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| <b>Complaints Policy</b>                                   | Document No:   | SCS-032   |
|  | Approval Date: |           |
|  | Approved By:   | Council   |
|  | Review Date:   |           |
|  | TRIM Reference | D17/25430 |
| 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 is not applicable to people complaining 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.

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

A complaint does not include a request for service or reporting infrastructure damage in the first instance.

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:

|                            |  |
|----------------------------|--|
| Complaint                  | 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> |
| Complaints handling system | The way individual complaints are dealt with by Council, including policy, procedure, technology, reporting, evaluation and improvement.   |
| Complainant                | A person, organisation or their representative making a complaint.   |
| Days                       | Any references to days in this document are business days.   |
| Dispute                    | An unresolved complaint escalated internally, externally or both.  |
| First Contact staff        | Any staff member who takes initial receipt of a complaint.   |
| Service request            | A formal request for something to be provided.   |

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. Policy

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

|                         |   |
|-------------------------|---|
| Councillors             | Refer community complaints to the Chief Executive Officer (CEO) or relevant General Manager. When a Councillor receives 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 the investigation.   |
| Chief Executive Officer | Manages complaints about 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. Manages complaints about General Managers. Liaise with Councillors on complaints raised by them, including advising of outcomes (except for complaints relating to personnel matters). |
| General Managers        | Deal with complaints escalated to them, generally where they were unable to be resolved by others. Responsible for internal review of complaints, provided they do not have a significant connection to the subject matter of   |

|                                 |  |
|---------------------------------|--|
|                                 | the complaint. Write to 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). Report on complaints handling to Council bi-annually.   |
| Council Officers                | Investigate complaints referred to them. Contact complainant providing contact person and how long it will take to resolve, aiming for within 28 days. Write to the complainant to advise them of the outcome.   |
| First Contact staff             | Receive and record the complaint in customer request management system and acknowledge it has been received within ten days. Assess it, and resolve it immediately if possible, and record the outcome. If unable to be resolved, refer to relevant officer.   |
| Customer Experience Coordinator | 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. |
| Third party contractors         | Refer complaints to a First Contact staff member.  |
| Volunteers                      | 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.

|           |  |
|-----------|--|
| Mail      | PO Box 350, Torquay, VIC, 3228   |
| Telephone | 5261 0600  |
| Email     | <a href="mailto:info@surfcoast.vic.gov.au">info@surfcoast.vic.gov.au</a> |
| In person | 1 Merrijig Drive, Torquay, VIC, 3228 or a Council satellite office       |
| Fax       | 5261 0525  |
| Internet  | <a href="http://www.surfcoast.vic.gov.au">www.surfcoast.vic.gov.au</a>   |

Council will also accept anonymous complaints provided enough information is provided to do so. 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

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 endeavor to address anonymous complaints in a manner consistent with the principles and processes applied to other complaints.

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.

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 via a set of KPIs, and by analysing trends in complaints. A report will be provided to Council bi-annually.

## 10. Records

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

| Record                | Retention/Disposal Responsibility | Retention Period | Location       |
|-----------------------|-----------------------------------|------------------|----------------|
| 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 Complaints Procedure
- 10.5 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                                |