

Complaint Handling

Council Policy Number	174
Date adopted	17 November 2021
Scheduled for review	November 2025



1. Preamble

Council delivers a diverse range of services and community infrastructure for the community and recognises that at times these services and infrastructure will not meet the expectations of community members. A clear and transparent complaints handling process enables community members to provide direct feedback to Council on their dissatisfaction with an action or inaction taken, a decision made or a service provided with the aim of resolving the matter. Campaspe Shire Council ('Council') is committed to the management and resolution of complaints.

2. Purpose

Members of the public have a right to complain and provide feedback and the purpose of this policy is to:

- Inform the community of how Council will manage their complaints;
- Ensure that Council staff are aware of their obligations in relation to complaint handling;
- Clarify the roles and responsibilities of Council staff;
- Establish timeframes for resolving complaints;
- Ensure complaints are handled fairly and objectively; and
- Ensure an open and transparent process.

This policy reinforces Council's desire to provide customers with a complaints handling process that is effortless, accurate and friendly, in line with Council's Customer First Strategy.

3. Definitions

Service request -v- a complaint

Service request

Contact with Council to seek assistance, access to a new service, advice or to inform / make a report about something for which Council has responsibility.

Complaint

An expression of dissatisfaction with:

- The quality of an action taken (or not taken), decision made, or service provided by Council or a Council contractor
- A delay or failure in providing a service, taking an action, or making a decision by Council or a Council contractor.

Examples:

Service request	Complaint
I forgot to put my bin out this morning and missed the collection. Can you send someone to collect my bin this afternoon?	I put my bin out on time this morning and the truck didn't collect it.
My neighbour's dog keeps barking and I can't sleep. Can Council do something about it?	Council has said the neighbour's barking dog isn't breaching any noise laws, but I think Council is wrong and they just haven't investigated the situation properly.
There is a pothole on West Road. Can you send someone to fix it?	I reported a pothole on West Road to Council about six weeks ago. I haven't heard anything since and it still hasn't been fixed.

4. Policy Statement

4.1. Guiding principles

This policy is based on the seven principles outlined in the Victorian Ombudsman's publication; *Councils and complaints – A good practice guide*.

Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to complain and considers complaint handling to be part of our core business of serving the community and improving service delivery.

Accessibility

People can easily find out how to complain to us, and we actively assist them with the complaint process.

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.

Objectivity and fairness

Under the complaint handling system, complainants and staff are treated with respect and courtesy, and complaints are judged on merit and fact.

Confidentiality

The complaint handling system protects the personal information of people making a complaint, so that Council staff are informed only on a 'need to know' basis.

Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure that our decisions are subject to appropriate review processes.

Continuous improvement

We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

4.2. Scope

This policy applies to complaints received by Council from members of the public. It applies to all Council staff and all third-party contractors carrying out a service on Council's behalf.

4.3. Exclusions

Some complaints must be handled according to specific legislation, such as those concerning infringements and some planning matters. These complaints will not be dealt with in line with this policy, however complainant's will be advised of the process and timelines for these types of complaints. These complaints will be included in Council's complaint handling data and analysis and the core complaint handling principles remain.

Unreasonable complainant conduct will be managed in line with Policy 158 Managing Unreasonable Complainants.

Complaints falling outside any specific statutory review scheme will be handled in accordance with Council's Complaint Handling Policy.

Disclosures made under the *Public Interest Disclosures Act 2012* will be dealt with in accordance with Council's Public Interest Disclosures Procedure.

If a service request or complaint is received by Council and the matter relates to a service or infrastructure not provided by Council, the person lodging the service request or complaint will be advised of the correct agency to direct the service request or complaint to.

4.4. Accessibility

Anyone who has been affected by an action or inaction of Council can make a complaint.

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 in order to resolve their complaint.

A complainant may use an advocate or authorised personal representative to progress their complaint.

If required, an interpreting or scribing service will be provided to assist the complainant submit their complaint.

Other assistive services or adjustment can be made available to a complainant with the support of the Customer Service Coordinator.

Council will also accept anonymous complaints provided enough information is provided to do so. Staff are encouraged to advise the complainant that providing information will assist Council in administering the complaint handling policy. If 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.

An anonymous complainant can be disadvantaged because 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 endeavour to address anonymous complaints in a manner consistent with the principles and processes applied to other complaints.

4.5. Complaint Handling

Council acknowledges that customers may prefer to escalate their concerns directly to another body (e.g. Ombudsman) however seeks the opportunity to address the concerns in the first instance.

Council staff will advise customers, on request, of any external avenues through which their complaint may be pursued, this information is also available on Council's website.

