



Construction Complaints Management System

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Sydney Metro Construction Complaints Management System

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1. Construction complaints management system

1.1. Document purpose

This document forms part of the Sydney Metro Communication and Engagement Management System. Its purpose is to outline the procedure for managing complaints across Sydney Metro. This includes:

- Receiving complaints
- Classifying complaints
- Responding to complaints
- Escalation
- Mediation
- Recording complaints
- Reporting

This construction complaints management system will be reviewed annually and reissued as required.

1.2. Responsibilities

Complaints handling is the responsibility of all team members who come into contact with the community and stakeholders. The Director, Project Communications is the designated complaints handling management representative for the escalation of complaints.

Table 1: Responsibilities for complaints

Role/Organisation	Responsibility
Environmental Representative	<ul style="list-style-type: none"> • Assist in resolving complaints in accordance with this document. • Investigate and review any complaint escalated by the Director, Project Communications where a member of the public is not satisfied with the response and provide recommendations to Sydney Metro to assist in resolving the complaint which may include the use of mediation services.
Acoustic Advisor (where required by planning approval)	<ul style="list-style-type: none"> • Assist in resolving complaints in accordance with this document.
Independent mediation (as required)	<ul style="list-style-type: none"> • Provide mediation services deemed relevant to any complaint escalated by the Director, Project Communications or the Environmental Representative.

	<ul style="list-style-type: none"> Request advice from the Environmental Representative, Acoustic Advisor (if required by planning approval) or any other subject matter expert as required to assist in the effective provision of mediation services.
<p>Sydney Metro Project Communications team</p>	<ul style="list-style-type: none"> Manage Sydney Metro 24-hour call centre. Implement the Construction Complaints Management System (this document). Treat all people with respect. Assist people to make a complaint where required. Provide feedback and suggestions on ways to improve complaint management. Implement changes arising from complaints and from analysis and evaluation of complaint data as advised by senior managers. Forward relevant complaints to contractors, Sydney Trains/TfNSW/Parramatta Light Rail/WestConnex/Western Sydney Airport immediately. Investigate and determine the source of a complaint immediately, including an initial call to the complainant (when received by phone or where a telephone number was provided or available on the community engagement database). Provide an initial response to all complaints within two hours (where a phone number is provided or available on the community engagement database) from the time of the complaint unless the enquirer agrees otherwise. Provide a written response to emails, letters/faxes within 24 hours (or verbally within two hours if a phone number is provided or available on the community engagement database). Keep the complainant informed of the process until the complaint is resolved. Close out complaints within agreed timeframe (with complainant). Provide advice and guidance on complaint management to contractors and ensure due diligence applied by contractor(s) to implement recommendations made to mitigate reoccurrence and/or address complaint. Ensure internal avenues of escalation and review have been exhausted by the relevant contractor(s) and all opportunities have been explored PRIOR to escalation to the Director, Project Communications. Ensure all avenues of internal escalation are utilised and considered by Sydney Metro. Escalate complaints in accordance with Construction Complaints Management System (this document). Record all complaints on the community engagement database in accordance with data entry procedure within 24 hours. Details should include how it was managed and closed out.
<p>Contractor delivery communication teams</p>	<ul style="list-style-type: none"> Answer all phone calls transferred by the call centre from the community information line (calls to be answered by a team member 24/7, not an answering machine, while construction activities are occurring). Develop and implement procedures for managing and resolving stakeholder and community complaints directed to the contractor in accordance with the Construction Complaints Management System (this document) and the relevant projects' Conditions of Approval. Refer complaints not associated with contractor activities to the Sydney Metro Project Communications team immediately. Investigate and determine the source of a complaint immediately, including an initial call to the complainant (when received by phone or where a telephone number was provided or available on the community engagement database).

