

# Complaint Handling Policy

## 1 Document Information

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<b>Owner</b> <i>(Relevant director)</i>	Director of Finance & Corporate Services
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## 2 Summary

Council's complaint handling policy forms part of the council's overall commitment to excellent customer service and should be read in conjunction with the policy on service (including its specific guarantees of service) and the policy on limits on service and communication. This policy will assist the council achieving its objective of quality customer service through ensuring that all complaints are dealt with in the most effective and efficient manner.

## 3 Approvals

Title	Date Approved	Signature
General Manager		

## 4 History

Minute No.	Summary of Changes	New Version Date
16/02/14	Replaces the council's complaints management policy; based on the NSW Ombudsman's model policy 2015	
18/07/14	Readopted as per s165(4)	24 July 2018

## 5 Reason

This policy is intended to ensure that we handle complaints fairly, efficiently and effectively.

Our complaint management system is intended to:

1. enable us to respond to issues raised by people making complaints in a timely and cost-effective way
2. boost public confidence in our administrative process, and
3. provide information that can be used by us to deliver quality improvements in our products, services, systems and complaint handling.

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

## 6 Scope

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

Staff grievances, code of conduct complaints (for local councils) and public interest disclosures are dealt with through separate mechanisms.

## 7 Associated Legislation

## 8 Definitions

**Complaint** - expression of dissatisfaction made to or about us, our products, 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 can be distinguished from:

- a. staff grievances (see our employee grievance handling procedure in the Human Resources Manual)
- b. public interest disclosures made by our staff (see our Public Interest Disclosures (Internal Reporting) policy)
- c. code of conduct complaints (see our code of conduct)
- d. responses to requests for feedback about the standard of our service provision (see the definition of 'feedback' below)
- e. reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response (see definition of 'feedback')
- f. service requests (see definition of 'service request' below), and
- g. requests for information (see our Access to Information Held By Council policy).

**Complaint management system** - all policies, procedures, practices, staff, hardware and software used by us in the management of complaints.

**EDRMS** – electronic document and records management system (EDRMS) is a generic term for a system used by our organisation to manage information electronically.

**Dispute** - an unresolved complaint escalated either within or outside of our organisation.

**Feedback** - opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our products, services or complaint handling where a response is not explicitly or implicitly expected or legally required.

**Service request** – in this context includes:

- a. requests for action to repair or rectify something (e.g. repair a pothole, requests to have a lid on a garbage bin replaced, request to cut grass, remove weeds, repair a footpath etc.)
- b. routine inquiries about the organisation’s business (e.g. when is my garbage/recycling due for collection?, when are the next rates payments due?, what are Council’s customer service / libraries / tips opening hours? etc.)
- c. requests for the provision of services and assistance (e.g. enhancement to a road standard or cemetery, access to information etc.)
- d. reports of failure to comply with laws regulated by the council (e.g. report of illegal building works or activities, reporting dangerous/unsafe structures etc.)
- e. requests for explanation of policies, procedures and decisions (e.g. how to lodge a development application, how to address a Council meeting etc.)

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

**Policy** - a statement of instruction that sets out how we should fulfil our vision, mission and goals.

**Procedure** - a statement or instruction that sets out how our policies will be implemented and by whom.

**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.

## 9 Responsibilities

Refer to “Organisational Commitment” section within the policy statement.

## 10 Related Documents

Document Name	Document Location
NSW Ombudsman - Managing Unreasonable Complaint Conduct - practice manual 2012	EDRMS
Australian and New Zealand Standard Guidelines for complaint handling in organizations - AS/NZS 10002:2014	EDRMS
Policy on service	Policy register
Policy on limits on service and communication	Policy register
Procedure for complaints reporting to the Corporate Management Team by the public officer	Draft
Human Resources Manual	EDRMS

# 11 Policy Statement

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## 11.1 Organisational commitment

