General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you to have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint

bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Western Australian Electoral Commission

In this fact sheet, we introduce the Western Australian Electoral Commission ('**WAEC**'). We outline how complaints can be made by you to the WAEC.

The WAEC is an independent electoral body in Western Australia. Its purpose is to provide Western Australians with accessible, efficient and high quality electoral and enrolment services. It is responsible for maintaining the Western Australian electoral roll, conducting state and local elections and advising the community on the electoral process. It is responsible to ensure Western Australian elections are conducted in a timely manner with independence, impartiality, reliability, professionalism and compliance with legislation, rules and regulations.

Legislation and Key Terms

Relevant Legislation: Below are links to legislation that is relevant to the WAEC's complaint handling work.

- *Acts Amendment (Electoral Reform) Act 1987 (WA)*
- *Electoral Act 1907 (WA)* (**Electoral Act**)
- *Local Government Act 1995 (WA)* (**Local Government Act**)
- *Electoral (Political Finance) Regulations Act 1996* (WA)
- *Referendums Act 1983 (WA)*
- *Industrial Relations Act 1979 (WA)*
- *Public Interest Disclosure Act 2003 (WA)*
- *Electoral Regulations 1996*
- *Electoral (Political Finance) Regulations 1996*
- *Industrial Arbitration (Union Elections) Regulations 1980*
- *Local Government (Elections) Regulations 1997*
- *Referendums Regulations 1984*

Key terms: Below are key terms that appear throughout this factsheet and their meaning.

Complaint: A statement of dissatisfaction related to products, services, staff or the handling of a complaint when seeking a response.

Step 1: What type of Complaints can be made to this body?

WAEC receives and considers complaints relating to dissatisfaction of its services, products, process and staff members.[1]	
Sub-category	**Example**
WAEC policies, processes and services	**The WAEC can investigate complaints about the general organisation and operations of a Western Australian state election.** This includes complaints about: • inadequate resources at polling places; • lack of suitably trained staff (and suitability of staff training); • long lines and wait times to cast a vote; or • the locations of polling places. *Example:* • *Lilah goes to a local primary school to cast her vote. Lilah knows the primary school is always a busy polling place so she arrives early to get in line. When she arrives, the lines are very long and the staff members are advising other voters to go to another polling place as they have run out of ballot papers.* • *Hassan is looking at the polling locations as he is planning to vote in an upcoming election. Hassan notices that despite living in a busy electorate, there are only a few polling places available..* • *Alex applies for another casual job at the upcoming election after having worked at a few elections before. Alex does not get hired. When they go to vote in the election, they notice that the staff members lack knowledge and experience about electoral processes and procedures* • *Jenny lives in a rural town that is divided by a river, the town is evenly populated on either side. When Jenny looks where the polling places are in her town she notices 3 are on one side of the river and only is located on her side, and it is hard to access.* • *Walid lives in a suburb and on the election day he arrives at the local polling place. Walid realises that six of the ten people working there on the day are from the one family who are known to be very vocal against the last elected local member.*
Actions and behaviour of WAEC staff	**The WAEC will consider complaints that relate to the behaviour of its staff.** *Examples:* • *Taylor goes to a local polling place to cast their vote. While they are voting, they make a mistake on the ballot paper, so they ask a staff member for another one. The staff member refuses to give Taylor a ballot and stops the other staff members from giving them one too.*

[1] WAEC Complaints and Feedback Policy dated 31 July 2023

	• *Ari goes to a polling place to cast his vote. When he sees the staff member to get his name crossed off the electoral roll, the staff member cannot find his name and tells him he must go to another polling place.* • *Angeli is an election campaign worker for an independent candidate in the state election. She has how-to-vote cards that her candidate has registered with the WAEC to hand out to voters. When she arrives at the polling place, staff member tells her that she is not allowed to hand out the how-to-vote cards and asks her to leave the polling place.* • *Joan is a scrutineer working in an election. While reviewing the votes, she identifies that some of the votes may be invalid. A staff member of WAEC responds to her by making sexist remarks, including "better keep the women happy".* • *Hannah turns up to vote, she is wearing a political shirt. When the staff member confronts Hannah she straight away obliges and puts her blue jumper over her political shirt. The staff member stands in her way and still will not let her in and told her she needs to take off the shift completely or go to another venue.*
Offence relating to the Electoral Act 1907 (WA)	**The WAEC is able to hear and handle complaints about conduct that is an offense under the Electoral Act. This could include complaints about:** • accepting and declaring donations that are not allowed under the Electoral Act; • a candidate putting false or misleading information on their profile; or • candidates failing to follow the correct procedure when preparing campaign materials. *Examples:* • *Giana is a candidate in an upcoming election. While campaigning, she realises that her and her team did not register the how-to-vote cards with the WAEC. Gianna still delivers these how-to-vote cards without authorisation.* • *Phyllis is a candidate running for Western Australian state election. While campaigning, she finds out that another candidate has accepted a foreign donation to fund their campaign.* • *Bruce is a candidate for a Western Australia state election. Bruce exaggerates his work experiences and adds an extra credential into his profile.*
Alleged offence relating to the Local Government Act[2]	The WAEC can investigate complaints that could be offences under the Local Government Act in Western Australian local elections. However, if you have a complaint about your local government election, it is important to find out whether the WAEC has organised it as it is only able to hear these complaints if it is conducting the election.

