



BLUEWATER MARINA

POLICY: COMPLAINTS MANAGEMENT

FOR STAFF, BOAT OWNERS AND VISITORS

POLICY

Bluewater Marina's Complaints Management policy applies to all staff and Bluewater Marina's direct customers.

We will ensure that we have a robust, transparent and fair process for dealing with complaints about our staff, systems, procedures and rules that govern the behaviour, conduct and performance of all persons directly engaging with Bluewater Marina.

This policy does not apply to any third-party businesses that supply goods and/or services to Bluewater Marina customers.

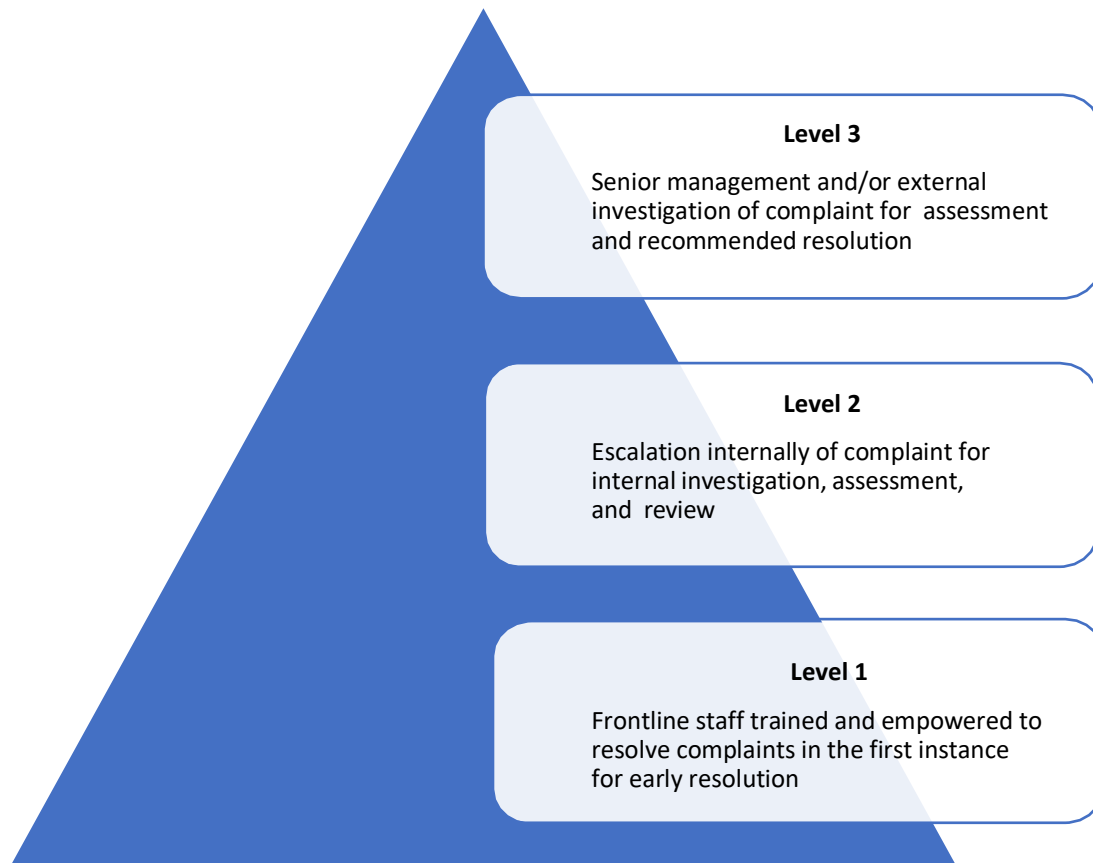
PROCEDURES

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OVERVIEW

BWM's Complaints Policy and Management System (CMS) framework is designed to set out how we receive and respond to complaints for transparency and accountability. The framework is arranged into three (3) Levels with six (6) core commitments:



Our Six Commitments to Complaints Management

- ✓ Respectful treatment
- ✓ Information and accessibility
- ✓ Good communication
- ✓ Taking ownership
- ✓ Timeliness
- ✓ Transparency

PROCEDURES

This document sets out the policy principles and procedures Bluewater Marina (we/BWM) will use for complaints we receive in relation to our services, facilities, and interactions. It provides guidance on how we will receive and respond to complaints in a fair, transparent, and consistent manner

1. Complaint Management System (CMS) Framework

a. Classifying a Complaint

A complaint is: *“an expression of dissatisfaction made to or about an organisation (Bluewater Marina, BWM) 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”*. We use this definition from the Australian Standard AS NZS 10002:2022 *Guidelines for Complaint Management in Organizations*.