	<ul style="list-style-type: none"> • Provide an initial verbal response to all complaints within two hours (where a phone number is provided or available on the community engagement database) from the time of the complaint unless the enquirer agrees otherwise. • Provide a written response to emails, letters/faxes within 24 hours (or verbally within two hours if a phone number is provided or available on the community engagement database). • Keep the complainant informed of the process until the complaint is resolved. • Provide feedback to requests for information from the Sydney Metro Project Communications team or the Environmental Representative, Acoustic Advisor or mediator within two hours. • Comply with advice, guidance and processes as suggested from the Sydney Metro Project Communications team and/or the Environmental Representative, Acoustic Advisor or mediator in relation to the resolution of a complaint prior to the escalation of a complaint, at all stages of complaint management, inclusive of when a complaint has been escalated. • Take all actions and implement all measures inclusive of those recommendations made during any escalation or review process to prevent the reoccurrence of a complaint. • Close out complaints within agreed timeframe (with complainant). • Escalate complaints in accordance with the Construction Complaints Management System (this document). • Report to the Sydney Metro Project Communications team and the Environmental Representative on a daily basis. Record all complaints on the community engagement database in accordance with the data entry procedure within 24 hours. Details should include how it was managed and closed out.
<p>Sydney Trains/TfNSW/Parra matta Light Rail/WestConnex/Western Sydney Airport</p>	<ul style="list-style-type: none"> • Refer complaints received directly in relation to Sydney Metro work back to Sydney Metro for investigation and resolution. • Assist in resolving complaints where work may overlap in the rail corridor.
<p>Western Sydney Airport</p>	<ul style="list-style-type: none"> • Refer complaints received directly in relation to Sydney Metro work back to Sydney Metro for investigation and resolution. • Assist in resolving complaints where work may overlap in the rail corridor. • Investigate and review any complaint escalated by the Director, Project Communications where a member of the public is not satisfied with the response and provide recommendations to Sydney Metro to assist in resolving the complaint which may include the use of mediation services.
<p>Department of Planning, Industry and Environment and NSW Environment Protection Authority and local Councils</p>	<ul style="list-style-type: none"> • Refer complaints received directly in relation to Sydney Metro work back to Sydney Metro for investigation and resolution in the first instance.

1.3. Conditions of approval

Each project's approval is expected to have requirements around complaints handling including the creation of a Construction Complaints Management System. This document fulfils these requirements for Approvals related to the following projects:

- Sydney Metro West
- Sydney International Speedway
- Sydney Metro Western Sydney Airport

1.4. Complaints handling

Sydney Metro's approach to managing complaints is based on the following guiding principles:

1.4.1. Accessibility

All Sydney Metro public materials will direct stakeholders wishing to make a complaint to use our:

- Community information line
- Community email address
- Project postal address
- Form on the Sydney Metro website.

1.4.2. Responsiveness

Our responsibilities for complaint handling include:

- Investigate and determine the source of a complaint immediately, including an immediate call to the complainant (when received by phone).
- Provide an initial response to all complaints within two hours (where a phone number is provided or available on the community engagement database) from the time of the complaint unless the enquirer agrees otherwise.
- Keep the complainant informed of the process until Sydney Metro believes the complaint has been responded to completely.

1.4.3. Confidentiality

Personal information that identifies individuals will only be disclosed or used by Sydney Metro as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations. Sydney Metro may disclose complainant information to its

contractors, employees and agents and other third parties as necessary from time to time in accordance with the Sydney Metro Privacy Notice.

A stakeholder’s contact information along with their complaint will be recorded for the purposes of addressing their complaint. Should they wish to remain anonymous, the complaint will be registered under an ‘Anonymous’ stakeholder for recording keeping and reporting purposes.

Any process undertaken by the independent advisors will be subject to confidentiality provisions. These provisions will be explained to all parties involved.

1.4.4. Continual improvement

This Construction Complaints Management System will be reviewed and reissued annually, or as required. Review of processes and customer feedback will be incorporated to ensure improvement.

2. Receiving complaints

Sydney Metro has established the following tools for receiving complaints from the community. At a minimum, the telephone number, the postal address and the email address will be provided on the Sydney Metro website.

Contractors will be encouraged to develop other innovative ways to distribute these tools to the community.

