

# Complaints and Claims Review Policy



## Overview

This policy outlines how we manage complaints about our services and how we review Insurance and Domestic Building Insurance (DBI) claims. The specific steps for reviewing Insurance claims decisions and DBI claims are detailed in **Appendix A**.

## Complaints

A complaint is an expression of dissatisfaction about the conduct of, or service provided by VMIA and its staff and representatives including:

- The quality of an action, a decision or service provided by VMIA; or
- An unreasonable delay or failure to provide a service, act, or make a decision. (This includes claims decisions but excludes dissatisfaction about the substance of the decision itself).

Requests for updates on the progress of a claim, which are made within the statutory timeframes, are not considered a complaint.

## How to make a complaint

Complaints can be lodged through the [Feedback](#) section on the VMIA website, our Facebook page or by calling 03 9270 6900.

Complaints about Insurance claims can be emailed to [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au).

Complaints about Domestic Building Insurance (DBI) claims can be emailed to [dbiclaims@vmia.vic.gov.au](mailto:dbiclaims@vmia.vic.gov.au).

Complaints about VMIA's procurement process can be emailed to [procurement@vmia.vic.gov.au](mailto:procurement@vmia.vic.gov.au).

Complaints about VMIA's Privacy process can be emailed to [privacy@vmia.vic.gov.au](mailto:privacy@vmia.vic.gov.au)

We commit to acknowledging the receipt of your complaint within 2 business days and will outline the steps toward resolving it.

## How we handle your complaint

We take a three-tiered approach to handling complaints to ensure they are resolved fairly, competently and as quickly as possible. Our complaints approach involves:

1. **Frontline resolution:** Our staff receive and assess the complaint and direct it to the appropriate area for resolution.
2. **Escalation if required:** If our staff cannot resolve your complaint, they will refer it to a Manager for further investigation. VMIA will provide an update and/or decision about your complaint.
3. **External review:** If you are dissatisfied with the process or outcome, you may seek external reviews through the court system and/or lodge a complaint to the Victorian Ombudsman.

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Insurance Authority



Victorian Managed Insurance Authority (VMIA) acknowledges the Traditional Custodians of the land on which we do business, and we pay our respects to Elders past, present and emerging. We acknowledge the important contribution that Aboriginal and Torres Strait Islander peoples make in creating a thriving Victoria.

## Timeframes

We aim to resolve all complaints as quickly as possible but no later than within 15 business days after receiving your complaint. If it will take longer than 15 business days to resolve your complaint we will contact you by this time and explain why.

## Our guiding principles

**Commitment** – We take all complaints seriously and resolve issues as quickly as possible in accordance with our *Client Charter* by:

- Putting clients at the centre of everything we do and offering comprehensive, personalised and user-friendly services.
- Getting to know your organisation to bring insight and best practice to the complex issues you face.
- Listening to you and supporting you to take appropriate steps.
- Being available during business hours to assist with your complaint.

**Accessibility** – We offer several ways to lodge complaints including by phone, email, Facebook or through the VMIA website. Our client support service is available during business hours.

**Transparency** – We clearly show how to lodge a complaint and how it will be overseen. The steps taken to respond to a complaint are recorded and available for review.

**Objectivity and fairness** – We manage complaints courteously, impartially and within established timeframes. All complaints are assessed on merit.

**Privacy** – We manage complaints confidentially and in accordance with privacy and other relevant legislation.

**Accountability** – We are accountable for the decisions we make and our complaints handling performance. We provide explanations and reasons for our decisions, and these are subject to appropriate review processes.

**Continuous improvement** – We value your feedback as we strive to continuously improve our complaints handling process.

## Remedies

Where we have found that we have made an error, we will take immediate steps to redress the situation. Remedies include:

- An apology.
- An explanation of why the error occurred and remedial steps to prevent it happening again.
- Reversing or amending a decision.
- Disciplinary action against a staff member.
- Providing the means of redress requested by the complainant.

## Privacy

We are committed to handling complaints confidentially and in accordance with privacy and other relevant legislation. When gathering information to respond to a complaint, we will only:

- Use it to deal with the complaint or to address systemic issues arising from the complaint.
- Disclose it in a de-identified format when disclosing data to the public.
- Share it with staff on a need-to-know basis.

## Recording complaints

All complaints are recorded in our complaints register.