Complaints may be made in any format - written, electronic (including through social media), by telephone, or in person. This policy also applies to feedback given to Bluewater Marina (BWM) staff even when it is not a complaint.

Bluewater Marina is committed to ensuring that all customer complaints are managed in a responsive, efficient, effective, and fair manner. Complainants will be afforded respect and will receive a professional level of service throughout their complaint management process. Complainants will not be adversely affected merely by virtue of making a complaint.

b. Complaint Resolution

Under the CMS framework a complaint is considered resolved when:

- there has been a careful and impartial investigation, with a review of relevant policy and procedures, and
- there has been a decision made, and
- the outcome and explanation have been communicated to the complainant.

c. Limitations of our Complaint Management System (CMS)

This complaint management system framework applies to all aspects of BWM’s operations. It applies to all BWM employees and has application for all BWM’s customers.

It does not apply to the independent business operations of any tenants which provide services to BWM’s customers.

Our CMS cannot extend beyond BWM’s own operations. Bluewater Marina cannot direct a tenant that provided a service to a customer to change their decision, although their decision may be changed because of the outcome of a complaint investigation by BWM.

i. What CAN be complained about under this CMS

Within the framework of the Complaint Management System, we can consider complaints about:

- the process we have used to make a decision, or not make a decision
- a service we have provided, or not provided
- a potential breach of our obligations under the Information Privacy Act 2009 which applies to personal and private information
- concerns we may have breached the Human Rights Act
- anything else a person wishes, so long as it is not excluded from this policy.
- Whilst complaints regarding services provided by Bluewater Marina operators or tenants are accepted, BWM has limited capacity to resolve such disputes, and these should be addressed in the first instance directly with the tenant providing the service.

ii. What CAN'T be handled about under this framework

Under this framework we don't handle complaints about the following:

- employment conditions, workplace harassment, or staff grievances (these are covered by BWM's employment policies)
- private and confidential information, commercial, or contractual interest disclosures
- complaints from tenants about the terms and conditions of their contractual arrangements with us
- workplace health and safety notifiable incidents (covered under our HSE policies)
- disputes (such as legal and contractual issues)
- allegations of fraud and corruption – these must be referred directly to the CEO/Manager, or if the matter concerns the CEO/manager, then directly to the marina owners
- service or information requests that are in the public domain
- matters currently being dealt with, or which have been previously dealt with by a court, tribunal, or external complaints agency
- matters involving criminal offences
- review of any decision made by Bluewater Marina.

2. Complaint Management Principles

The below outlines the Complaint Management Principles that we adhered to as part of our CMS framework.

a. Human Rights and Respect for People

- We will listen to people, treat them with respect, and actively involve them in the complaint handling process where possible.
- We will act in a way which is culturally aware and considerate of their individual circumstances.

- We will provide people with multiple ways to make complaints and clear information and timely updates during the complaints handling process.
- We will provide people with reasons for our decision(s) and inform them of any options for redress or review should these be available.
- We will provide people with the opportunity for their complaint/s to be made anonymously; however, complainants will be advised of the limitations of an anonymous complaint.
- We will ensure there are no reprisals or detrimental effects for complainants from making a complaint.

b. Procedural Fairness and Natural Justice

Procedural fairness is about the fairness of the process used to reach a resolution to a complaint. Specifically, this means:

- A complaint will be thoroughly considered based on all the information available and all credible, relevant, and disputed issues will be examined.
- Complainants having the right to a fair hearing, a fair opportunity to present their own cases, and to answer questions, through ongoing conversation with complaints staff.
- We will deal with each complaint with integrity, equitably, objectively, and in an unbiased way.
- We will not intentionally disadvantage complainants in their rights and access to services.
- Once a complaint has been escalated, it will be overseen by a different person from the one who managed it at the previous level (unless otherwise directed).
- People making complaints have the right to be supported by a friend, an advocate, an interpreter, or community elder. A complainant can give written consent for anyone they wish to represent them.
- We will also adhere to the principles of natural justice. This means every complaint is managed by an impartial person who will:
 - give all parties an opportunity to be heard and present their evidence, and
 - make a determination based on an objective evaluation of the evidence before them.

c. Accessibility

We are committed to making sure our complaints handling procedures are easy to understand, free, and accessible, to every customer and stakeholder, including those who may require assistance.

