



Mildura Rural City Council

Customer Complaints Policy

Policy – CP048

Prepared	Reviewed	Approved	Date	Council Minute No.
Governance	Executive Leadership Team	Council	December 2021	2021/0301
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1. The purpose of this policy

Is to outline the approach adopted by Mildura Rural City Council (Council) to effectively manage customer feedback that specifically relates to complaints.

This policy facilitates a consistent, fair and equitable customer complaint resolution process, and provides guidance to both customers and staff on the manner in which Council receives and manages complaints.

2. Policy Statement

Mildura Rural City Council values all forms of feedback and recognises its role in the importance in informing our processes and continuous improvement. As part of this feedback, we respect that complaints can provide valuable information and encourage people to contact us when they have a problem with our services, actions, decisions and policies. We are committed to:

- Enabling members of the public to make complaints about Council;
- Responding to complaints by taking action to resolve complaints as quickly as possible; and
- Learning from complaints to improve our services.

We treat every complaint we receive on its individual merits, through clear and consistent processes.

Our complaints policy applies to all complaints from members of the public about Council staff, Council contractors and decisions made at Council meetings.

This policy does not apply to complaints about individual Councillors.

We are committed to making our complaints process transparent, accessible, inclusive and responsive. This policy aims to:

- Define what is considered a complaint;
- Ensure complaints are managed fairly and objectively;
- Provide an open and transparent complaint management system;

- Establish timeframes for resolving complaints;
- Identify key performance indicators (KPI's) for reporting purposes;
- Clarify the roles and responsibilities of council officers;
- Ensure complaint outcomes inform continuous improvement activities; and
- Improve the customer experience in relation to complaint handling.

3. Background

Our activities are diverse and extensive, and we use feedback as part of our process to review these activities. As a commitment to continuous improvement and the principles of Business Excellence, there is an expectation for staff to monitor all activities, regularly review for improvements and provide responsive services. This is supported by the requirements of the *Local Government Act 2020* (the Act), which specifies “a Council should seek to continuously improve service delivery to the municipal community in response to performance”. An effective approach to complaint management is an essential element in achieving this through consistent approaches to acknowledging, considering and responding to this type of feedback.

The Victorian Ombudsman’s ‘Councils and Complaints – A Good Practice Guide 2nd Edition’ 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 management system 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

We are committed to resolving complaints received. We promote a culture that recognises people’s right to complain, and considers complaint management to be part of our core business of serving our community, and improving service delivery.

2. Accessibility

Customers can easily find out how to complain to us, and will be actively assisted with the complaint management process. We recognises the diverse needs of our community, and provide a range of ways for customers to submit complaints.

3. Transparency

Our complaint management 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 will be documented and will stand up to scrutiny.

4. Objectivity and Fairness

Our complaint management system ensures complainants and Council staff are treated with respect and courtesy, and complaints are judged on merit and fact. We will ensure complaints are managed with impartiality and objectivity, and will proactively represent the best interests of our community.

5. Confidentiality & Privacy

Our complaint management system protects the personal information of customers making a complaint, and Council staff are only informed on a 'need to know' basis, or otherwise in accordance with Council's Privacy and Data Protection Policy.

6. Accountability

We are accountable, both internally and externally, for decision making and complaint management performance. Explanations and reasons for decisions will be provided, and we will ensure decisions are subject to appropriate review processes.

7. Continuous Improvement

We regularly analyses complaint data to find ways to improve operations and service delivery.

5. Scope

This policy applies broadly to all complaints relating to our services and areas of responsibility.

A complaint includes a communication (verbal or written), to us, which expresses dissatisfaction about a complaint.

In accordance with section 107(3) of the *Local Government Act 2020* the definition of a complaint is an expression of dissatisfaction with:

- the quality of an action taken, decision made, or service provided by a member of Council staff or a contractor engaged by the Council; or
- the delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision or providing a service; or
- a policy or decision made by a Council or a member of Council staff or a contractor.

This policy does not apply to the following matters, which are governed through other policies and processes:

- Complaints about allegations of fraud or corrupt conduct;
- Complaints about alleged privacy breaches;
- Complaints about Councillors; 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 this policy or Council jurisdiction, the customer will be directed to the appropriate area, authority or agency for resolution.

We may refuse to deal with a complaint which is otherwise subject to a statutory review process and will exercise this discretion in accordance with the procedures set out in section 10.1.