Table 2: Community contact tools

Tools	Explanation and purpose
<p>Community information line</p>	<p>This allows stakeholders and the community to have access to the project teams 24 hours a day during construction. All communication materials and the website will include the community information line number.</p> <p>During construction, calls will be redirected to relevant contractors as required.</p> <ul style="list-style-type: none"> • Sydney Metro West – 1800 612 173 • Sydney International Speedway – 1800 612 173 • Sydney Metro - Western Sydney Airport – 1800 717 703

Tools	Explanation and purpose
<p>Community email address</p>	<p>This allows stakeholders and the community to have access to the project teams. All communication materials and the website will include the community email address.</p> <p>During construction, emails will be redirected to relevant contractors as required.</p> <ul style="list-style-type: none"> • Sydney Metro West – sydneymetrowest@transport.nsw.gov.au • Sydney International Speedway - sydneymetrowest@transport.nsw.gov.au • Sydney Metro - Western Sydney Airport – sydneymetrowsa@transport.nsw.gov.au
<p>Community post box</p>	<p>This central postal address allows stakeholders and the community to have access to the project teams.</p> <p>The website will include a central Sydney Metro community postal address.</p> <p>Correspondence will be redirected to relevant project teams and contractors as required.</p> <ul style="list-style-type: none"> • Sydney Metro - PO Box K659, Haymarket, NSW 1240
<p>Sydney Metro website</p>	<p>Information about the project will be available on the Sydney Metro website. The website will be referenced in all communication materials as a source of information and will be updated on a regular basis.</p> <p>Information will include:</p> <ul style="list-style-type: none"> • Project information including: <ul style="list-style-type: none"> – Description of the project, current status and timing – Newsletters – Notifications – Up-to-date project information – Graphics and images on the project background and progress – Copies of relevant reports – Photos, images and maps – Links to documents as required under the relevant projects Conditions of Approval – A link to Sydney Metro contractor webpages • Contact information and web form available at: sydneymetro.info/get-touch

3. Classification of complaints

The Australian and New Zealand Standard Guidelines for complaint management in organisations AS/NZS 10002:2014 (AS/NZS Complaint Management Standard) defines complaints as an:

Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Based upon this standard a complaint includes:

- A complaint about conduct, service or product
- An internal review of a complaint – request a review of the merits of a decision
- An internal review about how a complaint was handled
- An external review of a complaint or how the complaint was handled

Sydney Metro classifies complaints into two categories for reporting purposes:

- Unavoidable complaints
- Avoidable complaints.

The main aim of these complaint categories is to record complaints received, but not unfairly penalise our contractors for complaints received about works they have approval to do.

3.1. Unavoidable complaints

Unavoidable complaints include a stakeholder's opposition to the project or government policy or complaints about issues that are within project planning approvals.

For example:

- A complaint about noise generated at night when planning approval has been granted for night works and noise generated is within approved criteria.
- A complaint about how traffic is being controlled when the approved Traffic Management Plan is being implemented.

3.2. Avoidable complaints

Complaints about issues outside planning approval, or a commitment that has been given to the community or stakeholders. These commitments may be contained in staff inductions or written notifications.

For example:

- A complaint about noise at night where work is being performed outside of approved criteria. For example: work outside of approved (or notified) construction hours or approved noise levels.
- A complaint about how traffic is being controlled. Only applies when the approved Traffic Management Plan is not being implemented.
- A complaint about poor worker behaviour, for example: littering, swearing, poor driving behaviour, when an induction has specified that behaviour is not acceptable.

3.3. Determining an unavoidable complaint

When categorising a complaint as 'unavoidable' evidence should be referred to in the complaint notes about why the complaint has been categorised this way.

Sydney Metro can provide contractors with advice and guidance on the types of evidence required to be recorded within the community engagement database.

3.4. Resolving classification

If the Sydney Metro Project Communications team and the contractor cannot agree on a classification of unavoidable, the Independent Environment Representative may assist in classifying the complaint as it relates to the planning approval or commitments given to the community.

