

## COUNCIL POLICY



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| <b>TITLE:</b>               | CUSTOMER COMPLAINT HANDLING POLICY  |
| <b>DOCUMENT NUMBER:</b>     | CPO-CORPS-CUSTS-003   |
| <b>DEPARTMENT:</b>          | Corporate Services  |
| <b>UNIT:</b>                | Customer Service  |
| <b>RESPONSIBLE OFFICER:</b> | Director Corporate Services<br><i>Checked</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

|                       |  |
|-----------------------|--|
| <b>APPROVED BY:</b>   | Council  |
| <b>APPROVAL DATE:</b> | Adopted by Council on 22 August 2017   |
| <b>EXPIRY DATE:</b>   | Not Applicable   |
| <b>REVIEW DATE:</b>   | 22 August 2021<br><i>This policy will be reviewed every four years or as required by any legislative or council changes.</i> |

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|-----------------------------|--|---|--|
| <b>AVAILABILITY:</b>        | Staff – Unit only                      | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
|                             | Staff – Department only                | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
|                             | Staff – Organisation wide              | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
|                             | Public                                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
|                             | Internet                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| <b>ADVISE AVAILABILITY:</b> | Media Release                          | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
|                             | Sou Wester (Author to prepare article) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
|                             | Email designated Groups & Staff        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

|                    |   |
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| <b>REFERENCES:</b> | <p>Glenelg Shire Council Customer Service Charter<br/> <i>Local Government Act 1989</i><br/>           Protected Disclosure Act 2012 (Victoria)<br/> <i>Freedom of Information Act 1982 (Victoria)</i><br/> <i>Victorian Charter of Human Rights &amp; Responsibilities Act 2006</i><br/>           National Competition Policy and Local Government 2011<br/>           (Publication produced by the former Victorian Department of Planning &amp; Community Development)<br/> <i>Disability Discrimination Act 1992</i><br/> <i>Privacy and Data Protection Act 2014 (Victoria)</i><br/> <i>Competitive Neutrality Policy 2012 (Victoria)</i><br/> <i>Health Records Act 2001 (Victoria)</i><br/> <i>Competition and Consumer Act 2010 (Cth)</i><br/>           Glenelg Shire Council Councillors Code of Conduct<br/>           Glenelg Shire Council Customer Code of Conduct Policy OPO-</p> |
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CORPS-CUSTS-002

Glenelg Shire Council, Records Management Policy OPO-CORPS-RECM-001

Victorian Ombudsman *Councils and complaints – A Good Practice Guide*, 2015

## **1. Introduction**

Glenelg Shire Council is committed to providing our customers with quality services.

We recognise that an important part of a successful customer service program is ensuring that we have systems in place to manage complaints effectively.

We are an organisation that views complaints and feedback as a positive opportunity to learn and ultimately improve the service we provide.

## **2. Purpose**

The purpose of this policy is to outline Council's complaint handling system as it is an essential part of the provision of quality service to our customers.

## **3. Objectives**

This policy aims to ensure an open and transparent complaint handling system

## **4. Scope**

This policy applies to Councillors, all Council staff, volunteers and third party contractors carrying out services on Council's behalf.

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

- requests for service
- 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

## **5. Competitive Neutrality Complaints**

Council support the principles of competitive neutrality by ensuring that Council business operates without any net competitive advantages over other businesses as a result of its public ownership.

Council will receive and deal with any complaints in relation to these issues. All such complaints will be referred to the Director Corporate Services.

## 6. Competition and Consumer Act Complaints

Council is committed to the principle that all businesses have the right to compete on their merits in a fair and open market.

Council will meet our obligations to our customers under the *Competition and Consumer Act 2010* and deal with any complaints in relation to these issues.

All such complaints will be referred to the Director Corporate Services.

## 7. Guiding Principles

This policy includes the seven principles, as outlined in the Victorian Ombudsman's *Councils and complaints – A good practice guide*.

### Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to complain and considers complaint handling to be part of our core business of serving the community and improving service delivery.

### Accessibility

Anyone who has been affected by an action or inaction of Council can make a complaint.

We accept and respond to anonymous complaints, provided we have received enough information to do so.

People can easily find out how to complain to us, and we will actively assist them with the complaint process.

### 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.

### Objectivity and fairness

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

### 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.

### Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions, and ensure that our decisions are subject to appropriate review processes.

