



Complaints Policy

Contents

1. Purpose of the Policy	2
2. Scope	2
3. Definitions.....	2
4. Responsible Executive.....	2
5. Policy owner.....	2
6. Related Documents	2
7. Delegation Authority	2
9. Policy Details	3-6
10. Decision Guidelines	6
11. Transition/Translation arrangements.....	6
12. Review	6

APPROVAL / VERSION	Version 1 – approved by CEO 24/9/15
TRIM REF	15/79634
REVIEW	24/09/2018
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Team Leader Customer Service

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current.

1. Purpose of the Policy

To define what a complaint is and to facilitate a fair and equitable resolution of all customer complaints at the earliest opportunity and in the most efficient way.

2. Scope

This policy applies to all customers and staff. It also applies to third party contractors carrying out services on council's behalf.

3. Definitions

Customer: Includes residents, ratepayers, members of the public or groups, visitors and businesses within the city.

Issue Resolution Officer: the person holding the position of Team Leader, Customer Services within the city of Kingston.

Staff: All staff of council whether employed full time, part time or casual.

Request for Service: A request for service is contact with council to seek assistance, access to a new service, advice or to inform/make a report about something for which the council has responsibility.

Complaint: A complaint is an expression of dissatisfaction with:

- The quality of an action taken, decision made or service provided by a council or its contractor and/or
- A delay or failure in providing a service, taking an action or making a decision by a council or its contractor

4. Responsible Executive

General Manager, Corporate Services

5. Policy owner

Team Leader, Customer Service

6. Related Documents

- Local Government Act 1989;
- Protected Disclosure Act 2012;
- Information Privacy Act 1988;
- Freedom of Information Act;
- Councillor's code of conduct;

7. Delegation Authority

Nil

8. Policy Statement

This policy aims to:

- Put in place and open and transparent complaint handling system;
- Specify the key performance indicators to which we hold ourselves accountable;
- Establish our timeframes for resolving complaints;
- Clarify the roles and responsibilities of council staff; and
- Ensure staff handle complaints fairly and objectively.

This objective of this policy is to ensure that a complaint is dealt with fairly and impartially and ensure disputes between Council and complainants are resolved without the need for the complainant to make representations directly to external agencies such as the Victorian Ombudsman.

9. Policy Details

A complaint is where council would appear to have failed to respond appropriately to a request for service or not followed relevant policies or procedures.

A complaint does not include:

- A request for service;
- A request for information or explanation of policies or procedures or decision of Council;
- Reports of damaged or faulty infrastructure;
- Reports concerning neighbours or neighbouring property e.g. noise or unauthorised building works;
- The lodging of an appeal in accordance with council procedure or policy;
- Reports of hazards e.g. fallen tree branch or road pot hole.
- Matters where statutory legislation review processes exist.

9.1 Complaints Handling Procedure

Step 1 Complaint- Operational Review

Reports of a missed or delayed service will be dealt with by the relevant Kingston work team

If following a response to an enquiry/request for service or delayed service the customer continues to express dissatisfaction then the matter will be regarded as a complaint to be dealt with as follows:

- The complaint will be referred to the relevant Team Leader or Manager who will attempt to resolve the complaint by investigating the issue and providing a response to the complainant within 10 working days.

Step 2 Complaint- Internal Review

The Team Leader, Customer Service in the role of Issue Resolution Officer will review complaints that remain unresolved after investigations completed in the level 1 operational review above. The Issue Resolution Officer will liaise

with the customer and explain what actions are planned to achieve resolution of their complaint within a agreed timeframe.

Step 3 Complaint- External Review

Complaints that remain unresolved may be referred by the complainant to an appropriate external agency such as IBAC, the Office of Ombudsman Victoria or Local Government Victoria. The Issue Resolution Officer is responsible for advising the complainant as to which external agency is the most appropriate to deal with their complaint.

9.2. Complaints about contractors

Complaints received relating to services delivered by third party contractors will, in the first instance be referred to the relevant Contract Manager who will respond to the complainant in accordance with this policy.

9.3. Complaints about specific matters- alternative procedures

Complaints about allegations of corrupt conduct

Where a complaint involves allegations of corrupt conduct, it will be handled in accordance with Protected Disclosure Act 2012 and council's Protected Disclosure Procedures 2013.

Complaints about Councillors

Complaints about Councillors will be dealt with in accordance with the Councillor Code of Conduct adopted 25 February 2013.

Complaints about the Chief Executive Officer

Complaints specifically about the Chief Executive Officer (CEO) will be referred to the Mayor for managing in accordance with Part 4, Division 4 of the *Local Government Act 1989*.

Complaints about staff conduct

Where the complaint involves a staff disciplinary or behavior issue it will be dealt with in accordance with the Staff Code of Conduct 2015.

9.4. Reporting on performance

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

- Complaints upheld, partially upheld, not upheld.
- Performance against timelines set by council e.g. average time to respond.
- Number of changes made to services as a result of complaints
- Complaints escalated to external review where council's original decision has been overturned and/or proposals for action have been made by external parties.

We will report against our complaint handling key performance indicators:

- Annually in our annual report where we will also detail any service improvements made as a result of complaints received.
- Internally via our monthly reporting mechanisms.

9.5. Recording Complaints

Upon receipt of a complaint either the staff member responsible for investigating the complaint or the staff member receiving the complaint must ensure that the complaint is registered in:

- Council's records management system if applicable (currently TRIM) and/or
- Council's Customer Request System (Currently Pathway CRM)

9.6. Lodging a Complaint

Complaints may be lodged with council:

- In person at any of council's offices that are open to the public
- By telephone- 1300.653.356
- By fax- 9581 4500
- By email or other social media and/or
 - Email: info@kingston.vic.gov.au
 - [facebook.com/cityofkingston](https://www.facebook.com/cityofkingston)
 - twitter.com/kingstoncc
- In writing to City of Kingston, PO Box 1000 Mentone VIC 3194

The complaint should detail the name, address and contact details of the complainant together with a brief description of the issue. Any staff member can receive a complaint but must follow the procedures set out in this policy.

9.7. Issue Resolution Officer

Council's Issue Resolution Officer has the responsibility of dealing with complaints from the public concerning council's affairs. Council's Team Leader, Customer Service holds the position of Issue Resolution Officer and is located at council's Cheltenham office.

The Issue Resolution Officer has the authority to:

- Reconsider the original decision or remedial action afresh and take appropriate corrective action.
- Arrange for appropriate actions to happen and/or apply remedies as considered necessary.
- Determine that the original decision was the correct and appropriate decision.

9.8. Complaints that will not be investigated

The Issue Resolution Officer may determine that a complaint will not be investigated where that complaint:

- relates to a decision of council;
- relates to conduct before a court, panel, coroner or tribunal;
- relates to the appointment or dismissal of any staff member or an industrial or staff disciplinary/behavioural issue;
- relates to a decision, recommendation, act or omission which is more than one year old; and/or
- relates to a matter where statutory legislation review processes exist.

9.9. Anonymous Complaints

The Issue Resolution Officer or relevant Manager will determine whether an anonymous complaint will be investigated dependent upon the seriousness of the complaint and provided there is sufficient information to enable an investigation to be conducted.

9.10 Privacy and confidentiality

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

- Use it to deal with the complainant 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

10. Decision Guidelines

There are no exemptions to this policy

11. Transition/Translation arrangements

24/9/2015

12. Review

24/9/2018