This organisation expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
General Manager	<p>Promote a culture that values complaints and their effective resolution.</p> <p>Undertake internal reviews.</p>	<ul style="list-style-type: none"> <li>• Report publicly on the council's complaint handling</li> <li>• Provide adequate support and direction to key staff responsible for handling complaints.</li> <li>• Regularly review reports about complaint trends and issues arising from complaints.</li> <li>• Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</li> <li>• Encourage staff to make recommendations for system improvements.</li> <li>• Recognise and reward good complaint handling by staff.</li> <li>• Support recommendations for product, service, staff and complaint handling improvements arising from analysis of complaint data.</li> <li>• When the decision for which review is being sought was made by a director (not as a review) the general manager is responsible for reviewing complaints which were not (in the complainant's opinion) satisfactorily resolved.</li> </ul>
The Director of Finance and Corporate Services	Establish and manage our complaint management system.	<ul style="list-style-type: none"> <li>• Provide regular reports to the general manager on issues arising from complaint handling work.</li> <li>• Ensure recommendations arising out of complaint data analysis are canvassed with the general manager and implemented where appropriate.</li> <li>• Recruit, train and empower staff to resolve complaints promptly and in accordance with the council's policies and procedures.</li> <li>• Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</li> <li>• Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</li> <li>• Recognise and reward good complaint handling by staff.</li> </ul>

Who	Commitment	How
Directors	Undertake internal reviews.	<ul style="list-style-type: none"> <li>• Directors are responsible for reviewing complaints which were not (in the complainant's opinion) satisfactorily resolved. A director will not review their own decision.</li> <li>• When the decision for which review is being sought was made by a director (not as a review) the general manager is responsible for reviewing complaints which were not (in the complainant's opinion) satisfactorily resolved.</li> <li>• Advise complainants who remain dissatisfied of our decision of external review opportunities e.g. Ombudsman</li> </ul>
Public Officer	<p>Provide an opportunity for senior management to receive data relating the receipt and handling of complaints.</p> <p>Ensure the policy supporting the complaints management system is consistent with best practice.</p> <p>Advise complainants of internal and external review options.</p>	<ul style="list-style-type: none"> <li>• Provide regular reports to the corporate management team in accord with the <i>procedure for complaints reporting to the Corporate Management Team by the public officer</i></li> <li>• Regularly review best practice relating to complaints management and handling</li> <li>• Advise complainants who remain dissatisfied of our decision of external review opportunities e.g. Ombudsman</li> </ul>

Who	Commitment	How
Staff whose duties include complaint handling	<p>Demonstrate exemplary complaint handling practices.</p> <p>Record details of complaints resolved at frontline.</p>	<ul style="list-style-type: none"> <li>• Treat all people with respect, including people who make complaints.</li> <li>• Assist people make a complaint, if needed.</li> <li>• Comply with this policy and its associated procedures.</li> <li>• Keep informed about best practice in complaint handling.</li> <li>• Provide feedback to management on issues arising from complaints.</li> <li>• Provide suggestions to management on ways to improve the organisation's complaints management system.</li> <li>• Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</li> <li>• Record by way of file note details of complaints resolved at the frontline by you (that is, resolved in the complainant's opinion – based on their feedback / discussion with you)</li> </ul>
All staff	Understand and comply with the council's complaint handling practices.	<ul style="list-style-type: none"> <li>• Treat all people with respect, including people who make complaints.</li> <li>• Be aware of the council's complaint handling policies and procedures.</li> <li>• Assist people who wish to make complaints access the council's complaints process.</li> <li>• Be alert to complaints and assist staff handling complaints resolve matters promptly.</li> <li>• Provide feedback to management on issues arising from complaints.</li> <li>• Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</li> </ul>

## 11.2 Guiding principles

### Step 1 Facilitate complaints



## **Step 2** **Respond to complaints**



## **Step 3** **Manage the parties to a complaint**

### **11.2.1 Facilitate complaints**

#### **People focus**

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

Consistent with our guarantees of service the council guarantees to:

- acknowledge complaints or provide an interim reply within one week in the case of letters or facsimiles and two days in the case of email messages received at council@cabonne.nsw.gov.au,
- provide a substantive response within two weeks in the case of simple matters and within four weeks in the case of complaints requiring more complex inquiries, and
- keep the complainant informed if a final reply cannot be provided within the time allowed.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiple and accessible ways to make complaints
- listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review.

#### **No detriment to people making complaints**

We will take all reasonable steps to ensure that people making complaints are not

adversely affected because a complaint has been made by them or on their behalf.

### Anonymous complaints

We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

### Accessibility

We will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we 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).

