



## POLICY – 3.4 – Complaints - Administrative

### Relevant Delegation

N/A

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### Policy Statement

1. This Policy does not apply where legislation stipulates a separate complaints procedure, such as –
  - Local Government Act 1995 –
  - s.5.107 – Complaining to complaints officer of a minor breach
  - s.5.114 – Making Complaint of a serious breach
2. For the purpose of this policy, a complaint alleges some irregularity and must be substantive in nature and is to be differentiated from what would be considered to be an error, or dissatisfaction.  
Examples –

<u>Error or dissatisfaction</u>	<u>Irregularity and substantive</u>
Complaint about pothole in road	Complaint that previous reports not acted on or ignored
Rates too high	Rates improperly assessed
Works being done where not	Works being undertaken in unsafe manner wanted
Did not get the answer they	Staff dismissive or rude wanted
Council decision not in their favour	Council did not consider material information in decision
3. A complaint may be general in nature or relate to a particular staff member, a part of the organisation, a Policy or a decision. Any person may lodge a complaint however staff cannot use this process if they are acting in an official capacity. A complaint must contain sufficient detail to enable it to be addressed and recorded.
4. Receiving the Complaint –
  - a) All written complaints and record of verbal complaints are to be directed to the Chief Executive Officer in the first instance
  - b) The Chief Executive Officer is responsible for managing the resolution of disputes and complaints lodged with the Shire.
  - c) The Chief Executive Officer or person directed to resolve the complaint will make every effort to promptly resolve disputes and complaints lodged with the Shire, according to the principles of procedural fairness.
  - d) Complaints can be made – verbally, by letter, by e mail, or by fax.
  - e) Where a verbal complaint is received, or the complainant refuses to put the complaint in writing, detailed notes are to be taken by the person receiving the complaint

f) Complaints procedures at the Shire will be determined by – - Commitment

- Fairness
- Resources
- Visibility & Accessibility
- Assistance
- Responsiveness
- Charges
- Remedies
- Data collection
- Systemic and recurring problems
- Accountability
- Reviews

g) A Complaints Register is to be kept.

5. Investigating the Complaint –

a) Maintain confidentiality and impartiality

b) Resolve at the local level where possible and appropriate

c) Establish clear process for the registration and management of complaints and procedural fairness requirements

d) Analyse complaints data to facilitate service improvement and for consistency with Local Government Act

e) Clear communication to staff, Councillors and community members

f) Be proactive with respect to complaints management – - induction of staff

- procedures
- early intervention and management
- communication
- service improvement

g) Maintain a consistent approach to resolution of complaints

h) Maintain clear documentation

i) Quality assure procedures where you have line management responsibilities

j) Maintain confidentiality and impartiality

k) Acknowledge the corporate and legislative responsibility for complaints management

6. Resolving the Complaint –

a) Complaints are to be received and recorded as outlined in this policy.

b) All complaints are treated equally regardless of the manner in which they are lodged.

- c) In all cases complainants are to be treated with courtesy and the contact is to be conducted and ended in a positive way.
- d) Verbal Complaints – - Be courteous and positive to the caller at all times.
  - Assure the caller that their call will be taken seriously.
  - Listen to the caller at all times and without admitting any liability, display empathy with what they are saying.
  - Repeat the substance of their complaint to check your understanding of their position. Explain the course of action that will now follow.
- e) Written Complaints – - Write an acknowledgement letter to the complainant, ensuring that the complainant will receive this within the Shire's identified timeframe.
  - In the letter, explain the course of action that will now follow and identify yourself/relevant person as the complainant's contact person with regard to this matter.
- f) Local complaints should be resolved within 14 work days where practical. This should be seen as the maximum time and should be less wherever possible.
- g) Where there are likely to be unavoidable delays, the complainant should be contacted and kept informed of the status of their complaint. This contact may be made by telephone.
- h) Where the Chief Executive Officer or President makes a judgement that a complaint is vexatious, trivial, without substance or does not warrant further action then the complaint is not investigated, and the complainant is informed of this decision in writing.

7. Outcome of the Complaint –

- a) The Chief Executive Officer will advise the complainant in writing of the outcome of the complaint.
- b) The outcome of completed complaints must be recorded. The *Register / Database* is used to track and analyse complaints.

– *End of Policy*

COMMENT

There is a temptation in many organisations to refuse anonymous complaints, however, this practice may leave the organisation open to criticism. An anonymous complaint may still have a valid grievance, but for whatever reason, does not wish to be identified. A judgement will have to be made as to the complaint's reasonableness and objectivity.

Formerly	Policy 2.8 Replaced	
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