



Mildura Rural City Council

Customer Complaints Policy

Policy – CP048

Prepared	Reviewed	Approved	Date	Council Minute No.
Governance	ELT	Council	July 2018	2018/0145
EDMS: 18/02/01			To be reviewed: July 2021	
Document Owner: Manager Corporate Administration			Review Frequency: Three yearly	

1. The purpose of this policy

Is to provide Council with an organisational approach to complaints handling which supports and empowers staff in the facilitation and resolution of complaints in an efficient and transparent manner. It also ensures that Council is accountable both internally and externally for its decision making and complaint handling performance.

2. Policy Statement

The Mildura Rural City Council is committed to providing the best services and facilities to our community and our values of respect, honesty, integrity, transparency and accountability demand that Council actively encourages feedback.

This policy outlines Council's approach to providing a fair, consistent and structured process for customers dissatisfied with an action, decision or service and aim to:

- Put in place an open and transparent complaint handling system.
- Specify the key performance indicators to which the organisation will be accountable.
- Establish timeframes for resolving complaints.
- Clarify the roles and responsibilities of council staff.
- Ensure staff handle complaints fairly and objectively.
- Set out how staff record and analyse complaint data to identify where Council can improve services.

3. Background

Council's activities are diverse and extensive and as a result Councils can receive a large number of complaints. In the course of their employment, Council staff are required by the *Local Government Act 1989* (the Act), to accept accountability for results and provide responsive service. Consequently an effective approach to complaints handling is required.

The Victorian Ombudsman's 'Councils and Complaints – A Good Practice Guide' together with the Australian Standard 'AS/NZS 10002:2014 Guidelines for Complaint Management in Organisations' provide the guiding principles and practical steps for an effective complaints handling approach and have been used in the development of this policy.

4. Principles

Complaints that fall within the scope of this policy will be considered in the context of seven principles:

1. Commitment

Council is committed to resolving the complaints it receives. Council's culture recognises people's right to complain and considers complaint handling to be part of its core business of serving the community and improving service delivery.

2. Accessibility

People can easily find out how to complain to Council, and Council actively assists them with the complaint handling process.

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.

4. Objectivity and Fairness

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

5. Confidentiality

The complaint handling system protects the personal information of people making a complaint, and Council staff are informed only on a 'need to know' basis and otherwise in accordance with Council's Privacy and Data Protection Policy. Complaints made by people who wish to remain anonymous will be handled to the extent that it is possible to do so without further contact with the complainant.

6. Accountability

Council is accountable, both internally and externally, for our decision making and complaint handling performance. Council provides explanations and reasons for decisions, and ensures that its decisions are subject to appropriate review processes.

7. Continuous Improvement

Council regularly analyses complaint data to find ways to improve how it operates and how it delivers its services. Council then implements these changes.

5. Scope

This policy applies broadly to all complaints relating to Council's services and areas of responsibility.

This policy does not apply to the following matters or complaints, which are managed through other processes including:

- Complaints about allegations of fraud or corrupt conduct;
- Complaints about alleged privacy breaches;
- Complaints about Councillors;
- Complaints about matters for which there is a process of review or appeal or objection prescribed by legislation; and
- Complaints that are claims against Council for personal injury or property damage or other loss or damage for which Council maintains a position on the basis of legal advice or precedent.

Where a complaint does not fall within the scope of our responsibility, we will endeavor to direct the customer to the appropriate authority or service provider for resolution.

6. Responsibilities

Chief Executive Officer

- Ensuring that an effective complaint management system is in place.
- Encouraging an environment where complaints are handled seriously and comprehensively.
- Ensuring appropriate resources are available to effectively manage complaints.
- Appointing a Complaints Coordinator with clearly defined responsibilities and authority.
- Ensuring that there is a process in place for timely and appropriate notification to senior management of any significant complaints or system issues identified through complaints.
- Ensuring compliance with this policy and complaints procedures.

General Managers, Managers, Coordinators and Team Leaders

- Provide training and support to staff so that they understand the complaint handling process and are empowered to manage complaints within the scope of their role.
- Liaising with the Complaints Coordinator and Complaints Officer.
- Ensuring that staff are aware of the complaint management system and the benefits of receiving complaints.
- Ensuring that information about the complaint management system, including the policy and procedures, is easily accessible to staff.
- Ensuring that the complaint management system is easily accessible to the public.
- Timely response to and processing of requests for information issued by the Complaints Team.
- Reporting to the Complaints Coordinator or Complaints Officer on actions and decisions made by staff relating to complaint management.
- Complying with this policy and complaints procedures.

