



# Australian Grain Industry – Code of Practice Technical Guideline Document

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## No. 1 COMPLAINTS HANDLING GUIDELINES

**Compiled on behalf of the Australian Grain Industry by:  
Grain Trade Australia**

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# Australian Grain Industry – Code of Practice

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## Technical Guideline Document

### No. 1 Complaints Handling Guidelines

#### Version Control

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February 2013	1.0	Original document development
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For more information contact Grain Trade Australia

[www.graintrade.org.au](http://www.graintrade.org.au)

Phone: 02 9235 2155

Email: [admin@graintrade.org.au](mailto:admin@graintrade.org.au)

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# Complaint Handling Guidelines

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# 1. Introduction

## 1.1 Purpose

The Complaint Handling Guidelines are intended to ensure that GTA handle complaints fairly, efficiently and effectively.

The complaint management Australian Grain Industry Code of Practice are intended to:

- enable GTA to respond to issues raised by people making complaints in a timely and cost-effective way
- boost industry confidence in the Australian Grain Industry Code of Practice, and
- provide information that can be used by GTA to deliver improvements in the quality of industry processes.

## 1.2 Scope

These guidelines apply to all complaints from GTA Members, Industry Participants and other stakeholders regarding matters arising under the Australian Grain Industry Code of Practice.

The guidelines do not apply to commercial or contractual disputes. The GTA Dispute Resolution Service may be applicable to contractual disputes where GTA Trade Rules and/or Standard Form Contracts are referred to in the relevant contracts or commercial documents in dispute.

# 2. Guiding principles

## 2.1 Facilitate resolution of complaints

### People focus

GTA is committed to seeking and receiving feedback and complaints about industry services, systems, practices, procedures and products with respect to the Australian Grain Industry Code of Practice.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about our complaint handling guidelines
- provided with accessible ways to make complaints
- listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review.

### No detriment to people making complaints

GTA will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

### Accessibility

GTA will ensure that information about how and where complaints may be made to GTA is well publicised. GTA will ensure that its systems to manage complaints are easily understood and accessible.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, GTA will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, legal or community representative, Member of Parliament, another organisation).

## 2.2 Respond to complaints

### Early resolution

#### Responsiveness

GTA will promptly acknowledge receipt of complaints.

GTA will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

GTA is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

GTA will advise people as soon as possible when it is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

GTA will also advise people as soon as possible when it is unable to meet targeted time frames for responding to their complaint and the reason for such delay.

#### Objectivity and fairness

GTA will address each complaint with integrity and in an equitable, objective and unbiased manner.

Conflicts of interests, whether actual or perceived, will be managed responsibly.

#### Confidentiality

GTA's view is that natural justice is usually best served, and complaints best solved with the complainant makes a complaint directly to the other party. However, GTA notes there may be occasions where confidentiality may be required in the interests of resolving a complaint.

In such circumstances, GTA will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by GTA as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

## 3. Complaint management system

### Introduction

When responding to complaints, GTA will act in accordance with the complaint handling guidelines and the Industry Code of Practice.

The five key stages in GTA's complaint management guidelines are set out below.



### **(i) Receipt and Acknowledge complaints**

GTA will receive all complaints about the conduct of Industry Participants. These will be dealt with by the GTA Compliance Officer.

It is expected complaints will have been discussed, and reasonable attempts to resolve the issue with the Industry Participant will have been exhausted prior to escalation to GTA.

If the complaint cannot be immediately resolved at the outset, GTA will record the complaint and its supporting information. This will include the assignment of a unique identifier to the complaint file.

