

Complaints management procedure

This procedure details the requirements, responsibilities and steps involved in both formal and informal complaint and allegation management at VAGO. Please note, use of the term complaint in this document encompasses allegations.

Overview

Related Policy [VAGO Complaints Management Policy](#)
[VPS Management of Misconduct Policy](#)
[VAGO Management of Misconduct Procedure](#)
[VAGO Fraud and Corruption Control Policy](#)
[VAGO Fraud and Corruption Reporting Procedure](#)

Purpose VAGO's complaints procedure is designed to:

- ensure no detrimental treatment transpires for anyone who wishes to make a complaint
- enable it to respond to issues raised by a complainant in a timely and cost-effective way
- ensure equitable and fair handling of complaints, and
- provide information that can be used to deliver quality improvements in services and systems, including VAGO's system of quality management and complaint handling.

Note!

Public Interest Disclosures (PIDs) cannot be made to VAGO, and VAGO does not have any powers or responsibilities to assess or investigate disclosures.

Any matter which may be considered a PID should be referred to the Independent Broad-based Anti-corruption Commission (IBAC) or Integrity Oversight Victoria (IOV.)

Application guidance

Guidance note This application guidance should be read in conjunction with [VAGO's Complaints Management Policy](#), which outlines the specific requirements of how the complaints management process is to be applied.

Source of complaints There are various methods to make a complaint such as via email, phone, or [VAGO's Contact Us form](#) on our website (which allows for anonymous submissions).

Nature of complaints

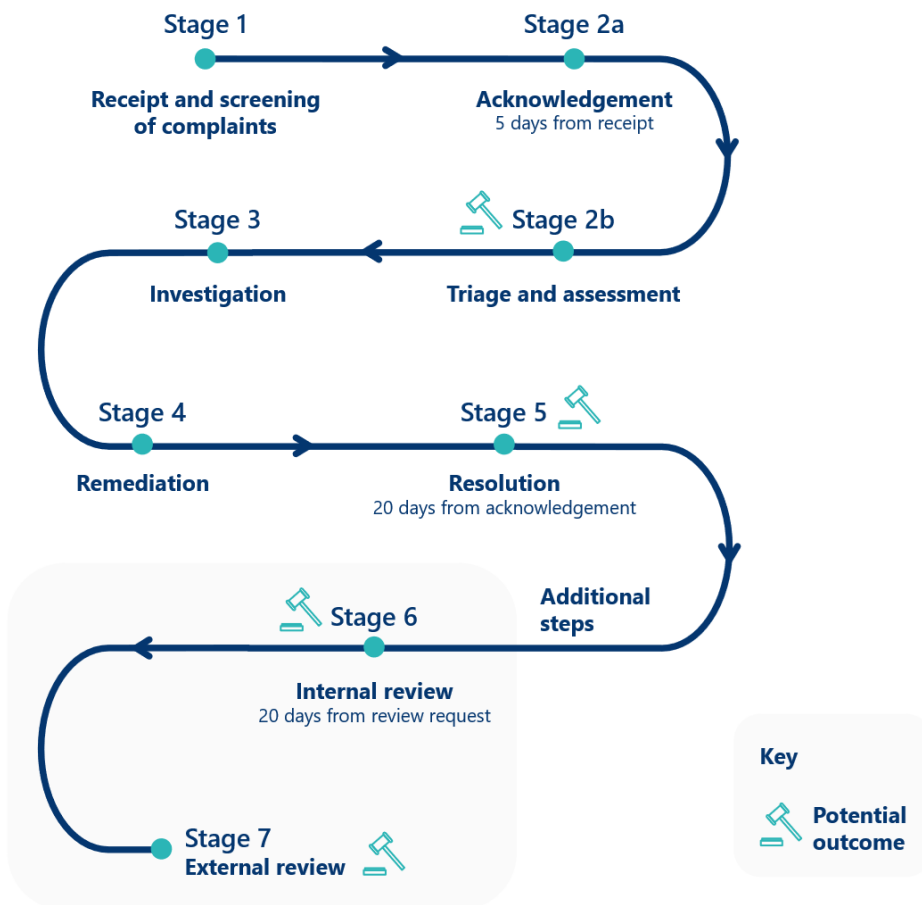
Informal complaint management may result in resolution without the need for formal steps such as internal investigation, however complex or serious complaints should always be assessed in a formal process.