Complaints Coordinator

- Implementing and maintaining the complaint management system, including:
 - i) Training of appropriate staff;
 - ii) Implementation of appropriate technology;
 - iii) Provision of adequately documented complaint management guidance for all staff;
 - iv) Setting and meeting key performance indicators; and
 - v) Other requirements including system reviews.
- Establishing a process of performance monitoring, evaluation and reporting.
- Reporting to the Executive Leadership Team on the operation of the complaint management system.
- Reporting to the Executive Leadership Team on significant complaints and systemic issues or trends identified through the receipt of complaints and service problems, with recommendations for improvements where appropriate.
- Identifying and allocating resources needed for an effective and efficient complaint management system.
- Reporting to staff and other relevant stakeholders about issues of concern identified through the complaint management system.

Complaints Officer

- Receiving and processing complaints in accordance with this policy and adopted procedures.
- Ensuring complaints are recorded in the Complaints Register.
- Requesting information from General Managers, Managers and Coordinators.
- Identifying and effectively responding to people's support and communication needs and preferences.
- Treating complainants in a respectful and courteous manner.
- Complying with all complaint management reporting requirements.
- Where Council is not the right organisation to respond to the complaint, advising the complainants of an organisation that may be able to help.
- Complying with this policy and complaints procedures.

Frontline Staff

- Receiving requests for service and complaints, and where possible resolving them at the point of contact, within the scope of their role.
- Ensuring requests are recorded in the Customer Request Management system.
- Treating complainants in a respectful and courteous manner.
- Escalating unresolved requests or level two complaints to the Complaints Officer.
- Where Council is not the right organisation to respond to the complaint, advising the complainants of an organisation that may be able to help.
- Complying with this policy and complaints procedures.

Third Party Contractors

- Ensuring they and their employees understand this policy.
- Managing any referred complaints in accordance with the policy and guidelines.
- Notifying Council's contract manager if they receive a complaint directly.
- Complying with this policy.

Councillors

- Forwarding a complaint to the Chief Executive Officer who will ensure it is appropriately registered as a Complaint or recorded in Council's Customer Request Management system. (A Councillor cannot direct or influence the complaint handling process and the complaint will be investigated in accordance with this policy).

7. How to make a complaint

A person can make a complaint by contacting Mildura Rural City Council.

Mail: Mildura Rural City Council
PO BOX 105
MILDURA VIC 3502

Telephone: (03) 5018 8100

Email complaints@mildura.vic.gov.au

In person: **Deakin Avenue Service Centre**
76 Deakin Avenue, Mildura

Madden Avenue Service Centre
108 Madden Avenue, Mildura

Ouyen Service Centre
79 Oke Street, Ouyen

Online: <http://www.mildura.vic.gov.au/Complaints>

Accessibility

Council also has the following services in place to assist people with specific needs to make a complaint:

National Relay Service (NRS)

- TTY users can phone 133 677 and ask to be put through to Council on 03 5018 8100
- Speak and Listen (speech-to-speech) users can phone 1300 555 727 and ask to be put through to Council on 03 5018 8100

Interpreting Services

Mildura Rural City Council has access to the Translating and Interpreting Service (TIS National) this is a free service that can be used for all council service enquiries, including making a complaint, making appointments, pet registration and questions about rates and rubbish collection.

Contact TIS National on 131 450.

Anonymous Complaints

We will accept and respond to anonymous complaints, provided enough information is received.

8. Complaint Handling Procedure

8.1 Overview

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

Frontline Resolution	Frontline staff receive the complaint, assess it and where possible, resolve it immediately within the scope of their authority
Investigation, if required	Where frontline staff cannot resolve the complaint, they will refer it to the Complaints Officer for investigation
Internal Review	If the complainant is not satisfied with the outcome of the investigation, they can request an internal review
Access to External Review	If the complainant is not satisfied with the process or outcome of the internal review, we inform them of any external review options

Decisions or processes that have separate statutory or other legislative appeal processes such as planning, local laws (including parking infringements) and building or health services are not included.

8.2 Procedures

Level 1: Frontline Resolution

Many complaints can be resolved at first contact. Customer Service Officers are trained and empowered to resolve complaints where ever possible.

Some complaints, because of their nature, will not be able to be resolved by frontline staff. These include complaints about the conduct of Councillors, the Chief Executive Officer, Council staff and Contractors. Complaints that involve allegations of corrupt or improper conduct will be managed in accordance with Council's Protected Disclosure Policy.

