

ARENA

COMPLAINTS HANDLING POLICY AND PROCEDURE

APRIL 2023



Australian Government
Australian Renewable
Energy Agency

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MESSAGE FROM THE CHIEF EXECUTIVE OFFICER

ARENA's legislative objectives are to improve the competitiveness of renewable energy technologies and increase the supply of renewable energy in Australia. To achieve these objectives, ARENA's mission is to help catalyse the development and deployment of renewable energy in Australia.

To achieve our mission, and maintain strong and valued relationships with our stakeholders, we recognise the importance of utilising stakeholder feedback to gauge the effectiveness of our policies and program delivery.

This Policy acknowledges that parties who deal with ARENA have a right to provide feedback and make complaints. This policy aims to provide a clear governance structure for handling feedback and complaints to ensure they are handled consistently and are used by ARENA to identify areas for improvement.

The AS ISO 10002-2006 (Customer satisfaction – Guidelines for complaints handling in organisations) and the Commonwealth Ombudsman's 'Better Practice Guide to Complaint Handling' were used in developing the framework and associated policy and procedures.

If you have any questions about complaints handling at ARENA, please contact us and ask to speak to the Legal and Governance team. Alternatively, you can send an email to complaints@arena.gov.au.

Yours sincerely,

Darren Miller
Chief Executive Officer
Australian Renewable Energy Agency

1.0 INTRODUCTION

APPLICATION

All workers at the Australian renewable Energy Agency (**ARENA**), which includes employees, Australian Public Servants, contractors and consultants, will ensure that complaints are handled in accordance with the process and principles set out in this Complaints Handling Policy and Procedures (**Policy**).

Guidance for ARENA Workers involved in handling a complaint is contained in the [Complaints Handling Guide for ARENA Workers](#), a copy of which is available on ARENA's Intranet. The Legal and Governance Team should be contacted with respect to any queries with respect to this Policy or the associated Guide.

STAKEHOLDERS

ARENA's stakeholders include:

- (a) the Australian Government;
- (b) Australian taxpayers;
- (c) the Australian community;
- (d) peak bodies with an interest in renewable energy;
- (e) business and industry groups;
- (f) media; and
- (g) suppliers.

ARENA's customers are organisations who seek funds or knowledge from ARENA.

POLICY SCOPE

This Policy covers complaints made by customers or stakeholders (**Complainants**) in relation to the following:

- (a) the standard of services provided by ARENA;
- (b) the diligence, competency, behaviour or attitude of ARENA workers; and
- (c) complaints against administrative processes relating to grants.

The ARENA Service Charter details the values, guiding principles and service standards of the Agency.

This policy **does not** cover complaints relating to the operation of the *Freedom of Information Act 1982* (Cth); the *Privacy Act 1988* (Cth) or the *Public Interest Disclosure Act 2013* (Cth). These areas are excluded from this Policy because the relevant legislation contains internal complaint-handling procedures.

MAKING AN ANONYMOUS COMPLAINT

If Complainants wish to make an anonymous complaint, the following should be noted:

- (a) The capacity of ARENA to deal with anonymous complaints is restricted by the Complainant's desire to remain anonymous.
- (b) Anonymous feedback may not allow ARENA to consider specific concerns and will not allow ARENA to provide the Complainant with feedback as to how the complaint has been resolved.

- (c) Such complaints will be treated as feedback only. The feedback provided will nevertheless be considered and used as appropriate to correct problems or refine processes within ARENA.
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2.0 POLICY

POLICY PURPOSE

The purpose of this Policy is to:

- (a) ensure complaints are brought to a satisfactory resolution;
 - (b) ensure a consistent approach to the management of complaints;
 - (c) provide a system that facilitates management of complaints in a timely, sensitive and effective manner;
 - (d) increase awareness of feedback and complaints management requirements;
 - (e) provide a structure of clear governance; and
 - (f) enable a mechanism for using complaints to improve business services.
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ARENA COMMITMENT

ARENA is committed to providing a quality service to its customers and stakeholders. This Policy represents the commitment of ARENA to fair and transparent dealings with customers and stakeholders.

In handling complaints ARENA will:

- (a) manage personal and private information in accordance with the *Privacy Act 1988* (Cth) and ARENA's privacy policy;
 - (b) not discriminate against or otherwise disadvantage anyone who lodges a complaint or provides other feedback;
 - (c) not charge for complaints handling processes;
 - (d) ensure complaints are resolved in a timely fashion;
 - (e) ensure complaints are addressed in an objective and unbiased manner; and
 - (f) communicate clearly the timing and processes involved with the complaints process.
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GUIDING PRINCIPLES

ARENA has adopted the following guiding principles with respect to its handling of complaints under this Policy:

- (a) **Visibility:** Information about how and where to complain should be well publicised to customers, stakeholders and other interested parties.
- (b) **Accessibility:** The complaints handling process should be easily accessible to all Complainants, including readily accessible information about the process, flexibility in the methods of making complaints and special arrangements and/or support for Complainants with specific needs.
- (c) **Responsiveness:** Receipt of each complaint should be acknowledged to the Complainant as soon as possible, Complainants should be treated courteously and kept informed of the progress of their complaint through the complaints handling process.
- (d) **Fairness:** Each complaint should be addressed in an equitable, objective and unbiased manner through the complaints handling process.
- (e) **Consideration:** Every reasonable effort should be made to consider all the relevant circumstances and information surrounding a complaint.

