



Complaints Management Policy





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Document Control

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|------------------------|------------------------------|-------------------------------|------------------------------------------------------------|
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| Author/Reviewer | General Manager | Review Period and Date | Reviewed within 12 months of election/4 yearly - September |

This policy shall be reviewed: -

- This policy shall be reviewed within 12 months of an election, and thereafter at four yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.
- Subject to the provisions of the Local Government Act and/or Regulation, this policy may be amended or cancelled by council at any time without prior notice or obligation to any person.

Document History

| Date | Status | Version | Resolution | Description |
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| 26 July 2017 | Draft | 0.1 | | Presented to Hilltops Council for public exhibition 28 days |
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1. INTRODUCTION

Hilltops Council is committed to delivering quality customer services and to communicating effectively with its customers and the local community. Council values customer feedback because it helps with the continuous evaluation and improvement of its services.

This policy is intended to ensure that Council will handle complaints fairly, efficiently and effectively. Our complaint management system is intended to;

- Enable us to respond to issues raised by people making complaints in a timely and cost-effective way;
- Boost public confidence in our administrative process; and
- Provide information that can be used by Council to deliver quality improvements in our services, systems, practices, procedures, products and complaint handling.

This policy provides guidance to our staff (and is supplemented by an internal procedural document) and people who wish to make a complaint. This policy applies to all staff receiving or managing complaints from the public made to or about us, our services, products and/or how Council handles complaints.

Staff grievances, code of conduct complaints and public interest disclosures are dealt with through separate mechanisms.

2. OBJECTIVES

This policy aims to effectively deal with and manage complaints from the Community by;

- Demonstrating and promoting Council's commitment to customer satisfaction with respect to Council's role as a regulator;
- Ensuring all complaints are responded to in a timely manner, without bias or fear of retribution;
- Ensuring all members of the community can access information on how complaints will be dealt with by Council;
- Educating staff in relation to complaint handling procedures and practices;
- Monitoring feedback in an endeavour to improve existing services and facilities and Council's public image;
- Acknowledging receipt of complaints within seven (7) working days of receipt;
- Complying with the Principles of Natural Justice, procedural fairness, interpersonal fairness and informational fairness;
- Informing customers of their right to engage an advocate to act on their behalf. That is, be assisted by a person of their choice – friend, relative, or another representative;
- Creating a second chance to provide service and satisfaction to dissatisfied members of the public;
- Identifying areas that need improvement;
- Providing opportunities to strengthen public support for the Council;
- Assisting in planning and allocation of resources.

3. POLICY COMMITMENT

Council encourages feedback from its customers and the community because feedback provides Council with an opportunity to identify areas of service that need improvement, to respond to individual complaints and to strengthen the relationship between Council and the local community.

Council commits to;

- Accept any criticism graciously, believing that there is always room for improvement;
- Ensuring staff at all levels are committed to fair, effective and efficient complaint handling;
- Deal with complaints in accordance with this policy and procedure;



- Widely publicise the existence of this policy and procedure;
- Encourage members of the public dissatisfied with Council's conduct to lodge complaints and to facilitate such action by making complaint and feedback forms freely available at the three Administration Offices and on Council's website;
- Advise complainants of their right to make a complaint to an external body if they are dissatisfied with the way that their complaint has been handled internally;
- Regularly report publicly on complaint statistics, using this information to identify and rectify deficiencies in Council services;

What is a Complaint?

For the purpose of this policy, a complaint is any expression of dissatisfaction made to or about us, our services, products and/or complaint handling, where a response or resolution is explicitly or implicitly or legally required. A complaint can be about the following;

Policies and Procedures

Complaints about policies and procedures are usually related to dissatisfaction with service charges, policy decisions or an agreed practice covered by a policy or procedure.

Employees

Complaints about employees are generally about dissatisfaction with the behaviour of a Council employee.

Quality of Service

Complaints about quality of service are generally related to the quality of the finished job or the length of time taken to complete the job/provide the service.