Any staff member who receives a complaint will make sure it is received, recorded, and responded to in a fair, consistent, and effective manner. They will communicate complaint outcomes in a way which is considerate of a person's needs. We are committed to ensuring any individual engaging with our CMS is not detrimental to them.

We are committed to seeking and receiving compliments, feedback, and complaints about our services, systems, practices, procedures, products, and complaint handling.

d. Transparency and Good Communication

We will provide clear information about what can and cannot be achieved by the CMS and how the outcome is reached. We will provide consistent and clear information about how and where to raise matters with us in a variety of ways including publications, websites, e-mail, and central access points.

We will give complainants a clear picture as to what they can expect and detailed information including:

- Who is managing their complaint and how to contact them
- How the complaint will be managed
- What issues are being considered
- The timeframes we expect it will take for their complaint to be investigated
- The progress of the complaint handling, and explanations of any delays
- Ways they are likely to be involved in the process, including providing evidence or documentation to assist any investigation
- The possible or actual outcome of their complaint
- A review of their rights and what to do next if they are not satisfied with the outcome.

When we cannot meet a complainant's expectations, we will explain what can and cannot be done and provide information about ways to escalate the complaint.

We will advise the complainant as soon as possible if we are unable to deal with any part of a complaint, and we will provide guidance as to where complainants may take these issues (where we have this information and it's appropriate).

e. Responsiveness and Timeframes

We are committed to being responsive and timely in the way we handle complaints.

When we receive a complaint, we will decide on the most appropriate person to manage it at the Level 1 stage. Employees should then begin recording information in relation to the interaction. Staff at the first point of contact should work to respond and resolve complaints as early as possible.

If a complaint resolution is within the authority of the employee with whom the matter is first raised, they should resolve it as promptly as is practical, but no longer than 5 business days from the complaint being made.

We are committed to making sure:

- All complaints are acknowledged within 2 business days of receipt
- Level 1 complaints are resolved as soon as practicable, and no later than 5 business days from acknowledgement of receipt of the complaint
- A substantive response to all Level 2 complaints will be provided by a responsible senior manager as soon as practicable, and no later than 30 business days from acknowledgement of receipt of the complaint

- All complaints are investigated and resolved as soon as practicable, and no later than 60 business days from acknowledgment of receipt of the complaint.

If a complaint cannot be resolved within the established timeframe, we will update complainants on the progress of the complaint resolution. Our staff are empowered to resolve complaints efficiently and effectively.

To minimize complaints and work towards early resolution, we will provide explanations for our policies, procedures, and decisions to BWM staff, particularly those in customer interface positions, together with senior staff designated as complaints managers.

f. Privacy and Confidentiality

We will protect the identity of people making complaints where this is practicable and appropriate. We will only disclose or use personal information which identifies individuals as allowed under the relevant privacy and/or protected information laws, and any other relevant confidentiality obligations. External investigators will obtain consent to access personal information from complainants either verbally or in writing.

g. Conflict of Interest

Our staff are committed to acting with integrity, impartiality and in good faith, by undertaking their work in a fair and unbiased way.

We define a conflict of interest as: *where an employee's private interests or connections may lead to improperly influencing the performance of their duties or responsibilities. It includes any interests resulting from a connection, resentment, or otherwise personal involvement by an employee in a matter of work which would influence their judgement when taking actions or making a decision to resolve or reject a complaint.*

Staff investigating complaints shall not participate in the investigation of any matter in which they have had direct interaction with the complainant over the preceding 12-month period unless the investigation is also overseen by a senior manager.

Instances of potential, perceived, or actual conflicts of interest by staff are to be immediately reported to their manager of the relevant section in the first instance and recorded on an internal BWM Conflict of Interest Register to maintain transparency.

h. Support and Development of Staff

All staff managing complaints are empowered through this policy to implement the CMS as relevant to their role and responsibilities. We will protect our staff against abusive, aggressive, and unreasonable behaviours through appropriate policies, procedures, practices and supporting tools to ensure their ongoing safety, health, wellbeing, and security (including their identity protection if required).

We will train and support all our staff to know about, and work within, this policy. We will ensure staff with direct responsibility for handling complaints are appropriately qualified, supported, and regularly trained in their role, to make sure they develop an in-depth knowledge of operations within their area, as well as more broadly across BWM.