If frontline staff cannot resolve the complaint, the matter will be referred to the Complaints Officer for investigation.

Where Council is not the right organisation to respond to the complaint, frontline staff will advise the complainant of an organisation that may be able to help.

Level 1 complaints will be recorded in Council's Customer Request Management system.

Level 2: Investigation and Resolution

Where frontline staff cannot resolve a complaint it will be referred to the Complaints Officer.

The Complaints Officer will register the complaint on the Complaints Register, assess the complaint, assign it to an appropriate Council Officer who will be responsible for providing information relative to the complaint and notify the relevant General Manager of the complaint.

The Complaints Officer will issue an acknowledgement letter within ten (10) days confirming who the contact person is and how long it will take to respond to the complaint.

Where possible, all level 2 complaints will be resolved within 28 days. If it is not possible to resolve the complaint within 28 days, the Complaints Officer will notify the complainant and provide an alternate resolution date. Complaints that are not resolved within 28 days will be reviewed and escalated if necessary to ensure that a resolution is expedited.

A complaint determination letter will be issued by the Complaints Officer advising the complainant of the outcome of the investigation and reasons supporting the decision.

If the complainant is not satisfied with the outcome of the investigation, they can request a Level 3 Internal Review.

Where a level 2 complaint relates to a review of any actions taken, decisions made or services provided by the Governance & Risk Unit, responsibility for the investigation will be assigned to the Manager Corporate Administration (MCA), or the General Manager Corporate Services (GMCS) or the Chief Executive Officer (CEO). Allocation will be guided by the nature and complexity of the complaint.

Staff involved in the Complaint Handling process must not have been involved in the action, decision or service in respect of which the complaint is made and must complete a Confidentiality & Conflict of Interest Declaration Form.

Level 3: Internal Review

A complainant has the right to request that the resolution or outcome of their complaint be reviewed where they assert that the resolution or outcome is unfair or unreasonable or does not conform to any Council policy that is relevant to the complaint.

Internal reviews will be conducted by the Complaints Coordinator.

The Complaints Coordinator will issue an acknowledgement letter within five (5) days confirming how long it will take to respond to the complaint and notify the relevant General Manager of the complaint escalation.

Where possible, internal reviews will be resolved within 28 days. If it is not possible to complete the internal review within 28 days, the Complaints Coordinator will notify the complainant and provide an alternate resolution date.

The Complaints Coordinator will look at how the original complaint was handled and will check to ensure compliance with statutory obligations, internal policies and procedures, and service standards.

The Complaints Coordinator may decide that:

- The original decision or conclusions were appropriate and that no further action is warranted
- There are not sufficient grounds to reconsider the merits of the original decision or conclusions, but there were some issues with how the complaint was handled. Where this occurs, the complainant will be informed of what actions have been taken to ensure similar issues do not occur again
- Further consideration of the complaint is required and the investigation should be reopened
- The original decision was not sufficient. Where this occurs, the Complaints Coordinator may reassess the complaint and reach a new decision

A complaint determination letter signed by the Complaints Coordinator will be issued to the complainant advising the outcome and will provide details on review options by the Internal Ombudsman as well as any avenues of external review available in relation to the matter.

Where a complaint has been managed by the Employee Relations Officer, the Manager Organisational Development will assume responsibility for performing Internal Reviews in accordance with this policy.

Internal Ombudsman

If the complainant is not satisfied with the way in which their complaint was handled they may be able to request a review by the Internal Ombudsman.

The role of the Internal Ombudsman is to conduct impartial reviews of the complaint handling process and to investigate the administrative practices of the Council.

A complaint to the Internal Ombudsman must be made in writing and must provide details on why they believe their complaint was not handled appropriately. An appointment can be made with the Internal Ombudsman if personal assistance is required.

The Internal Ombudsman will issue an acknowledgement letter within five (5) days confirming how long it will take to respond to their request.

Where possible, reviews by the Internal Ombudsman will be resolved within 14 days.

The Internal Ombudsman will review all relevant documentation and information related to the complaint, including the way in which the complaint was handled.

A determination letter signed by the Internal Ombudsman will be issued outlining the results of the investigation, any actions arising from the review and any avenues of external review available in relation to the matter.