The following are **not** considered complaints under this policy;

- A request for works or services – unless it is a second request where there has been no response to the first request or where, in the view of the customer, the response was unsatisfactory;
- A complaint about an event, service or business for which Council is not responsible;
- A request for information or an explanation of policies or procedures;
- Disagreement with Council's policy or a lawfully made decision;
- The lodging of an appeal or objection in accordance with a standard procedure or policy, for example a complaint about an approved development or draft policy or plan – unless this is recorded as a complaint about Council's decision-making process;
- Reports of damaged or faulty infrastructure;
- Reports about neighbours, noise, dogs, unauthorised building work or similar issues that fall into the regulatory aspect of Council's service;
- The issue of a penalty notice or taking other regulatory action for an offence under an Act or Regulation;
- Staff grievances
- Public interest disclosures made by our staff
- Code of Conduct complaints
- Responses to request for feedback about the standard of our service provision
- Reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response;
- Requests for information.



Many of the issues above are called 'complaints' when a customer contacts Council. They are called complaints because a customer is unhappy about the situation and wants something done. To Council, however, the 'complaint' is a **request** for action. This terminology does not reduce the importance of the issue, nor does it change the actions Council will take. However, it does help Council differentiate between a complaint and a request so that the issue can be registered appropriately in Council's service request system.

In general, most 'true' complaints, as Council defines them, are about staff behaviour, quality of service, Council policy, or the outcome of a decision.

Impact of a Complaint

Complaints which are not attended to promptly and effectively, can lead to problems such as;

- Loss of confidence in Council staff;
- Low job satisfaction and morale for staff;
- Inefficient allocation of Council resources;
- Resident/complainant feeling dissatisfied;
- A lowering of the general opinion of visitors to the community.

Accountabilities and Responsibilities

Specific responsibilities are as follows;

- **Councillors** - The elected Councillors have a responsibility to accept complaints and refer them to the General Manager.
- **General Manager** - The General Manager has a leadership role in demonstrating a commitment to the effective resolution of complaints. The General Manager has the responsibility to;
 - Resolve complaints where the customer is not satisfied with the Director's decision;
 - Receive complaints alleging corruption for referral to the Independent Commission Against Corruption;
 - Deal with complaints in relation to the conduct of staff members.
- **Directors** – Have a responsibility to consider details of complaint investigations and decide upon appropriate action.
- **Managers** – Are responsible for dealing with complaints in relation to Policies & Procedures or the Quality of Service, not able to be resolved at first point of contact, and complaints regarding staff referred to them by the General Manager in their areas of responsibility; Are also responsible for educating employees with regard to this policy and ensuring that complaints are responded to in a courteous, fair, confidential and timely manner, and that the complainant is advised of progress and outcomes.
- **Coordinators & Officers** – Are responsible for providing assistance to Managers in the investigation of a complaint through the collection of information and conduct of relevant interviews upon request.
- **Customer Service Staff** – Are responsible for populating complaints database with the relevant information upon receipt of a complaint before forwarding as a complaint action type to appropriate staff member.
- **Employees** – Are required to deal with customers in a courteous, fair, confidential and timely manner and to provide accurate and timely information to management in response to a complaint.
- **Council's Professional Conduct** – The Ombudsman or the Department of Premier and Cabinet (Local Government), are responsible for the investigation of complaints about the conduct of public authorities, and/or the management of Councils, and may be contacted by the complainant at any stage.



Facilitating Complaints

Customer – Centric Services – Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable timeframe.

People making complaints will be;

- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate, and;
- Provided with reasons for our decision(s) and any options for redress or review.

No Detriment to People Making Complaints – Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous Complaints – Council will accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

Vexatious Complaints – All complaints received by Council will be treated with the utmost seriousness however if a complaint is found to be malicious, frivolous or vexatious, no further action will be taken on the complaint. The customer will be informed of this decision in writing.

Visibility and Transparency – Council will ensure that information about how and where complaints may be made to or about us is well publicised.

Accessibility – Council will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent – advocate, family member, legal representative, member of Parliament, another organisation.

No Charge – Complaining to us is free.