We encourage staff to provide feedback to their managers on the effectiveness, efficiency, and improvements of all aspects of this Policy.

i. Learning from Complaints

We are committed to transparency and accountability in the way we deal with complaints. Even after complaints are resolved, we will use them to inform continuous improvement of our policies, procedures, and service delivery. We will share our learnings from the complaints process across all BWM operations to improve services.

3. The Complaint Pathway

We welcome and value complaints, and we are committed to allowing clients, stakeholders, and employees to contribute to the improvement of the services we deliver.

A complaint can be written in a letter, received by e-mail, telephone, or raised in discussion with a staff member. We will make sure all our staff are trained to understand what a complaint is and how best to respond.

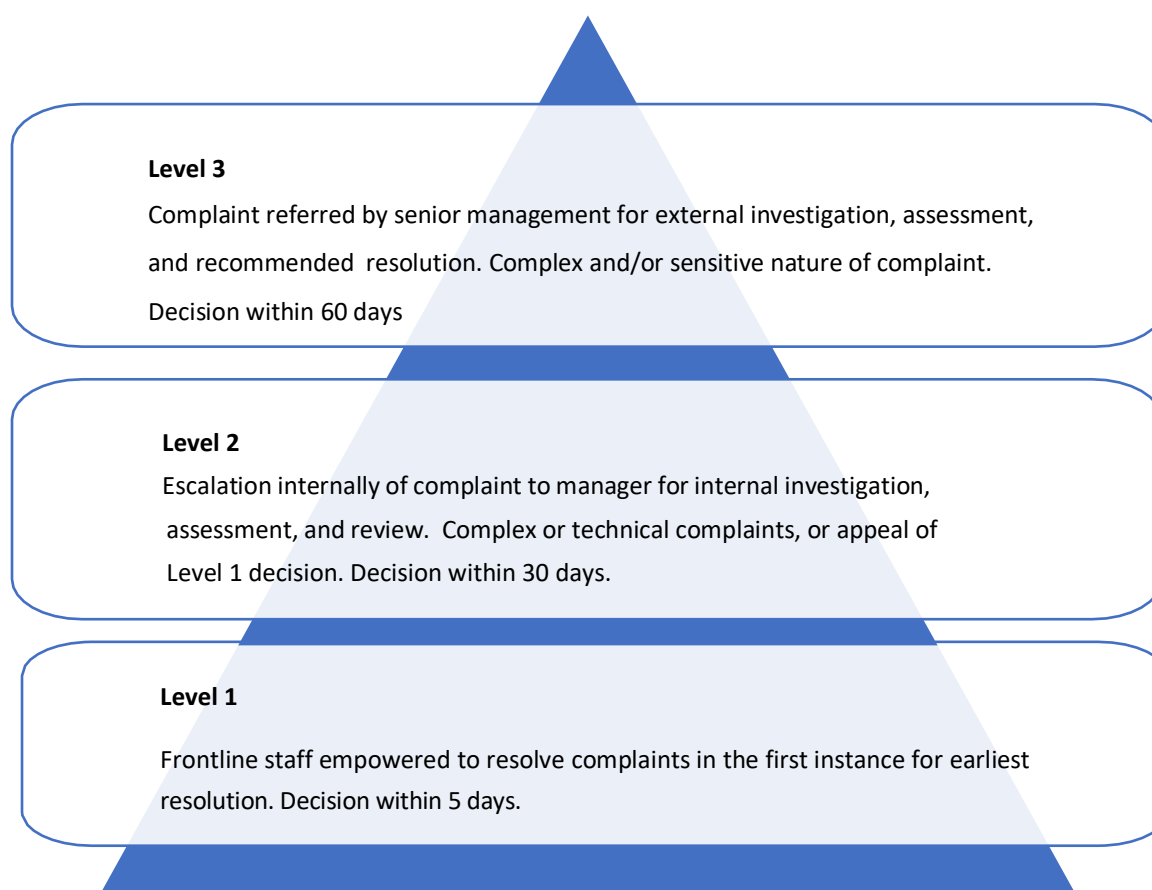
a. Complaints Categories

We categorise all complaints into one or more of the following A-G categories:

- A. Responsiveness** – unreasonable delays in processing a person's inquiry, or providing them with requested information, or a decision, or refusal to deal with an inquiry.
- B. Objectivity & Fairness** – a request/inquiry by a customer, tenant, or berth hirer was not managed in an objective and unbiased manner.
- C. Services & Facilities** – for example, berth availability, fees and charges, accommodation*, facilities management, restaurant and meals*, maintenance* and operations, systems, and administration (*where applicable).
- D. Privacy & Disclosure** – personal information about any individual which has been disclosed or used in a way which does not comply with relevant privacy laws and ethical obligations.
- E. Communication** – no clear explanations of BWM policies/procedures and decisions in communicating with customers, or giving incomplete, incorrect, misleading, or confusing oral or written advice.
- F. Failure to Apply Policy & Procedure** – not applying processes articulated in established policy and procedures of BWM. Poor, inadequate, or incomplete application of policy and procedures which adversely impacts or influences a decision. Wrong or limited interpretation of policy and procedures.
- G. Unprofessional Behaviour or Attitude of a Staff Member** – rudeness, discourtesy, unhelpfulness, or disrespectful behaviour in dealing with a customer, tenant, berth hirer, or member of the public. Any complaints provided under this category which may be considered significant enough to constitute a breach of duty, misconduct, or breach of the employment contract by a staff member is required to be considered in accordance with the BWM Employment policy/s and not under this policy. Examples include dishonesty, theft, physical abuse, disclosure of confidential or privileged information.

b. Triage of Complaints

We apply a triage methodology to complaints. Our team will consider the risks, urgency, and complexity of a complaint to decide how it will be handled and by whom. The decision will be communicated to the complainant in a timely manner. The triage levels apply as follows:



i. Level 1 Complaints

Level 1 complaints are received and resolved by staff at the service point.

Level 1 complaints are to be handled and managed by staff at the point of interface with the customer, berth hirer, tenant, or member of the public. We strive to resolve complaints at this level whenever possible. Our staff will resolve these complaints immediately where possible.

Where the nature of the complaint is within the scope of the frontline staff member, we commit to resolving a Level 1 complaint within 5 business days from acknowledgement of receipt

All complaints at this level are entered onto the Customer Complaints Register. The Customer Complaints Register is regularly reviewed and overseen by the Guest Services Manager/General Manager/Marina Manager as determined by BWB.

These complaints can be resolved in person, over the phone or through a follow-up email or

letter, depending on the nature of the complaint. When we communicate about the outcome of a Level 1 complaint, where possible we will include information on how to seek a review of the outcome if the complainant remains dissatisfied (such as through making a Level 2 complaint to be elevated to a department Manager).

ii. Level 2 Complaints

Level 2 complaints are those escalated to the Guest Services Manager or the Operations/HSE Manager.

Where the nature of the complaint exceeds the authority or competency of the Level 1 staff member to make a binding decision on behalf of BWM, or the complaint is technical or complex in nature requiring specialist knowledge, the Level 1 staff member can escalate the complaint to the appropriate Level 2 specialist staff person to resolve. This may be their immediate line manager or any other manager or Head of Department, as they see fit.

The Level 2 manager may delegate their authority or provide a technical resolution to the Level 1 staff member and refer the matter back to the staff member as a Level 1 complaint for resolution. This may help to bring about a faster and more effective outcome to the complaint. A complainant will still have the option to escalate the complaint back to a Level 2 complaint if they are not satisfied with the outcome at Level 1.

iii. Level 3 Complaints

Level 3 complaints are those where a complainant is dissatisfied with the outcome of a Level 2 complaint, or the complaint is particularly urgent, complex, or sensitive. These complaints are managed directly by a Head of Department, Marina Manager or CEO.

The Head of Department or CEO may delegate authority or scope of settlement of the complaint back to the Level 2 manager if it assists to resolve the matter expeditiously. A complainant retains the option to pursue the Level 3 complaint directly to the Head of Department or CEO if the Level 2 negotiation outcome is not satisfactory.

The Head of Department or CEO may exercise the right to engage specialist external advisors to investigate the complaint and make recommendations to him/her to assist in fairly and equitably determining the complaint.

c. Further Escalation

If a complainant remains unsatisfied after a Level 3 review and decision, they may choose to escalate their complaint to a government body responsible for the oversight of such matters.

