



# **Complaint Handling Policy**

## POLICY OBJECTIVE

This policy is intended to ensure that Council handles complaints fairly, efficiently and effectively.

## LEGISLATIVE PROVISIONS

NSW Ombudsman Complaint Management Framework June 2015  
Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014

## POLICY STATEMENT

### 1. Introduction

#### 1.1 Purpose

Council's complaint management system is intended to:

- enable Council to respond to issues raised by people making complaints in a timely and cost-effective way
- boost public confidence in Council's administrative process, and
- provide information that Council can use to deliver quality improvements in its services, staff and complaint handling.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

#### 1.2 Scope

This policy applies to all staff receiving or managing complaints from the public made to or about Council, regarding services, staff and complaint handling.

Staff grievances, code of conduct complaints and public interest disclosures are dealt with through Council's Code of Conduct and Internal Reporting Policy.

#### 1.3 Organisational commitment

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. Council commits to the following principles:

- Provide a framework for transparency and accountability
- Ensure complaint data is used to identify problems and improve procedures, where applicable, to prevent similar dissatisfaction and complaints in the future
- Ensure complaints are dealt with in a timely, systematic and consistent manner
- Provide adequate support and direction to key staff responsible for handling complaints
- Regularly review Council's complaint management system for improvements and to align with best practice

## 2. Terms and Definitions

### Complaint

Expression of dissatisfaction made to or about Council services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy does not include:

- staff grievances
- public interest disclosures made by Council staff [see Council's Internal Reporting Policy]
- code of conduct complaints [see Council's Code of Conduct]
- responses to requests for feedback about the standard of service provision [see the definition of

'feedback' below]

- reports of problems or wrongdoing merely intended to bring a problem to Council's notice with no expectation of a response [see definition of 'feedback']
- service requests [see definition of 'service request' below], and
- requests for information.

For the purposes of this policy a complaint is not a routine service request or any other matter where Council has had no prior opportunity to provide a satisfactory service.

### **Complaint management system**

All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.

### **Dispute**

An unresolved complaint escalated either within or outside of Council.

### **Feedback**

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council, about Council services or complaint handling where a response is not explicitly or implicitly expected or legally required.

### **Service request**

The definition of a service request includes:

- requests for action
- routine inquiries about Council business
- notifications of alleged unlawful activity
- requests for the provision of services that falls within Council's normal day to day operations

### **Grievance**

A clear, formal written statement by an individual staff member about another staff member or a work related problem.

### **Public interest disclosure**

A report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

## **3. Making a Complaint**

### **3.1 Facilitating complaints**

#### **Lodging a Complaint**

A complaint can be made as follows:

- Email to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)
- Post to Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580
- In person
- By telephone – 4823 4444

Council encourages the person making a complaint to do so in writing to ensure Council has all the relevant information and facts.

#### **Anonymous complaints**

Council will accept anonymous complaints and such complaints will be managed in accordance with this policy. Council will endeavour to review issues raised in anonymous complaints, however without adequate information this may be difficult. In circumstances where the identity of the complainant is not

known, Council will be unable to maintain contact, provide feedback or deliver the desired outcome to the complainant.

### **Accessibility**

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

## **3.2 Responding to complaints**

### **Early resolution**

Where possible, complaints will be resolved at first contact with Council.

### **Responsiveness**

Council will acknowledge the receipt of complaints within 5 working days.

Council will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

Council is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for processing
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

Council will advise people as soon as possible when Council is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Council will also advise people as soon as possible when Council is unable to meet time frames for responding to their complaint and the reason for the delay.

### **Objectivity and fairness**

Council will address each complaint with integrity and in an equitable, objective and unbiased manner.

Council will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly.

### **Confidentiality**

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

### **3.3 Managing the parties to a complaint**

#### **Complaints involving multiple agencies**

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

#### **Complaints involving multiple parties**

When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.

#### **Managing unreasonable conduct by people making complaints**

Council is committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Council's success depends on:

- Council's ability to do its work and perform its functions in the most effective and efficient way possible
- the health, safety and security of Council staff, and
- Council's ability to allocate resources fairly across all the complaints received.

When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of its work. As a result, Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support Council staff to do the same in accordance with this policy. Council will take action in accord with its Unreasonable Complainant Conduct Procedure.

## **4. Complaint management system**

### **4.1 Receipt of complaints**

Unless the complaint has been resolved at the outset, Council will record the complaint and its supporting information. The record of the complaint will document:

- the contact information of the person making a complaint
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant and
- any additional support the person making a complaint requires.

### **4.2 Acknowledgement of complaints**

Council will acknowledge receipt of each complaint promptly and preferably within 5 working days. Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

### **4.3 Initial assessment and addressing of complaints**

#### **Initial assessment**

After acknowledging receipt of the complaint, Council will confirm whether the issue/s raised in the complaint is/are within Council's control. Council will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, Council will consider:

- How serious, complicated or urgent the complaint is
- Whether the complaint raises concerns about people's health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed, and
- Whether a resolution requires the involvement of other organisations.

### **Addressing complaints**

After assessing the complaint, Council will consider how to manage it. To manage a complaint Council may:

- Give the person making a complaint information or an explanation
- Gather information from the person or area that the complaint is about, or
- Investigate the claims made in the complaint.

Council will keep the person making the complaint up to date on our progress, particularly if there are any delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions are decided will be tailored to each case and take into account any statutory requirements.

### **4.5 Providing reasons for decisions**

Following consideration of the complaint and any investigation into the issues raised, Council will contact the person making the complaint and advise them:

- the outcome of the complaint and any action taken
- the reason/s for any decision
- the remedy or resolution/s proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, Council makes any adverse findings about a particular individual, Council will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing any findings with the person making the complaint.

### **4.6 Closing the complaint, record keeping, redress and review**

Council will keep comprehensive records about:

- How the complaint was managed
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations, and
- Any outstanding actions that need to be followed up.

Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

### **4.7 Alternative avenues for dealing with complaints**

Council will inform people who make complaints to or about us about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).

### **4.8 The three levels of complaint handling**

Council will aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, Council may decide to escalate the complaint to a more senior officer. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of Council's review of their complaint, they may seek an external review of our decision.

## **5. Accountability and learning**

### **5.1 Monitoring of the complaint management system**

Council will continually monitor its complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits and complaint satisfaction surveys.

### **5.2 Continuous improvement**

Council is committed to improving the effectiveness and efficiency of its complaint management system. To this end, Council will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaints management system and complaint data, and
- implement appropriate system changes arising out of analysis of complaints data and continual monitoring of the system.

| <b>Version</b> | <b>Council Meeting Date</b> | <b>Resolution</b> | <b>Adoption Date</b> | <b>Effective From</b> |
|----------------|-----------------------------|-------------------|----------------------|-----------------------|
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**All policies can be reviewed or revoked by resolution of Council at anytime.**

**DIRECTORATE:** Business Services

**BUSINESS UNIT:** Governance