# Victoria Legal Aid Complaints Policy

**Department:** Office of the CEO

**Responsible Officer:** Associate Director, Internal Legal Services team

**Accountable Director:** General Counsel

**Effective date:** 4 June 2025

**Date of next review:** 4 June 2027

**Version:** 1.2

## Purpose and scope

This policy sets out Victoria Legal Aid’s (VLA) approach to managing complaints fairly, constructively and respectfully.

This policy applies to all VLA staff, as well as Panel Practitioners as defined.

This policy does not cover:

* complaints which do not relate to a service or function of VLA or a legal practitioner who is not a member of one of VLA’s panels
* employment-related staff grievances or staff-related performance matters
* general feedback provided to VLA which does not meet the definition of a complaint.

## Definitions

| Definition | Meaning |
| --- | --- |
| Complaint | An implied or express statement of dissatisfaction where a response is sought, reasonable to expect, or legally required.It includes dissatisfaction with VLA’s:* client/user service
* actions or decisions
* inaction or delay
* policy or processes.
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| Feedback | A compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect. |
| Panel Practitioners | Lawyers/firms/community legal centres in relation to legal assistance provided subject to a grant of legal aid for clients or services under relevant duty lawyer and short service schemes. |
| VLA Practice Standards and Measures | [VLA Practice Standards and Measures](https://www.legalaid.vic.gov.au/practice-standards) set out the minimum standards required of VLA lawyers and Panel Practitioners when providing legal aid services. |
| Systemic issues | Quality or system-based issues identified by information obtained as a result of a complaint or group of complaints, which is likely to affect a class of persons. |

## Objectives

The objective of this policy is to explain VLA’s approach to complaint handling to members of the public, to people who use our services and to our staff and panel practitioners who deliver our services.

## Statement of the policy

VLA acknowledges that members of the public have the right to express dissatisfaction with services operated and funded by VLA and to be offered a timely and fair process for resolution of complaints.

VLA is committed to best practice when handling complaints by ensuring that:

* Where possible, we support the early and practical resolution of complaints without the need for formal investigation.
* We listen and treat people respectfully and inclusively.
* We maintain a complaints culture which enables complaints and supports practical and meaningful resolutions.
* Our investigations, decisions and recommendations are constructive, fair and compatible with human rights.
* We learn from complaints to improve the way we plan and deliver services.

## Who can complain and how

Anyone can make a complaint about services and functions of VLA and panel practitioners. Complaints can be made:

* by phone – (03) 9280 3789 (open 9-5pm with out of hours call back service)
* by email – complaints@vla.vic.gov.au
* online – [make a complaint using our online form](https://www.legalaid.vic.gov.au/i-have-problem-victoria-legal-aid-lawyer-or-service#make-a-complaint-about-your-lawyer)
* by post – Internal Legal Services (ILS), GPO Box 4380, Melbourne VIC 3001
* in person at one of our offices or service locations

## Accessibility

We understand that not everyone can make a written complaint or call us during business hours. People have different communication preferences and needs. We understand there may be barriers such as language, disability, homelessness, lack of access to technology and shift work.

VLA is committed to accessible complaints handling by:

* accepting anonymous complaints (while we can accept anonymous complaints, there may be limitations on investigating them without knowing your identity)
* enabling complaints to be made via our online complaints form as well as in person, by phone, in writing, and by email
* offering free access to a translation and interpreter service
* using the National Relay Service to communicate with people with hearing or speech impairments
* offering a call-back option for people who need to contact us out of business hours
* ensuring children and victims of crime are empowered and supported to make complaints in accordance with relevant standards
* accepting complaints from authorised third party representatives where a person needs assistance to make a complaint.