4. Responding to complaints

4.1. Receiving a complaint

Upon receipt of a complaint, details of the complaint will be recorded within the community engagement database. Accurate records will be maintained regarding receipt, handling and outcomes of complaints received.

All complainants should be informed in general terms of:

- The complaints processes and procedures that the organisation will follow in relation to the complaint
- The likely timeframes for completing tasks relating to the complaint
- The responsibility of the organisation in relation to the complaint and the person making the complaint.

It is important to outline what is expected from complainants. Complainants have responsibility to:

- Clearly identify their issues of complaint
- Provide all relevant information about their complaint
- Cooperate with any requests for information or inquiries
- Act honestly
- Treat the people handling their complaint with courtesy and respect.

For on-airport works, Sydney Metro will notify Western Sydney Airport that a complaint has been received.

4.2. Managing unreasonable complaint conduct

Unreasonable conduct by a complainant can be defined as any behaviour by a current or former complainant that, due to its nature or frequency, raises health, safety, resource or equity issues for relevant parties. The parties that may be detrimentally affected include the organisation responsible for handling the complaint, the person managing the complaint, the person dealing directly with the complainant, the person making the complaint and other complainants and services.

Unreasonable conduct may take the form of unreasonable persistence, unreasonable demands, and unreasonable lack of cooperation, unreasonable arguments and unreasonable behaviour inclusive of but not limited to aggressive, abusive and threatening behaviour.

Unreasonable conduct by complainants will result in referral to senior management for the recommendation of strategies being implemented to manage the behavior. Complainants will be advised of the strategy that will establish limits and conditions regarding acceptable and unacceptable conduct and how their complaints will be managed.

The recording and response to complaints received by unreasonable complainants will also be the subject of modification.

