



Complaints and Review Policy

LOOSE FILL ASBESTOS INSULATION ERADICATION SCHEME

February 2024

OVERVIEW

The Loose Fill Asbestos Coordination Team, a business unit within the Environment, Planning and Sustainable Development Directorate, is committed to delivering quality outcomes for the ACT community.

The Loose Fill Asbestos Coordination team (LFAC):

- values feedback as a means of strengthening administration and improving its relations with the community, and uses information about complaints to improve its processes, documents and decision making
- recognises an effective complaints handling system needs to demonstrate fairness, accessibility, responsiveness, efficiency and integrity.

The Environment, Planning and Sustainable Development Directorate (EPSDD) maintains a register of complaints recording the date the complaint was received, details of the complainant, nature of the complaint and outcome.

PURPOSE

This policy applies to complaints from members of the community about the administrative processes of, or decisions made by LFAC, or the conduct of its staff.

This policy does not apply to:

- the design or scope of the Loose Fill Asbestos Insulation Eradication Scheme, which should instead be raised via the Contact My Minister website - www.contactmyminister.act.gov.au
- complaints about the conduct of valuers undertaking valuations on behalf of LFAC. These should be raised with the firm concerned, or the Australian Property Institute (ACT Division) on 02 6122 8700 or email to national@api.org.au.

Concerns regarding safety on demolition sites should be reported immediately to WorkSafe ACT by calling Access Canberra on 13 22 81. Alternatively, you can email LFAC at LooseFillAsbestos@act.gov.au.

If LFAC receives a complaint which is not within its jurisdiction, LFAC will attempt to refer the complainant to the appropriate authority.

LODGING A COMPLAINT

LFAC staff will treat complainants courteously, receive feedback positively and attempt to resolve complaints quickly.

People who make complaints to LFAC will not be adversely affected because of this. LFAC will respond appropriately to all concerns and make decisions objectively and fairly.

Concerns about the conduct of LFAC staff should be raised with the relevant manager in the first instance. If the complainant is dissatisfied with the response, they can submit a Loose Fill Asbestos Complaint and Review Form found at [Complaint and Review Form \(act.gov.au\)](https://www.act.gov.au).

Complaints about the administrative processes of, or decisions made by, LFAC, should also be submitted in writing using the Loose Fill Asbestos Complaint and Review Form.

The form captures a description of the complaint and the complainant's desired outcome. Where required, LFAC staff will provide reasonable assistance to complainants in completing the form.

Complaints submitted using the Loose Fill Asbestos Complaint and Review Form will be referred initially to the relevant Director for investigation and response.

LFAC may not be able to fully investigate anonymous complaints and asks that complainants include their name and contact information.

A complainant can seek a review if they are not satisfied with the response to their complaint.

REVIEW PROCESS

First Level Review

A first level review will be undertaken by the Executive Group Manager (EGM) responsible for LFAC (or another person at the equivalent level). Where the complaint relates to a decision made by the EGM, this will be reviewed by the Deputy Director-General, Planning and Sustainable Development (or another person at the equivalent level).

First level review requests should be made using the Loose Fill Asbestos Complaint and Review Form and set out the basis for the dissatisfaction with the original response.

Second Level Review

Should the complainant remain dissatisfied with the outcome following a first review, they can seek a second level review. This will be undertaken by the Deputy Director-General, Planning and Sustainable Development, EPSDD (or another person at the equivalent level). If the first review was undertaken at the Deputy Director-General level, the second level review will be undertaken by another Deputy Director-General in the ACT Public Service or the Director-General of EPSDD.

Second level review requests should be made using the Loose Fill Asbestos Complaint and Review Form and set out the basis for the ongoing dissatisfaction.

Written notice of each decision will be provided to the complainant.

ACT Ombudsman

Following a second level review, applicants can contact the ACT Ombudsman. The ACT Ombudsman is available to assist people who have complaints against the administrative actions of Government departments and agencies. Visit www.ombudsman.gov.au, email ombudsman@ombudsman.gov.au or phone 1300 362 072.

