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INTRODUCTION TO HANDLING COMPLAINTS

One of the salient characteristics of the pre-1994 South Africa is that people were not encouraged to complain about the services they received. This applied generally throughout the pre-1994 South African society, but if the non-designated groups were discouraged from voicing their dissatisfaction, people from the designated groups were positively restrained from voicing their opinions. For them, the consequences of complaint were dire indeed.

All of this changed radically with the advent of the country's first democratically elected government. And the promulgation of the South African Constitution and the Bill of Rights in 1996. Freedom of thought and speech are enshrined in our Constitution, but not only does every South African have the right to say what they think, they are positively encouraged to complain when they do not receive the treatment and services they are entitled to.

Since 1996 further legislation has been enacted to protect our right to free speech and our right to complain and have redress if our rights are compromised in any way. This is especially applicable to the Public Service and we shall expand on this issue later in this guide. For now, as an introduction to this guide, it is sufficient to note that South African citizens do not only have the right, but are expected to complain, if they are unhappy with the services they receive at the hands of government officials.

Furthermore, if a complaint about public service delivery is lodged, the person lodging the complaint has the right to a prompt, informative and helpful response. If it is found that the person has indeed been wronged or if, upon investigation, the complaint is upheld, the person has the right to redress and possibly compensation if he or she has suffered any material damage.

All of this is directly relevant to the very important task of handling complaints in the public service.

HOW TO USE THIS GUIDE

The aim of this guide is to explain the importance of handling customer complaints efficiently and effectively in order to improve service delivery and to provide you with a frame of reference for setting up a complaints handling system

The guide will give you an understanding of:

- ❑ what a complaint is;
- ❑ why customers should not only be allowed to complain, but positively encouraged to voice their dissatisfaction if they are not happy with the services they receive;

- ❑ why complaints handling is important in the process of transformation and improved service delivery;
- ❑ the key principles of complaint handling; and
- ❑ the key performance indicators of a successful complaints system.

The approach of the guide is user-friendly and it tries to avoid technical jargon and detail. It provides short answers to questions you may have while giving a broader overview as well as practical suggestions.

WHAT IS A COMPLAINT?

For our purposes, within the context of this guide, a complaint can be described as an expression of dissatisfaction with public services, whether justified or not, and complaints should elicit a sympathetic response from the service provider.

COMPLAINTS HANDLING AS A LEARNING OPPORTUNITY

The fundamental point of departure in handling complaints is, if a customer thinks it is a complaint, then it is, irrespective of what the service provider might think. Part of good service delivery is the mindset that the customer is always right, until proved otherwise and even then the customer still has the right to be treated courteously.

The best and most constructive attitude to adopt in the face of a complaint is that it is an opportunity to learn and improve service delivery. One needs to heed all complaints. It is “free feedback” about services and probably one of the most important and useful means to research or monitor levels of customer satisfaction.

Handling complaints in an effective manner makes a statement about the organisational culture. It shows how important customer care and satisfaction are in the organisation. A learning organisation is one that:

- ❑ listens to its customers;
- ❑ learns from mistakes; and
- ❑ continuously strives to improve service delivery and achieve service excellence.

The Public Service has come a long way since 1994 and one should never lose sight of the major strides that have been made in providing services to all the people of the country. However, there is no room for complacency and we still have a long way to go. For example, in some instances there are still no clearly defined standards, which could serve as a baseline for lodging complaints.

Customers often find that complaining about services has little or no effect and they frequently experience the process of complaining as daunting and time-consuming. This culture can be changed by setting up a system to handle complaints constructively.

Service providers must inform customers how to complain, that is, what the complaints procedures are. If customers do not know how to complain, their dissatisfaction with a particular service or standard could easily turn to frustration and lead to destructive confrontation. A well-structured complaints handling system will prevent this from happening.

GUIDELINES FOR COMPLAINT HANDLING

All national and provincial departments should establish complaints handling systems and, in terms of the *Batho Pele* White Paper, they are required to review them in line with the following guidelines:

- ❑ accessible;
- ❑ speed;
- ❑ fairness;
- ❑ confidentiality;
- ❑ responsiveness;
- ❑ informative;
- ❑ reviewed; and training.