Factors that VAGO may consider when working out whether a formal investigation is appropriate include, but are not limited to:

- the seriousness of the alleged conduct
- time elapsed since incident(s) occurred
- whether the alleged conduct poses a current risk to health and safety
- complexity
- impact on the individual, the general public or VAGO
- outcomes sought by the applicant
- whether other organisations or areas within VAGO need to be involved
- whether a formal discipline outcome is an appropriate way to address the issue identified
- whether the complaint is considered to be frivolous, vexatious (malicious or spiteful), misconceived, or lacking in substance

Complaints procedure overview

Figure 1: Graphical representation of the complaints management procedure stages



Source: VAGO

Overview of
 complaints
 management
 procedure
 stages

Stage	Step	Role Responsible
Stage 1: Receipt and screening of complaints	<ul style="list-style-type: none"> All complaints received, verbally or written, forwarded to OAG Strategy Governance & Risk (SGR) team Complaints and allegations regarding internal misconduct are referred to Chief People Officer (CPO) and dealt with via the Appropriate Behaviour Policy, Management of Misconduct Procedure and other relevant VAGO Human Resources and VPS policies and procedures. Any matter which could be considered a PID will be referred to the relevant integrity body - the Independent Broad-based Anti-corruption Commission (IBAC), Victorian Ombudsman (VO) or Integrity Oversight Victoria (IOV) Complaint documented in Records Management system (TRIM) and assigned to relevant SME The SME for complaints about: <ul style="list-style-type: none"> the conduct of an audit as it relates to audit quality is the Director of Audit Quality Interactions between VAGO staff, including contractors, and stakeholders including clients, auditees or members of the public will be the relevant Director or Business Head. matters that relate to privacy is VAGO's privacy officer matters other than audits is the relevant Sector Director or Business Unit Head fraudulent, corrupt or improper conduct is the Deputy Auditor-General 	VAGO employees, contractors and consultants, OAG SGR Team
Stage 2a: Acknowledgement	<ul style="list-style-type: none"> Acknowledgement of receipt of complaint sent to complainant within five (5) business days SGR team drafts response with Director, SGR (D,SGR) SME and AG approval 	SGR team, D,SGR, SME, AG
Stage 2b: Triage and Assessment	<ul style="list-style-type: none"> SME evaluates complaint to establish: <ul style="list-style-type: none"> eligibility severity materiality appropriate complaint handling (formal investigative process or informal remediation) potential conflicts of interest if they can investigate the complaint or need to another independent VAGO employee, contractor or consultant to act as the investigator. Where complaint is ineligible or deemed appropriate for informal remediation the SME may proceed the complaint directly to Step 5. 	SME
Stage 3: Investigation	<ul style="list-style-type: none"> The Investigator investigates the merit of the complaint and acquits complainant's areas of concern. For example: <ul style="list-style-type: none"> events which caused dissatisfaction cause of those events, for example deficient systems in place systemic issues 	Investigator (SME or independent VAGO employees, contractors and consultants at SME request)

Stage 4: Remediation	<ul style="list-style-type: none"> • SME recommends available remedies for complainant to the AG/AAG • AG/AAG decides the appropriate remedy to be provided to complainant • For example: <ul style="list-style-type: none"> • Disciplinary procedures • Internal control remediation • Recovery of losses (fraud, theft) 	SME, AG/AAG
Stage 5: Resolution	<ul style="list-style-type: none"> • Outcome sent to complainant within 20 business days, includes: <ul style="list-style-type: none"> • outcome of investigation • available remedy • options should they be dissatisfied with the outcome of the investigation. 	OAG Governance team, EO, SME, AG