PRIVACY

LFAC has obligations under the Information Privacy Act 2014 (the Act) to respect and maintain an individual's right to privacy.

Personal information provided by a complainant is used only where extra information is required to resolve the complaint or to provide advice about the outcome. LFAC will not share a complainant's information with any third party without the complainant's permission, unless required by law.

LFAC may not be able to provide information to complainants where it impacts on the privacy of others.

If a complainant feels their rights under the Act have been infringed by LFAC, they may seek advice from the Office of the Information Commissioner on 1300 363 992 or by email to enquiries@oaic.gov.au.

WITHDRAWAL OF COMPLAINTS

Should a complainant wish to withdraw their complaint, LFAC asks this be done in writing via email or post to:

Email: LooseFillAsbestos@act.gov.au

Post: Loose Fill Asbestos Coordination Team

GPO Box 158 Canberra ACT 2611

THIRD PARTY MEDIATION

LFAC is supportive of third party interventions if this is requested by and assists the complainant. LFAC will require appropriate consents and permissions to be in place if a third party is nominated.

There are a large number of mediation services available in Canberra. Two of the services are:

The Conflict Resolution Service (CRS)

The CRS can provide free and effective conflict resolution advice. CRS has over 30 years' experience in servicing the people of the ACT and region. Visit www.crs.org.au, email mediation@crs.org.au or phone 6190 7100.

ACT Disability, Aged and Carer Advocacy Service (ADACAS)

ADACAS is an independent, not-for-profit advocacy organisation helping people with disabilities, older people and their carers. ADACAS provides free independent advocacy in the ACT. Visit www.adacas.org.au, email adacas@adacas.org.au or phone 6242 5060.

Other mediation and complaint resolution services

Volunteering and Contact ACT produce a Complaints Resolution Services Guide which can be found on their website: www.vc-act.org.au/info-guides. Email info@vc_act.org.au or phone 6248 7988 for assistance.

CESSATION OF COMPLAINTS

LFAC may decide not to further investigate a complaint in circumstances where it becomes evident LFAC and the complainant will not be able to reach a mutually agreed course for the conduct of the investigation or the resolution of the complaint. Such a decision may occur in the following instances:

- Confidentiality of all parties to the investigation can no longer be assured
- The matter complained about cannot be substantiated
- Staff resources called upon substantially exceed the merit of the matter complained about
- The complainant is abusive in nature and will not engage in a respectful and courteous manner. This instance may be a staged process, such as the complainant being asked to raise concerns in writing only if they continue to be abusive over the phone or in person. Third party mediation should be investigated and encouraged in these instances.

TIMEFRAMES

LFAC will acknowledge receipt of the complaint within 3 business days and will aim to resolve complaints within 20 business days.

Where a matter is complex, involves other parties or further information is required, extra time may be necessary to conduct an investigation and prepare a full response. LFAC will advise the complainant of anticipated timeframes should this be the case.

FREEDOM OF INFORMATION

Members of the public may request information under the *Freedom of Information Act 2016*.

Visit [Access to government information - Environment, Planning and Sustainable Development Directorate - Environment \(act.gov.au\)](http://Access to government information - Environment, Planning and Sustainable Development Directorate - Environment (act.gov.au)), phone 13 22 81 or email epsdfoi@act.gov.au for assistance with this process.

ENQUIRIES

Call Access Canberra on 13 22 81 or email LFAC at loosefillasbestos@act.gov.au.

ACCESSIBILITY

The ACT Government is committed to making its information, services, events and venues as accessible as possible. If you have difficulty reading a standard printed publication and would like to receive this publication in an alternative format, such as large print, please phone Access Canberra on 13 22 81 or email loosefillasbestos@act.gov.au.



If English is not your first language and you require a translating and interpreting service, please phone 13 14 50 and ask for 13 22 81.

If you are deaf, or have a speech or hearing impairment, and need the teletypewriter service, please phone 13 36 77 and ask for 13 22 81.

For speak and listen users, please phone 1300 555 727 and ask for 13 22 81. For more information on this service visit [NRS call numbers and links | Access Hub](#).