Each of these will be discussed in detail.

Accessible

Complaints systems should be:

- ❑ Well-publicised and easy to use.
- ❑ Free of jargon and excessive formality.
- ❑ User-friendly and convenient to the customer, with options such as face-to-face, telephonic or written communications.
- ❑ Located in venues that can be reached easily by all and sundry, including people who are physically challenged, for example, blind people or people in wheelchairs, etc.

Speed

The longer it takes to respond to a complaint, the more dissatisfied customers are likely to become. Hence:

- ❑ Time limits for responding to complaints should be set to ensure that they are dealt with promptly.
- ❑ All complaints should be acknowledged immediately and courteously and where delays are unavoidable, customers must be kept informed of progress.
- ❑ Once the complaint has been verified, a sincere apology together with a full explanation must be given to the customer.

Fairness

Complaints should be fully and impartially investigated. Public servants should guard against becoming defensive and trying to justify their actions, when a complaint is received. It should be borne in mind that many people might be nervous and hesitant to complain, thus the process should not be daunting or place them at a disadvantage

Wherever possible, the customer who is complaining should be offered alternative avenues to take his or her complaint forward, if the matter cannot be resolved satisfactorily the first time round.

Confidentiality

In line with the constitutional principles, the confidentiality of complainants should be respected and protected at all times to prevent possible intimidation and victimisation. Confidentiality must also be maintained so that staff who are being complained about are managed in line with the Code of Good Practice as detailed in the Labour Relations Act.

Responsive

No matter how trivial a complaint may seem, for the customer it is a real concern and he or she must be taken seriously. Full account should be taken of the complainant's concerns, perceptions and feelings. When a mistake is made or the service falls below the set standards, the department:

- must respond promptly;
- give an assurance that the occurrence will not be repeated and that remedial action will be taken; and
- take remedial action.

Informative

The system must provide good and useful information to management so that service delivery can be improved.

Reviewed

A good complaints system should incorporate mechanisms for review and evaluation. Furthermore, it should allow for feedback so that mistakes and failures do not recur.

Training

Complaints handling procedures should be publicised throughout the organisation and training given to all staff so that they know what action to take when a complaint is received.

OBJECTIVES OF SETTING UP A COMPLAINTS HANDLING SYSTEM

The objectives of setting up a complaints handling system are to:

- provide customers who are dissatisfied with services the opportunity for redress;

- ❑ gauge customer satisfaction and the extent to which customer satisfaction is being met;
- ❑ establish the “gap” between” actual service delivery and customer expectations, based on set standards and put in place development plans to address this gap; and, ultimately
- ❑ improve service delivery.

LINKS TO LEGISLATION

The most compelling mandates for the development and implementation of a Complaints Handling System come from:

- ❑ The Constitution.
- ❑ The Promotion of Administrative Justice Act.
- ❑ The Public Service Regulations of 2001.

The Constitution

The constitutional principles governing the Public Service state that:

- ❑ services must be provided impartially, fairly, equitably and without bias;
- ❑ people’s needs must be responded to, and the public must be encouraged to participate in policy-making;
- ❑ public administration must be accountable; and
- ❑ transparency must be fostered by providing the public with timely, accessible and accurate information.

All of these principles have some bearing on the importance of having a complaints system. But, fundamentally, it is the Bill of Rights that states that all citizens have the right to public services and the right to be heard if they are unhappy with those services.

The Promotion of Administrative Justice Act

This act confirms the customer’s right to consultation and redress if his or her rights are adversely affected by an administrative action. The Act upholds a citizen’s right to express his or her dissatisfaction with public services. A complaints facility is an important element in the process of providing redress.

The Public Service Regulations of 2001

Part C of the Regulations states that an executing authority shall establish and sustain a service delivery improvement programme for his/her department that must include, among other things:

- ❑ the current and future complaints system or mechanisms.