6. Responsibilities

6.1 Chief Executive Officer

- Ensuring that an effective complaint management system is in place;
- Encouraging an environment where complaints are handled seriously and investigated comprehensively;
- Promoting positive behaviours and practices relating to enabling, responding to, and learning from complaints;
- 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 systemic issues identified through complaints;
- Supporting service improvements that arise from complaints;
- Transferring complaints received by Councillors to the Complaints Officer; and
- Ensuring compliance with this policy and complaints procedures.

6.2 General Managers, Managers, Coordinators and Team Leaders

- Ensuring that staff are aware of the complaint management system and the benefits of receiving complaints;
- Provide advice and support to staff to ensure they understand the complaint management system, and are empowered to manage complaints within the scope of their authority;
- Liaising with the Complaints Coordinator and Complaints Officer;
- 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 acknowledgement and response to, and processing of complaints in accordance with this policy;
- Identifying and effectively responding to customer's communication needs and preferences;
- Treating complainants in a respectful and courteous manner;
- Reporting to the Complaints Coordinator or Complaints Officer on complaints received, actions taken, and decisions made by staff relating to complaint management;
- Complying with this policy and complaints procedures.

6.3 Complaints Coordinator

- Implementing and maintaining the complaint management system, including:
 - Training of appropriate staff;
 - Provision of complaint management guidance and resources for all staff;
 - Setting key performance indicators; and
 - Other requirements including system reviews.
- Establishing a process of performance monitoring, evaluation and reporting.
- Reporting to the Executive Leadership Team on the performance 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 General Managers about issues of concern identified through the complaint management system.
- Complying with this policy and complaints procedures.

6.4 Complaints Officer

- Receiving and processing complaints in accordance with this policy and adopted procedures.
- Ensuring complaints are recorded in the Complaints Register.
- Providing guidance and support to staff on the Complaint Management process.
- Facilitating regular training for new and existing staff on Good Complaint Handling.
- Requesting information from General Managers, Managers and Coordinators.
- 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.

6.5 All Staff

- Familiarising themselves with this policy and our complaint process.
- Assisting members of the public to make a complaint.
- Receiving complaints, and where possible resolving them at first point of contact, within the scope of their authority.
- Ensuring all concerns raised by customers are recorded in the Customer Request Management (CRM) system or as otherwise appropriate.
- Treating complainants in a respectful and courteous manner.
- Escalating unresolved matters to the relevant officer or unit Coordinator for further investigation.
- 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.

6.6 Third Party Contractors

- Establish and maintain an appropriate complaint handling process.
- Ensuring they, and their employees are aware of their obligations under this policy.
- Managing complaints in accordance with this policy.
- Notifying the Contract Manager if they receive a complaint directly.
- Reviewing all complaints with the Contract Manager during regular meetings.

6.7 Councillors

- Familiarising themselves with this policy and our complaint process.
- Forwarding any complaints received from customers to the Chief Executive Officer to be dealt with in accordance with this policy and our processes.

7. How to Make a Complaint

We recognise the diverse needs of our community and provide a range of ways for customers to submit complaints.

We are committed to ensuring our complaints process is accessible to everyone. Tell us if you have specific communication needs or barriers and we can assist you.

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: www.mildura.vic.gov.au/Complaints

Accessibility

We also have the following services in place to assist customers with specific needs to make a complaint.

National Relay Service (NRS)

The National Relay Service is a government initiative that allows people who are deaf, hard of hearing and/or have a speech impairment to make and receive phone calls.

There are a number of relay call options that can be accessed by phone, internet or teletypewriter (TTY).

Speak and Listen

Speak and listen phone calls are for people who find it difficult to use the phone because of a speech impairment. Users speak directly with the other person, and a relay officer is on the line to speak on their behalf if necessary.

Users of this service can phone 1300 555 727 and ask the relay officer to connect them with Council on (03) 5018 8100.

Teletypewriter (TTY)

The TTY is a special piece of phone equipment that allows users to type or speak their side of the conversation, with a small display screen where the other person's response can be read. Three types of TTY calls can be made through the NRS: Speak and Read; Type and Read; and Type and Listen.

TTY users can phone 133 677 and ask to be connected to Council on (03) 5018 8100

Internet Relay

Connecting to the NRS through Internet Relay is similar to online instant messaging, with the user typing their side of the conversation on a computer, tablet or smartphone and then reading the responses of the other person as text provided by the relay officer. Internet Relay calls can be made by downloading the NRS app or by visiting www.internet-relay.nrscall.gov.au

Interpreting Services

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

To access interpreting services please contact TIS National on 131 450 or visit www.tisnational.gov.au

Anonymous Complaints

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

8. Complaint Handling Procedure

8.1 Overview

When you complain to us, we will initially assess your complaint to decide how we will handle it. This may happen while we are talking with you.

