



**Australian Government**  

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**Australian Pesticides and  
Veterinary Medicines Authority**



## **APVMA Complaints Handling Policy**

Submissions received

November 2021

The Director  
Corporate Services  
Australian Pesticides and Veterinary Medicines Authority  
GPO Box 3262  
**SYDNEY NSW 2001**

**Via Email: [complaints@apvma.gov.au](mailto:complaints@apvma.gov.au)**

9 June 2021

**RE: APVMA Draft Complaints Handling Policy**

As the peak industry organisation representing the agricultural chemical and biotechnology (plant science) sector in Australia, CropLife Australia provides the following comments on the Australian Pesticides and Veterinary Medicines Authority (APVMA) draft Complaints Handling Policy.

CropLife notes that the APVMA's draft Complaints Handling Policy has been developed in-line with the *Better practice guide to complaint handling* developed by the Commonwealth Ombudsman and the NSW Ombudsman's effective complaint handling guidelines. We acknowledge they are the standard and broadly accepted guidelines for staff handling complaints with public sector agencies. Both the processes for submitting a complaint and the hierarchy of responsibility to manage said complaints are plainly described and logically presented. The same can be said of the internal guidance for managing an escalating complaint. The process is plainly spelled out with appropriate interaction from management and clearly elucidated commitments for handling communication and expectations for the outcome(s) from said complaints.

CropLife is pleased that the APVMA has developed such a policy and remains committed to receiving feedback and complaints about regulatory services, systems, practices, procedures and products. Further, it is appropriate and indeed necessary that the APVMA will ensure confidentiality and take all reasonable steps to ensure those making the complaints are not adversely affected by the lodging of a complaint.

We are, however, concerned that there is very little clarity or specifics relating to both process and responsibility for multi-agency related complaints involving the APVMA.



CropLife recognises there needs to be a reasonable process for dealing with complaints that are frivolous, lacking merit, or otherwise not made in good faith. We therefore support the stipulations for managing unreasonable demands.

Noting the APVMA's openness to receiving feedback going forward as previously referenced, we would suggest a specific assessment be undertaken in 24 to 36 months of the policy against any explicit cases that have occurred under the policy to test the validity and appropriateness of the policy against real world operation.

Yours sincerely



**Director - Agricultural Chemical Policy**



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9 June 2021

Corporate Services  
Australian Pesticides and Veterinary Medicines Authority  
GPO Box 3262  
Sydney NSW 2001

Submitted by email only: [complaints@apvma.gov.au](mailto:complaints@apvma.gov.au)

To whom it may concern,

**Re: APVMA Complaints Handling Policy**

Thank you for the opportunity to provide feedback on the APVMA's approach to managing complaints and feedback.

Animal Medicines Australia (AMA) is the peak industry body representing the leading animal health companies in Australia. AMA member companies are the innovators, manufacturers, formulators and registrants of a broad range of veterinary medicine products that prevent, control and cure disease in the livestock, companion animal and equine sectors. AMA member companies represent more than 90% of Australian sales of registered veterinary medicines.

AMA is pleased to note that industry engagement with the APVMA has markedly improved in the last 2 years, particularly in the Registration Management area. This has resulted in policy and operational improvements that support mutual understanding as well as provide clarity on requirements, greater predictability and much needed efficiency benefits for both registrants and the regulator.

AMA has been particularly impressed by the willingness of the APVMA to consult with industry to develop mutually acceptable solutions to address disruptions arising from the pandemic. For example, COVID-related travel restrictions significantly disrupted manufacturing audit schedules, requiring a collaborative approach by APVMA with industry to maintain assurance of product quality standards under alternative audit arrangements, thereby ensuring the availability of critical animal health products during the pandemic.

AMA believes this updated Complaints Handling Policy is an indication that the regulator is seeking to embed the principles of best practice regulation throughout the organisation. AMA is very supportive of such actions.

The updated Complaints Handling Policy aligns well with the goals for a best practice regulatory culture promoted by the Office of Best Practice Regulation (Department of Prime Minister and Cabinet). Best practice regulation is underpinned by good governance practices and clear accountability, and supports and promotes stakeholder engagement that is:

- responsive,
- timely,
- predictable,
- accessible,
- transparent,
- efficient, and
- effective.

These goals promote effective and efficient engagement with stakeholders, alongside the provision of high quality regulatory oversight, advice, programs and services. The updated Complaints Handling Policy clearly captures these features.

AMA agrees that it is appropriate to handle staff grievances, code of conduct complaints and public interest disclosures through separate mechanisms.

In summary, AMA supports this updated Complaints Handling Policy and commends the APVMA for continuing to embed the principles of best practice regulation throughout the organisation.

If we can provide any further information, please contact me at [REDACTED]  
[REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Director of Science and Policy

Corporate Services  
Australian Pesticides and Veterinary Medicines Authority  
GPO Box 3262  
Sydney NSW 2001

Email: [complaints@apvma.gov.au](mailto:complaints@apvma.gov.au)

Dear Madam/Sir

Accord is pleased to provide this submission to the APVMA on its Draft Complaints Handling Policy (the Policy).