LINKS TO BATHO PELE

The ultimate aim of public service transformation is to improve service delivery. The *Batho Pele* White Paper provides a framework and a practical implementation strategy for the

transformation of service delivery. Its focus is on “how” services are provided. Allowing customers to complain is a strategy to promote continuous improvement in the quantity and quality of services and to be more responsive to customer needs.

The *Batho Pele* principles are listed in Chapter One of the *Batho Pele* Handbook. Several of them reinforce a customer’s right to complain, for example, a customer’s right to:

- ❑ ***courteous*** behaviour;
- ❑ ***transparency and openness at all times; and especially***
- ❑ ***redress*** when he or she is not satisfied with the service provided.

The second *Batho Pele* “service standards” states that citizens should be made aware of the level and quality of services they should expect. This sets a baseline for customers to complain when service standards are not met.

The seventh principle is very specific about the nature of redress customers are entitled to. It states: “If the promised standard of service is not delivered, citizens should be offered an apology, a full explanation, and a speedy and effective remedy; and when complaints are made, citizens should receive a sympathetic, positive response”.

This principle demands a new approach to handling complaints. Complaints are seen by many public servants as an irritation and intrusion in their working lives. Where complaints procedures do exist, they are generally ineffective and bureaucratic and they often tend to defend or justify a department’s actions, rather than solving the customer’s problems. By offering redress we do not only appease irate or unhappy customers, we change the mindset of service providers from a preoccupation with the processes of service delivery to focus on deliverables and thus put in motion a process of improving service delivery.

White Paper on Transforming Public Service Delivery

The White Paper attempts to introduce a fresh approach to service delivery. It puts pressure on systems, procedures, attitudes and behaviour within the Public Service and re-orientates them in the customer’s favour. It involves creating a framework for the delivery of public services which treats the customer as “king” and enables customers to hold public servants accountable for the service they receive. Setting up a complaints system is a means of listening to customers and, if one is prepared to learn from them, to improve services.

KEY PERFORMANCE INDICATORS

- ❑ An initial increase in the number of customers who complain as they will realise that you take them and your job of service delivery seriously.
- ❑ In time, a decrease in the number of complaints as the effects of heeding your customers kick in and services start to improve.

- ❑ More satisfied customers.
- ❑ The results of complaints are used to improve services;
- ❑ The same mistakes are not repeated.

OUTCOMES

A non-defensive Public Service that takes its customers' seriously and is determined to improve its service delivery. Listening to your customers and acting meaningfully is a dynamic process out of which a new relationship of "give-and-take" will be formed between the Public Service and its customers.

CHALLENGES AND RESPONSES

Challenge

A massive increase in complaints.

Encouraging customers to complain could result in an influx of "moaning minnies" in other words you could be inundated with petty and insignificant complaints that are not relevant to your service delivery.

Response

As mentioned, customers have to get used to complaining responsibly. If customers are dealt with courteously and their complaints are treated with respect, they will soon learn what is acceptable and what is not. Treating customers courteously and with dignity does not mean that you must allow them to walk all over you.

Challenge

An infringement of privacy.

Providing customers with the names and telephone numbers and/or e-mail addresses of people to whom they should address their complaints and queries could result in customers taking advantage of this information and abusing the persons' rights to privacy.

Response

Again, it will be a learning curve for customers and they have to learn the discipline of responsible behaviour. If treated firmly, but politely, they will soon learn appropriate behaviour.

Challenge

Staff could become demotivated.

An increase in complaints could demotivate staff and lead them to believe that they failures.

Response

Staff need to buy-in to the whole complaints procedure and realise that it is an important aspect of service delivery. A culture of customer care and a learning organisation needs to be inculcated in staff.

YELLOW

STEP 1**DEVELOP A COMPLAINTS PROCEDURE****Consult**

A formal written complaints procedure should be drawn up by consulting:

- ❑ all the staff in the component, especially those who will run the complaints system;
- ❑ the members of the public who will use it; and
- ❑ other stakeholders such as other components of the department or entities, either public or private, whose services impact the department's or the component's service delivery and/or its customers.