### Continuous improvement

We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

## **8. What is a Complaint?**

A complaint is an expression of dissatisfaction with –

- the quality of an action taken, decision made, or service provided by or on behalf of Council
- a delay or failure in providing a service, taking an action, or making a decision by or on behalf of Council or its contractor or volunteer

A complaint does not include:

- a request for works or services to be provided
- a request for information, documentation or explanation of policy or procedure
- reports of damage or faulty infrastructure (e.g. pothole)
- reports of hazards (e.g. fallen tree branch)
- reports about neighbours or neighbouring properties (e.g. noise or unauthorised building works)
- an issue that is the responsibility of another authority or service provider
- an insurance claim
- a claim made under Protected Disclosure
- the lodgement of an appeal or objection in accordance with standard procedure or policy (eg. Objection to a development application or property valuation etc)
- a disagreement with a decision or policy of the Council

Some common examples of complaints and requests for service are detailed below:

| <b>Complaint to be dealt with according to the Council's complaint handling policy</b>   | <b>Request for service</b>  |
|--|---|
| I put my bin out on time this morning and the truck didn't collect it.   | I forgot to put my bin out this morning and missed the collection truck. Can you send someone to collect my bin this afternoon? |
| The Council has said the neighbour's barking dog isn't breaching any noise laws, but I think the Council is wrong and they just haven't investigated the situation properly. | My Neighbour's dog keeps barking and I can't sleep. Can the Council do something about it?                                      |
| I reported a pothole on Wests Road to the Council six weeks ago. I haven't heard anything since and it still hasn't been fixed.  | There is a pothole on Wests Road. Can you send someone to fix it?   |

Source: Victorian Ombudsman

## 9. Complaint Handling Process

Council's complaint handling process will generally follow the process set out below:

### 9.1 Receipt of Complaint

A Council officer receives a complaint and takes steps to resolve it immediately, where possible.

### 9.2 Investigation

Where the Council officer who received the complaint cannot resolve the complaint, they will refer it to a more appropriate Council officer or more senior Council officer for resolution or investigation, as required.

- We will acknowledge all complaints that require investigation within 10 business days of receipt. The officer handling the complaint will advise the complainant who the contact person is and how long it will take to respond to the complaint.
- Complaint handling staff will aim to resolve all complaints within 28 days. If it takes longer than 28 days to resolve a complaint, the contact person will contact the complainant prior to or at this time and explain why.
- Where possible, the officer handling the complaint will contact the complainant via telephone to discuss the outcome of their complaint prior to sending the outcome letter.

- The officer responsible for handling the complaint will write to the complainant to advise them of the outcome. The outcome letter will contain reasons for the decision made and the contact information for the responsible officer.

### 9.3 Internal Review

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

A written outcome letter signed by the senior officer responsible for the internal review will be provided to the complainant at the conclusion of every internal review. Where available, the outcome letter will advise the complainant of any avenues of external review available in relation to the matter.

### 9.4 External Review

Following the process set out in 9.3 of this policy, if a complainant is not satisfied with the outcome of the internal review, we will inform them of any external avenues through which they can pursue their complaint.

### 9.5 Complaints received by Councillors

When a Councillor receives a complaint from a member of the public, they will refer it to the Chief Executive Officer or appropriate Director through a 'Customer Request via Councillor' form.

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

### 9.6 Complaints received by Social Media

When a complaint has been received via social media, the system administrator will take the matter off line and in conjunction with the relevant Service Unit determine the most appropriate Council officer for investigation and resolution.

### 9.7 Complaints about Council Contractors

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

Where Council requires contractors to respond directly to complaints, contractors will comply with this policy. They will be required to maintain an effective system of recording and reporting of complaints and outcomes to Council.

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

All outcome letters written by contractors in relation to complaints will include the name and contact details of a Council staff member to whom the complainant may escalate their complaint if they are not satisfied with the outcome the contractor has provided.

#### 9.8 Other Types of Complaints

- All complaints alleging corrupt conduct, pecuniary interest breaches, improper use of position, criminal action or maladministration are to be directed to the Protected Disclosure Coordinator (PDC) or Chief Executive Officer (CEO). If the allegation relates to the CEO, the matter must be reported to the PDC or Mayor.

Complaints of this nature will be handled in accordance with the Staff Code of Conduct, *Protected Disclosure Act 2012*, *Local Government Act 1989* and all other applicable legislation.

- Complaints that relate to the Mayor or Councillors are to be handled in accordance with the Councillors Code of Conduct.
- Complaints about alleged privacy breaches should be referred to Council's Privacy and Freedom of Information Officer.
- Complaints about Competitive Neutrality are to be referred to the Director Corporate Services.
- Complaints related to the *Competition and Consumer Act 2010* are to be referred to the Director Corporate Services.
- Complaints about matters relating to Children's Services 'Notifiable and Serious Incidents' in regard to the *Education and Care Services National Law Act 2010* and the *Education and Care National Regulations 2011* and Victorian kindergarten policy, procedures and funding criteria are to be referred to the Director Community Services.
- Complaints about matters relating to Aged and Disability Services 'Notifiable and Serious Incidents' in regard to Home Care Standards 2016, Commonwealth Home Support Program Manual 2015 and Home and Community Care program Manual 2013 will be referred to the Director Community Services.
- Complaints about matters for which there is a process for review or appeal or making an objection prescribed by legislation eg. planning and building matters and traffic and parking infringements should be referred to the relevant Service Unit.