We will make an online 'complaints' form available on the council's website.

### No charge

Complaining to us is free.

## 11.2.2 Respond to complaints

### Early resolution

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

Frontline staff dealing with complaints will record details of complaints which (based on feedback / discussion with the complainant) were satisfactorily resolved (in the complainant's opinion) at the frontline.

### Responsiveness

We will promptly acknowledge receipt of complaints.

We 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.

We are 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 our actions
- 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.

We will advise people as soon as possible when we are 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).

We will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

The timeframes are as follows:

- acknowledge complaints or provide an interim reply within one week in the case of letters or facsimiles and two days in the case of email messages received at council@cabonne.nsw.gov.au,
- provide a substantive response within two weeks in the case of simple matters and within four weeks in the case of complaints requiring more complex inquiries.

We will keep the complainant informed if a final reply cannot be provided within the time allowed.

### Objectivity and fairness

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

The person handling the complaint will be different from any staff member whose service or conduct is being complained about. Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

### Responding flexibly

Our staff are empowered to resolve complaints promptly and with as little formality as possible. We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

### Confidentiality

We 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 the council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations

## 11.2.3 Manage the parties to a complaint

### Complaints involving multiple agencies

Where a complaint involves multiple organisations, we 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 our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated. Where our services are contracted out, we expect the contracted service

providers to have an accessible and comprehensive complaint management system. In such circumstances, we will take complaints about the products, services and staff of our organisation and that of the service providers.

Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our staff but also the actions of service providers.

### 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.

### Empowerment of staff

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

### Managing unreasonable conduct by people making complaints

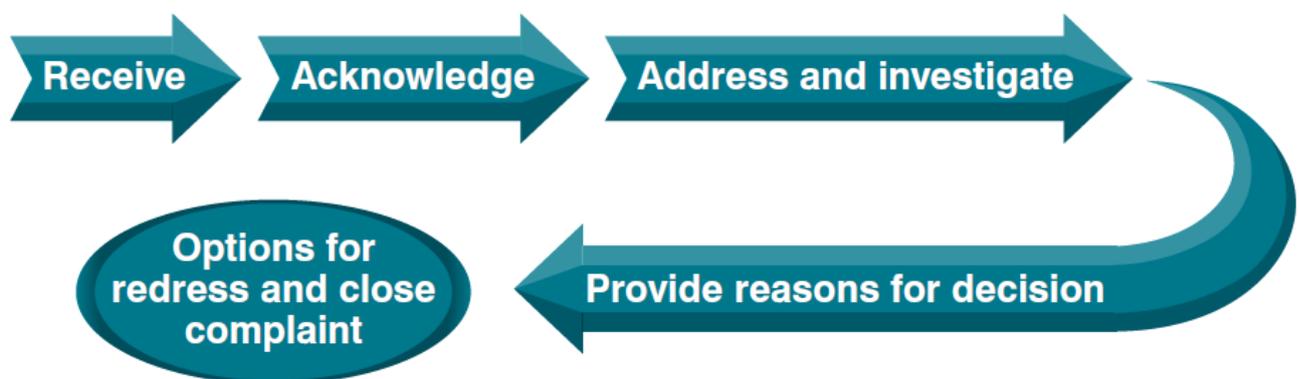
We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

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

For further information on managing unreasonable conduct by complainants please see our policy on limits on service and communication.

## 11.3 Complaint management system



### 11.3.1 Introduction

When responding to complaints, staff should act in accordance with our complaint handling

procedures as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in our complaint management system are set out below.

### 11.3.2 Receipt of complaints

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

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 information, and
- any additional support the person making a complaint requires.

### 11.3.3 Acknowledgement of complaints

We will acknowledge receipt of each complaint promptly, and preferably within one week in the case of letters or facsimiles and two working days in the case of complaints lodged as email messages received at council@cabonne.nsw.gov.au.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

### 11.3.4 Initial assessment and addressing of complaints

#### Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control. We 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, we 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, we will consider how to manage it. To manage a complaint we may:

- give the person information or an explanation
- gather information from the person or area that the complaint is about, or
- investigate the claims made in the complaint.

We will keep the person making the complaint up to date on our progress particularly if there are any delays. We will also communicate the outcome of the complaint using the

most appropriate medium. Which actions we decide to take will be tailored to each case and take into account any statutory requirements.