[2] Local Government Act, Division 11.

	If WAEC is responsible for the local government election that you wish to make a complaint about, your complaint can relate to: • Misconduct, malpractice and maladministration • Enrolment eligibility in accordance with the procedures set in the relevant legislation and regulations • bribery or undue influence in an electoral process; • an electoral officer influencing the vote of an elector; • disclosing knowledge they have about an elector's vote; • printing and publishing electoral material without the name and address of the candidate authorising the material; • printing, publishing or distributing misleading or deceptive material; • attempting to solicit votes within six meters from the entrance to a polling place; and • candidates and representatives providing false information. *Example:* • *Elijah is running for council in an upcoming election. While he is campaigning, he notices that another candidate has published information about him and his policies on their website. Elijah believes that this information is incorrect..* • *Zhiyu is waiting in line at a polling place to cast their vote. Zhiyu notices that one of the current mayor's supporters is handing out how-to-vote cards and trying to have conversations with other people in the line, very close to the polling station.* • *Massimo is browsing candidates' websites to learn about their policies ahead of the upcoming local government election. He comes across a policy document without a candidate's name and address on the pageCharlie decides they will vote by post in their upcoming local election. They complete the form and email it to the address provided by WAEC. They receive an aggressive reply saying that Charlie is ineligible for a postal vote because they are under 60 years old.* • *Maryam's candidate enrolment has been rejected by the WAEC. Maryam is dissatisfied with this decision as she believes she has the right to be a candidate.*

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	The WAEC is able to consider complaints under the law of Western Australia.
Geographical Scope	The WAEC operates in the state of Western Australia.

Jurisdiction	Description
Time Limitations	The WAEC does not specify a timeframe for making complaints. It is recommended for complaints to be made a soon as possible, preferably within 28 days, following the incident so that the complaint can be resolved quickly and efficiently.
Exclusions[3]	The WAEC is not able to investigate complaints that are about: • a breach of Local Government Code of Conduct (these complaints may be referred to the CEO of the local government); • conduct which could be considered a criminal offence (these may be referred to WA Police); • local government elections that WAEC has not conducted or is not responsible for; and • processes, policies, conduct or behaviour about a federal election or an election that took place outside of Western Australia.
Exercise of discretion[4]	During the process of handling your complaint, the WAEC may decide to stop responding to you if it believes your conduct is unreasonable. Unreasonable complaint conduct can include: • where you refuse to accept a final decision; • insisting on outcomes that are unattainable, changing the objectives of the process or demanding to have a matter heard in a particular way; • a lack of cooperation, including providing disorganised, excessive or irrelevant information; • starting unreasonable or illogical arguments; or • extreme anger, aggression, threats or other violent conduct.

Step 3: Who can you make a complaint against?

Respondent	Description
Individuals	You can make a complaint against WAEC staff, products, services or its handling of a complaints. Some examples of WAEC products and services include:[5] • conducting parliamentary elections; • conducting some local government elections; • conducting referenda;

[3] Complaints and Feedback Policy_5.pdf
[4] Complaints and Feedback Policy_5.pdf
[5] https://www.elections.wa.gov.au/sites/default/files/Annual%20Report%202023-2024.pdf

Respondent	Description
	• supporting delivery of elections and polls for community organisations, universities and private companies by agreement; • maintaining the electoral roll; • administering the registration of political parties; • administering the financial disclosure requirements governing parties, candidates and third parties; • electoral education and awareness programs; and • advising the Government on electoral reform. Some examples of WAEC staff members include: • Western Australian Electoral Commissioner; • Deputy Electoral Commissioner; • Returning Officers and Returning Officer Liaison Officers; and • casual election staff.
Exclusions - Body/Organisation	You cannot make a complaint about certain local government elections, federal elections or any other election that does not take place in Western Australia.
Additional information	The WAEC is able to handle both complaints and feedback. It considers feedback to be a communication that does not require a response. Feedback can be a: • compliment; • criticism; • comment; or • suggestion. If the WAEC considers your communication to be feedback, it will not provide you with a response but it will still acknowledge that it has received your feedback. The WAEC also receives public interest disclosures. You can make a public interest disclosure if you are concerned about the conduct of WAEC or a person associated with WAEC.[6] The WAEC advises that some concerns may be resolved better or more quickly through its complaints process. You can discuss making a pubic interest disclosure with the Public Interest Disclosure Officer using the details below: Public Interest Disclosure Officer Western Australian Electoral Commission