4. Complaints Involving Third Party

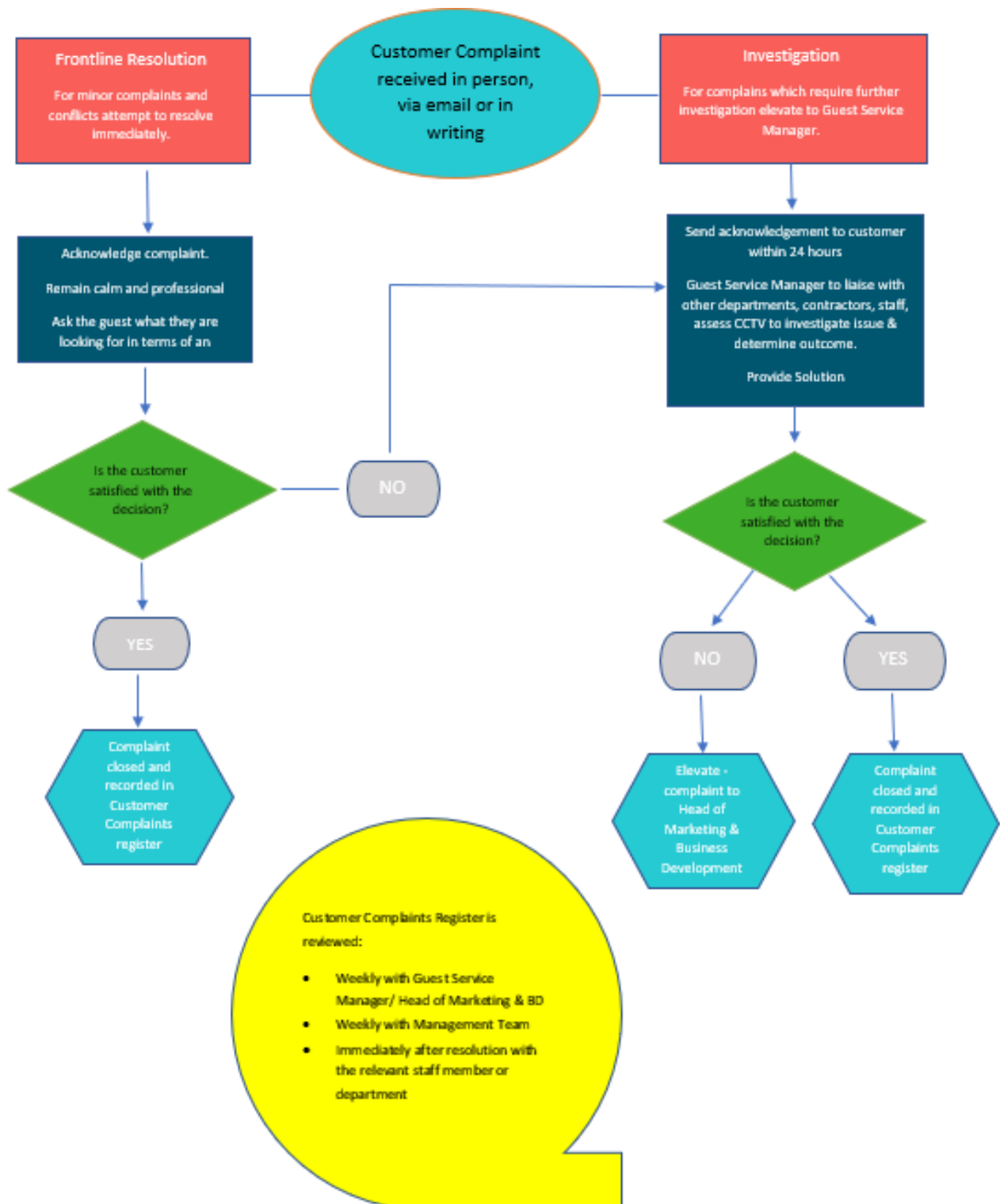
Where a complaint is lodged with BWM about one of its tenants, and that tenant provides a marina-related service to a BWM customer, we will inform the tenant of the complaint and seek their immediate assistance to resolve the complaint directly with the complainant.

If the matter is not resolved between the parties, then BWM may provide an alternate dispute resolution service. If the tenant agrees, BWM will investigate the matter on behalf of both parties and provide a recommendation to both parties to achieve a resolution. Neither the complainant

nor the tenant is obliged to accept any recommendation/s from BWM.

Where a complainant is not satisfied with a decision of the tenant, BWM will advise the complainant in writing that it has no power to change any decision made by its tenant. As the tenant is an independent business, the complainant can only pursue its complaint through other government or legal avenues.

Appendix 1: Complaint Management Flow Chart



Appendix 2: Customer Complaints Register

(BWM to establish this)

Version Control

Ver	Date	Editor	Approved	Summary of Changes	Rank
1.0	01.07.26	R Fuller		Draft New Policy adapted from existing legislation	High