## 10. Remedies

Where we have found that we have made an error, we will take steps to redress the situation. Possible remedies include, but are not limited to:

- offering an apology where an error has been identified
- an explanation of why the error occurred and the steps taken to prevent it happening again
- a reversal of a decision
- a refund of overcharged or incorrectly charged monies
- disciplinary action taken against a staff member
- providing the means of redress requested by the complainant
- referral to an external body where Council cannot resolve a complaint to the satisfaction the complainant.

## 11. Privacy and Confidentiality

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

Any queries regarding the recording of complaints should be directed to Council's Privacy and Freedom of Information Officer:

Glenelg Shire Council  
PO Box 152  
PORTLAND 3305  
Phone 03 5522 2305.  
Email [enquiry@glenelg.vic.gov.au](mailto:enquiry@glenelg.vic.gov.au)

## 12. Reporting on Performance

To measure our performance, the Leadership Team will set annual Key Performance Indicators (KPIs) pertaining to complaint management.

The Leadership Team will consider the annual report against these KPIs:

- Number of Complaints requiring investigation
- Number of Complaints received for an internal review
- Number of complaint outcomes upheld following an internal review
- Number of complaints received by the Victorian Ombudsman
- Number of complaints reviewed by the Victorian Ombudsman where the Glenelg Shire Council's original decision has been upheld

### 13. How to make a complaint

It is preferred that a customer complaint is lodged on the Customer Complaint Form (Appendix 1) to assist Council attempt to resolve the complaint. However a customer can make a complaint in any of the following ways:

|  |   |
|--|---|
| <b>Email</b>                                   | <a href="mailto:complaints@glenelg.vic.gov.au">complaints@glenelg.vic.gov.au</a>  |
| <b>Online</b>                                  | <a href="http://www.glenelg.vic.gov.au">www.glenelg.vic.gov.au</a>  |
| <b>Post</b>                                    | Glenelg Shire Council, PO Box 152, Portland, VIC 3305   |
| <b>Fax</b>                                     | 03 5522 2290  |
| <b>Telephone</b><br>Hearing or speech impaired | 1300GLENELG (1300 453 635) during normal business hours<br>> Call us via the National Relay Service ( <a href="http://www.relayservice.com.au">www.relayservice.com.au</a> ) on 13 36 77 then ask for 1300 453 635.<br>> Speak and Listen users phone 1300 555 727 then ask for 1300 453 635. |
| <b>In person</b>                               | Customer Service Centres:<br>> Portland - 71 Cliff St<br>> Casterton - 67 Henty St<br>> Heywood – 77 Edgar St   |

### 14. Accessibility

We are committed to creating an accessible and inclusive community for people with disabilities and people from culturally and linguistically diverse backgrounds by providing facilities and services that enable inclusiveness.

#### Disability

Upon request we can provide this document, or any other document that we produce, in another format, such as large print or Braille etc.

#### Multicultural

Non English Speakers can contact us directly through the national Translating and Interpreting Service (TIS) by connecting to [www.tisnational.gov.au](http://www.tisnational.gov.au) Council can arrange for the services of language interpreters free of charge.

## **15. Records Management**

All Council records created and managed as a result of implementing this policy will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this policy. Prior to destruction, advice must be sought from the Records Management Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

# Customer Complaint Form

|                                |                   |                |  |
|--------------------------------|-------------------|----------------|--|
| Name:                          |                   |                |  |
| Business Name (if applicable): |                   |                |  |
| Postal Address:                | Street/Road Name: |                |  |
|                                | Town:             | Postcode:      |  |
| Telephone - Business Hours     |                   | <b>Mobile:</b> |  |
| Email:                         |                   |                |  |

**Details of complaint:**  
(please attach all information relevant to your complaint)

**What is your preferred outcome from this complaint? :**

|                              |              |
|------------------------------|--------------|
| <b>Customer's Signature:</b> | <b>Date:</b> |
|------------------------------|--------------|

**Glenelg Shire Council contact details:**

Postal: PO Box 152, Portland Vic 3305  
 Telephone: 1300GLENELG (1300 453 635) National Relay Service: 13 36 77  
 Email: [complaints@glenelg.vic.gov.au](mailto:complaints@glenelg.vic.gov.au) Website: [www.glenelg.vic.gov.au](http://www.glenelg.vic.gov.au)

**The personal information requested on this form is being collected by the Glenelg Shire Council for municipal purposes as specified in the *Local Government Act 1989*. The Council will use this information only for the specific purpose of collection or for directly related purposes. The information will not be disclosed except as required or specifically authorised by law. You may request access to any personal information that Council may have collected about you. Also, you may request correction of your personal information if you can establish that it is not accurate or complete. Such requests should be directed to Council's Privacy and Freedom of Information Officer via email [enquiry@glenelg.vic.gov.au](mailto:enquiry@glenelg.vic.gov.au) or by telephone 03 55222305.**