[6] For more information on making a pubic interest disclosure, see https://www.elections.wa.gov.au/about-us/public-interest-disclosures

Respondent	Description
	Level 2, 66 St Georges Terrace PERTH WA 6000 **Telephone:** 9214 0416 **Email:** PIDOfficer@waec.wa.gov.au

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint to the WAEC.
Pre-requisite steps	There are no pre-requisite steps that you need to take before making a complaint to WAEC. . .
Can complaints be made on behalf of someone?	Yes, complaints can be made on behalf of a person or an organisation.
Exclusions	
Additional information you need to know	WAEC's services are free. You do not need a lawyer for the complaints process, but you can seek legal advice at any time.

Step 5: What remedies are available at this body?

Power	Description
Powers of the Commissioner	The Electoral Act gives the Commissioner power to do things that are necessary, convenient or in connection with the performance of their function.[7] This means that the Commissioner may use the following key actions and powers that may function as remedies or enforcement mechanisms (for example): • maintaining the electoral roll; • Western Australian elections in general (provided the WAEC is responsible for running them);

[7] Electoral Act s 5F(2)

Power	Description
	• education and information programmes about elections and the election process; and • researching and publishing material about elections and the election process.

Step 6: Preparing your complaint. What should it include?

Requirement	Description
Format	Complaints must be made in a written format through the online feedback submission form: https://www.elections.wa.gov.au/complaints
Personal Details	To complete the feedback submission form, you will need to include: • your name; • your contact details; • details of your complaint; • your desired outcome or resolution; and • any supporting documents you have. You can make a complaint anonymously but this will limit the WAEC's ability to obtain further information if it needs to investigate the issue. If you would like to make an anonymous complaint, you can make up names and details to fill out the form.
Respondent's Details	If you are complaining about a particular person or organisation, you do not need to include their details in order to make your complaint. However, if you do include their details, this may make it easier for the WAEC to progress your complaint.
Relevant Facts[8]	You should include the details of what happened including: • the time and date; • a description of the event; • details of any people you are making a complaint about; • whether you have raised the issue before and the details of what happened; and • your desired outcome or resolution. You have 6000 characters to make your complaint. You can upload an unlimited amount of supporting documents but you can only upload 8 MB in total. You can upload ,jpg, .png, .txt, .pdf .doc, .docx, .xlx and .xlsx files.

[8] https://www.elections.wa.gov.au/complaints

Requirement	Description
What NOT to include	Do not include false or misleading statements.
Additional information you need to know	If you need help making the complaint or writing it down, you can call the WAEC on 08 9214 0400 and staff will assist you.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	You should lodge your complaint through the online form: https://www.elections.wa.gov.au/complaints
Receipt/ acknowledgement of complaint[9]	The WAEC aims to acknowledge the following types of complaints within three business days: • feedback, including compliments, criticisms or suggestions; • simple complaints; • complex or sensitive complaints; and • internal reviews. The WAEC aims to acknowledge serious, urgent or priority complaints within three business days.
Assessment[10]	The WAEC aims to resolve serious, urgent or priority complaints within three business days. The WAEC aims to resolve feedback and simple complaints within five business days. The WAEC aims to resolve complex or sensitive complaints within seven business days. The WAEC aims to resolve internal reviews of previous responses to complaints within 15 business days.
Other steps following an investigation	If you make an urgent or priority complaint, the WAEC may need to undertake a formal investigation. This may mean your complaint takes longer to resolve.
Additional information you need to know	Some complaints may require a longer resolution timeframe. You will be notified if a longer timeframe is required to resolve your complaint.[11]

[9] WAEC Complaints and Feedback Policy dated 31 July 2023
[10] WAEC Complaints and Feedback Policy dated 31 July 2023
[11] WAEC Complaints and Feedback Policy dated 31 July 2023

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Internal review opportunities	If you want the WAEC to review its response to your complaint, you can request it to do so. As set out at **Step 7: Lodging your Complaint**, the WAEC will acknowledge your request within three business days and aim to resolve it within 15 business days.
External review	If you are still unhappy with the WAEC's review of your complaint, you can contact the Western Australian Ombudsman about the WAEC's response to your complaint. You should firstly phone the Ombudsman on 08 9220 7555 or 1800 117 000. You can then make a complaint using the Ombudsman complaint form: Ombudsman Western Australia. You must complain to the Ombudsman within 12 months from the date of the outcome of WAEC's internal review of its response to your complaint.[12]

Step 9: Other bodies that handle complaints

Complaint body	Description
Australian Human Rights Commission	The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of you ex, disability, race, age or sexual preference the AHRC may be able to help. There are also State Government discrimination complaint bodies who may also be able to assist.
Office of the Australian Information Commissioner	The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions that are made by Australian Government agencies and ministers. There are also State Government privacy and information complaint bodies who may also be able to assist.
National Anti-Corruption Commission	The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector. There are also a State Government corruption complaint bodies who may also be able to assist.