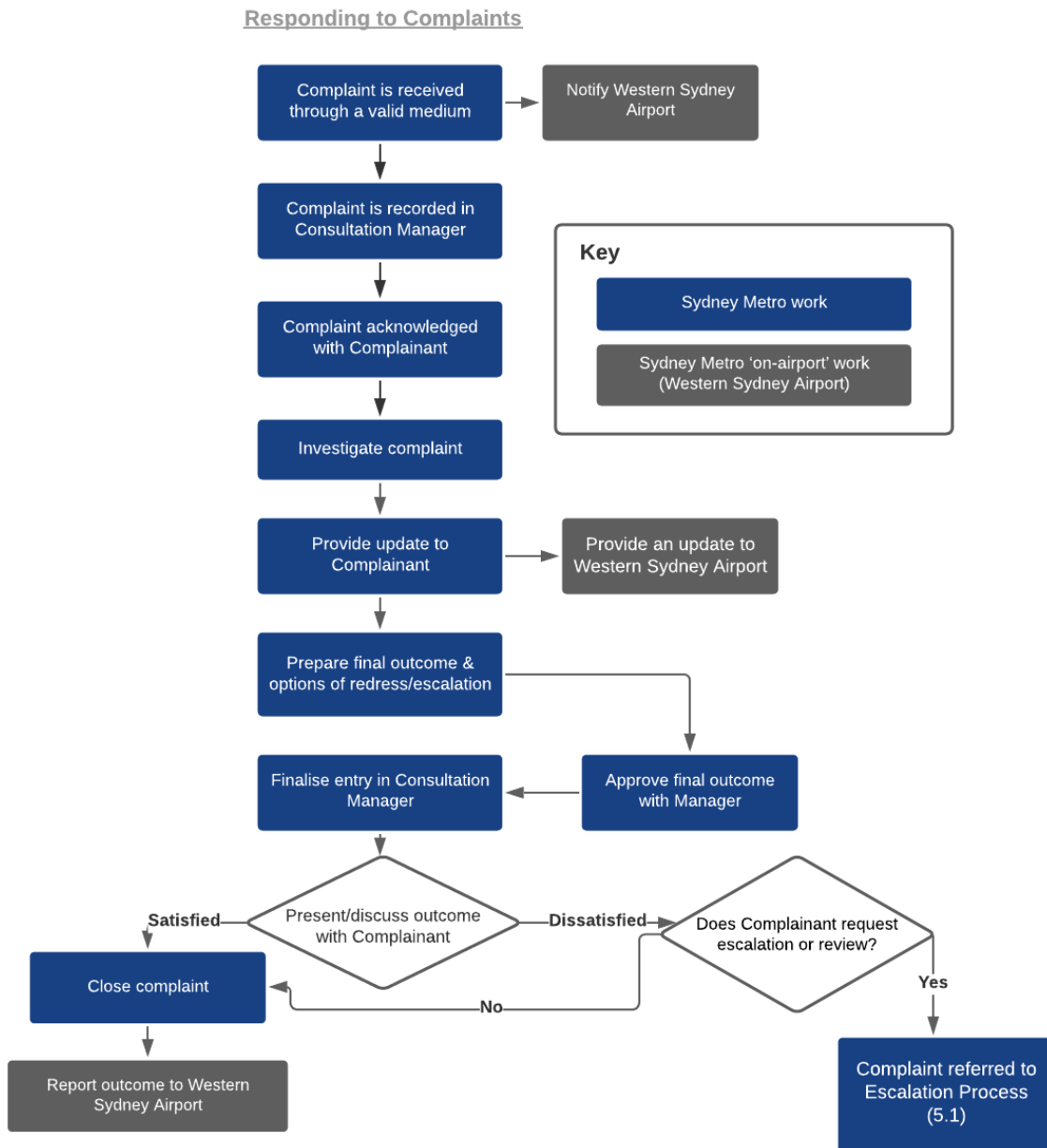
4.3. Referring complaints

Regardless of how a complaint is received, it must be referred to the most appropriate agency as soon as it is received. The following table outlines the referral process:

Table 3: Guideline for referring complaints

Type of complaint	Description	Referred to
Early construction works	Complaint is about early works activities or the early works contractor	Place Manager, Early Works or contractor representative
Construction site specific	Complaint is about construction work, behaviour or activities at/or around a Sydney Metro construction site (except early construction works)	Relevant construction contractor representative
Overall project or government policy	Complaint about the need for the project, the projects procedures, the approval process, or TfNSW policy position	Sydney Metro Director, Project Communications
Media	Complaint has come via a member of a media organisation	Sydney Metro Director, Project Communications
Government or ministerial enquiry	Complaint has come via a member of a local, state or federal government body, government department or ministerial department	Sydney Metro Director, Project Communications
Unrelated to Sydney Metro	Complaint is unrelated to Sydney Metro	Sydney Metro Communications Manager
Precinct Planning	Complaint related to precinct planning around Sydney Metro station sites	Sydney Metro Senior Communications Manager
Relates to other TfNSW projects	Complaint is unrelated to Sydney Metro but relates to other areas of TfNSW or other TfNSW projects	Relevant area of TfNSW
Relates to NSW Government projects	Complaint is received by Sydney Metro that relates to other areas of NSW Government or NSW Government projects	Relevant area of NSW Government
Relates to Sydney Trains	A complaint received by Sydney Metro that relates to work being done by Sydney Trains in the same vicinity during a possession	Relevant area of Sydney Trains
Relates to Western Sydney Airport	A complaint received by Sydney Metro that relates to work being undertaken by Western Sydney Airport within the airport site	Wester Sydney Airport Project Communications

4.4. Responding to complaints



5. Complaint escalation process

5.1. When to escalate a complaint

Complaints may be subject to an internal escalation process in circumstances when:

- The complaint cannot be resolved using the procedure in section 4, within a reasonable timeframe agreed to by the complainant.
- The nature of the complaint falls into one of the following categories:
 - An activity generates three complaints within a 24-hour period (separate complainants).
 - Any construction site receives three different complaints within a 24-hour period.
 - A single complainant reports three or more complaints within a three day period.
 - A complainant threatens to escalate their issue to the media or government representative.
 - The complaint was avoidable.
 - The complaint relates to a compliance matter.