Keep it simple

The complaints procedure should adhere to the KIS principle, namely "Keep it Simple" and should:

- ❑ be written in clear, simple language;
- ❑ be easy to access and operate – if it is difficult and complicated customers may feel intimidated and not use it;
- ❑ cover a range of matters including operational and policy matters;
- ❑ be reviewed regularly; and
- ❑ help staff to respond promptly and effectively to complaints.

Targets

The procedure should set and monitor clear targets for:

- ❑ acknowledging complaints;
- ❑ dealing with complaints;
- ❑ keeping people informed about the progress;
- ❑ getting contributions or comments from people outside of the organisation (peer review);

Develop guidelines

The procedure should set out guidelines for handling complaint, which should include:

- ❑ details on how to handle difficult customers, in person, telephonically and in writing; and
- ❑ instructions on what level of complaints may be dealt with at a particular level and when they need to be referred to a higher level.

STEP 2**TRAIN STAFF**

Handling complaints requires competent staff, with special skills. They must receive specific training in handling complaints. This will enable them to channel complaints in the right direction so that they receive the appropriate attention as quickly as possible.

Identify staff with potential

It is advisable, where possible, to select staff who are in regular contact with customers and empower them by providing further training.

If new staff are being recruited for the complaints facility, please ensure that they have the required competencies.

Training

Training should cover:

- the complaints handling procedure;
- communication skills such as listening, questioning and language ability – the complaints facility should be multi-lingual to ensure that customers are “heard” and that they understand what is being communicated to them. It should be noted that components that do not have a direct interface with the public, do not necessarily have to have a physical, complaints desk. The complaints facility could simply be a team of people who are trained to talk to unhappy customers on the telephone or to communicate with them in writing;
- the benefits to all concerned of handling complaints well; and
- the consequences of handling them badly.

STEP 3**ENSURE THAT THE COMPLAINTS SYSTEM IS ACCESSIBLE TO ALL CUSTOMERS**

Your complaints procedure should be easy to use and understand and it should be widely publicised. There is no point in having a state of the art system, if nobody knows how to use it or having a very functional system, if nobody knows about it. As the old saying goes, “You can build a better mousetrap, but if nobody knows about, it will never sell.”

Customers need to know how to complain. They need to feel confident in handling the complaints system and that that it is worthwhile. So tell your customers how to complain.

Complaints systems should be:

- free of jargon and excessive formality; and
- user-friendly and convenient to the customer; and
- accommodate face-to-face, telephonic, written, e-mail, etc, complaints.

Publicise the complaints system

The following means may be used to communicate the complaints system:

- posters and leaflets – clearly presented and user-friendly, displayed and distributed at appropriate places;
- newsletters – circulated to all stakeholders;

- ❑ mass media – paid-for advertising and/or free editorial where the spokesperson for the component speaks to the media about the system, why it has been introduced and how it works;
- ❑ helpdesks – can help to create positive impressions of the organisational culture. A helpdesk is a high impact facility as it provides a visible point of contact.

Remove barriers

People will only complain if they feel that you are listening to them. You should state clearly that the department:

- ❑ welcomes complaints;
- ❑ will investigate complaints thoroughly and fairly;
- ❑ is committed to offering redress and wherever possible, will find a solution; and
- ❑ will use the information to improve service delivery.

Meet special needs and deal with disabled people

Complaints systems should accommodate people with special difficulties.

Consideration should be given to people who:

- ❑ cannot read at all;
- ❑ are physically challenged;
- ❑ are deaf or hard of hearing;
- ❑ are blind or have impaired vision;
- ❑ are functionally illiterate and
- ❑ cannot read or understand English.

What the customer needs to know

Customers need to know what they can expect and what is expected of them when they utilise the complaints system.

Rights

It is helpful if customers know:

- ❑ what their rights are;
- ❑ what their obligations are
- ❑ how they can help you; and
- ❑ the names, addresses and telephone numbers of the person or persons who deal with complaints.

Support and advice

Not all customers will feel confident enough or be sufficiently articulate to lodge a complaint.