## Types of complaints VLA can investigate

## We consider all complaints made to VLA about VLA funded services and functions, including complaints about:

* **Legal services** – we investigate complaints relating to legal services provided by VLA legal practitioners and panel practitioners which are subject to a grant of legal aid funding.
* **Non-legal services** – this includes services provided by VLA’s Family Dispute Resolution Services (FDRS) and the Independent Mental Health Agency (IMHA).
* **Procurement processes** – for further information on VLA’s procurement complaint management process please see [Procurement | Victoria Legal Aid](https://www.legalaid.vic.gov.au/procurement#process-%E2%80%93-complaints).
* **Child abuse or harm** – [VLA’s Child Safety Officer](https://www.legalaid.vic.gov.au/child-safe-standards) handles these complaints directly. For more detailed information about VLA’s commitment to child safety, please read [VLA’s Child Safe Standards](https://www.legalaid.vic.gov.au/child-safe-standards).
* **The treatment of victims of crime** – for further information about VLA’s commitment to the Victims’ Charter, please read [How we treat victims of crime – the Victims' Charter Act 2006](https://www.legalaid.vic.gov.au/how-we-treat-victims-of-crime).

## How we will handle your complaint

We will acknowledge your complaint as quickly as possible after we receive it. Where possible, we will try and resolve your complaint locally, quickly and reasonably to avoid unnecessary and lengthy investigations.

Where all options for resolving your complaint are exhausted or where your complaint is particularly complex, we will assess whether your complaint is suitable for further investigation.

We may ask you to provide further information to us about your complaint to help us resolve it or undertake our investigation. We will keep you regularly updated about the progress of your complaint, but you may also contact us to see how your complaint is progressing.

We may decline to investigate a complaint which:

* relates to a legal issue that should be raised with a relevant court or tribunal
* has already been properly considered by VLA
* is misconceived or lacking in substance
* is frivolous or vexatious
* is or has been investigated by another relevant complaint body.

## VLA’s Tiered approach

At VLA we take a tiered approach to complaints handling. At Tier 1 we support timely and constructive resolution directly by the relevant service or function. When a complaint cannot be resolved at Tier 1, or where the complaint involves a panel practitioner, a complaint may move to Tier 2 for a formal investigation. A complaint at Tier 3 involves serious complaints which warrant referral by VLA directly to an external complaints authority, for example the Victorian Legal Services Board and Commissioner (VLSB+C) in relation to legal services and lawyers.

For complaints at Tier 1 we aim to:

* acknowledge your complaint within 3 days
* assess how we will handle it within 10 days
* resolve your complaint locally within 30 days
* escalate to a Tier 2 investigation promptly if a resolution is not reached.

For complaints at Tier 2 we aim to:

* acknowledge your complaint about a panel practitioner within 3 days
* assess how we will handle your complaint about a panel practitioner within 10 days
* complete an investigation for less-complex complaints within 30 days to 3 months
* complete an investigation for more-complex complaints within 3 to 6 months.

If we are not able to meet a timeframe in your complaint, we will let you know and explain why.

## Options for internal review

If you are dissatisfied with the way your complaint has been handled or the outcome you have received, you may seek an internal review of your complaint by a different or more senior person at VLA.

Where a review is requested, we will determine whether it is warranted. We may decline a review if there is no justifiable basis for it. If a review proceeds, we will assess whether your complaint has been appropriately handled. We aim to complete a review within 3 months. If we expect a review to take longer than 3 months, we will let you know and explain why.

## Remedies and outcomes

We seek to support early resolution by identifying practical solutions to resolve your complaint. There are some limitations to what resolutions we may be able to achieve. Where this is the case, we will be open with you and inform you about other options for making a complaint. Common resolutions to complaints include:

* acknowledgement and/or correction of an error or issue
* an apology and/or an explanation
* training and feedback involving relevant staff member/s
* transfer or referral of your matter to another practitioner or service provider
* referral within VLA for compliance and quality audit reviews
* implementation of a system improvement.

## Other options for how you can complain

In addition to making a complaint to VLA, you can also complain to a relevant complaints authority or regulator. In general, where a regulator is already investigating your complaint, we will pause our consideration of your complaint until that investigation is complete.

