

<b>Complaint Handling Policy</b>	Document No:	SCS 032
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Responsible Officer:	Manager Community Relations	
Authorising Officer:	Chief Executive Officer	

## 1. Purpose

This policy outlines an open and transparent complaint handling system which ensures all complaints are handled fairly and objectively.

The policy commits Council to deal effectively with complaints and guides how complaints handling procedures are implemented.

## 2. Scope

This policy applies to complaints received from members of the public.

## 3. Application

This policy applies to all Council staff, Councillors, volunteers and contractors carrying out work on Council's behalf.

This policy will be implemented through the accompanying Complaint Handling Procedure.

This policy is not applicable to:

- Complaints about third parties (unless it involves contractors carrying out work on Council's behalf), except when Council has a legal responsibility to report complaints, for example Child Safe Standards.
- A request for service or reporting infrastructure damage in the first instance.
- Comments or submissions received during formal consultation, which has a specific process for receiving community feedback and comments.
- Lodging an appeal in accordance with other policies, procedures and legislation, such as a matter that has been, or is scheduled to be before a court, panel, coroner or tribunal.
- A petition to Council about a certain matter.

The above issues are still valid and are managed separately from the complaint handling process.

For the purposes of this policy, an issue that is resolved at the first point of contact is not recorded as a complaint.

## 4. Definitions

For the purposes of this policy, the following definitions apply:

<b>Complainant</b>	A person, organisation or their representative making a complaint.
<b>Complaint</b>	An expression of dissatisfaction with: <ul style="list-style-type: none"> <li>• The quality of an action taken, decision made, or service provided by Council or its contractor.</li> <li>• A delay or failure in providing a service, taking an action, or making a decision by Council or its contractor.</li> </ul>

<b>Complaint handling system</b>	The way individual complaints are dealt with by Council, including the policy, procedure, technology, reporting, evaluation and improvement.
<b>Complex complaint</b>	<p>Complex complaints are those which cannot be resolved/managed at the first point of contact and are generally of a more serious or complex nature than simple complaints.</p> <p>Complex complaints are to be acknowledged within 5 business days and resolved within 20 business days, except those with extenuating circumstances.</p>
<b>Council</b>	<p>A Council consists of Councillors who are democratically elected by the residents and ratepayers of a municipality in accordance with the Local Government Act 1989, to set the overall direction for the municipality through long-term planning and decision making.</p> <p>In the context of this Policy, the Council refers to Surf Coast Shire Council.</p>
<b>Customer</b>	An individual, business organisation that utilizes a service or asset of the Council.
<b>Feedback</b>	<p>Feedback may take the form of positive and negative comments about a service, product, experience or process of Council.</p> <p>The feedback may not require corrective action.</p> <p>Feedback may be used to influence future service reviews and delivery methods.</p>
<b>Days</b>	Any references to days in this document are business days.
<b>Decisions</b>	Are decisions made by the Council, or an officer under delegated authority (on behalf of the Council).
<b>Dispute</b>	An unresolved complaint escalated internally, externally or both.
<b>First Contact staff</b>	Any staff member who takes initial receipt of a complaint.
<b>Internal review</b>	<p>Internal review can be requested if the complainant is not satisfied with the complaint outcome or the way it was resolved or handled.</p> <p>Internal reviews will be handled by an officer who is independent of the original decision, action or investigation.</p>
<b>Request for service</b>	A request for service is when a customer asks the Council to provide a service, or asks for an action to be taken to address a problem.
<b>Simple complaint</b>	Straight-forward expressions of dissatisfaction which may be managed and resolved at the first point of contact by frontline staff or the subject matter expert.

Unlike a complaint, a service request is raised when a customer wants Council to provide something, generally information or a service, or similarly report a fault by a maintenance request. A complaint, on the other hand, deals with a failure (in the eyes of the customer) to satisfactorily respond to a request or expectation that a service will be provided.

## 5. Principles

This policy is based on seven principles for effective complaints handling, as outlined in the Victorian Ombudsman's – *Good Practice Guide to Handling Complaints*:

### 5.1. Commitment

Council is committed to resolving complaints that are received in a timely manner. Council recognises people's right to complain and considers complaint handling to be part of the core business of serving the community and improving service delivery.

- 5.2. Accessibility  
People can easily find out how to make a complaint and be supported through the complaint process.
- 5.3. Transparency  
The complaint handling system clearly sets out how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.
- 5.4. Objectivity and fairness  
Under the complaint handling system, complainants and staff are treated with respect and courtesy. Complaints are judged on merit and fact.
- 5.5. Confidentiality  
The complaint handling system protects the personal information of people making a complaint, and council staff will be informed on a 'need to know' basis.
- 5.6. Accountability  
Council is accountable, both internally and externally, for its decision making and complaint handling performance. Council provides explanations and reasons for decisions, and ensures that decisions are subject to appropriate review processes.
- 5.7. Continuous Improvement  
Council regularly analyses complaint data to find ways to improve how it operate and how it delivers services.