[12] Ombudsman Western Australia

Complaint body	Description
Australian Electoral Commission	The Australian Electoral Commission is a federal government body responsible for facilitating federal elections. It has powers to handle complaints made about federal elections.[13]
Public Interest Disclosure Officer	The Public Interest Disclosure Officer manages public interest disclosures regarding the WAEC or people associated with the Commission.[14]
Western Australian Department of Local Government, Sport and Local Industries	The Department of Local Government, Sport and Local Industries handles complaints about local government candidates and their behaviour once they are elected to office.[15] The Department also provides resources and assistance to children and young people who want to make a complaint.
Western Australian Local Government CEOs	The Local Government CEOs can hear complaints relating to the model code of conduct for local government officials. A list of the local government CEOs is below: https://www.lgprofessionalswa.org.au/Lgmawa/Lgmawa/LG_Careers/The_WA_CEO_List.aspx
Western Australian Ombudsman	The Western Australian Ombudsman receives, investigates and resolves complaints about State Government agencies, local governments and universities. Website: https://www.ombudsman.wa.gov.au/ Email: mail@ombudsman.wa.gov.au Telephone: 08 9220 7555
Western Australian Police	You can contact the Western Australian Police if you believe a crime has been committed.

Need help to preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
WAEC	Website: https://www.elections.wa.gov.au/ Email: waec@waec.wa.gov.au Telephone: 13 63 06 (WA only) or 08 9214 0400	If you need more information about making a complaint, you can contact the WAEC directly.

[13] Complaints Management Policy - Australian Electoral Commission
[14] https://www.elections.wa.gov.au/about-us/public-interest-disclosures
[15] LG Candidate Briefing

Organisation	Contact Details	How they can help
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provide support to people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.
National Information Service	Website: https://humanrights.gov.au/our-work/complaint-information-service/make-enquiry Email: infoservice@humanrights.gov.au Telephone: 1300 656 419 (Option 2) and 02 9284 9888	Provides information and referrals for individuals, organisations and employers about a range of human rights and discrimination issues

Self-help tools and additional resources

Resource	How this helps
Where to make a complaint	A list of complaint services depending on your complaint type from the WAEC.
Complaints and Feedback Policy_5.pdf	Sets out the complaint and feedback policy for the WAEC, including the complaints process, what can be complained about and timeframes for assessment and resolution.
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
Law Society: Know Your Rights	Guidance for individuals who are uncertain about where to start when seeking legal advice.

Citations here:

2024 Code of Conduct Casuals.pdf

About Us | Western Australian Electoral Commission

Complaints and feedback | Western Australian Electoral Commission

Complaints and Feedback Policy_5.pdf

Complaints Management Policy - Australian Electoral Commission

Customer Service | Western Australian Electoral Commission

Funding and Disclosure in Western Australia Guide_2.pdf

How-to-vote cards | Western Australian Electoral Commission

https://www.abc.net.au/news/2025-03-15/wa-election-persol-kelly-electoral-commission-analysis/105053840

https://www.elections.wa.gov.au/elections/returning-officers

https://www.elections.wa.gov.au/about-us/media/whats-new/2408

https://www.elections.wa.gov.au/about-us/public-interest-disclosures

https://www.elections.wa.gov.au/sites/default/files/Annual%20Report%202023-2024.pdf

https://www.elections.wa.gov.au/sites/default/files/SGE2025/Forms%20and%20guides/Election%20Campaign%20Workers%20and%20Scrutineers%20Guide_1.pdf

https://www.lgprofessionalswa.org.au/Lgmawa/Lgmawa/LG_Careers/The_WA_CEO_List.aspx

https://www.theage.com.au/politics/western-australia/waec-to-investigate-sexist-remarks-and-pilbara-mp-buying-vote-counters-lunch-20250320-p5ll8h.html

LG Candidate Briefing Webinar (2023 candidates)

Ombudsman Western Australia

RK know the rules Rockingham By-Election 2023 - Fact Sheet.pdf

WA election: Shane Love calls for Electoral Commissioner Robert Kennedy to be suspended - ABC News

WA Electoral Commission How-To-Vote Card webinar

WA Nationals leader Shane Love refers election staff outsourcing to Corruption and Crime Commission - ABC News

WAEC 2021-22 Annual Report

WAEC 2023-24 Annual Report

WAEC to investigate ballot paper shortages and long queues on election day - ABC News