clarify some of the issues or may help you understand the organisation's complaint-handling procedures. For example, some complaints may require a special form.

If you do telephone, tell them about your complaint, ask them if they can help and what they intend to do. Always ask for their name and position and keep notes of what was said and the time and date of your call. You may be requested to put your complaint in writing, particularly if it is complicated or there is a significant history.

Addressing your letter

You should send your letter to the complaint-handling officer if there is one, or if you are unable to identify them, write to the head of the organisation.

What to include in your letter

Your letter should be clear and to the point. Summarise in a couple of sentences precisely what your complaint is about. Do not go into excessive detail. Your letter should be set out in a logical order and should include:

- the date
- your name, address and day-time telephone number
- a description of the incident or problem
- relevant dates, places and times
- details of any telephone conversations and meetings
- any explanations you think are important
- copies of relevant documents
- the result you are seeking.

Tell them what you need

Explain what action you think should be taken to resolve your problem. Indicate in a constructive way that you are giving the person or organisation a chance to fix a mistake or an omission, rather than blaming them for what happened.

Make sure your demands are reasonable. If your request is realistic and within the power of the person you are writing to, you are more likely to get your complaint resolved.

Ask for action

Always request that your letter be acknowledged in writing. Ask the organisation for an estimate of how long it will take to deal with your complaint. If there is a degree of urgency involved, let them know this and explain why.

Keep records

It is important that you keep copies of all the letters you send and receive as well as details of all telephone calls. You may need to provide evidence of your dealings with the organisation, particularly if you decide to refer the matter to this office.

Pursuing your complaint's progress

If nothing happens, call the organisation to check on the progress of your complaint. If they are not able to provide you with an update, then write again.

Dissatisfied with response

Ask the organisation what rights of appeal are available to you if you are dissatisfied with the resolution of your complaint.

After this process if your complaint is not resolved to your satisfaction or not dealt with in a reasonable time, you may complain to Ombudsman Victoria.

Making a complaint to Ombudsman Victoria

The tips outlined above are also relevant when making a complaint to the Ombudsman. Clear and simple communications are important when contacting his office.

It is essential that you attempt to give the Ombudsman clear details of all of the circumstances and issues of your complaint. The Ombudsman will need your contact details, including a day time telephone number.

If you have a reference number from the agency, this should also be provided to the Ombudsman. Please attempt to set out as clearly and concisely as you can, the matters about which you are complaining. Dates of relevant events and names and contact telephone numbers of the agency or other people who may have relevant information would be most helpful.

You should provide any relevant documents you have which will assist the Ombudsman to obtain a full appreciation of the complaint. Copies of letters or documents should be provided to the Ombudsman by post or by delivery to his office.

It is important that you tell the Ombudsman what you hope can be done to assist you and how your complaint may be resolved to your satisfaction. Otherwise, your expectations may be misunderstood.

Please note: This document is intended as a guide only. For this reason the information contained herein should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, Ombudsman Victoria is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of the Ombudsman Act 1973 refer to www.legislation.vic.gov.au.

© Copyright State of Victoria 2008

This work is copyright. You may reproduce this material for your personal, non-commercial use or use within your organisation. You may distribute copies of downloaded material in an unaltered, complete form only (retaining any logos, graphical elements, sounds, images, headers and footers).

Apart from any use as permitted under the Copyright Act 1968, all other rights are reserved.

Contact Details

Ombudsman Victoria
Level 9 North Tower
459 Collins Street
Melbourne VIC 3000

Phone	03 9613 6222
Fax	03 9614 0246
Toll free	1800 806 314
Email	ombudvic@ombudsman.vic.gov.au
Website	www.ombudsman.vic.gov.au