- (f) **Customer focussed approach:** A customer-focused approach should be adopted, which includes a commitment to resolving complaints.
- (g) **Continual improvement:** The continual improvement of the complaints handling process should be an ongoing objective of ARENA.

ROLES AND RESPONSIBILITIES

CEO AND EXECUTIVE

The Chief Operating Officer will be responsible for making the final decision with respect to the outcome of a complaint. Relevant ARENA officials and consultants will be responsible for assisting the Chief Operating Officer to ensure complaints are resolved satisfactorily.

The Legal and Governance team will be responsible for maintaining complaints handling data and reviewing the Complaints Handling Policy and Procedures as part of ARENA business review and improvement processes.

MONITORING AND REVIEW OF COMPLAINTS

The Legal and Governance team will maintain a register of complaints.

ARENA management will regularly review complaints handling data provided by the Legal and Governance team to determine possible improvements to ARENA policies, administrative procedures and documentation.

A review of this policy will be undertaken every two years, overseen by the COO and Legal and Governance team.

3.0 COMPLAINTS PROCEDURE

HOW DO COMPLAINANTS MAKE A COMPLAINT?

Step 1: Complaints contact the ARENA official or consultant involved

If customers or stakeholders have a general complaint about ARENA, they should initially contact the ARENA official or consultant involved by phone or email to discuss the matter.

Step 2: Complainants use the ARENA complaints handling process

If Complainants have already discussed their concerns with the ARENA official or consultant involved and are not satisfied, or they are uncomfortable discussing their concerns, the complaints handling process is available to them.

If Complainants decide to proceed with this process, they should complete the online complaint form. This form is available at: <https://arena.gov.au/making-a-complaint/>. To enable timely investigation of the complaint, it is preferable that the online form is used.

Alternatively, the complaints form can be downloaded and sent to ARENA as follows:

- > **Email:** complaints@arena.gov.au
- > **Post:** GPO Box 643, Canberra ACT 2601

All complaints should include the following information:

- (a) name and address of the person or organisation making the complaint, unless the Complainant wishes to complain anonymously;
- (b) details of the complaint;

- (c) an explanation of the reasons for the complaint; and
- (d) description of what the Complainant considers a satisfactory outcome in relation to the complaint.

WHAT IS NOT A COMPLAINT

If the complaint does not contain the above information, or relates to a general query about ARENA, ARENA may in its discretion determine that the correspondence is not considered a complaint for the purposes of this Policy. In addition, where the complaint relates to subject matter not within the remit of ARENA, the decision may be made, for ARENA to instead refer the complainant to the appropriate entity, in which case the correspondence will not be treated as a complaint for the purposes of this Policy. Where either circumstance applies, ARENA will inform the complainant.

HOW WILL ARENA HANDLE THE COMPLAINT?

Complaints that are received in accordance with this Policy will be dealt with as follows:

- (a) Upon receipt of a complaint, ARENA will promptly acknowledge the complaint by email.
- (b) General complaints will be escalated to the Chief Operating Officer (COO) for resolution.
- (c) Complaints which relate directly to the conduct of the COO will be escalated to Chief Executive Officer (CEO) for resolution.
- (d) Complaints which relate directly to the conduct of the CEO will be escalated to the Chair of the ARENA Board for decision.
- (e) Complaints which relate directly to the conduct of the Board should be made by the complainant to the Commonwealth Ombudsman (contact details can be seen at Attachment A).

Where the complaint is to be dealt with by ARENA, a suitable case officer may be appointed by ARENA to consider the complaint where ARENA determines, in its discretion that the appointment of a case officer is required, having regard to the nature of the complaint. The investigation may involve interviewing the Complainant and other parties involved with the matter.

Following completion of this investigation, the Legal team (or case officer if applicable) will make a recommendation to the relevant decision maker.

Where the complaint is to be handled by ARENA, the COO will make a determination regarding the outcome of the complaint, which could include:

- (a) taking steps to rectify the problem;
- (b) recommending change to policies, procedures or documentation if the complaint exposes a systemic problem; or
- (c) such other steps as are considered appropriate and reasonable having regard to the nature of the complaint.

ARENA may also decide that no further action with respect to the complaint is warranted or that the complaint is not a complaint for the purposes of this Policy.

The Complainant will be kept updated as to the status of the complaint as appropriate in relation to the handling of his or her complaint and advised of the decision made, including any action that has or will be taken by ARENA to address the complaint.

HOW LONG WILL IT TAKE?

