

POLICY NO:	57
POLICY TITLE:	COMPLAINTS HANDLING POLICY
SECTION RESPONSIBLE:	CORPORATE & COMMUNITY SERVICES
MINUTE NO:	1124
REVIEW DATE:	30 JUNE 2008

STATEMENT OF INTENT:

Greater Hume Shire Council primary charter as a service organisation is to assist its customers and stakeholders consistent with the common good, and legal and statutory responsibilities.

In observation of this charter, one of Council's responsibilities is to receive and act upon complaints from external sources, which relate to any aspect of Council's operations or services.

Greater Hume Shire Council regards all complaints with the utmost seriousness. Council will handle complaints in a professional, respectful and timely manner in order to resolve the issues raised by complainants.

ELIGIBILITY

This policy applies to all Council staff, Councillors and contractors working on behalf of Council.

DEFINITIONS

COMPLAINT

A Complaint is an expression of dissatisfaction with the Council's policies, procedures, staff, agents, or quality of service. A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council's processes and/or procedures.

COMPLAINTS HANDLING POLICY

CONTRACT ADMINISTRATOR

The contract Administrator is any member of Council's staff who is responsible for letting and overseeing the completion of contracts on behalf of Council. Contracts may be for the provision of goods and/or services to Council.

PUBLIC OFFICER

The Public Officer is a member of Council's senior staff, appointed under the Local Government Act 1993. The functions of the Public Officer include provision of assistance to the public in accessing Council documents, representation of Council in legal and other matters, receipt of submissions made to Council and to assist with requests from the public regarding Council's affairs.

PROVISIONS

LODGING COMPLAINTS

Complaints may be lodged with Council in the following ways:

- By telephone
- In person
- In writing including by facsimile, email or other electronic means.

ANONYMOUS COMPLAINTS

Anonymous complaints will be dealt with except where there is a statutory requirement for identification of the complainant.

RECORDING COMPLAINTS

All complaints received by Council will be recorded in Council's electronic document management system.

Where a complaint is requesting a service, and there are no prior indications of failure to provide that service to the complainant, the request will be recorded as an 'action request' rather than a complaint.

If Council records indicate that the complainant has made contact with Council on one or more occasions regarding a failure of Council to provide that service, such contact will be recorded as a complaint. Complaints of this nature will be forwarded to the appropriate Departmental supervisor or manager for attention.

COMPLAINT HANDLING

Complaints received by Council concerning Council affairs will be referred to the appropriate staff member at Manager or Supervisor level to investigate in the first instance.

Should the process undertaken by the Manager or Supervisor fail to resolve the complaint, or the outcome be regarded as unsatisfactory to the complainant, the Manager or Supervisor will refer the complaint to the Division Director or Public Officer for further review.

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In circumstances where these internal processes are unable to resolve a complaint or satisfy the complaint, Council will refer the complaint to an appropriate external agency for review. Such agencies may include the NSW Ombudsman's Office, the Independent Commission Against Corruption or the Department of Local Government.

Where a complaint is received and reported by a Council contractor, the Contract Administrator will investigate the complaint in the first instance. Should the processes undertaken by the Contract Administrator fail to resolve the complaint the complaint will be referred to the Division Director or Public Officer for further review.

Contractors conducting works on behalf of Council are required to report to the Contract Administrator, complaints received by them regarding any aspects of Council's operations or their work. On request from the complainant, the contractor shall refer the complainant directly to the Contract Administrator to address issues surrounding the complaint.

Council may seek to use alternative dispute resolution methods to resolve the complaint in circumstances where such a course of action is deemed appropriate by the Public Officer.

COMMUNICATION WITH COMPLAINANT

Within five working days of receipt of a complaint, in circumstances where a complainant has provided his/her name, address and contact details, the staff member responsible for handling the complaint will provide acknowledgement of receipt of the complaint to the complainant. Such acknowledgement may be by telephone or in writing as appropriate.

The staff member responsible for handling the complaint will ensure that the complainant is kept informed of progress regarding investigation and resolution of the complaint.

The staff member responsible for handling the complaint will provide written advice to the complainant as to the outcome of investigations. Where appropriate the complainant will also be advised of any measures taken to minimise chances of the issue(s) underlying the complaint occurring again.

CONFIDENTIALITY

Council will ensure that confidentiality is maintained in regard to complaints received. Staff receiving and recording complaints alleging corrupt conduct, pecuniary interest, maladministration or improper use of position must ensure that all allegations contained therein, are not discussed other than with the Public Officer and/or General Manager. Council will take all care that the reporting of complaints about Council activities will not result in the complainant experiencing any form of victimisation or retribution as a result of the complaint.

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COMPLAINTS INVOLVING ALLIGATIONS OF MALADMINISTRATION OR CORRUPT CONDUCT

All complaints alleging corrupt conduct, pecuniary interests, maladministration or improper use of position, including complaints made verbally or anonymously, are to be referred immediately and directly to the Public Officer and/or General Manager.

Under Section 11 of the ICAC Act 1998, the General Manger must report to the Independent Commission Against Corruption in circumstances where there is reasonable suspicion that corruption in any form has occurred within Council.

MALICIOUS, FRIVOLOUS AND VEXATIOUS COMPLAINTS

All complaints received by Council will be treated with the utmost seriousness. However if, following investigation, a complaint is found to be malicious, frivolous or vexatious, Council will take no further action on the complaint. A decision to take no further action will be made by a member of staff at the level of Manager or Higher and the complainant will be informed of the decision in writing.

REPORTING ON COMPLAINTS

On a quarterly basis, Division Directors will provide reports to MANEX on complaints received and subsequent followup and departmental action. Reports will provide the following information on each complaint.

- The issue at the centre of the complaint;
- The outcome of investigations in each instance;
- Action taken to address complaints issues;
Feedback from the complainant where possible as to satisfactory resolution of the complaint or otherwise;
- Referral of the complaint to an external agency;
- Recommendations or actions taken to improve service.

On a six monthly basis the Public Officer will present a report to Council with details of complaints received and acted on by each Division for that quarter.

On an annual basis the Public Officer will prepare a statistical summary of complaints received for the statutory annual report.

REGULAR REVIEW OF COMPLAINTS HANDLING BY COUNCIL

The Public Officer will conduct a review of Council's complaint handling processes on a twoyearly basis to ensure that such processes are responsive to complaints and are appropriate in addressing issues underlying complaints received by Council. The review, along with any findings and recommendations, will form the basis of a report to Council.

RESPONSIBILITY/ ACCOUNTABILITY

Under the Local Government Act 1993, Council's Public Officer is responsible for overseeing the handling of all complaints received by Council concerning Council's affairs.

All staff are required to be aware of the content of this policy and the associated document, 'Guidelines for Complaint Handling. .' All staff are required to comply with Council's Guidelines for Complaints Handling.