Council takes a four-tiered approach to complaint handling, as follows:

Level 1 - Frontline resolution

Frontline staff receive the complaint and resolve it immediately, if possible.

If this is not possible the complaint will be escalated to Level 2.

Level 2 - Investigation

Relevant business area Coordinator or Manager will investigate and report the findings to their General Manager for a decision.

If the matter is complex and requires coordination across several business areas, it will be referred to the Customer Service Coordinator.

If unable to be resolved; the complaint will be escalated to Level 3.

Level 3 - Internal Review

If the complaint has not been resolved by staff, or the complainant is not satisfied with the outcome of the investigation at Level 2, they can request an internal review.

This will be conducted by a General Manager not within the business area. The review will be independent of the person who originally took the action, made the decision; or provided the service that the complaint is about.

If unable to be resolved by the General Manager, the complaint will be escalated to Level 4 External Review.

Level 4 – External Review

If the complainant is not satisfied with the process or outcome of an internal review, Council will inform them of the relevant external agency through which they can raise their complaint. The relevant agencies include the Victorian Ombudsman, Victorian Independent Broad-based Anti-Corruption Commission (IBAC), Victorian Inspectorate or Victorian Civil and Administrative Tribunal (VCAT).

4.6. Timeframes

Council will acknowledge all complaints in accordance with Council's customer service standards, currently within 10 working days.

Council will investigate and respond to all complaints in accordance with Council's customer service standards, currently within 28 working days; except for complicated issues when the complainant will be advised of when a response will be expected.

Customer service standards, including timelines, will be reviewed biennially and published on Council's website.

4.7. Roles and responsibilities of Council staff and contractors

Frontline staff

Receive and record the complaint in the Customer Request Management System and acknowledge that it has been received within 10 working days.

Assess it and resolve it immediately if possible and record the outcome.

If unable to be resolved, refer to relevant officer.

Third party contractors and volunteers

Refer all complaints received to a frontline staff member.

Customer Service Coordinator

Responsible for overseeing implementation of the policy; ensuring that staff are adequately trained to handle complaints; providing assistance to other staff in the handling of complaints; undertaking internal reviews of complaints as required.

Managers / Coordinators

Investigate complaints referred to them.

Contact complainant (within 28 days) to advise contact details of the staff member managing the complaint, and how long it will take to resolve the matter.

Write to, or speak with, the complainant to advise them of the outcome.

General Managers

Deal with complaints escalated to them.

Responsible for internal review of complaints, provided they do not have a significant connection to the complainant or the subject matter of the complaint.

Write to, or speak with, the complainant to advise them of the outcome.

Liaise with Councillors on complaints raised by them, including advising of outcomes (except for complaints relating to personnel matters).

Chief Executive Officer

Manages complaints about General Managers.

Liaise with Councillors on complaints raised by them, including advising of outcomes (except for complaints relating to personnel matters).

Manages complaints relating to Councillors in accordance with the Councillor Code of Conduct.

Legislation requires that the CEO must notify the Independent Broad-Based Anti-Corruption Commission ('IBAC') of any matter they suspect on reasonable grounds to involve corrupt conduct.

Councillors

Refer community complaints to the Chief Executive Officer ('CEO') or relevant General Manager.

When a Councillor forwards a complaint, they will be advised of the outcome by the CEO or relevant General Manager (except for complaints relating to personnel matters).

Councillors may be contacted as part of a complaint investigation.

4.8. How to make a complaint

A person can make a complaint by:

Mail:	Campaspe Shire Council PO Box 35 Echuca 3564
Telephone:	1300 666 535 (STD free within the shire) 03 5481 2200
Online:	www.campaspe.vic.gov.au
Email:	shire@campaspe.vic.gov.au
In person:	to any Council customer service centre

5. Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

6. Related Legislation

Charter of Human Rights and Responsibilities Act 2006

Freedom of Information Act 1982

Information Privacy Act 2000

Local Government Act 2020

Public Interest Disclosures Act 2012

7. Related Policies, Procedures and Strategies

Customer First Strategy

Customer Complaints Process

Policy 158 Managing Unreasonable Complainants

Public Interest Disclosures Procedure

8. Attachments

Nil

9. Review Period

Four years

Responsible officer

Manager Customer Service

10. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter the policy, such a change may be made administratively.

Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

11. Approval History

Adopted 18 February 2020

Minute Book Reference No 171 (item 9.5)

Revised 22 February 2021

Administrative update to apply consistent references to Campaspe Shire Council ('Council')

Revised 17 November 2021

Minute Book Reference No 8 (item 9.7)

Chief Executive Officer: 

Date: 22 November 2021