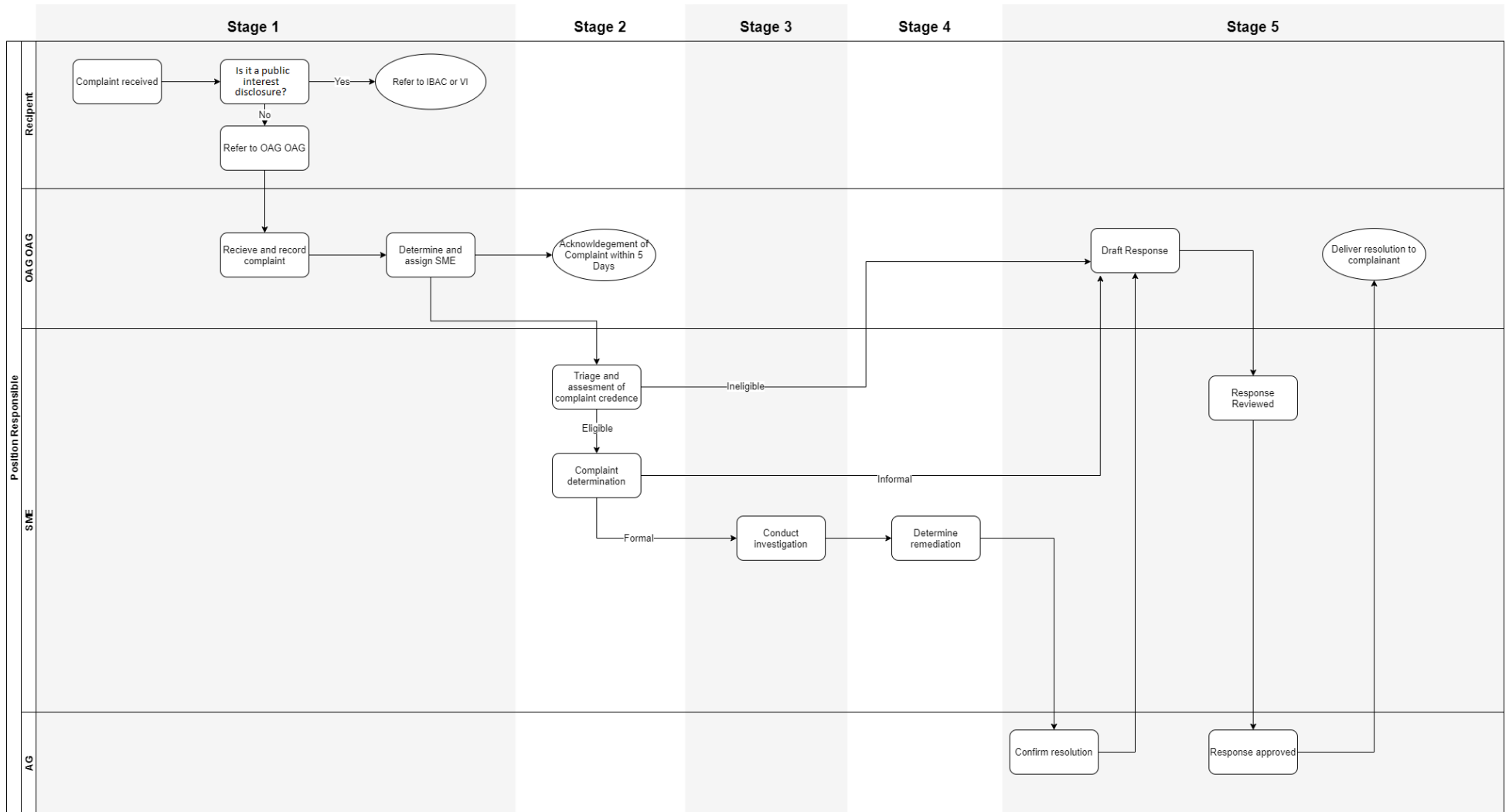
Additional steps If complainant is dissatisfied with the outcome, they are able to request an internal review of the investigation and findings. This will be conducted by a more senior VAGO employee, contractor or consultant with the same steps and timeline as above.

If the complainant remains dissatisfied, they are able to raise their concerns with an external body, such as the Victorian Ombudsman for administrative complaints or the Integrity Oversight Victoria for complaints regarding the use of VAGO's powers. The complainant's specific options are provided with the outcome of the internal review.

Stage	Step	Role Responsible
Stage 6: Internal Review	<ul style="list-style-type: none"> • Alternative investigator appointed • Steps in stages 3 to 5 redone within 20 business days of the complaint requesting the internal review. 	AG, SME
Stage 7: External Review	<ul style="list-style-type: none"> • Matter referred to external body for review 	Complainant

Detailed Complaints Management Procedure

Figure 2: Flowchart of the complaints procedure stages



Source: VAGO

Double click to enlarge

Stage 1: Receipt and screening of complaints

Complaints regarding internal misconduct, which should be referred to Human Resources and/or the Chief People Officer and dealt with via the [Appropriate Behaviour Policy](#), [Management of Misconduct Procedure](#) and other relevant VAGO Human Resources and VPS policies and procedures.