These customers need support. Support can be provided from:

- ❑ within the organisation – by a named member or members of staff who will be responsible for helping people with their complaints;
- ❑ outside the organisation – customers should be informed that they can ask a friend or relative to help them with a complaint, or even make the complaint on their behalf. They should be reassured that this will not alter the manner in which the complaint is handled.

Service standards

Customers need to know what the service standards are so that they are aware of what to expect and able to complain when service standards are not met.

The longer it takes to respond to a complaint, the more dissatisfied customers will become.

Hence:

- ❑ standards must define prompt time limits for responding to complaints; and
- ❑ where a delay is unavoidable customers must be kept informed of the progress and, if possible, be given some idea of when they can expect the matter to be resolved.

STEP 4

DEALING WITH COMPLAINTS

The following are the basic steps and considerations in dealing with a complaint:

Consider the organisational structure

The manner in which you deal with complaints will depend to some extent on your organisational structure. Basically, there are two options for dealing with complaints namely:

Locally

This could be done through individual members of staff at the point of service. This facilitates a speedy reply and encourages staff to “own” the complaint. A drawback is that a lot of useful information may never be brought to the attention of those who make strategic decisions to improve service delivery.

Centrally

This is done by channelling complaints through a customer care or complaints section. This ensures that complaints are dealt with consistently and that central records are kept to provide a useful database for management decisions regarding improvement plans.

The ideal may be a blend of the two, where front-line staff are encouraged to take ownership of the complaint and provide information to the “professionals” who are perhaps better at dealing with the unhappy customer.

You need to decide which arrangement is best suited to your needs, but whichever you choose, make sure that the following happens:

Apologise

An immediate and genuine apology, together with as full an explanation that is possible at the time, must be given. Remember, do not become defensive or try to justify the situation. Be prepared to be wrong, even if you do not believe that the complaint is valid. Remember, there can be no learning unless one is prepared to be vulnerable. A famous person once said that all learning begins with the statement “I don’t know”.

Redirecting complaints

If a complaint has to be referred to higher authority ensure that the customer is made aware of this. You could inform the customer of the possible outcome of his or her complaint, provided this can be done objectively, based on past experience and is not based on speculation. If there is any doubt, rather simply reassure the customer that the complaint will be dealt with as speedily as possible.

Fairness

Complaints must be dealt with fairly. If a complaint needs investigating, it should ideally be looked at by the manager of the component in which the complaint arose. The procedure for investigation should be:

- open, communicated to and understood by all those involved in the complaint;
- unbiased – not favouring any party;
- thorough – establishing the facts and checking details; and
- consistent – treating people in similar circumstances in the same manner.

Monitoring fairness

It is important to monitor the fairness of your complaints system by carrying out surveys of customers who have complained.

Fairness to staff

Staff should be treated fairly if a complain is made against them. This involves:

- informing them of the complaint promptly;
- giving them a chance to share their perspective; and
- keeping them informed of progress and the outcome of investigations.

Confidentiality

Confidentiality should be maintained so that:

- people are not discouraged from complaining;
- accusations against staff are known only by the persons investigating the complaint.

Responding to a complaint

Complaints may be responded to in writing (including e-mail and fax), by telephone or face-to-face. In each case the response should:

- aim to answer the points raised in the complaint truthfully and meaningfully;
- be non-defensive;
- be to the point and avoid jargon;
- be signed by the responsible person, in the case of written replies;
- provide contact numbers, and
- tell the person what to do if they are not fully satisfied.

Written reply

This is the most formal way of responding to a complaint and is usually necessary where a formal complaint has been lodged in writing or where the investigation has been fairly lengthy and involved correspondence with the complainant. Written responses are particularly useful if a record of the complaint has to be kept.

Telephonic reply

In some instances it may be quicker, easier and more effective to pick up a telephone when dealing with a complaint, especially if one does not need to keep a written record. The telephone provides a less formal means of responding to a complaint.

Face-to-face

Face-to-face meetings can be formal or informal, but have the advantage of eye contact. They are particularly recommended where the dealings with the customer have been protracted and complex and where one wishes to re-establish a constructive relationship with the customer.

