

Service charter – complaints and investigations

The Office of the Privacy Commissioner investigates and resolves privacy complaints. We are independent of government and the private sector. Our complaints service is free of charge.

This charter sets out what you can expect from us when you use our complaints service, and what we expect from you. Following this charter helps us work on your complaint in the best possible way. If you don't act respectfully and within this service charter, then we reserve the right to stop considering your complaint.

Our objectives and principles

The principles underpinning our complaints process are:

- Fairness
- Accessibility
- Responsiveness
- Efficiency.

Fairness and confidentiality

You can expect us to:

- listen to both sides of the story
- keep your complaint confidential – we will have to talk to the person or organisation you are complaining about, but we will not discuss your complaint with anyone else without your consent (unless required by law)
- make every effort to understand your complaint and situation
- be fair and impartial
- try and make it as easy as we can for you to communicate with us.

Courtesy and consideration

You can expect us to treat you courteously and with respect.

We expect you to:

- treat us with courtesy
- co-operate with our process and requests for information
- accept that we will not tolerate rude or abusive behaviour.

Information and assistance

You can expect us to:

- take your complaint seriously
- give you all the necessary information and assistance to enable you to clearly understand the complaints process
- keep you informed on the progress of your complaint
- respond to your calls or emails promptly
- do what we say we will
- clearly explain the reasons for our decisions
- make decisions that are fair, clear, timely, and accurate.

We expect you to:

- trust that we will investigate your complaint fairly and impartially
- raise all issues and concerns about your privacy complaint at the beginning
- be as specific as you can about your complaint
- provide accurate information and relevant facts
- respond to our requests for comment or further information in a timely manner
- tell us as soon as possible if you need to correct or update the information you have given us, or if you wish to withdraw your complaint.

If we do not meet your expectations when handling your complaint, our [complaint handling policy](#) sets out how to complain about our services.

OPC takes the safety and wellbeing of our staff seriously

Violence or threats of violence are not tolerated, and we will respond accordingly. This may include issuing a warning, limiting access to our services, reporting a matter of concern to the Police, or issuing a trespass notice. OPC may use or disclose your personal information to the Police or to a complaints body, to report threats of violence or offensive communications. This will be done as it is necessary for the safety and wellbeing of our staff.

[Read our policy for responding to threats to staff safety.](#)

- Inappropriate or offensive communication with our staff may result in a warning or may mean that we are not able to deal with your complaint.

This includes:

- abusive or offensive comments or threats to OPC staff
- intimidation or harassment of OPC staff by phone or email
- inappropriate questions to OPC staff or referencing non-relevant OPC staff personal information
- threats to defame OPC staff or to publish personal information about OPC staff

- posting personal information about OPC staff online, including any communication that breaches the communication principles in the [Harmful Digital Communications Act](#).

Helping you communicate with us

We aim to help people engage with us in a way that's fair, whatever their circumstances, culture, or ability. We will work with the needs of anyone, including those with disabilities, to the best of our ability in accordance with the Human Rights Act 1993.

People can [contact us](#) using the communication method that is best for them and give us feedback about how we can improve our services.

We can use [Language Assistance Services](#) to assist us with interpreting.

We understand that telling us about your complaint can be stressful. To look after our staff, your communications with us need to be respectful. If you are experiencing poor health or are unwell, you can log your complaint with us and let us know when you are well enough to engage with us, or you can appoint an advocate to engage with us on your behalf. We cannot deal with your complaint if your state of health affects your ability to constructively communicate with us.