

I. Purpose

The policy of the Environment Protection Authority (EPA) is that it is committed to ensuring that it manages and responds to external complaints.

The EPA considers an **external complaint** to be:

A formal expression of dissatisfaction with an action taken, decision made or service provided by the EPA, or a delay or failure in providing a service, taking an action, or making a decision, which has been sent to the EPA where a response is expected.

An external complaint does not include:

- a request for a review or an appeal where there is a legal right to request one. Those reviews or appeals will follow the legislative review or appeal procedure;
- issues with media releases written by third parties;
- vexatious or repetitive matters may be escalated to other forums such as the Integrity Commission – depending on the issue;
- environmental complaints or notifications of any alleged breaches of law by third parties;
- a request for service; or
- a request for information.

These procedures have been developed to ensure that all staff are aware of an effective complaint handling mechanism that is based on seven principles:

- **Commitment:** The EPA is committed to resolving complaints. The information gained from complaints helps the EPA to improve its policies, systems and service delivery, which helps achieve strategic priorities.
- **Accessibility:** Information on how to make a complaint is available on the EPA's website. Assistance is available to help people if they do not have internet access or require help in accessing the information (e.g. accessibility issues due to a disability).
- **Transparency:** The EPA makes it clear how, where and to whom a complaint can be made and how it will be handled.
- **Objectivity and fairness:** Complaints are dealt with impartially within a reasonable timeframe and are assessed on merit.
- **Efficiency:** Complaints are handled in a way that is proportionate and appropriate to the matter being complained about.
- **Privacy:** Complaint information is handled in accordance with the *Personal Information Protection Act 2004* and other relevant legislation.
- **Continuous improvement:** Acting on, and learning from, complaints assists the EPA to identify issues and improve services.

2. Scope

These procedures apply to all employees employed by the EPA, and everyone is responsible for adhering to and responding to external complaints.

- **The Executive Committee:** is responsible for ensuring the EPA has a complaints handling process that is effective and uses complaint information to identify issues and drive improvements.
- **Branch Managers/Section Heads/Supervisors:** are responsible for ensuring, within their area of responsibility, that the external complaints handling procedure is implemented.
- **Employees:** all staff must help people who wish to make a complaint and attempt to resolve less serious complaints at first contact, and escalating matters for investigation, where appropriate. All staff must be committed to the fair, effective and efficient handling of complaints.
- **Strategic and Legal Services Section:** will 'triage' external complaints in consultation with the Executive Director of Environmental Assessments and/or the Chief Executive Officer, and to determine priority, how and who should respond.

3. Workflow and Direction

External complaints will be handled by the EPA proportionally and appropriately. Staff are to consider any relevant legislation when responding to complaints. All complaints, simple or complex, will receive attention and be resolved as quickly as possible. If possible, complaints will be resolved at first contact with the EPA. There is a **three-tiered approach to handling complaints:**

3.1. Officer resolution

The EPA aims to resolve informal complaints at the first level by officer staff or the area delivering the service who will respond to and resolve the complaints immediately. Where this is not possible, the complaint may be escalated to the second level of complaint handling (the formal complaint stage).

3.2. Internal review

If officers have referred the matter to their supervisor or manager and the area of service cannot resolve the complaint and it needs to be handled independently, they are to refer the complaint to the Strategic and Legal Services Section to progress through the formal complaints process. Complaints of a serious or complex nature may be referred directly.

The Strategic and Legal Services Section will initially assess formal complaints by analysing:

- The seriousness of the raised issues;
- The complexity of the complaint;
- Any need for urgent action;
- Whether the complaint raises systemic issues and the impact on the person and broader community (risk assessment);
- The potential for the complaint to escalate;
- Whether the complaint needs to be handled by an independent, impartial person; and
- Whether the complaint involves other agencies or organisations.

In consultation with the Executive Director Environmental Assessments and/or the Chief Executive Officer, the Strategic and Legal Services Section will consider how to manage the formal complaint which may include:

- Giving the complainant information or an explanation;
- Gathering information from the person or area that the complaint is about; or
- Investigating the claims made in the complaint.

After the initial assessment it may be necessary to transfer the complaint to another officer in the EPA or another agency or organization for resolution. The Strategic and Legal Services Section will keep the complainant up to date on the progress. Each case will be assessed on a case-by-case basis and the relevant legislative requirements (if any). The officer responsible for handling the complaint will advise the complainant of the outcome in writing and the reasons for any decision made.

If the complaint is about the Chief Executive Officer, then the complainant will be referred to the Ombudsman or the Integrity Commission in line with the [EPA Public Interest Disclosure Procedure](#).

3.3. Access to external review when closing the formal complaint

The EPA will inform complainants of any external review options (e.g. the Integrity Commission) if they remain dissatisfied with the complaint outcome.

Comprehensive records are to be kept regarding how the complaint was managed; the outcome of the complaint and the outstanding actions (if any) and who is responsible for these actions. The EPA will ensure that any outstanding actions are properly implemented.

Any internal issue or opportunity for improvement revealed by a complaint will be communicated to the area and also to senior management for continuous improvement of processes and procedures. Broader trends from complaints will be reported to the Executive or the EPA Board, if necessary.

Information gathered to respond to a complaint will only be used for that purpose pursuant to the *Personal Information Protection Act 2004* and shared with staff on a need-to-know basis only.

3.4. Register of formal complaints

The EPA will maintain a register of formal complaints, including those referred to the Integrity Commission or Ombudsman and a summary will be included in the Annual Report.

4. Supporting Information

4.1. How to make a complaint

Options include:

- mail: GPO Box 1550, Hobart, TAS 7001
- delivered to or left at 134 Macquarie Street, Hobart
- email: enquiries@epa.tas.gov.au; or
- telephone: (03) 6165 4599.

Further information can be found on the EPA website: [Policies on Complaints and Information](#)

5. Relevant Legislation and Resources

- [Ombudsman Act 1978](#)
- [Personal Information Protection Act 2004](#)
- [Public Interest Disclosures Act 2002](#)
- [State Service Act 2000](#)
- [EPA Personal Information Protection Policy](#)
- [EPA Policy Statement on Information Provision](#)
- [EPA Public Interest Disclosure Procedures](#)

6. Contact

Strategic and Legal Services Section
Manager Strategic and Legal Services
6165 4532

Environment Protection Authority

GPO Box 1550 Hobart 7001

T (03) 6165 4599

E enquiries@epa.tas.gov.au

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