The complaints authorities and the types of complaints they handle include:

* the [Victorian Legal Services Board and Commissioner](https://www.lsbc.vic.gov.au/) handles complaints about your lawyer, barrister or a legal service you have received
* the [Office of the Victorian Information Commissioner](https://ovic.vic.gov.au/) handles complaints about breaches of privacy or failure to comply with privacy obligations
* the [Victorian Equal Opportunity and Human Rights Commission](https://www.humanrights.vic.gov.au/complaints/make-a-complaint/) handles complaints about discrimination, sexual harassment, vilification or victimisation or about your human rights
* the [Victims of Crime Commissioner](https://www.victimsofcrimecommissioner.vic.gov.au/) handles complaints by or on behalf of victims of crime about an agency’s treatment
* the [Commissioner for Children and Young People](https://ccyp.vic.gov.au/about-us/our-commissioners/) handles complaints regarding child safety concerns.

If you wish to complain about how your complaint is being managed, you can make a complaint to the [Victorian Ombudsman](https://www.ombudsman.vic.gov.au/).

## Managing unreasonable conduct

VLA recognises that people can be angry and frustrated when they make a complaint. Our staff are trained and supported to use responsive, safe and respectful communication when engaging with you. However, conduct that is threatening, aggressive, abusive or unreasonably persistent or demanding will not be accepted. If this kind of conduct occurs, we may have to consider restricting how and when we communicate with you about your complaint.

## Privacy and confidentiality

VLA protects the personal and sensitive information collected by VLA as part of the complaints process and handles it in accordance with [VLA’s Privacy Policy](https://www.legalaid.vic.gov.au/privacy-policy).

## Transparency

Subject to legal restrictions and safety concerns, VLA takes a transparent approach to complaint handling.

Unless there is a good reason not to, VLA shares written complaints with the person or service complained about and shares their responses with you. There are circumstances where we may not be able to share information with you including where there is a need to preserve the safety of one or more parties or where we have legal obligations regarding confidentiality and privacy.

## Roles and responsibilities

All VLA staff and Panel Practitioners are responsible for resolving complaints. This means:

* Panel Practitionerswho are members of one or more VLA panels engage and comply with VLA’s Complaints Policy.
* All VLA staff receive and deal with complaints in accordance with VLA’s Complaints Policy and assist members of the public to make complaints upon request.

The VLA Board, CEO and the Senior Leadership Team are responsible for fostering a culture which welcomes complaints, accountability and continuous improvement.

VLA’s Internal Legal Services Team (ILS) is responsible for:

* supporting complainants and staff to resolve complaints quickly, fairly and constructively where possible
* investigating and resolving complex complaints that cannot be resolved quickly locally
* sharing de-identified data and insights from complaints to help drive improvement to our services and functions.

## For more information about complaints at VLA

ILS is responsible for VLA’s complaints function. For any questions regarding our Complaints Policy, you may email complaints@vla.vic.gov.au.

## Approval

This policy was approved by General Counsel on 4 June 2025.

ILS is responsible for updating this policy.

## Related documents

[Legal Aid Act 1978](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubLawToday.nsf/95c43dd4eac71a68ca256dde00056e7b/ea467a1b102e8b68ca257b5c0083921b%21OpenDocument)

[Reporting improper conduct](https://www.legalaid.vic.gov.au/reporting-improper-conduct)

[The VPS Code of Conduct](http://vpsc.vic.gov.au/html-resources/code-of-conduct-for-victorian-public-sector-employees-2/)

[VLA Privacy Policy](https://www.legalaid.vic.gov.au/privacy-policy)

## Keywords

Complaint Policy – Complaints - Complaint Handling

## Version control

| Version number  | Details  | Author  | Date  |
| --- | --- | --- | --- |
| 1.0   | Policy version first published  | ILS | 2017 |
| 1.1 | Policy updated to include references to Child Safety | ILS | 2024 |
| 1.2 | Policy updated to reflect revised Victorian Ombudsman best practice guidance  | ILS | 2025 |