After our initial assessment, we may:

- Take direct action to resolve your complaint; or
- Refer your complaint to the relevant team or manager for investigation; or
- Decline to deal with your complaint if you have a right to a statutory review of your complaint (such as a right of appeal to VCAT).

Where possible, we will attempt to resolve your complaint at the time you first contact us, if we decide not to take action on your complaint, we will explain why, and, where possible, inform you about other options.

We have adopted a four-tiered approach to complaint management.

Level 1	Matters that can be easily resolved by the receiving officer. Level 1 complaints may be progressed through to Coordinator level in order to resolve the matter
Level 2	Investigation and response by the appropriate Manager
Level 3	Internal review by the relevant General Manager and the Complaints Coordinator
Level 4	If the complainant remains dissatisfied with the process or outcome of the internal review, they will be advised of their right to seek independent advice or external review

8.2 Procedures

8.2.1 Complaint Review Process

All complaints must be independently reviewed, and must not be reviewed or managed by:

- The person who took the action;
- The person who made the decision; or
- The person who provided the service.

Where a complaint is received by, or assigned to the person who took the action, made the decision or provided the service, it must be escalated to their immediate supervisor who will be responsible for managing the complaint.

8.2.2 Level 1 Complaints

All Council staff should have a clear understanding of their role, and the level at which they are authorised to act in order to resolve a customer's complaint.

- The officer receiving the complaint will clarify the details and the outcome the complainant is seeking.
- If the receiving officer can resolve the issues raised, there is no requirement to escalate the complaint further.
- Resolved level 1 complaints must be recorded in Council's Customer Request Management (CRM) system, and any actions necessary assigned to the relevant area or officer.
- If the receiving officer cannot resolve the complaint, they may contact an officer in the relevant area to provide subject matter advice, and where necessary the complaint will be dealt with in accordance with any established operational procedures.
- If the complaint is not resolved to the customer's satisfaction by the relevant officer, the complaint is to be escalated to their immediate supervisor for further investigation.
- Level 1 complaints may be escalated up to Coordinator level.
- If the complaint remains unresolved or the complainant is dissatisfied with the outcome provided by the relevant Coordinator, the customer will be advised of their right to escalate the matter to a level 2 complaint.

Where Council is not the right organisation to respond to the complaint, the receiving officer should attempt to advise the complainant of an organisation that may be able to help.

8.2.3 Level 2 Complaints

Where a resolution has not been achieved, or the complainant remains dissatisfied with a response provided at level 1, it may be escalated to the appropriate Manager for further investigation at the Unit Coordinator's discretion, or if requested by the complainant.

- The Manager must notify the Complaints Officer of all level 2 complaints who will register the complaint on the Complaints Register.
- Complaints received by the Complaints Officer will be registered on the Complaints Register, assessed and assigned to the appropriate Manager.
- The Manager assigned to the complaint must acknowledge receipt of the complaint within ten (10) business days, and provide the complainant with details of the expected time frame for resolution.
- The Manager assigned to the complaint will investigate the complaint and provide a response to the Complainant.
- The Manager assigned to the complaint must advise the complainant of the outcome of the investigation, reasons supporting the decision, and the complainants review options.
- Where possible, all level 2 complaints will be resolved within 30 business days. If it is not possible to resolve the complaint within 30 business days, the complainant must be notified and an alternate resolution date provided.
- Complaints that are not resolved within 30 business days must be reviewed as a matter of priority to ensure a resolution is expedited.
- The Complaints Officer must be notified of all level 2 complaint outcomes, who will record relevant details in the Complaint Register.
- Where a complaint has already been dealt with by the relevant Manager, it will be escalated to a level 3 and reviewed by the Complaints Coordinator in conjunction with the General Manager.
- If the complaint involves an administrative process of Council, an independent review of the process by the Internal Review Manager should be requested by contacting the Complaints Coordinator.

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 it is the responsibility of all officers involved to declare any conflicts of interest.

8.2.4 Level 3 Complaints

A complainant may request an internal review of a level 2 decision if they are not satisfied that the complaint has been resolved, or where they assert that the matter was not handled appropriately. A complaint will also be escalated to a level 3 where a Manager has already reviewed the matter and provided the complainant with a response to their concerns.

Where requested by the complainant, escalation to a level 3 complaint should be in writing and must specify exactly what they would like reviewed and why they disagree with the outcome.

Level 3 complaints will be reviewed by the General Manager in conjunction with the Complaints Coordinator.

