



Translated from English to Simplified Chinese	"Complaints Policy"
由英文翻译成中文	投诉处理政策
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1. 处理投诉程序概述

公众的投诉，包括被告人的投诉，应向参与被投诉案件的专业事务组的组长（Practice Group Leader）提出。专员署协调处将视需要进行协调。

所有受理的投诉均以下列方式进行考虑：

- 保密；
- 迅速；
- 公正；
- 尽可能非正式的方式。

对投诉的答复应该简明准确，考虑周详，语言简洁。若有必要，答复需翻译成其它语言。

联邦申诉专员的《更好地处理投诉实务指南》（可查阅：www.ombudsman.gov.au）列出有效地处理投诉的五个要素：

- 文化 – 有关部门必须重视地对待投诉，并应视之为加强行政管理，改善公众关系的手段。
- 原则 – 必须遵循公平处理、普遍服务、积极回应、讲求效率及社会融合的原则去建设有效地处理投诉的系统。
- 人员 – 负责处理投诉的工作人员必须业务纯熟，具有专业操守。
- 程序 – 应清楚地明确处理投诉的七个阶段：受理、评估、计划、调查、答复、复查、检讨系统性的问题。
- 分析 – 应该把对投诉相关信息的调查，作为组织机构不断地检讨与改进的一部分。

这些指南是有用的指导，在对投诉的考虑中应给予参考。

2. 敏感或重要的投诉

敏感或重要的投诉，或者与敏感或重要事项有关的投诉，包括对检控行为的投诉，应直接向与被投诉案件相关的专业事务组的组长提出。专员署协调处将视需要进行协调。

3. 与雇员不良行为相关的投诉

对雇员不良行为的投诉或指控应向人员服务处（People Services）提出。对有关事项的处理将根据以《联邦刑事检控专员署（CDPP）行为指南 – 提出投诉》为框架的内部处理程序而进行。人员服务处将与被投诉雇员所在的专业事务组的组长交涉。

4. 涉及对支付补偿款项包括特惠补偿款或特别补助款项（*Ex Gratia or Act of Grace Payment*）进行考虑的投诉

涉及向投诉人支付款项如特惠补偿款或特别补助款项进行考虑的投诉，应向与被投诉案件相关的专业事务组的组长提出。专员署协调处将视需要进行协调。

专业事务组的组长应考虑有关事项是否适用于某项立法或规定，例如：

- 《2013年公共治理、表现与责任立法》（第63条与第65条）；
- 《对行政管理不善导致的损害的赔偿规定》。

5. 处理投诉的步骤

下列步骤是处理投诉的指引。某些投诉可能需要采取额外步骤，或者不需要采取下列所有步骤。

受理

应在实际可能的情况下尽快寄出受理信函或回复电子邮件。

评估

这个步骤涉及考虑对投诉作出的可能答复，并可能需要澄清投诉寻求的结果。某些投诉可能需要优先处理，某些可能的结果若有时间限制尤其需要优先处理。

负责处理个案的工作人员也应确保把投诉交到最合适的部门。有的投诉交到其他部门可能更合适。若此，负责处理个案的工作人员会通知投诉者，介绍他们到适当的部门。

投诉应受到彻底调查。调查的深入程度视投诉的性质而定。与评估相关的对话档案记录以及在评估过程产生的文件均应保存在档案内。

另外，应考虑投诉是否需提交申诉专员作决定。通常没有这种需要。但如果需要，则需制备说明有关事项的提交专员的备忘录，并送交专员署协调处。备忘录应列出背景、对投诉所及事项的考虑，以及专业事务组组长的提议。

答复

答复需以书面形式列出投诉和答复的内容，包括由联邦刑事检控专员署（CDPP）采取行动的理由。若有必要，答复需翻译成其它语言。

检讨联邦刑事检控专员署 (CDPP) 的规定或做法

若投诉揭示了系统性的问题，因而有必要考虑改变全国性的做法或规定，专业事务组组长应考虑是否需要改变专业事务组的做法或规定。若投诉揭示了系统性的问题，因而有必要考虑改变全国性的做法或规定，但有关事项不属于任何一个专业事务组的业务范围，则需向专员署协调处提交报告。

6. 对投诉的保密

一定要注意投诉的敏感性。对材料和指控的考虑将决定所需要的保密程度。对联邦刑事检控专员署 (CDPP) 工作人员的指控，尤其针对个人的情况，必须谨慎处理，确保有关个人的隐私受到尊重。

ENGLISH Text

1. Complaint Handling Overview

Complaints from members of the public, including defendants, should be made to the Practice Group Leader of the Practice Group which was involved in the case the subject of the complaint. The Director's Coordination Unit will play a coordination role as required.