All other complaints regardless of source or nature should be referred to the OAG SGR team to facilitate record management throughout the process and redress of issues raised as required. Any matter deemed to be a PID is to be referred to IBAC, VO, or IOV as appropriate.

The OAG SGR team will record all complaints received within VAGO's record management system. All matters are recorded in adherence with VAGO [privacy policy](#) and [information management policy](#). This ensures transparency and scalability should the complaint refer to an issue which could be systemic in nature.

The OAG SGR team will refer the matter onto a relevant SME based on nature of the complaint.

Stage 2a: Acknowledgement

Any complainant making a formal complaint will receive an acknowledgement within five (5) business days of VAGO receiving the complaint. This acknowledgement will detail the following information:

- complaint received
- position title of the SME assigned
- timeframe of 20 business days for resolution
- possibility of timeframe extension if complex

Acknowledgement will be drafted by the OAG SGR team and recorded in VAGO's records management system. DSGR, the SME and AG will review the acknowledgement prior to sending.

Stage 2b: Triage and Assessment

Evaluation conducted in parallel to acknowledgement activities. SME will determine:

- whether the complaint relates to VAGO's services, policies, a decision or the conduct of individuals
- the seriousness or urgency of the complaint – if it requires informal* or formal handling or external handling where an appropriate SME is unavailable within VAGO
- impact on the complainant
- the complexity and likely timeline for investigation and resolution
- the skills and powers required to investigate the complaint (internal or external parties)
- conflicts of interest
- who will investigate (self-appointed or delegated)

**Informal complaint management may result in resolution without the need for formal steps such as internal investigation, however complex or serious complaints should always be assessed in a formal process.*

Stage 3: Investigation

Any actions taken will be tailored to each case and consider any statutory requirements, inclusive of the requirements of ASQM 1.34.c. Investigations are conducted by an independent VAGO employee, contractor and/or consultant to ensure equitable handling.

The investigation might begin with a conversation with the complainant to clarify issues and to seek informal remedies, where appropriate. The investigator shall obtain sufficient appropriate

evidence to be able to make a recommendation for a suitable remedy and response to the complaint.

If necessary, the investigation may include the involvement of legal counsel. If required, the services of a suitably qualified external person, or other assurance practice, may be utilised to carry out the investigation. Suspicions of Fraud or Corruption may also, after initial investigation, be referred to more appropriate agencies for investigation including:

- Victoria Police – where there is suspected criminal conduct or
- IBAC – where there are reasonable grounds to suspect corrupt conduct.

Stage 4: Remediation

If the investigation upholds the complaint the SME will recommend an appropriate, fair and reasonable remedy to the AG or relevant AAG. Remedies could include:

- an explanation
- an apology
- mediation
- an admission of fault
- a change in decision
- a change in policy, procedure or practice, including the development of additional training
- disciplinary action

Should the results of the investigation indicate deficiencies in the design or operation of VAGO's quality management policies and procedures, or non-compliance with VAGO's system of quality management by an individual or individuals, appropriate action will be taken with reference to measures listed in ASQM 1.34.c /APES 320.4.71.

All complaints and allegations, and the resulting actions taken, will be documented.

Stage 5: Resolution

Following consideration of the complaint, and any investigation into the issues raised, VAGO will provide the complainant with a written response within twenty (20) business days of acknowledgement of the complaint. The OAG SGR team is responsible for drafting the letter of response. Review and approval provided by SME, DSGR and AG.

Letter of response should include:

- the outcome of the investigation
- details of the investigation, where appropriate
- the reason(s) for the decision
- the remedy or resolution(s) proposed or put in place
- advice of the review options available

Additional steps

If the complainant is dissatisfied with VAGO's handling of the complaint, the complainant has the right to ask for a review.

Step 6: Internal Review

An independent internal review will be conducted on formal request by complainant. The process for internal review is:

- formal written request received by OAG SGR team

- OAG SGR identifies and assigns a new internal VAGO employee, contractors or consultants to conduct a review of the initial investigation and outcomes
- as a result of the review, the outcome and proposed remedy may be upheld or may change if deemed appropriate by the second SME.
- SME responds to the review request, within the same timeframes as for an initial complaint twenty (20) business days from the date of the request for the review.

The letter of response for the internal review should include:

- the outcome of the review
- details of the review, where appropriate
- the reason(s) for the decision
- the remedy or resolution(s) proposed or put in place
- advice of the external review options available if the complainant remains unhappy.