- The Complaints Coordinator will issue an acknowledgement letter within five (5) business days confirming how long it will take to respond to the complaint.
- The Complaints Coordinator will undertake a review the complaint in conjunction with the relevant General Manager. Where the complaint has already been subject to a review by the General Manager, the Complaints Coordinator will escalate the matter to the Chief Executive Officer for review.
- Where possible, level 3 complaints will be resolved within 30 business days. If it is not possible to complete the review within 30 business 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.
- In consultation with the General Manager or Chief Executive Officer, 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 in consultation with the relevant General Manager or the Chief Executive Officer.
 - That the matter involves an administrative process which should be reviewed by the Internal Review Manager.
- A complaint determination letter signed by the Complaints Coordinator or General Manager, will be issued advising the complainant the outcome of the review, reasons supporting the decision and the complainants review options.

Where the Employee Relations Officer was responsible for managing the complaint in accordance with section 10.2, the Manager Organisational Development will participate in level 3 reviews.

8.2.5 Level 4 Complaints

Complainants must be advised of their right to seek independent advice at every stage of the complaint handling process.

Where a complaint has been subjected to the internal review process and the complainant remains dissatisfied with the outcome, they will be referred to an appropriate external review body. Examples include:

Victorian Ombudsman

The Ombudsman can take complaints about the actions and decisions of council, including complaints about:

- Services
- Communication
- Complaint Handling
- Compliance with policies, procedures or law
- Other actions or decisions that may be unreasonable

Phone: (03) 9613 6222

Regional Callers only: 1800 806 314

www.ombudsman.vic.gov.au

Independent Broad-based Anti-corruption Commission (IBAC)

The body which investigates complaints regarding the corrupt or improper conduct of public officers and public bodies, including local Councils.

IBAC accepts complaints about suspected corruption and misconduct in the public sector including:

- Taking or offering bribes
- Using a position of influence dishonestly
- Committing fraud or theft
- Misusing information from the work place

Phone: 1300 735 135

www.ibac.vic.gov.au

Local Government Inspectorate

An independent administrative office established to assess compliance with the Act and complaints of alleged breaches of the Act.

The Inspectorate accepts complaints about council operations and potential breaches of the *Local Government Act 1989* and the *Local Government Act 2020*, including:

- Misuse of position
- Conflict of interest
- Disclosure of confidential information
- Electoral offences

Phone: 1800 469 359

www.lgi.vic.gov.au

8.3 Complaints Received by Councillors

When a Councillor receives a complaint from a member of the public, it must be referred to the Chief Executive Officer who will ensure it is forwarded to the Complaints Officer for processing.

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

A complaint determination letter must be issued and 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 engagement with Council.

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

Where complaints about contractors are received by Council, they will be forwarded in writing to the Contractor by the Contract Manager. The Contract Manager is responsible for ensuring that the complaint has been dealt with in accordance with this policy.

Any determination letters written by contractors in relation to complaints must include the name and contact details of the Contract Manager 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 response provided by the Contractor, he or she can ask the Council to review the complaint. Where this occurs, the Contract Manager will be responsible for undertaking a level 3 review of the complaint in conjunction with the Complaints Coordinator, and for providing a response to the complainant.

If the complainant remains dissatisfied with the outcome of the level 3 review, the complainant will be referred to an appropriate external review body.

9. Role of the Internal Review Manager

The role of the Internal Review Manager is to conduct impartial reviews of the administrative practices of the Council.

- Where appropriate, the Complaints Coordinator may request a review of an administrative process by the Internal Review Manager as part of a level 3 complaint.
- The Internal Review Manager will review all relevant documentation and information relating to the administrative process to which the complaint pertains.
- Where possible, reviews by the Internal Review Manager will be completed within 14 business days, and a response provided to the Complaints Coordinator.
- The response should outline the findings of the review and any actions or recommendations arising from the review.

10. Alternative Procedures

10.1 Complaints Subject to a Statutory Review Process

Where a complaint involves a matter which is subject to a statutory review process, the matter will be referred to the Coordinator of the relevant area in the first instance.

The complaint must be acknowledged in writing within 10 business days, and information provided to the complainant detailing the requirements of initiating a statutory review.

10.2 Complaints about Staff

All Council employees are required to comply with the Employee Code of Conduct which establishes the standard of behaviour that is expected of all staff employed by Mildura Rural City Council.

Depending on the nature and severity of the allegations, the relevant Manager and Employee Relations Officer will be responsible for determining whether the complaint against a staff member is to be recorded as a:

- level 1 – to be managed by the relevant Coordinator; or
- level 2 – to be managed by the relevant Manager in conjunction with the Employee Relations Officer.