Level 4: External Review

If the complainant is not satisfied with the outcome of their complaint or wishes to get independent advice, they may be referred to an appropriate external review body. Examples include:

- **Victorian Ombudsman:** The body that investigates complaints about Victorian government departments and agencies as well as local Councils.
www.ombudsman.vic.gov.au
- **Independent Broad-based Anti-corruption Commission:** The body which investigates complaints regarding the corrupt or improper conduct of public officers and public bodies, including local Councils.
www.ibac.vic.gov.au
- **Local Government Investigations and Compliance Inspectorate:** An independent administrative office established to assess compliance with the Act and complaints of alleged breaches of the Act.
www.vic.gov.au/lgici/complaints
- **Office of the Victorian Information Commissioner (OVIC):** The primary regulator and source of independent advice to the community and the Victorian Government about how the public sector collects, uses and shares information. OVIC also comprises the functions that previously sat with the Offices of the Freedom of Information Commissioner and the Commissioner for Privacy and Data Protection.
www.ovic.vic.gov.au
- **Victorian Equal Opportunity & Human Rights Commission:** Responsible for eliminating discrimination in Victoria. They offer information, education and consultancy services, conduct research and provide legal and policy advice.
www.humanrightscommission.vic.gov.au

8.3 Complaints Received by Councillors

When a Councillor receives a complaint from a member of the public, he or she will refer it to the Chief Executive Officer who will determine if it should be referred for frontline resolution or to the Complaints Officer as a level two complaint.

Council staff will then respond to the complaint in accordance with this policy.

A copy of the complaint determination letter will also be forwarded to the Councillor to confirm the outcome.

8.4 Complaints about Contractors

Council retains a level of responsibility for services carried out by contractors on its behalf.

This policy applies to all contractors carrying out services on Council's behalf to the extent provided for in their contract with Council.

Contract Managers will ensure that all contractors are made aware of their obligations under this policy and will review any complaints during regular meetings.

Where Council has made provision for a contractor to handle complaints about their services, the complainant will be directed to the Contractor and the Contract Manager & Contract Superintendent will be notified accordingly.

The Contract Manager will confirm receipt of the complaint with the Contractor in writing and is responsible for ensuring that the complaint is dealt with in accordance with this policy.

Any determination letters written by contractors in relation to complaints will include the name and contact details of the Contract Superintendent to whom the complainant may escalate their complaint if they are not satisfied with the outcome the contractor has provided.

If a complainant is not satisfied with the outcome of the complaint, he or she can ask the Council to review the decision.

9. Complaints about Specific Matters – Alternative Procedures

There are specific complaint procedures that will apply to certain types of complaints. If the complaint received would be better handled by another process outside this complaint handling procedure, this will be explained to the complainant at the start.

- **Complaints about Staff**

Complaints specifically in relation to staff will be assigned to the Employee Relations Officer and relevant Manager by the Complaints Officer, with a copy provided to the relevant General Manager. Depending on the nature and severity of the complaint, the Employee Relations Officer may be responsible for managing any consequential investigation and will advise the Complainant and all internal parties of the process to be followed in accordance with this policy, including likely time frames.

- **Complaints about Allegations of Corrupt Conduct**

Where a complaint involves allegations of corrupt conduct, it will be handled in accordance with the *Protected Disclosure Act 2012* and Council's Protected Disclosure Policy.

- **Complaints about Councillors**

Complaints about Councillors will be dealt with in accordance with the Councillor Code of Conduct Policy.

- **Complaints about the Chief Executive Officer**

Complaints about the Chief Executive Officer will be handled in accordance with the Employee Code of Conduct Policy and Council's 'Complaints about CEO Behaviour' process.

Complaints should be made in writing to either Council, another body with the powers to consider such conduct (e.g. the Inspectorate) or to a court tribunal, applying to initiate proceedings against the CEO.

10. Remedies

Where a complaint is substantiated, we will take steps to redress the situation. Possible remedies include, but are not limited to:

- an explanation of why the error occurred and the steps taken to prevent it happening again
- a reversal of a decision
- a correction of Council records
- a change to policy, procedure or practice
- disciplinary action taken against a staff member
- full or partial refund of monies paid
- providing the means of redress requested by the complainant

In addition to any other remedies offered, we will consider offering an apology to the complainant, irrespective of whether the complainant specifically requests this.

11. Privacy and Confidentiality

Complainants have a right to expect that their complaint will be handled in confidence, to the extent possible. The identity of complainants will be shared with council staff on a 'need to know' basis. The complaint will not be revealed or made public by Council, except where required by law.