## 6. Roles and responsibilities

<p><b>Councillors</b></p>	<p>Councillors guide customers to lodge complaints directly with Council.</p> <p>Councillors may be contacted as part of an investigation.</p> <p>In some instances Councillors will be advised of the outcome of the complaint, if it is not a personnel related matter.</p>
<p><b>Chief Executive Officer (CEO)</b></p>	<p>Manages complaints about Councillors in accordance with the Councillor Code of Conduct.</p> <p>Legislation requires the CEO must notify the Independent Broad Based Anti-Corruption Commission (IBAC) of any matter they suspect on reasonable grounds to involve corrupt conduct.</p> <p>Manages complaints about General Managers.</p> <p>Liaise with Councillors on complaints raised by them, including advising of outcomes (except for complaints relating to personnel matters).</p>
<p><b>General Managers</b></p>	<p>Deal with complaints escalated to them, generally where they were unable to be resolved by others.</p> <p>Responsible for Internal Review of complaints, provided they do not have a significant connection to the subject matter of the complaint.</p> <p>Liaise with Councillors on complaints raised by them, including advising of outcomes (except for complaints relating to personnel matters).</p> <p>Report on complaints handling to Council bi-annually.</p>

	Will consider requests from investigating officers to extend a complaint investigation beyond 20 days in extenuating circumstances.
<b>Managers (or Delegated Officers)</b>	<p>Investigate complaints referred to them.</p> <p>In first instance contact complainant by phone (or request telephone number if via another channel). And, if appropriate (simple complaint) resolve complaint immediately. If more complex ascertain details and confirm outcome complainant is seeking.</p> <p>If complaint is complex acknowledge it in writing within 5 days, providing officer contact details and expected time to resolve, aiming for within 20 days.</p> <p>Telephone complainant advising outcome before delivering outcome in writing.</p>
<b>First Contact staff</b>	<p>Assess complaint and Resolve immediately if possible.</p> <p>If more information is required, and customer is on the telephone make every effort to connect with subject matter expert (SME).</p> <p>If not possible to connect to SME, or SME not able to resolve in the first instance First Contact staff will record the complaint in Customer Request Management system for investigation.</p>
<b>Customer Experience Coordinator</b>	Responsible for overseeing implementation of the policy; ensuring staff are adequately trained to handle complaints; providing assistance to other staff in the handling of complaints; undertaking internal reviews of complaints as required; analyse data, monitor performance and prepare reports relating to customer experience.
<b>Third party contractors</b>	Refer complaints to a First Contact staff member.
<b>Volunteers</b>	Refer complaints to a First Contact staff member.

## 7. How to make a complaint

A person can make a complaint in a number of ways.

Channel	Access
Online	<a href="http://www.surfcoast.vic.gov.au">www.surfcoast.vic.gov.au</a>
Email	<a href="mailto:info@surfcoast.vic.gov.au">info@surfcoast.vic.gov.au</a>
Mail	PO Box 350, Torquay, VIC, 3228
Telephone	5261 0600
In person	1 Merrijig Drive, Torquay, VIC, 3228 or a Council satellite office

The complaint should include the following information if relevant:

- The date, time, location or event;
- The nature and description of the complaint; and
- A statement identifying what the complainant seeks as an acceptable outcome to the complaint by way of resolution.

## Anonymous Complaints

Council will accept anonymous complaints if enough information is provided to deal with it.

Officers are encouraged to advise the Complainant that providing information will assist Council in administering the Complaint Handling Policy. Where a Complainant is unwilling to disclose their details the investigation process is disadvantaged because:

- anonymity generally reduces Council's ability to properly investigate a matter, and,
- it can be difficult to clarify the nature of the complaint and obtain additional information from the complainant
- Council is unable to contact or provide the person(s) with reasons for any decision made about their complaint.

Notwithstanding the above constraints, Council will endeavor to address anonymous complaints in a manner consistent with the principles and processes applied to other complaints.

A Complainant may use an advocate or authorized personal representative to progress their complaint.

If required an interpreting service will be provided to facilitate the complaint.

## **8. Complaints about allegations of corrupt conduct**

Where a complaint involves allegations of corrupt conduct, it will be handled in accordance with the Independent Broad-based Anti-corruption Commission (IBAC) complaints process.

The Chief Executive Officer has legislated obligations in respect of mandatory reporting of suspected corruption that operate outside of this policy.

## **9. Monitoring and Reporting**

Council will proactively monitor performance by analysing trends in complaints at least bi-annually.

## **10. Records**

Records shall be retained for at least the period shown below.

	<b>Retention/Disposal Responsibility</b>	<b>Retention Period</b>	<b>Location</b>
Complaint and related	PROS 07/01	Permanent	State Archives

## **11. Related documents**

- 10.1 Complaints Handling Management Procedure
- 10.2 Customer Service Charter
- 10.3 Customer Service Strategy
- 10.4 Councillor Code of Conduct

## **12. References**

Victorian Ombudsman	Good Practice Guide to Handling Complaints Report and Guide; September 2016
Victorian Ombudsman	Councils and complaints – A good practice guide; February 2015
AS/NZS 10002:2014	Guidelines for complaint handling in organisations
	Privacy and Data Protection Act 2014
	Health Records Act 2001
	Local Government Act 1989
	FOI Solutions Complaints Training Guidelines