In some cases it may be advisable to follow up telephonic or face-to-face communications with written confirmation. This is fairly formal, but does convey a sense of professionalism. Whatever the method one chooses, remember to record details.

Providing a solution

The reason for having a complaints system in place is to find a solution to the problem and ultimately to improve service delivery.

Departments should:

- give customers the information they need in order to identify when services fall below standard;
- offer a suitable and acceptable remedy and make sure that staff are aware of options;

- ❑ where possible try to ensure that the remedy is what the customer wants;
- ❑ recognise that most people want to prevent the same thing from happening to others; and
- ❑ carry out surveys of the service to make sure that customers are satisfied with the solution.

Offering options

Both staff and customers need to know what the possible solutions to a complaint are. A menu of options should be drawn up for staff to promote consistency in the handling of complaints.

10 tips to handling complaints

1. Keep it simple – avoid long forms.
2. Use the telephone more – don't automatically send a letter.
3. Find out straight away what the customer wants you to do about the problem.
4. For less serious complaints, a quick apology is better than a long letter.
5. Give personal and specific replies – a standard reply will only make matters worse.
6. Follow the "mother principle" – treat people like you would like to be treated.
7. Do not pass the buck. If you need to refer a complaint to someone else, make sure the customer has full details.
8. Be clear about the solutions you can offer.
9. Let your customers know about the improvements you have made as a result of their complaints.
10. Remember, an increase in complaints can be good news. It indicates that your customers trust you and believe that you take them seriously. And your customers' complaints can help you improve your service delivery and achieve your strategic objectives.

STEP 5

RECORD AND ANALYSE INFORMATION

The system should include a method to record all complaints about services and policy matters. The manner in which information is recorded should be:

- ❑ consistent and detailed;
- ❑ simple and practical and not impose a great burden on staff time; and
- ❑ useful in allowing you to monitor and respond to complaints by highlighting particular areas where services are falling below standard.

If your complaints system does not allow you to glean information that will help you to improve service delivery, then it has failed in its core objective. It should reflect a clear picture of the customers' views of the services you offer and the improvements they want.

Compile a report

Information about complaints should be published in a report and communicated to all stakeholders. It should:

- ❑ specify the number of complaints, broken down into logical categories;
- ❑ include statistics on achievement against published standards; and
- ❑ highlight problem areas.

The information should be communicated to policy-makers so that they have direct feedback from the customer.

Service providers are under the watchful eye of the media and care should be taken that the information on complaints is published in context so as to avoid unbalanced or even destructive reports in the media. When complaints are published in the form of reports and made accessible to customers, departments should prepare themselves for an increase in complaints.

STEP 6**SERVICE IMPROVEMENTS**

The information gathered from complaints should be analysed to identify trends and areas of dissatisfaction, which should be fed into the service delivery improvement plans.

KEY CONSIDERATIONS**Setting up networks**

Departments can set up networks with other departments. These can be powerful tools for spreading and sharing information and improving all service delivery systems and processes, including complaints handling systems. This has the added benefit of providing support and encouragement for staff, both within the department and across the public service.

Review of the system

Transformation is a dynamic process and as policies change the dynamics of service delivery will change. The complaints handling system must be reviewed and adapted to incorporate these changes.

Self-assessment and Peer-review

Refer to guides on Self-Assessment and Peer Review.

These are useful means of assessing the value and effectiveness of a complaints handling system.

USEFUL REFERENCES

- ❑ The South African Constitution, 1996
- ❑ The Public Service Act, No 103 of 1994 as amended
- ❑ The Public Service Regulations, 2001 as amended
- ❑ The Promotion of Administrative Justice Act, No 3 of 2000
- ❑ The White Paper on the Transformation of the Public Service, 1995
- ❑ The White Paper on Transforming Public Service Delivery (*Batho Pele*), 1997
- ❑ How to make a complaint; Cabinet Office- United kingdom;www.cabinet-office.gov.uk
- ❑ How to complain – can you hear your customers complain; www.howtocomplain.com