When gathering information to respond to a complaint, we will only:

- use it to deal with the complaint or to address systemic issues arising from the complaint
- disclose it in a de-identified format when disclosing data to the public
- share it with council staff on a need to know basis.

All complaints lodged with Council are subject to the *Freedom of Information Act 1982* and confidentiality cannot be guaranteed under the provisions of that legislation.

12. Conflict of Interest

In accordance with the Conflict of Interest Policy CP057 and the legislative requirements prescribed in the *Local Government Act 1989*, it is the responsibility of any staff member involved with the complaints handling process to identify and disclose any conflicts of interest.

A Confidentiality and Conflict of Interest Declaration Form must be completed by all staff involved in complaint handling processes.

13. Recording Complaints

All complaints are recorded in our Electronic Document Management System (EDMS). A complaint form will be completed for each complaint received and a customer reference number will be provided to the complainant and recorded.

We will analyse our complaint data and provide annual reports to Council on how we can reduce complaints and improve services. The Executive Leadership Team (ELT) is responsible for acting on the recommendations in these reports.

The following information will be recorded for each complaint received:

- the complainant's details, if known
- the date complaint received
- complaint category
- the complainant's desired outcome (if known)
- the council officer responsible for investigating the complaint
- any action taken, including contact with the complainant, response times and the outcome
- any recommendations for improvement, and who is responsible for implementing them.

Any queries regarding the recording of complaints should be directed to the Complaints Officer.

14. Reporting on Performance

To measure our performance, we have the following key performance indicators:

- complaints upheld, partially upheld, not upheld
- performance against timeliness (average time to finalise complaints)
- number of changes made to services as a result of complaints
- number of complaint outcomes overturned on internal review
- customer satisfaction with the complaint handling system
- complaints escalated to the Victorian Ombudsman's office where council's original decision has been overturned and/or proposals for action have been made by the Ombudsman

Council will report against the complaint handling key performance indicators annually at council meetings. Any service improvements made as a result of complaints received will also be reported.

15. Unreasonable Complainant Conduct

There may be a variety of reasons why a person is difficult to deal with. Whatever the reason, Council staff should not necessarily assume that a 'difficult' person does not have a valid complaint. Wherever possible, Council staff should apply the same standards of communication to anyone asking a question or expressing a concern calmly.

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

- Council's 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
- Council's ability to allocate our resources fairly across all the complaints we receive.

When customers behave unreasonably in their dealings with staff, their conduct can have a negative impact on Council's service delivery to other customers. Because of this, Council will take immediate action to manage customer conduct that negatively and unreasonably affects the organisation, and support staff to do the same.

Unreasonable complainant conduct (UCC) can be defined as any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint.

The parties to a complaint that might be detrimentally impacted by UCC include: the organisation responsible for handling a complaint, the staff tasked with dealing with a complaint, the subject of complaint, a complainant themselves (potentially including members of their families and friends) and other complainants and service users.

UCC can be divided into five broad categories of conduct:

- Unreasonable Persistence
- Unreasonable Demands
- Unreasonable Lack of Cooperation
- Unreasonable Arguments
- Unreasonable Behaviours

Unreasonable Persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations, including final decisions that have been comprehensively considered and dealt with.

- Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
- Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
- Reframing a complaint in an effort to get it taken up again.
- Excessive phone calls, visits, letters and emails (including cc'd correspondence) when requested not to do so.
- Contacting different people within our organisation and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.

Unreasonable Demands

Unreasonable demands are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on our organisation, staff, services, time and /or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how we have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
- Insisting on talking to a Manager (or the CEO) personally when it is not appropriate or warranted.
- Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances. For example, demanding for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this exists.
- Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.
- Insisting on an outcome when that matter is before a court or tribunal.
- Insisting on an outcome when the matter relates to a decision of Council or relates to a matter awaiting determination by Council.

Unreasonable Lack of Cooperation

Unreasonable lack of cooperation is an unwillingness and/or inability by a complainant to cooperate with our organisation, staff or complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about.
- Providing little or no detail with a complaint or presenting information in small, scattered or sporadic amounts.
- Refusing to follow or accept our instructions, suggestions or advice without a clear or justifiable reason for doing so.

- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly and misquoting others.

Unreasonable Arguments

Unreasonable arguments include any arguments that are not based on reason or logic, that are incomprehensible, false or inflammatory, trivial or irrational and that disproportionately and unreasonably impact upon our organisation, staff, services, time and/or resources.