Responding to Complaints

Early Resolution – Where possible, complaints will be resolved at first contact with Council. Staff should note that apologising to residents for the negative experience they've had is not an admission of liability and should be undertaken whenever possible.

Responsiveness – Council will acknowledge receipt of complaints within 7 working days.

Council will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and will be escalated appropriately.

Council is committed to managing people's expectations, and will inform them as soon as possible of the following;

- The complaints process (please see detail below);
- The expected timeframes for our actions;
- The progress of the complaint and reasons for any delay;
- Their likely involvement in the process; and
- The possible or likely outcome of their complaint.

Council will advise people as soon as possible when it is unable to deal with any part of their complaint. Council will advise people as soon as possible when it is unable to meet timeframes for responding to their complaint and the reason for our delay.



Complaints Process

An internal Complaints Management Procedure will guide staff on the correct process to follow upon receipt of complaints.

With regards to how complaints will be considered, the relevant staff are instructed to;

- Examine and analyse the information already available and follow up points requiring clarification;
- Examine Council policies which may have a bearing on the complaint;
- Consider Council's fault and/or liability;
- Consider the necessary action to be taken to correct faults identified; and
- Consider a review of the Council's procedures to avoid recurrence of any similar complaint in the future if necessary.

The relevant Director or General Manager may enter into informal discussions or mediation on a complaint with a view to resolution. Should this process not resolve the situation, it may be referred to Council.

Objectivity and Fairness

Council will address each complaint with integrity and in an equitable, objective and unbiased manner.

Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Responding Flexibly

Our staff are empowered to resolve complaints promptly and with as little formality as possible. Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Confidentiality

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Hilltops Council as permitted under the relevant privacy laws, provisions and subject to ethical obligations.

What if a Customer is Not Satisfied With the Resolution of the Complaint

Council is confident that it can resolve the majority of complaints received. However, we understand that it may not be able to satisfy every customer on every occasion.

Sometimes Councils have to make difficult decisions involving regulatory bodies and/or other stakeholders, and individual customers do not get the outcome they desire.

If a complaint remains unresolved or a customer is dissatisfied with our process in dealing with a complaint, other avenues remain for the customer to explore which include;

- The NSW Ombudsman; the officer responsible to Parliament for investigating complaints made about administrative actions (or inactions);
- Department of Premier & Cabinet
- ICAC (Independent Commission Against Corruption)

While a customer is entitled to refer a complaint directly to those bodies at any time, customers are encouraged to allow Council to investigate the complaint first.



Complaints about Corruption, Serious or Substantial Waste, Pecuniary Interests, Competitive Neutrality or Criminal Activity

Complaints about corruption, serious or substantial waste, pecuniary interests or competitive neutrality should be lodged directly with the General Manager.

The General Manager is obliged to report allegations of corrupt conduct to the Independent Commission Against Corruption and may report other serious allegations to the Police and/or

other relevant authority. If a complaint involves allegations of criminal behaviour, it should automatically be referred to the Police.

Complaints about financial impropriety may be referred to the Internal Auditor.

Safeguards against Victimisation & Retribution

Complainants will not be subject to victimisation or retribution as a result of lodging a complaint and any allegations of such treatment will be investigated and disciplinary action taken if substantiated.

If a complainant experiences such behaviour then they should lodge another complaint with the relevant Director or General Manager.

Complaints can be made

In Writing

Postal Address: Hilltops Council
Locked Bag 5
Young NSW 2594

Email: mail@hilltops.nsw.gov.au

In Person

- Make an appointment to talk to the staff member with who you have been dealing, or with the respective Manager; or
- Visit any one of the three Administration Centres

Hilltops Young
189 Boorowa Street
Young NSW

Hilltops Harden
3 East Street
Harden NSW

Hilltops Boorowa
6-8 Market Street
Boorowa NSW

By Telephone

Call the main switchboard at the Hilltops Young Administration Centre (02) 6380 1200

Whichever method you choose to lodge your complaint, please ensure you provide Council with all standard information including your name and return phone number as this will help Council to resolve your complaint in a timely manner.