The relevant Coordinator or Manager must ensure that the appropriate procedure is followed in accordance with section 8 of this policy.

If a staff member is found to have breached the Employee Code of Conduct, action will be taken with serious breaches managed in accordance with Council's Discipline Policy.

The Employee Relations Officer will only be responsible for overseeing &/or managing complaints pertaining to staffing matters. Where a complaint involves both operational and staff matters, the Complaints Officer will ensure operational matters are managed in accordance with section 8 of this policy.

10.3 Complaints about Allegations of Corrupt Conduct

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

10.4 Complaints about Allegations of Breaches of Privacy

Complaints involving allegations of breaches of privacy will be handled by the Privacy Officer in accordance with the Privacy and Data Protection Policy.

10.5 Complaints about Councillors

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

10.6 Complaints about the Chief Executive Officer

Complaints about the Chief Executive Officer will be handled in accordance with the procedures set out in 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.

11. Remedies

Where a complaint is substantiated, Council 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 (excluding decisions of Council);
- 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; or
- providing the means of redress requested by the complainant.

12. 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.

13. Conflict of Interest

In accordance with the Conflict of Interest Policy CP057 and the legislative requirements prescribed in the *Local Government Act 2020*, it is the responsibility of any staff member involved with the complaints handling process to identify and disclose any conflicts of interest.

14. Recording Complaints

Where possible, complaints will be captured in Council's Electronic Document Management System (EDMS) and details recorded in the Complaint Register.

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

15. How we learn from complaints

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them. Section 16 below outlines how we will measure and report on the complaints we receive.

16. Reporting on Performance

To measure Council's complaint management performance, the following key performance indicators (KPI's) will be used:

- 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 upheld
- 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

Quarterly reports will be presented to the Executive Leadership Team and will include:

- total number of complaints received;
- ratio of complaints by:
 - Definition
 - Category
 - Department / Area
- performance against KPI's
- any unusual trends; and
- a summary of level 2 complaints.

Statistical information regarding Council's complaint management performance will be reported annually to Councillors.

17. Unreasonable Customer Conduct

Unreasonable customer 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 and will be managed in accordance with Council's Unreasonable Customer Conduct Policy.

18. Definitions

Complaint	<p>an expression of dissatisfaction with –</p> <ul style="list-style-type: none">• the quality of an action taken, decision made, or service provided by a member of Council staff or a contractor engaged by Council; or• the delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision or providing a service; or• a policy or decision made by a Council or a member of Council staff or a 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	Senior Governance & Risk Officer
Complaints Coordinator	Governance & Risk Coordinator
Council contractor	Is any third-party engaged by the Council to carry out functions on the Council's behalf
Contract Manager	The nominated officer responsible for managing a contract, or in the absence of a formal signed contract, the officer who has engaged the contractor.
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
Internal Review Manager	Manager Governance & Performance
Member of Council staff	Is any person employed by the Council to carry out the functions of the Council, and the Council's CEO
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.
The Council	Means the body of elected Councillors

Examples of Complaints and how they should be handled

Example	Type	Level	Action
I disagree with a planning decision that affected me	Legislative Appeal	NA	Refer to Statutory Planning Coordinator
The planning process regarding a decision that affected me did not follow the advertised Planning Scheme procedures	Complaint	1	Refer to Coordinator
My bin wasn't emptied	Complaint	1	Resolve at first point of contact
I am dissatisfied with a Coordinators decision/response to my complaint	Complaint	2	Refer to Complaints Officer
The Officer I dealt with was rude	Complaint	2	Refer to Complaints Officer
I contacted Council six months ago about a pothole and didn't get a reply	Complaint	1	Refer to Coordinator
I am not satisfied with the response received from the Coordinator about a pothole I reported six months ago	Complaint	2	Refer to Complaints Officer
I am not satisfied with how my (Level 2) complaint was handled	Complaint	3	Refer to Complaints Officer
An internal review has been completed however I remain dissatisfied with the outcome of my complaint	Complaint	4	Refer to External Agency

19. Legislation and Other References

19.1. 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 2020

Public Interest Disclosures Act 2012

19.2. Documents

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

Conflict of Interest Policy CP057

Councillor Code of Conduct Policy CP051

Public Interest Disclosure Policy CP014

Unreasonable Customer Conduct Policy CP006

Customer Complaint Handling Factsheet

Customer Complaint Form

Contract Management Policy OP193

Contract Management Guidelines

20. 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	✓