Step 7: External Review

If the complainant remains dissatisfied with the outcome of the complaint investigation and internal review, they may refer their complaint to an external body such as Integrity Oversight Victoria or the Victorian Ombudsman. These options are to be detailed for the complainant in the internal review response.

Responsibilities

Auditor General	<ul style="list-style-type: none"> • Promoting a culture that acknowledges complaints and their effective resolution • Overall responsibility for deciding on the appropriate remedy based on the recommendation of the SME involved • Notifying IOV and IBAC of matters under sections 66 and 67 of the Audit Act 1994 • External reporting of systemic fraud, corruption or other losses as per the Standing Directions - Direction 3.5.3
Assistant Auditors-General	<ul style="list-style-type: none"> • Responsibility for implementing changes arising from complaint resolution where they are relevant to their business units • Auxiliary responsibility for deciding on the appropriate remedy based on the recommendation of the SME involved
Director, SGR (DSGR)	<ul style="list-style-type: none"> • Receiving and assessing VAGO employees, contractors and consultants' complaints. • Assigning an appropriate SME to assess and investigate the complaint.
Subject Matter Expert (SME)	<ul style="list-style-type: none"> • Undertaking the assessment and investigation of complaints • Recommending remedies to the Auditor-General or the relevant Assistant Auditor-General • Assessing and investigating complaints and review • Recommending and implementing remedies arising from investigations of complaints
Office of the Auditor-General SG&R Team	<ul style="list-style-type: none"> • Acknowledging and responding to complaints and review • Coordinating the review and investigation of complaints, including records management activities • Supporting SMEs throughout complaints process
Investigator (SME or VAGO employees, contractors and	<ul style="list-style-type: none"> • Investigating the complaint to ascertain all relevant facts and report upon these findings in an impartial and fair manner

consultants acting at SME request)	<ul style="list-style-type: none"> • Explanation of the process, protocols and format of the investigation to the parties • Preparing written report containing findings and recommendations
Our people	<ul style="list-style-type: none"> • Treating all people with respect, including people who make complaints • Be aware of the organisation's complaint handling policies and procedures • Assisting people who wish to make complaints to access the organisation's complaints process • Receiving and actioning complaints in line with this policy • Assisting with complaints as requested by the SME • Reviewing outcomes of complaints if necessary • Providing feedback to management on issues arising from complaints • Implementing changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by OMG

Supporting documents and information

Glossary

An **allegation** is a claim or assertion about an organisation or its employees, contractors and consultants. Such claims or assertions can be made without substantive evidence.

A **procedure** is an expression of dissatisfaction with the quality of an action taken, decision made, or service provided by an organisation or its contractor, or a delay or failure in providing a service, taking an action, or making a decision by an organisation or its contractor.

A **complainant** is an individual or organisation making the complaint

Corrupt conduct is conduct which:

- adversely affects the honest performance of a public officer or public body
- constitutes or involves dishonest use of the functions of a public office
- constitutes or involves knowingly or recklessly breaching public trust
- involves the misuse of information obtained while in public office
- is intended to adversely affect the effective performance of the functions or powers of a public officer or public body and results in the person or their associate obtaining a specified benefit
- could constitute a conspiracy to engage in any of the above conduct
- Corrupt conduct is generally deliberate or intentional and not the result of a mistake or negligence. For more detail, refer to section 4 of the [Independent Broad-based Anti-corruption Commission Act 2011](#)

Fraud is dishonest activity causing actual or potential financial loss including theft of monies or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately flowing from the activity. This includes:

- the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose; or
- the improper use of information or position for personal financial benefit.

Misconduct is defined under clause 25.3 of the VPS Enterprise Agreement 2020 as:

- a contravention of a provision of the Public Administration Act 2004 (Vic), the regulations to that Act, a binding code of conduct or a provision of any statute or regulation that applies to the employee in the employee's employment
- improper conduct in an official capacity

- a contravention, without reasonable excuse, of a lawful direction given to the employee by a person authorised to give that direction
- an employee making improper use of his or her position for personal gain
- an employee making improper use of information acquired by him or her by virtue of their position to gain personally, or for anyone else, financial or other benefits or to cause detriment to the VPS or the public sector.

A **Public Interest Disclosure** is a disclosure made to a receiving body named in the [Public Interest Disclosure Act 2012](#), that contains information that shows or tends to show:

- a person, public officer, or public body has engaged, is engaging or proposes to engage in improper conduct; or
- a public officer or public body that has taken, is taking or proposes to take detrimental action against a person in contravention of the Public Interest Disclosure Act 2012.