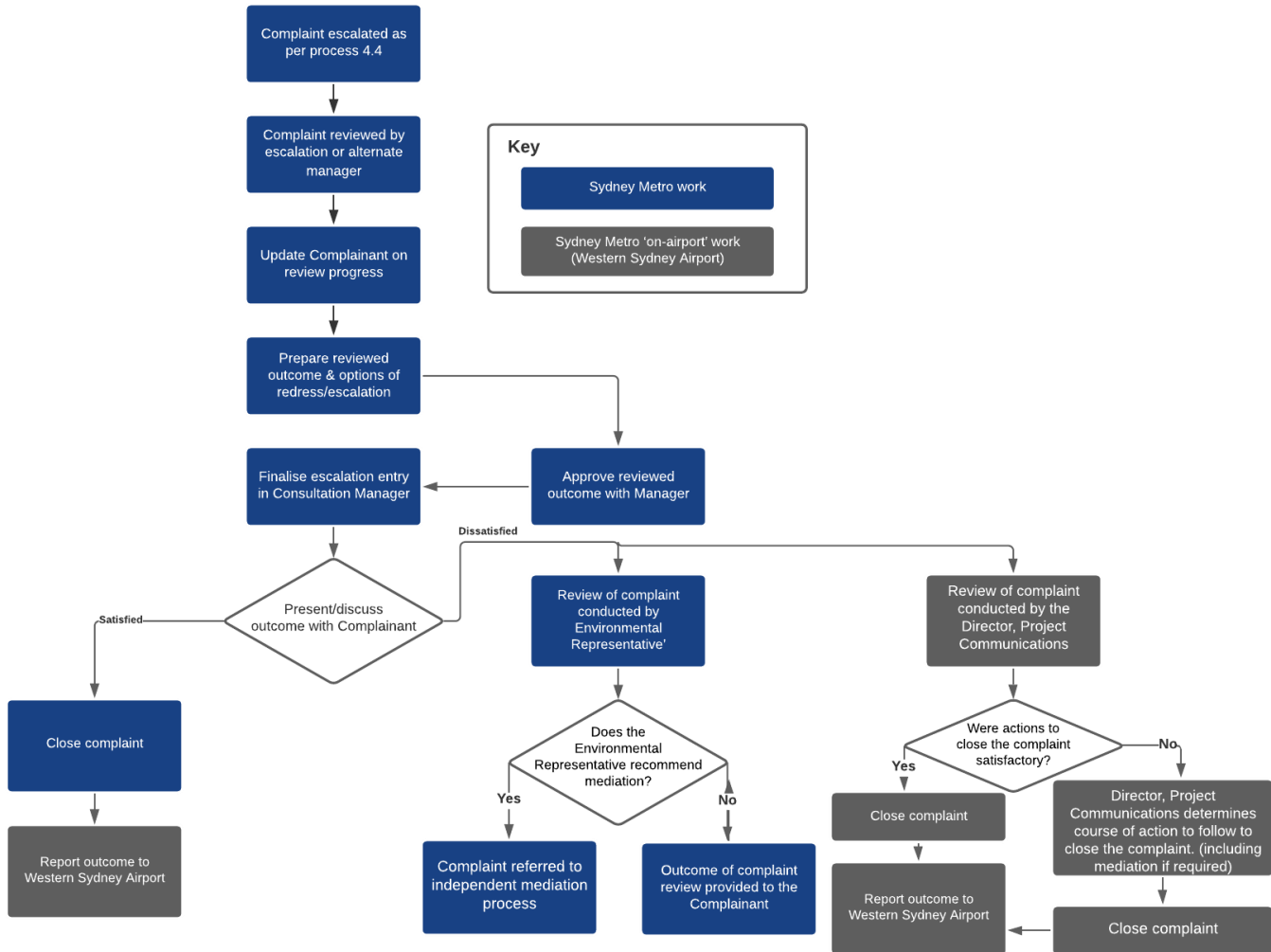
Complainants will work with Sydney Metro management representatives and any other internal or external subject matter experts with the view to working together to resolve their complaint.

