

Topic: How to make complaints

A **consumer complaint** or **customer complaint** is “an expression of dissatisfaction on a consumer’s behalf to a responsible party” (Landon, 1980). It can also be described in a positive sense as a report from a consumer providing documentation about a problem with a product or service. In fact, some modern business consultants urge businesses to view customer complaints as a gift

Consumer complaints are usually informal complaints directly addressed to a company or public service provider, and most consumers manage to resolve problems with products and services in this way, but it sometimes requires persistence.

If the grievance is not addressed in a way that satisfies the consumer, the consumer sometimes registers the complaint with a third party such as the Better Business Bureau, a county government (if it has a “consumer protection” office) and Federal Trade Commission (in the United States). These and similar organizations in other countries accept for consumer complaints and assist people with customer service issues, as do government representatives like attorneys general. Consumers however rarely file complaints in the more formal legal sense, which consists of a formal legal process (see the article on complaint).

In some countries (for example Australia, the United Kingdom, and many countries of the European Community), the making of consumer complaints, particularly regarding the sale of financial services, is governed by statute (law). The statutory authority may require companies to reply to complaints within set time limits, publish written procedures for handling customer dissatisfaction, and provide information about arbitration schemes.

Internet forums and the advent of social media have provided consumers with a new way to submit complaints. Consumer news and advocacy websites often accept and publish complaints. Publishing complaints on highly visible websites increases the likelihood that the general public will become aware of the consumer’s complaint. If, for example, a person with many “followers” or “friends” publishes a complaint on social media, it may go “viral”. Internet forums in general and on complaint websites have made it possible for individual consumers to hold large corporations accountable in a public forum.

DEFINITION OF A JUSTIFIED COMPLAINT

A complaint is justified if:

- There is an apparent violation of a policy provision, contract provision, rule or statute, or
- There is a valid concern that a prudent layperson would regard as a practice or service that is below customary business or medical practice.

Some examples include:

- The complainant has a reason to be dissatisfied with how the claim was handled; the amount paid was less than it should have been;
- The claim was denied when it should have been paid;
- The claim was not handled timely;
- the complainant was given poor customer service, for instance, the consumer's repeated phone calls to the company or agent are not returned, or the company or agent did not do what they told the consumer they would do;
- The company's position was not adequately explained;
- The premium was not calculated in accordance with TDI rules;
- The policy was not canceled according to policy or contract provisions, rules or statutes.

A complaint is unjustified if there is no apparent violation of a policy provision, contract provision, rule or statute, or there is no valid concern that a prudent layperson would regard as a practice or service that is below customary business or medical practice.

Unjustified complaints

Are all complaints equal?

Every complaint should be responded to in line with the practice's complaints policy. Each complaint must be given consideration regardless of the details of the actual complaint. Initially, the aim to keep in mind when handling a justified or an unjustified complaint should be, if at all possible, to handle the complaint in a way that maintains a healthy relationship with the patient. Even if the complaint arises from a failure on the patient's part or is based upon unrealistic expectations, there are lessons in this for the practice to use in its drive for continuous improvement.

Patients can be wrong (but don't tell them that!) on several different levels. If you receive complaints from patients that have failed to follow your post-treatment instruction, or who have failed to take on board the implications of fee estimates or the terms and conditions of business which they signed before treatment started, technically they are wrong - even though the patient will not share this point of view.

To state the obvious, complaints come from unhappy patients and so must be handled with great care. The best approach to complaints handling is to be helpful, friendly and respectful. You should show that you have recognised the importance of the person and of their complaint.

- Don't be overly defensive or give highly technical information to clarify where they went wrong. This may make the patient feel ignorant or patronised.
- Communicate with and give the patient some time - don't seem rushed or busy. Every patient deserves your undivided attention, regardless of his or her actual complaint.

It is better to keep things friendly than to make things worse. What happens at the first stage of the complaint process will determine whether the complaint becomes official so watch your intonation, professionalism and body language as each of these affects how your patient regards you.

What about an apology

It is not true that apologies should be avoided at all cost, although most unjustified complaints do not warrant an apology; in fact, apologising makes it seem like you should have provided a service where you did not. An admission of fault where there is none is unprofessional, for example:

A patient completes a course of treatment and then, when making the final settlement of his treatment fees, asks why he was not informed about the cost of a particular procedure. After receiving great service and excellent care, the patient makes a complaint about the cost of the advanced gum treatment, commenting that this is an extortionate fee for just cleaning his teeth.

First, you should realize that this is an unjustified complaint. However, the patient has a right to express their opinion. In this case, you should thank him for his input. After that, you can decide if you need to change the way you ensure that patients have understood and given informed consent for their treatment plan and its associated costs.