All complaints received will be considered:

- confidentially;
- quickly;
- impartially; and
- as informally as possible.

The response to the complainant should be accurate, concise, well-considered and in simple language. Where necessary the response may need to be translated.

The Commonwealth Ombudsman's *Better Practice Guide to Complaint Handling* (available at www.ombudsman.gov.au) describes five elements of effective complaint handling:

- *Culture - Agencies must value complaints as a means of strengthening their administration and improving their relations with the public.*
- *Principles - An effective complaint handling system must be modelled on the principles of fairness, accessibility, responsiveness, efficiency and integration.*
- *People - Complaint handling staff must be skilled and professional.*
- *Process - The seven stages of complaint handling – acknowledgment, assessment, planning, investigation, response, review, and consideration of systemic issues – should be clearly outlined.*
- *Analysis - Information about complaints should be examined as part of a continuous process of organisational review and improvement.*

These guidelines provide useful guidance and should be referred to when considering complaints.

2. Sensitive or Significant Complaints

Complaints, including complaints about the conduct of prosecutions, that are sensitive or significant, or where they relate to a sensitive or significant matter should also be made directly to the Practice Group Leader of the Practice Group which was involved in the case the subject of the complaint. The Director's Coordination Unit will play a coordination role as required.

3. Complaints Relating to Employee Misconduct

Complaints or allegations of employee misconduct should be referred to People Services. The matter will be dealt with in accordance with internal procedures using the '*CDPP Conduct Guidelines - Making a Complaint*' as the framework. People Services will liaise with Practice Group Leader of the Practice Group in which the employee the subject of the complaint works.

4. Complaints which Involve Consideration of Paying Compensation, Including Making an Ex Gratia or Act of Grace Payment

Complaints which involve consideration of making a payment to the complainant, such as an ex gratia payment or an act of grace payment should be referred to the Practice Group Leader of the Practice Group which was involved in the case the subject of the complaint. The Director's Coordination Unit will play a coordination role as required.

The Practice Group Leader should consider whether particular legislation or schemes would apply, for example:

- The *Public Governance, Performance and Accountability Act 2013* (section 63 and 65);
- The *Compensation for Detriment Caused by Defective Administration* scheme.

5. Steps to the Complaint Process

The following steps are intended as a guide. There may be some complaints which require additional steps or do not require all the steps listed below.

Acknowledgment

A letter or reply email acknowledging receipt of the request should be sent as soon as practicable.

Assessment

This step involves considering the possible responses to the complaint. This may require clarifying the outcome the complainant is seeking. Some complaints may need to be given priority, especially if there are time limits on some of the possible outcomes.

The case officer should also ensure the complaint has been made to the appropriate agency. It may be that the complaint is more relevant to another agency. If the complaint is more properly dealt with by another agency, the case officer should inform the complainant and refer them to the appropriate agency.

The complaint should be thoroughly investigated. The level of investigation required will depend on the nature of the complaint. File notes of conversations relevant to the assessment should be kept on file as should documents created as part of the assessment.

Consideration should be given to whether the complaint needs to go to the Director for a decision. This would usually not be the case. If it does, a minute highlighting the issues for the Director's attention should be prepared and provided to the Director's Coordination Unit. The minute should set out the background, consideration of the issues raised in the complaint and any recommendation made by the Practice Group Leader.

Response

The response needs to be in writing, setting out the complaint and the response. This will include reasons for the action taken by the CDPP. Where necessary the response may need to be translated.

Reflection on CDPP policies or practices

If the complaint identifies a systemic issue where consideration of changes to national practice or policy is needed, the Practice Group Leader should consider possible changes to the Practice Group's practice or policies. If the complaint identifies a systemic issue where consideration of changes to national practice or policy is needed and it does not fall within any particular Practice Group, then a report should be sent to the Director's Coordination Unit.

6. Confidentiality of Complaints

Regard must be had to the sensitivity of the complaint. Consideration of the material and allegations made will determine the level of confidentiality required. Complaints dealing with allegations against staff of the CDPP, particularly in a personal capacity, should be handled with care to ensure the privacy of the individual is respected.