



Request for a review of a complaint decision

Policy Statement

This policy outlines how the Department for Environment and Water (DEW) manages requests for review of a complaint decision.

Scope

This policy applies to members of the public seeking review of a complaint decision.

This policy also applies to all DEW staff, agents, contractors, and volunteers who receive, manage, and respond to complaints from members of the public.

This policy does not apply to staff grievances, matters for the Independent Commissioner Against Corruption, Office for Public Integrity, the South Australian Ombudsman or Public Interest Information Disclosures – separate processes apply.

Policy

DEW is committed to making fair and reasonable decisions and treating others with respect.

If you are not satisfied with the response you received in relation to a complaint lodged with DEW, the first step is to raise your concerns with the DEW Officer whose details were provided in the response to you. If you are still not satisfied, you may choose to seek an internal review or external review.

The purpose of this policy is to set clear expectations about the internal review process.

A complaint may be internally reviewed once.

A complaint that has undergone or commenced a process for external review will not be reviewed internally.

Complaints about the conduct of staff or policies and procedures will be considered as a complaint and not a review and will be handled in accordance with the DEW Complaints Handling Policy.

What is a review?

A review involves examining whether:

- the decision reached was reasonable based upon the information available;
- the process used to reach the decision was fair and appropriate in the circumstances; and
- the decision was adequately explained.

A review is not a re-investigation of the original complaint, however, re-opening a complaint for investigation may be recommended as an outcome of a review.

How do I request a review?

A request for review must be in writing. In some circumstances we will accept a request orally (for example if you are unable to provide your request in writing).

Requests for review can be addressed in writing to:

The Department for Environment and Water Attention:
Complaints Handling Team
GPO Box 1047
ADELAIDE SA 5001

Or by email to:

dew.oce@sa.gov.au

Your request must:

- specifically state how or why you believe the wrong outcome has been reached;
- the desired outcome; and
- provide any new relevant information that has become available.

Upon receipt, the request for review will be considered and we will contact you to let you know if a review will be undertaken.

A request for internal review must be made within one month after you were notified of the original complaint decision; however, a request for review may be accepted outside this timeframe if there are exceptional circumstances.

The review process

Requests for review of a complaint decision are to be acknowledged promptly, ideally within five business days.

Reviews are conducted by the Complaints Handling Team or by a person more senior than the original decision maker who has not previously dealt with the matter.

The review will be dealt with fairly and impartially and will consider the handling of the original complaint, the basis for the outcome reached, any related information available to DEW, your views and any additional information you provide.

The DEW Officer who managed the initial complaint will be given opportunity to comment on the preliminary findings of the review and to have their comments taken into consideration during the review process.

During the review process, DEW may also consider the use of alternative dispute resolution options.

Review outcomes

At the completion of the review, a recommendation will be made to the Chief Executive and once approved by the Chief Executive, you will be notified of the outcome in writing within 28 days of receiving your request for review. When this timeframe is not achievable, you will be advised on the expected timeframe for being notified of the review outcome.

The outcome of the review will either be to:

- affirm the original decision;
- re-open the complaint; or
- find the original complaint outcome was incorrect and a new conclusion should be substituted without further investigation.

We will only re-open the complaint when significant new information has been provided or if an error in the original process has been identified.

You will also be notified of your options for review external to DEW (by the South Australian Ombudsman for example).

Responsibilities

Role	Responsibility
Chief Executive	Considers and approves review recommendations.
Complaints handling team	Assessing review requests.
Review officer (Complaints handling team or person more senior than original decision maker who has not previously been involved)	Undertake the review and make a recommendation to the Chief Executive. Provide information to complainants about the review process in accordance with this policy when required or requested. Handle a request for a review impartially.
All staff	Notify their Manager of requests for review of complaint decisions. Forward requests for review to the Complaints Handling Team.

Associated Documents and References

[Complaints Handling Policy](#)

[South Australian Ombudsman's Complaint Management Framework](#)

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