We analyse our complaint data and provide reports to our Chief Executive Officer and Audit Committee, and if required, to the Victorian Ombudsman. This information helps us improve our practices and service and to reduce the prospect of future complaints.

We record the following information for each complaint in the complaints register:

- The complainant's details.
- The date the complaint was received.
- A description of the complaint.
- The complainant's desired outcome (if known).
- Any action taken, including contact with the complainant, response times and the outcome.
- When the complaint was finalised.
- Any recommendations for improvement, and who is responsible for implementing them.

## Reporting on performance

We continuously measure our complaints handling performance to ensure we promptly respond to and resolve complaints and achieve the best possible outcomes. We measure this with the following key performance indicators:

- Number of complaints upheld, partially upheld, not upheld.
- Performance against timelines (average time to respond).
- Number of changes made to services because of complaints.
- Customer satisfaction with complaint handling system.
- Number of complaints escalated to the Victorian Ombudsman where the Ombudsman has disagreed with our decision or made recommendations for us to act or change our processes.

## Feedback and Suggestions:

We welcome any feedback or suggestions you may have regarding our complaints process. Your input helps us to enhance our service and meet your expectations.

### Need more information?

For more information, please contact [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au) for Insurance claims and [dbiclaims@vmia.vic.gov.au](mailto:dbiclaims@vmia.vic.gov.au) for DBI claims.

# Procedure for Reviewing Claims Decisions



## Appendix A

### Overview

This procedure outlines how VMIA responds to requests for the review of an Insurance claim decision or a Domestic Building Insurance (DBI) claim decision.

### How to request a claims review

Requests for a review of an Insurance claims decision can be addressed to the Head of Claims at [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au).

Requests for a review of DBI claims decisions can be made at [dbiclaims@vmia.vic.gov.au](mailto:dbiclaims@vmia.vic.gov.au)

### How we review claims decisions

#### DBI claims decisions

DBI claims decisions are reviewed and escalated in the following ways:

1. At your request, your DBI claims decision will be reviewed by a claims specialist who was not involved in the original claims decision. The claims specialist will inform you of the outcome of the review within 15 business days from receiving your request.
2. You can also seek a review of a DBI claims decision at the Victorian Civil and Administrative Tribunal (VCAT), provided you do so within 28 days of the claims decision having been made. Further information about VCAT reviews is included in the DBI decision letter sent to you regarding your claim.

#### Insurance Services claims decisions

We review and escalate Insurance Services claims decisions with the following steps:

1. The VMIA claims handler records your request for a review of the claim decision on the claim file and acknowledges receipt of your request (within 2 business days).
2. If you have provided additional information in support of your request, this will be reviewed by the claim handler who, in the first instance, may decide to overturn or amend the original decision. If you have not provided additional information, the file will be referred to the Head of Claims. A referral to the Head of Claims will occur within 15 business days of receiving your request.
3. The Head of Claims will review the decision and will decide whether to affirm, amend or overturn the original decision. The Head of Claims will then respond to your request within 15 business days.
4. If you are dissatisfied with the process or outcome of the review of the claim decision you can request a further review. Requests should be directed to the Chief Insurance Officer by emailing [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au) The Chief Insurance Officer will review the decision made by the Head of Claims and respond to your request within 15 business days from receiving your request.
5. If you are an unrepresented third-party claimant and are unhappy with the claim decision and the review of the decision, you can exercise your external right to challenge the decision. You can contact the Law institute of Victoria for a referral to a lawyer on 03 9607 9311 or visit <https://liv.asn.au>. Alternatively, you

may be entitled to free legal advice from Legal Aid [Helping Victorians with their legal issues | Victoria Legal Aid](#) or contacting them on 1300 792 387. Any advice you receive will be personal to you and will not bind VMIA. Depending on your financial circumstances, VMIA may, at its discretion, agree to reimburse to you the reasonable costs associated with you obtaining preliminary legal advice on your external rights and on your prospects of successfully challenging the VMIA claim decision.

6. If the internal review is not completed or expected to be completed within any of the time frames detailed in this procedure, we will contact you to inform you when you can expect to receive a response.

### **Need more information?**

For more information, please contact:

- the VMIA Insurance Claims team on [claims@vmia.vic.gov.au](mailto:claims@vmia.vic.gov.au) for insurance claims other than DBI.
- the DBI claims team for DBI claims on [dbiclaims@vmia.vic.gov.au](mailto:dbiclaims@vmia.vic.gov.au)