Arguments are unreasonable when they:

- Fail to follow a logical sequence.
- Are not supported by any evidence and/or are based on conspiracy theories.
- Lead a complainant to reject all other valid and contrary arguments.
- Are trivial when compared to the amount of time, resources and attention that the complainant demands.
- Are false, inflammatory or defamatory.

Unreasonable Behaviours

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours includes:

- Acts of aggression, verbal abuse, derogatory, racist or grossly defamatory remarks.
- Harassment, intimidation or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.

In accordance with our duty of care and occupational health and safety responsibilities, any conduct of this kind will be dealt with in line with relevant Council policies and processes or referred to the appropriate external authority.

16. Strategies for Managing Unreasonable Customers

Council may decide to deal with unreasonable customer conduct in one or more of the following ways:

Who they contact

Where a customer demonstrates unreasonable persistence or demands, it may be appropriate to restrict their access to a single staff member (a sole contact point).

This staff member will exclusively case manage their complaint(s) and interactions with Council. This will ensure they are dealt with consistently and will minimise the chances for misunderstandings, contradictions and manipulation.

What they can raise with council

Where customers continue to engage in unreasonable conduct about issues that have already been comprehensively considered and/or reviewed (at least once) by Council, restrictions may be applied to the issues/subject matter the customer can raise with Council.

When, where and how they can have contact

Where a customer's telephone, written or face-to-face contact gives rise to a substantial and unreasonable diversion of Council resources, or their behaviour has the potential to affect the health, safety and/or security of staff, Council may limit when, where and/or how the customer can interact with Council.

17. Definitions

Complaint	an expression of dissatisfaction with – <ul style="list-style-type: none"> • the quality of an action taken, decision made, or service provided by a council or its contractor • a delay or failure in providing a service, taking an action, or making a decision by a council or its contractor
Complainant	A person or entity that makes a formal complaint and is affected by the action or inaction of Council.
Complaint management system	All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.
Complaints Officer	Governance & Risk Officer
Complaints Coordinator	Governance & Risk Coordinator
Decision	For the purposes of this policy, <i>decision</i> does not include a policy or decision made by the Council or a member of Council staff or a contractor engaged by the Council that is otherwise subject to statutory review.
Electronic Document Management System (EDMS)	A type of content management system designed to track and store records using the combined technologies of document and record management systems as a single integrated system.
Executive Leadership Team (ELT)	Refers to Chief Executive Officer and General Managers

Front line staff	All staff and their teams who have the authority in their role to manage simple complaints. This is typically staff who have direct contact with customers but could be any staff member who initially receives a complaint, regardless of their position or role within the organisation.
Internal Ombudsman	Council's Internal Ombudsman (Manager Corporate Administration) conducts impartial investigations into the complaint handling process and administrative practices of the Council.
Request for Service	Contact with Council to seek assistance to access a new service, seek advice or to inform or make a report about something for which Council has responsibility.

Examples of Requests and Complaints and how they should be handled

Example	Type	Level
A pothole in my street needs fixing	Request	One
I contacted Council 6 months ago about a pothole and didn't get a reply	Complaint	Two
I disagree with a planning decision that affected me	Legislative Appeal	Not Applicable
The planning process regarding a decision that affected me did not follow the advertised Planning Scheme procedures	Complaint	Two
My neighbour's dog barks all night	Request	One
The officer I dealt with was rude	Complaint	Two
Why wasn't I invited to the Trees meeting?	Request	One
My group was intentionally excluded from the tree meeting	Complaint	Two
Council did not respond to my initial letter	Complaint	Two
I am not satisfied with how my complaint was handled	Complaint	Three
An internal review has been completed however I remain dissatisfied with the outcome of my complaint	Complaint	Four

18. Legislation and other references

18.1 Legislation

For further information related to this policy see:

Charter of Human Rights and Responsibilities Act 2006

Freedom of Information Act 1982

Privacy and Data Protection Act 2014

Local Government Act 1989

Protected Disclosure Act 2012

Guidelines for Complaint Management in Organisations AS/NZS 10002:2014

18.2 Documents

- Conflict of Interest Policy CP057
- Councillor Code of Conduct Policy CP051
- Protected Disclosure Policy CP014

This Policy is implemented in conjunction with the following documents:

- Customer Complaint Handling Factsheet
- Customer Complaint Form

19. Risk Assessment Reference

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	✓
Compliance – Legal & Regulatory		Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	✓
Contract Tendering & Procurement		Organisational Risk Management	✓
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