The contractor will be required to satisfy Sydney Metro representatives that considerations and recommendations have been implemented and all avenues available to them have been exhausted prior to seeking further escalation.

For on-airport works, if the complainant is dissatisfied with the outcome of their complaint, the complaint will be escalated to the Sydney Metro – Western Sydney Airport Director, Project Communications for review. The Sydney Metro Western Sydney Airport Director, Project Communications will advise if actions to address the complaint is satisfactory or alternatively, recommend a course of action to follow and then close the complaint. Sydney Metro will inform Western Sydney Airport of the outcome of the complaint.

5.1.1. How to escalate a complaint

Complaint Escalation Process



5.2. Role of Environmental Representative

The Environmental Representative would assist the contractor and Sydney Metro teams in resolving complaints in accordance with this document.

Unresolved complaints may also be escalated to the Environmental Representative for independent review of the complaint handling process and outcome.

The Environmental Representative would not consider issues such as:

- Property acquisition where other dispute processes are provided for
- Where clear government policy and associated resolution processes are available
- Where the matter is not within the scope of the project.

To undertake an escalated review, the Environmental Representative would:

- Receive a brief from the nominated Sydney Metro complaint management representative
- Review all complaint records
- Review any supporting technical data relating to the complaint – for example noise monitoring information.

The Environmental Representative would then make an assessment on the adequacy of Sydney Metro's response to the complaint in accordance with this document and the project's planning and assessment process, in consideration of what is fair and reasonable.

Following this review the Environmental Representative would either make a recommendation to close the complaint and notify the Secretary or would provide recommendations for consideration by Sydney Metro on any additional actions that could be undertaken to assist in resolving the complaint.

The Environmental Representative may also refer any reasonable and unresolved complaint for independent mediation.

5.3. Role of independent mediation

In some circumstances, a complaint may be referred for independent mediation.

The role of independent mediation is to assist in facilitating communication between parties in conflict with the view to guiding/assisting these parties to reach a voluntary mutually agreeable outcome to a dispute. It is acknowledged that the role of independent mediation is to mediate and not arbitrate. A mediator can actively encourage and facilitate discussion to move toward an outcome, however cannot order or decide an outcome for the parties.

Issues and complaint escalation to independent mediation would be at the recommendation of the Environmental Representative following a thorough review of the complaint information in consideration of the project planning and assessment process.

The Director, Project Communication may also refer a complaint to independent mediation at any point in the complaint management process.

Generally complaints requesting to change an approved project scope of works and/or works operating within project approvals would not be referred for mediation and a complaint would only be referred for mediation once. An independent mediator would provide information as to the mediation process during initial consultation, these actions would be dependent upon the type of issue, however may include;

- Establishing expectations upon the expected behaviour and involvement of all parties
- Through facilitation or other process(es) to provide guidance, skills transfer and other services that aim to assist with any internal escalation mechanism
- Meet with the complainant, Sydney Metro and the contractor team to understand concerns and suggest/implement methods as appropriate with the view to providing an opportunity to resolve and/or work through issues
- Seek involvement of various internal and external subject matter experts such as, but not limited to, the Environmental Representative and/or the Acoustic Advisor (if required by project approval)
- Provide recommendations or next steps that clearly reflect input from the input provided by all parties.

Any independent mediator engaged by Sydney Metro would hold suitable qualifications, and have experience in mediating disputes of a similar nature.

In instances where a complainant remains unsatisfied, the Secretary will be advised.

5.3.1. Complaints related to compliance

Where a complaint relates to an actual or potential non-compliance with the planning approvals, Sydney Metro will undertake its own investigation into the alleged non-compliance, in accordance with program-wide procedures and this may involve the Environmental Representative. Should a non-compliance be identified this would be communicated to Department of Planning, Industry and Environment.