Accord is the peak national industry association representing the manufacturers and marketers of formulated hygiene, personal care and specialty products, their raw material suppliers, and service providers. Accord member companies make and/or market fast-moving consumer and commercial goods including hygiene, cosmetic, personal care and specialty products, sunscreens, food contact sanitisers, industrial and agricultural sanitisers, household pesticides, disinfectants, and specialty commercial products. Member companies include large global consumer product manufacturers as well as small dynamic Australian-owned businesses. A list of Accord member companies is available on our website: <http://accord.asn.au/about/members>.

Headline statistics<sup>1</sup> for our industry's economic footprint include:

- Accord's membership is approximately 100 companies.
- Collectively, Accord member companies directly contribute more than 12,000 full-time equivalent jobs.
- Nationally, more than 175 offices and more than 65 manufacturing sites are operated by Accord member companies.
- 80% of member companies export products overseas.

Accord would like to offer its support for the intent of the Policy and believes the proposed mechanisms are effective and will allow efficient complaint management. While the Policy contains positive language and seems optimistic, some members of Accord are concerned that it is difficult to critique certain aspects of the Policy as it focuses only on the benefits.

In previous submissions on potential reforms, Accord has always argued for efficiency improvements to the APVMA's processes and systems. Members have found that there is an inconsistency in decision making, with little certainty and predictability in processes and outcomes. This inconsistency has led Members to question whether the APVMA has standard operating procedures (SOPs).

We are therefore pleased to see the publication of the Policy as the first step to improved processes within the APVMA through the application of SOPs. We hope that this will be the first of many such SOPs to be published in this way given that the current regulatory system is obscure and difficult to understand. There is a lack of consistency in interpretation of requirements and a lack of published guidance that the regulated community can rely on when deciding requirements.

Accord is concerned with the Scope of the Policy which states that it applies to all staff receiving or managing complaints from the public. It is unclear if the public includes registrants and

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<sup>1</sup> Results from Accord Industry Size and Scale Survey 2018

applicants who may not regard themselves as the public but as a different group within the APVMA's stakeholders. This requires clarification to ensure that registrants and applicants are afforded the same options for complaint handling as are members of the public.

Accord is also concerned on how the Policy will affect other operations of the APVMA, for example the Policy does not address whether it would be taking people away from the core functions of the APVMA or if more staff will be hired to manage the potential increased workload. This is an area of concern as it means that the Policy could have the potential to take important resources away for the main operations of the APVMA.

Accord would also like to raise concerns that the Policy does not show how it will improve on the current APVMA complaints handling process, or if there is even one at all.

Accord suggests that in the CEO's first publication on the APVMA's complaints handling that background information is provided on the process to date with baseline data included to determine if the new processes is bringing about improvements in timeliness and favourable resolutions. While there will be public reporting on complaints, it is unclear from the Policy as to how this will be done. Will there be quarterly aggregated summaries on the APVMA website, or will this information be included in the APVMA's Annual Report?

At times, there can be much community concern and sensitivity about the APVMA's decision making regarding individual ingredients or products. These concerns may lend themselves to the APVMA's complaints handling process. Industry would be concerned that special interest groups which may flood the APVMA from time to time with complaints on certain issues. How will the APVMA differentiate between issues of genuine broad community concern and those of special interest groups?

Overall, Accord is in support of the processes as outlined within the Policy. However, we believe the Policy will be more suitable and effective if the following points are implemented:

- Detailed analysis of the potential consequences of the Policy, such as how the Policy will affect the resources in the overall operations of the APVMA.
- Ensure transparency with what complaints are arising and how they are handled e.g., make complaints public.
- Use more detailed information to ensure commitments are properly met, such as when and how the reports will be made public.
- Some links within the document link to invalid websites (e.g., Link to 'Better practice guide to complaint handling' on page 4) and will need to be fixed.

We congratulate the APVMA on the Policy which we hope will be the first of many SOPs to be made public.

Should you have any questions in relation to Accord's submission, the contact officer is [REDACTED] details provided in coversheet.

Yours sincerely

[REDACTED]  
**Director, Regulatory & Supply Chain Strategy**

8 June 2021

[REDACTED]

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Dear Sir/Madam,

Thank you for allowing me to provide you with my Submission on your Draft Complaints Handling Policy. Attached please find my Public Submission Coversheet.

Please consider the following 4 points;

- 1) Currently there are insufficient direct links on-line to Making a Complaint, Complaints Contact Information and On-line Complaints Portal.
- 2) Currently the On-line Complaints Portal, once found, does not provide a section to identify the Level of Urgency, Type of Risk or Danger. (eg. Extremely Urgent - Schedule 7 Poison - Death)
- 3) The Draft Complaints Handling Policy, does not address Section 2.2 of the Ombudsman Framework about Visibility and Transparency. Which must show how APVMA will widely publicise information about how and where complaints may be made to your organisation.
- 4) The Draft Complaints Handling Policy also does not sufficiently address how Anonymous complaints will be Reported, Reviewed, Actioned, Resolved and Kept.

Yours sincerely,

[REDACTED]

[https://apvma.gov.au/sites/default/files/publication/72856-0920\\_apvma\\_public\\_submission\\_coversheet.pdf](https://apvma.gov.au/sites/default/files/publication/72856-0920_apvma_public_submission_coversheet.pdf)