### 11.3.5 Providing reasons for decisions

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

- the outcome of the complaint and any action we took
- the reason/s for our decision
- the remedy or resolution/s that we have 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, we make any adverse findings about a particular individual, we 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 our findings with the person making the complaint.

### 11.3.6 Closing the complaint, record keeping, redress and review

We will keep comprehensive records about:

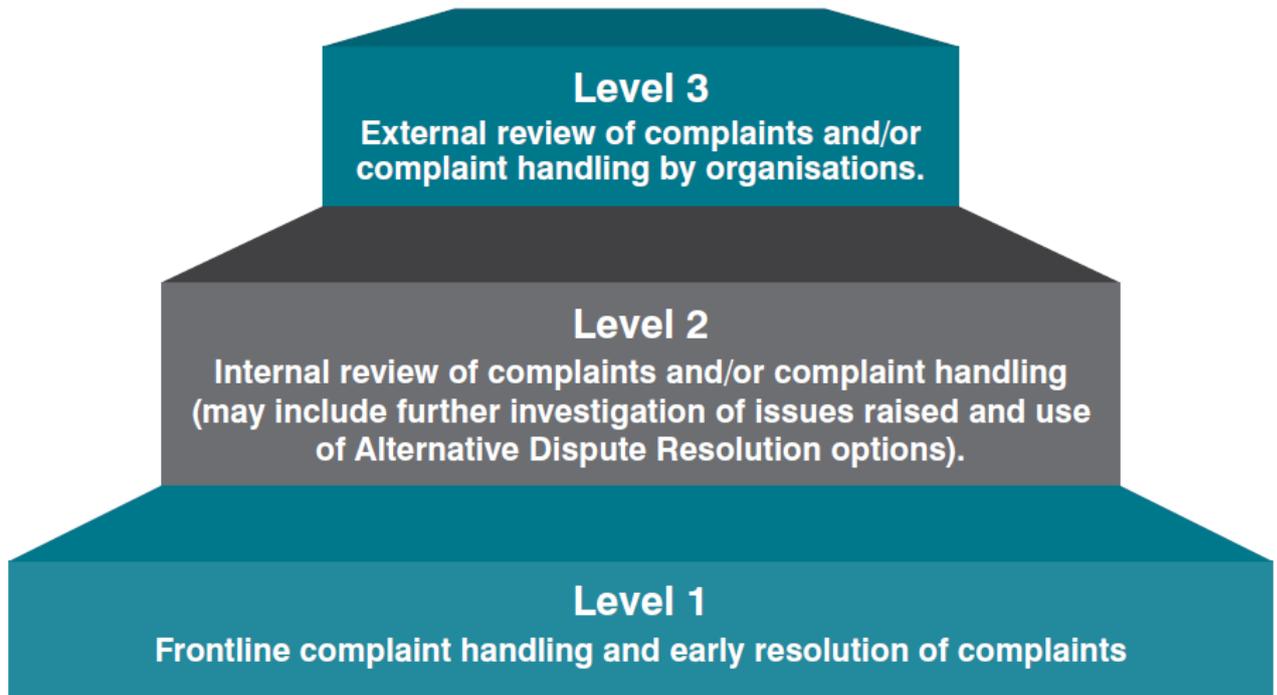
- how we managed the complaint
- the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations), and
- any outstanding actions that need to be followed up.

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

### 11.3.7 Alternative avenues for dealing with complaints

We will inform people who make complaints to or about us about any internal or external review options available to them (including the NSW Ombudsman or Office of Local Government).

### 11.3.8 The three levels of complaint handling



We 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, we may decide to escalate the complaint to a more senior officer within the council. 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 the council's review of their complaint, they may seek an external review of our decision (by the Ombudsman for example).

## 11.4 Accountability and learning

### 11.4.1 Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- the number of complaints received
- the outcome of complaints, including matters resolved at the frontline
- issues arising from complaints
- systemic issues identified, and

- the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

Both reports and their analysis will be provided to the council's general manager and senior management for review.

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

We will continually monitor our complaint management system to:

- ensure 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, complaint satisfaction surveys and online listening tools and alerts.

#### **11.4.3 Continuous improvement**

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we 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 complaints data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.