The length of time taken to resolve a complaint will depend on the nature and complexity of the issues raised. As a guide, we have set the following time standards that we will aim to achieve:

- (a) acknowledge receipt of complaints within two working days of receiving the complaint (this will generally occur by email); and
- (b) respond to complaints within 20 working days of receiving the complaint. If this is not possible, ARENA will provide the Complainant with an explanation for the delay.

FURTHER INTERNAL REVIEW

If the Complainant is not satisfied with ARENA's response to a complaint, the Complainant should email or write to the allocated case officer within 20 working days of receiving the response and provide reasons as to why they consider the response is not satisfactory. Where ARENA does not hear back from the complainant within 20 working days, ARENA will treat the complaint as resolved.

The COO (or other decision-maker) will further consider the reasons of the Complainant. If the decision maker considers that the Complainant's reasons for further consideration of the complaint are justified, the COO may either undertake further investigations and action to try and resolve the complaint, or refer the complaint to the next most senior decision maker which, in most circumstances, will be the CEO. If the complainant considers that the complaint has not been satisfactorily addressed following any further investigation by the COO and/or action the matter will be referred to the next most senior decision maker which, in most circumstances, will be the CEO.

The CEO (or other decision-maker) will consider the material provided by the Complainant, including the case manager's report and the decision of the initial decision-maker (in most cases the COO), to form a view as to whether further action is required to address the complaint. The decision maker will then make a further determination regarding the outcome of the complaint. If the decision maker decides that the Complainant's complaint is justified, a course of action to address the complaint will also be decided.

EXTERNAL REVIEW

If the Complainant has completed each stage of our general complaints handling process and is still not satisfied, or the Complainant is dissatisfied at any time during the handling of their complaint, the Complainant may wish to seek an external review through an alternative mechanism, such as:

- (a) Commonwealth Ombudsman;
- (b) Privacy Commissioner; or
- (c) Australian Information Commissioner.

Further information about each of the mechanisms listed above is provided in **Attachment A**.

4.0 CONTACTS

> **Email:** complaints@arena.gov.au

> **Telephone:** (02) 6243 7773

> **Post:** Write to the ARENA (mark correspondence as 'Complaint'): GPO Box 643, Canberra ACT 2601

ATTACHMENT A: EXTERNAL REVIEW INFORMATION

ADMINISTRATIVE APPEALS TRIBUNAL (AAT)

The Administrative Appeals Tribunal (AAT) provides independent merits review of administrative decisions made by the Australian Government and some non-government bodies. Merits review of an administrative decision involves considering afresh the facts, law and policy relating to that decision. The AAT may be an avenue for review of a decision that is not related to ARENA funding. Further information about AAT processes and how to apply is available on the AAT website.

- > Telephone: 1800 228 333
 - > Email: generalreviews@aat.gov.au
 - > Post: GPO Box 9955, Sydney NSW 2000
 - > Website: www.aat.gov.au
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ADMINISTRATIVE DECISIONS (JUDICIAL REVIEW) (ADJR)

This process can be used if the Complainant wants the Federal Court of Australia to review an administrative decision or conduct under the *Administrative Decisions (Judicial Review) Act 1977* (Cth). The ADJR may be an avenue for review of a decision that is not related to ARENA funding. Further information regarding the ADJR process and associated forms is available on the Federal Court of Australia website (<https://www.fedcourt.gov.au/>).

AUSTRALIAN INFORMATION COMMISSIONER

The Office of the Australian Information Commissioner (OAIC) is an Australian Government agency, established under the *Australian Information Commissioner Act 2010* (Cth). The Office of the Australian Information Commissioner is Australia's federal regulatory agency for freedom of information and privacy. The office also has a role in government information policy issues.

If at any time the Complainant considers that we have breached their privacy, the Complainant may wish to submit a complaint to the Information Commissioner at the Office of the Australian Information Commissioner (OAIC). The OAIC has complaint handling responsibilities under the Privacy Act 1988. Information on how to submit a complaint, as well as a complaints form, is available on the OAIC website.

- > Telephone: 1300 363 992
 - > Online form: [Available here](#)
 - > Post: GPO Box 5218, Sydney NSW 2001
 - > Website: www.oaic.gov.au
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COMMONWEALTH OMBUDSMAN

The Complainant has the right to refer their Complaint to the Commonwealth Ombudsman. The Commonwealth Ombudsman can investigate complaints about the actions and decisions of Australian Government agencies to see if they are 'wrong, unjust, unlawful, discriminatory or just plain unfair'.

Complaints can be made in writing, by phone, in person or by using an online complaint form. Further information is available on the Commonwealth Ombudsman's website.

- > Telephone: 1300 362 072
- > Online form: [Available here](#)
- > Post: GPO Box 442, Canberra ACT 2601
- > Website: www.ombudsman.gov.au

Further information is available at
arena.gov.au

Australian Renewable Energy Agency

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Engage with us

ARENAWIRE