So what exactly should you tell the patient?

Start by thanking him for his comment. This conveys a sense of professionalism and politeness and shows your patient that you value them.

After initially responding to your customer, you should let them know that you are actively investigating the cause of the problem, and give him a copy of the practice complaints procedures outlining the action that will be followed and within what time frame. Even

unjustified complaints, genuinely made, should not be seen as necessarily negative but rather:

- An opportunity to strengthen patient communication procedures.
- An opportunity to see the practice through the patient's eyes.

Vexatious or abusive complaints

Consideration of the practice's position on the management of vexatious complaints and unreasonable behaviour needs to be clarified before the details of any specific occurrences cloud objective judgement. Although many dental professionals have experienced grumbles and complaints from unhappy patients, many thankfully have not encountered unreasonable, persistent vexatious or abusive complaints. Even so it is not outside the realms of possibility that at some point they will have to deal with aggressive complainants.

To begin with the practice must clearly define 'unreasonable behaviour' this may include:

- Actions which are out of proportion to the nature of the complaint.
- Persistent complaints after the complaints procedure has been exhausted.
- Personally harassing behaviour.
- Prolific correspondence.
- Action in ways that would prevent the practice and complainant working to reach resolution.

In such cases the standard complaints procedures need to be reinforced to communicate with the complainant. It is useful to specify a reinforced process to be used in conjunction with the standard practice complaints procedure. Taken together they will specify how the practice seeks to work with patients to resolve difficulties and reach resolution. This can be provided to such complainants to specify:

- What they can expect from the practice.
- What the practice expects from them.

In the case of unreasonable persistent complaints or harassment, the practice should:

- Inform the complainant that their behaviour is unreasonable and unacceptable.
- Inform the complainant that the practice will only respond to written communication in future.
- Request that the complainant does not enter the practice premises.

The practice has a duty of care to staff and reserves the right to take emergency measures in extreme cases.

The quality of the practice's complaints handling processes may well be seen as a measure of its professionalism. Continuous development of the skills required for managing complaints in line with regulatory requirements are part of your professional commitment as too is treating every sort of complainant respectfully and working to achieve a mutually agreeable outcome.

How do I make a complaint?

There are several steps involved in making a formal complaint.

The first step is to address the complaint with the organisation that's causing the problem. Your complaint should be made in writing and should include as much information about the situation as you can supply, but in some situations, a simple telephone call may be all that's needed to resolve your complaint.

Complaint-handling bodies such as the Victorian Ombudsman's office will generally not consider a complaint unless you've already raised your complaint with the organisation that you're complaining about. That's partly because complaint handling bodies are under-resourced and have to assign priorities to the complaints that they receive. But it's also because organisations should have the problem brought to their attention by the people who are upset about it, and should have the opportunity to address the problem without any third parties getting involved.

If you aren't satisfied with the response you receive from that organisation, then it's time to seek out a complaint handling body that deals with that particular kind of problem.

Finding the right complaint handling body

So you've tried communicating directly with the organisation but they've just had you running around in circles. It's time to escalate the complaint with an official complaint handling body. The Victorian Ombudsman's Office is a great place to start. If they can't help you directly with your complaint, they should be able to point you towards the most appropriate complaint-handling body.

The complaints procedure may seem time-consuming and a little confusing at first, but if you do your homework, document your complaint and approach people for help, it will become much easier.

It's important that you keep a file of all correspondence between yourself and the organisation you have a complaint with. Note each time you make or receive a phone call and what was said. Also keep record of all emails and letters sent and received.

If you feel strongly enough about your complaint to pursue it to the next level, then go for it. In the long run, the outcome of your complaint may mean that there will be better service from that organisation in the future for everyone.

Summarily,

Complaint means :-

1. A consumer; or
2. Any voluntary consumer association registered under the Companies Act, 1956 or under any other law for the time being in force; or
3. The Central Government or any State Government, who or which makes a complaint; or
4. One or more consumers where there are numerous consumers having the same interest

Complaint means any allegation in writing made by a complainant that :-

1. an unfair trade practice or a restricted trade practice has been adopted by any trader
2. the goods bought by him or agreed to be bought by him suffer from one more defects
3. the services hired or availed of or agreed to be hired or availed of by him suffer from deficiency in any respect
4. the trader has charged for the goods mentioned in the complaint a price excess of the price fixed by or under any law for the time being in force or displayed on the goods or any package containing such goods.
5. goods which will be hazardous to life and safety when used, are being offered for sale to the public in contravention of the provisions of any law for the time being in force, requiring traders to display information in regard to the contents, manner and effect of use of such goods ;with a view to obtaining any relief provided by law under the CPA.