



Scatter Gun Complaints Policy

MANAGING COMPLAINTS SENT TO MULTIPLE
ALEXANDER MACONOCHE CENTRE (AMC)
OVERSIGHT AGENCIES

JULY 2020

1. Purpose

The purpose of this policy is:

- to establish a consistent policy and procedure for managing complaints sent to multiple AMC oversight agencies
- to reduce duplication of effort and ensure complaint processes are efficient and effective
- for complaints to be directed to the most appropriate agency, and information on-referred where appropriate.

2. Background

A [relationship protocol](#) is in place that outlines how the following oversight agencies work together, alongside the Official Visitors (OVs) to ensure effective oversight:

- the Office of the Inspector of Correctional Services (OICS)
- the ACT Human Rights Commission (HRC)
- the ACT Ombudsman (ACTO).

The protocol outlines how the agencies will refer information between them including specific complaint referral arrangements. These **existing arrangements** should be utilised where a complaint is directed to a single, specific agency, but it is considered more appropriate that the complaint be referred elsewhere, for example:

- a complaint is made to the ACTO that involves the provision of a health service at the AMC, and is therefore referred to the ACT HRC, which has jurisdiction over such matters.

The agencies now, however, wish to put additional arrangements in place to manage situations where a complaint is sent to multiple agencies at the same time, as well as sometimes to the ACT Integrity Commission and to ACT Policing. The proposed new arrangements to be implemented are outlined below.

3. Process for handling scatter gun complaints

Where a complaint is sent to ACTO, ACT HRC and/or multiple other agencies, it has been agreed that the most appropriate of these agencies with individual complaint handling functions (see further guidance below), will:

- respond to the complainant within five working days with advice similar to what is provided at **Attachment A**
- copy in the other agencies, so they are aware they have taken ownership of the complaint and can close the complaint in their systems where appropriate*
- take the lead on processing the relevant complaint.

If further assessment indicates that a matter outside of its jurisdiction has been raised, or that it would be better dealt with by another oversight agency, this specific matter will then be referred to the relevant agency:

- as per the arrangements outlined in the above protocol, or
- another relevant protocol or Memorandum of Understanding (MOU)—for example, where an allegation of corruption is identified that must be referred to the ACT Integrity Commission.

The table at **Attachment B** indicates the areas where it has been agreed that given its jurisdiction the ACT HRC should take the lead on, with complaints about other subject areas to be managed by the ACTO in the first instance.

***Note:**

- If a complex complaint is received which may need to be split into two matters to be dealt with by ACT HRC and ACTO this will be discussed by the Director of Complaints, ACT HRC and the Director of ACT Strategy and FOI, ACT Ombudsman.
- It is noted that OICS does not deal with individual complaints. Where complaints arise that relate to a critical incident review by OICS, the agency that has taken ownership of the complaint will also advise OICS of any subsequent action taken.
- As per the template at **Attachment A**, OVs included in the original email should also be notified of the lead agency managing the complaint, to ensure they can provide further information to the relevant agency where available.
- ACTCS has indicated that where their mailbox is also copied in to a complaint that goes to multiple oversight agencies, their preference is for ACTCS to be given the opportunity to resolve the matter first. However, HRC and ACTO will need to determine whether this is appropriate on a case by case basis, according to their respective internal policies and procedures.
- ACTO has [assisted referral arrangements](#) in place and may transfer the complaint to AMC where it is considered most effective for ACTCS to deal with the issue directly. Outcomes will be monitored.

To: [enter complainant email]

Cc: [list any other agencies/OVs included in the original complaint—**note:** please include act.ombo@ombudsman.gov.au as well, if a different ombudsman email address has been used]

Dear X

Thank you for your complaint, which was sent by email to <enter agency name> on X X 2020.

This complaint has been sent to a number of agencies who oversight the Alexander Maconochie Centre (AMC) at the same time.

I confirm that <enter agency name> has been identified as the most appropriate agency to manage the complaint that you have made, given the issues raised.

As a result, <enter agency name> will proceed to assess your complaint and advise you of any further action that we plan to take. **The reference number for your complaint is XXXXXXX.**

If your complaint raises other issues that could better be handled by another oversight agency included in your email, we will refer this matter to them for specific consideration and you will be advised that this has occurred.

You may also wish to discuss this matter further with an Official Visitor (OV) in the interim. We work closely with the OVs as they can provide us additional information on your behalf, with your consent. OVs visit the AMC and the Court Transport Unit, but can also be contacted by email at #AMCOfficialVisitor@act.gov.au.

If you have any further questions, or need further information at this time, please contact us at X.

More information about the work that different OMC oversight agencies do and how we work together is available at: X

Yours sincerely

XXXX

Attachment B

ACT HRC	ACTO
<ul style="list-style-type: none"> • a health service provided or not provided at the AMC (e.g. dental service, methadone service, access to doctor, services at CHS or Dhulwa) • a service for older detainees (e.g. required personal care services not provided) • a service for people with a disability (e.g. appropriate adjustments not available for an AMC detainee with a disability) • claims that a detainee or family member/visitor to AMC has been subject to discrimination, vilification or sexual harassment, victimisation (e.g. visitor claims not given access to detainee on basis of race, detainee claims female detainees are not be given access to same programs as male detainees) 	<p>All other matters</p> <p>(e.g. complaints about complaints processes, administrative arrangements, failure to comply with policy, access to correctional centre programs, living conditions, conduct of ACTCS staff and contractors, management of bank accounts and purchasing of food)</p>