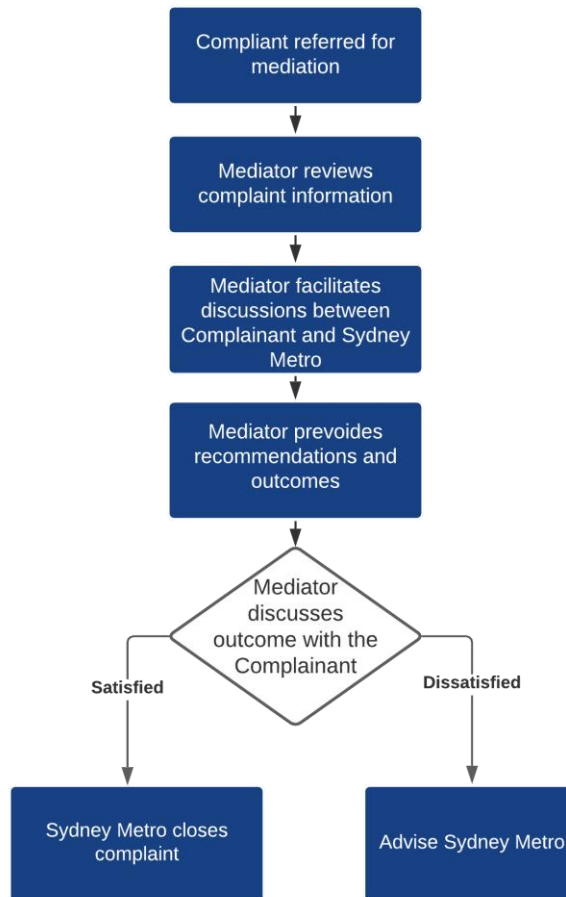
Additionally:

- Where there is a dispute between the Environmental Representative, Sydney Metro and third parties that a non-compliance is not being appropriately investigated or managed, Sydney Metro will communicate this to DPIE
- Where there is contention that the running of the independent complaint review process itself is non-compliant, Sydney Metro will also investigate this and advise DPIE accordingly.

DPIE may undertake its own investigation at its discretion on the above. Where DPIE receives notice from a third party of a potential non-compliance, DPIE may communicate this to Sydney Metro for further investigation.

5.3.2. How to refer a complaint to mediation

Complaints Mediation Process



6. Complaints Register

In accordance with project planning approvals, all complaints are recorded within a complaints register. For the purposes of Sydney Metro, complaints are recorded on the community engagement database. The Complaints Register will be provided to the Secretary upon request, within the timeframe stated in the request.

6.1. Complaint identification number

A unique identification number should be assigned to each new complaint to help track the complaint in the community engagement database. The complaint identification number is

created using the date (Year/Month/Day) and first four letters of the complainant’s surname (or ‘ANON’ where the stakeholder does not want their contact details recorded).

For example, this is the complaint identification number for a complaint from ‘Smith’ on the 22 October 2016.

1	6	1	0	2	2	S	M	I	T
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6.2. Community engagement database

All complaints must be recorded in the community engagement database in accordance with the data entry procedure. This is necessary to enable management of the complaint and monitoring of response times. Contractors should use the template provided by Sydney Metro for data entry into the community engagement database.

7. Reporting on complaints

7.1. Daily reporting to Sydney Metro

Contractors are required to report daily on complaints, providing complaint details for the previous 24 hour period - 12 noon to 12 noon - by 2pm each weekday. A daily complaint report will then be issued to a range of Government and Project related representatives. Sydney Metro will provide contractors with advice and guidance as to the required content of daily reporting.

7.2. Reporting to the NSW EPA

Reporting requirements to the NSW EPA are outlined in the individual contractors Environment Protection Licences.

Sydney Trains will report annually to the NSW EPA and include any relevant Sydney Metro information of its contractors who have worked under the Sydney Trains Environment Protection Licence during the reporting period.

7.3. Monthly reporting to Sydney Metro

All complaints should be reported on a monthly basis to Sydney Metro. Sydney Metro will provide contractors with details of the minimum reporting requirements.

7.4. Reporting on on-airport works

Sydney Metro will report on complaints received about on-airport works to Western Sydney Airport.