**The record of the complaint will document:**

- the contact information of the person making a complaint
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant information

### **(ii) Assess/Resolve or Escalate**

**Initial Assessment of the complaint will involve:**

- The GTA Compliance Officer will discuss with the Complainant his or her options for the resolution of the complaint and ascertain whether the complaint properly and appropriately falls under the Code of Practice.
- If the GTA Compliance Officer believes that the complaint properly falls under the Code of Practice, and that it is in the best interests of the industry that the complaint should be escalated, he or she may request the Complainant submit the complaint in writing.
- All complaints need to be substantiated with evidence of the subject matter of the complaint.
- The information contained in the written complaint document will be utilised to complete the initial assessment by the GTA Compliance Officer.
- At the completion of the initial assessment the GTA Compliance Officer may, if the circumstances warrant, escalate the complaint and send the information to the relevant Industry Participant who will be invited to respond to the matters raised.

### **(iii) Investigate and prepare Report**

**Review of the Industry Participant Response**

- The Industry Participant will be provided a reasonable period of time to respond to the request to provide his or her version of the issue in written format and returning the document to the GTA Compliance Officer.
- The Compliance Office will review the completed response from the Industry Participant and determine if the response adequately responds to the complaint. Further information will be sought if required to enable a full review of the issue.
- Once all information is available, the GTA Compliance Officer will utilise this information to support discussion and decision making between the parties.
- If, after the completion of the gathering of information and discussion between the parties the matter cannot be resolved (to the satisfaction of GTA Compliance Officer) it will be escalated to a GTA Board Sub-Committee.

#### **(iv) Close Complaint or Escalate**

- Escalation involves the Compliance Officer referring the complaint to a GTA Board Sub-Committee for review by at least 3 Directors who will review the complaint
- After deliberation the Sub-Committee may engage with the participants or refer the matter to the full GTA Board to recommend dealing with the matter either through a:
  - Disciplinary Tribunal: or
  - To Mediation.

#### **(v) Board Tribunal or Mediation**

- A Disciplinary Tribunal will comprise of at least 3 GTA Board Directors.
- That Tribunal may conduct itself as it deems fit, at all times in accordance with procedural fairness and natural justice.
- The Tribunal may convene a hearing to inquire into the complaint.
- At the completion of any hearing that Tribunal may report to the Board of GTA recommending that;
  - The complaint be dismissed; or
  - The Industry Participant be reprimanded; and/or
  - The Industry Participant's membership of GTA be cancelled, or suspended; and/or
  - The Industry Participant's privileges be cancelled, or suspended; and/or
  - The matter be referred to the relevant authorities
  - Any conditions which the Tribunal see fit to impose (including financial costs or sanctions).
- The result of any such inquiry and recommendations may be published on the GTA website at the Board's discretion.
- The Board shall also retain discretion as to publication of names and may redact pertinent or commercial in confidence information.

## **4. Record keeping, redress and review**

### **4.1 Record keeping**

GTA will keep comprehensive records about:

- How it managed the complaint
- The outcome/s of the complaint, including whether it or any aspect of it was substantiated,
- any recommendations made to address problems identified,
- any decisions made on those recommendations, and
- Any outstanding actions that need to be followed up.

GTA will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

### **4.2 Alternative avenues for dealing with complaints**

During the Complaints Process GTA will inform people who make complaints to or about Industry Participants about any external review options available to them (including any relevant Ombudsman or oversight bodies). In the event of complaints progressing to alternative external review options GTA reserves the right to engage legal counsel where it proves to be necessary/required.

### 4.3 Continuous improvement

GTA is committed to improving the effectiveness and efficiency of the complaint management guidelines. To this end, GTA will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling.
- Regularly review the complaints management guidelines and complaint data, and in particular assess its effectiveness. These include:
  - Prevalence of the issues raised in Complaints
  - Issues raised in Complaints
  - Whether the Code of Practice or associated Technical Guideline documents provide Industry with sufficient information and guidance.
  - Potential improvements from other industries.

These reviews will be formal process and the results will be used to update this Technical Guideline Document.

### Acknowledgements

The development of the guidelines has been informed by the following:

- Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014
- NSW Ombudsman Effective complaint handling guidelines, 2nd Edition, December 2010