# Outcome 5: Complaints

Public authorities should have a robust complaints system to enable people of all abilities to provide customer feedback. A complaints and feedback process should be accessible, flexible and easy to navigate.

The *Disability Discrimination Act 1992* protects people’s right to equitable access to goods, services and facilities, such as community programs, community building and transport infrastructure. Ensuring your public authority has an accessible and responsive complaints system can mitigate potential for a complaint being escalated to the Human Rights Commission.

**Disability Access and Inclusion Plan Outcome 5**

* People with disability have the same opportunities as other people to make complaints to a public authority.

The Australian Commonwealth Ombudsman’s preferred definition of a complaint is “an implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required”[[1]](#footnote-1). It includes dissatisfaction with an agency or its contractors, customer services, actions or decisions, inaction or delay, policy or processes.

**Person-centred approach**

People with disability should be able to access information easily and smoothly, receive timely services and, if necessary, make a complaint. Every person is unique. Taking the time to listen, understand, and respectfully respond to someone making a complaint is central to a person-centred approach. Public authorities should ensure its complaints process is:

* Easy to find and clearly identifies assistance is available on request.
* Easy to use and easy to understand.
* Accessible, with flexible options for complaint submission including multiple formats, such as accessible forms, and options to complain via phone, email and in person.

If a person would like to make a complaint:

* Check if assistance is required, such as an Auslan interpreter or an advocate who can assist with formulating a complaint. This assistance should be provided, and staff must know how to respond to assistance requests.
* Explain the process is confidential, how feedback will be provided, and the anticipated response timelines.
* Provide a point of contact in case of further questions.

In some cases, a person complaining may request someone else lodge a complaint on their behalf. It is important that consent is formalised, either in writing or an alternate method, such as an audio record.

It is important to ensure that staff responsible for handling complaints have excellent interpersonal skills and have experience and training in handling complaints, supporting people with complex communication needs and are disability confident.

**Ombudsman Western Australia**

The Ombudsman Western Australia (WA) has resources and guides for public authorities, including:

* Complaints Management Guideline
* Guidelines of effective complaint handling
* Good decision making and administrative practices
* Making your complaint handling system accessible.

To access Ombudsman WA materials, visit [Ombudsman WA Home](https://www.ombudsman.wa.gov.au/)

**Useful resources:**

Commonwealth Ombudsman’s [Better Practice Complaint Handling Guide](https://www.ombudsman.gov.au/__data/assets/pdf_file/0025/288241/Better-Practice-Complaint-Handling-Guide-FINAL-v6-A2111312.pdf#:~:text=%E2%80%98An%20implied%20or%20express%20statement%20of%20dissatisfaction%20where,is%20sought%2C%20reasonable%20to%20expect%20or%20legally%20required.%E2%80%99)

Equal Opportunity Commission WA’s [Fact Sheets](https://www.wa.gov.au/government/document-collections/equal-opportunity-commission-fact-sheets-and-other-resources)

Australian Human Rights Commission’s [Complaints under the Disability Discrimination Act](https://humanrights.gov.au/complaints/complaint-guides/complaints-under-disability-discrimination-act)

1. Commonwealth Ombudsman ,2020, *Better Practice Complaint Handling Guide*, [Better Practice Complaint Handling Guide](https://www.ombudsman.gov.au/__data/assets/pdf_file/0025/288241/Better-Practice-Complaint-Handling-Guide-FINAL-v6-A2111312.pdf), p5, (accessed 5 March 2025) [↑](#footnote-ref-1)