Serious misconduct is not finitely defined, however [The Fair Work Regulations 2009 \(Cth\)](#) provides general guidance on the type of behaviour that may constitute. Under this policy, serious misconduct may include:

- wilful or deliberate behaviour by an employee that is inconsistent with continuing the contract of employment
- conduct that causes serious and imminent risk to the health and safety of a person, or the reputation, viability or profitability of VAGO
- theft
- fraud - in accordance with the requirements of the Fraud and Corruption Control Policy
- assault
- intoxication—through alcohol or drugs, other than prescribed drugs—at work or
- refusal by the employee to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment, including instructions contained in VAGO's policies.

Subject Matter Experts (SMEs) in this policy are impartial VAGO employees, contractors and consultants with sufficient seniority and specialised knowledge with which to conduct and coordinate investigation and resolution of complaints and allegations.

The Subject Matter Expert for complaints about:

- conduct of an audit is the Director of Audit Quality
- matters other than audits are the relevant Sector Director or Business Unit Head
- fraudulent, corrupt or improper conduct is the Deputy Auditor-General

VAGO employees, contractors and consultants include:

- the Auditor-General, Deputy Auditor-General, or person appointed to act in those offices
- a VAGO employee
- a person or firm the Auditor-General engages to assist, delegates or authorises to perform functions under the Audit Act 1994

References & Links

Policies:

- [Notifying IBAC of corrupt conduct](#)
- [VPSC Management of Misconduct Policy](#)
- [Fraud and Corruption Control Policy](#) (public)
- [Appropriate Behaviour Policy](#)

- [Social Media Policy](#)
- [Inquiries to VAGO: Requests for Audit Attention](#)

Procedures:

- [Sharing information with other bodies](#)
- [Providing support for those involved in a public disclosure](#)
- [Management of Misconduct](#)
- [Dispute Resolution and Review of Actions Procedure](#)
- [Fraud and Corruption Reporting Procedure](#)
- [Correspondence process \(manual\)](#)

Legislation and standards:

- [Audit Act 1994](#)
- [Financial Management Act 1994](#)
- [Public Administration Act 2004](#)
- [Victorian Inspectorate Act 2011](#)
- [Independent Broad-based Anti-corruption Commission Act 2011](#)
- [Public Interest Disclosures Act 2012](#)
- [Victorian Ombudsman Act 1973](#)
- [Privacy and Data Protection Act 2014 \(Vic\)](#)
- [APES 320 Quality Management for Firms that provide Non-Assurance Services issued by the Australian Professional and Ethical Standards Board](#)
- [ASQM 1 Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance Engagements issued by the Auditing and Assurance Standards Board](#)
- [AS 10002:2022 Guidelines for complaint management in organizations \(ISO 10002:2018, NEQ\)](#)
- [Code of Conduct for Victorian Public Sector employees of Special Bodies](#)
- [Victorian Ombudsman Good Practice Guide to handling complaints](#)
- [Victorian Ombudsman Managing Complaints Involving Human Rights.](#)

**Procedure
review
statement**

This procedure will be reviewed within two years from the last approval date, or earlier when there is a significant change in the intent of the policy

Version history

Figure 3: Release notice.

Version	Date of effect	Changes made	Amended by
1.0	24 March 2021	Initial release	
1.3	8 May 2024.	Policy compliance review and refresh - minor amendments. Including: <ul style="list-style-type: none"> • Update to template, reformatting information in line with information presentation requirements • Plain English application (where possible) • Correction of broken hyperlinks • Update to outdated document references • Removal of overlap with information contained in the process • Reference to Standards Australia Complaints guidance added (and reviewed) • The amendments also include recent changes to VAGO structure 	D, SGR
1.4	12 November 2024	Changes were made to include narrow the scope of the role of Director AQ as an SME to only apply to complaints about the conduct of an audit that relate to audit quality. Additional guidance was provided on the relevant SME for complaints relating to interactions between VAGO staff, including contractors, and stakeholders including clients, auditees or members of the public	D,SGR
Policy Owner	Director Strategic Governance and Risk, Office of the Auditor General (DSGR, OAG)		
Approved by:	Auditor General	Date Approved:	8 May 2024

Potential version update triggers identified

Significant changes to applicable legislation or internal processes

Imminent update to VPS Enterprise Agreement 2020

Complaints management event

Complaints management responsibility changes