

Complaints Management Policy & Procedure

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Foreword

As recognised in the Australian and New Zealand Standard Guidelines for Complaint Management in Organisations [AS/NZS 10002:2014], everybody has the right to complain.

An effective complaint management system enables us to correct errors, identify system improvements and promote fairness and integrity in our decision-making processes. The attitude of the general public who interact with us will be strongly influenced by their perception of the fairness of the procedures Council uses to handle complaints. This includes our interactions with people making complaints and the information Council provides them about the process, progress and outcome/s of their complaint. By appropriately handling complaints about our services, conduct and performance Council will be protecting its good reputation as well as promoting general trust in local government.

This policy is designed to ensure the way Council handles complaints is consistent with the Australian and New Zealand Standard referred to above. As head of Randwick City Council, I am committed to ensuring that complaints are handled in accordance with this policy.

Therese Manns
General Manager

Complaints Management Policy

1. Policy Objectives

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

- Demonstrating and promoting Council's commitment to customer satisfaction.
- Ensuring all complaints are responded to in a courteous, fair, confidential and 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 three (3) working days of receipt.
- Complying with the Principles of Natural Justice, procedural fairness, interpersonal fairness and informational fairness.
- Informing customer of their right to engage an advocate to act on their behalf. That is, be assisted by a person of their choice (eg. relative, friend or other 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.

2. 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 in the Customer Service Centre 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.
- Provide access to complainants from a Non-English speaking background with access to language aids or a telephone interpreter service to assist them in lodging their complaint.

Council's General Manager commits to promoting a culture that values complaints and their effective resolution by undertaking the following:

- Report publicly on Randwick City Council's complaint handling.
- Provide adequate support and direction to key staff responsible for handling complaints.
- Regularly review reports about complaint trends and issues arising from complaints.
- Encourage staff to make recommendations for system improvements.
- Recognise and reward good complaint handling by staff.

- Support recommendations for system, service and/or product improvements arising from analysis of complaint data.

Council's Manager Customer & Compliance, as the Manager responsible for complaint handling, is committed to establishing and managing our complaint management system by undertaking the following:

- Provide regular reports to the General Manager on issues arising from complaint handling work.
- Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and implemented where appropriate.
- Recruit, train and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures.
- Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.
- Recognise and reward good complaint handling by staff.

Staff whose duties include complaint handling are committed to demonstrating exemplary complaint handling practices by undertaking the following:

- Treat all people with respect, including people who make complaints.
- Comply with Council's complaint handling policies and procedures.
- Keep informed about best practice in complaint handling.
- Provide suggestions to management on ways to improve the organisation's complaints management system.

All Council staff are committed to understanding and complying with Council's complaint handling practices by undertaking the following:

- Treat all people with respect, including people who make complaints.
- Be aware of Council's complaint handling policies and procedures.
- Assist people who wish to make complaints access the Council's complaints process.
- Assist staff handling complaints resolve matters promptly.
- Provide feedback to management on issues arising from complaints.
- Implement changes arising from individual complaints and from the analysis and evaluation of complaint data.

3. 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 (eg. not up to an expected standard, poor workmanship) or the length of time taken to complete the job/provide the service (eg. outside of service standards).

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

- a request for works or services (see definition of service request) – 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 [see our grievance policy]
- public interest disclosures made by our staff [see our [Internal Reporting Policy](#)].
- code of conduct complaints [see our [Code of Conduct for Staff](#); [Code of Conduct for Councillors](#); or [Code of Conduct for Council committee members, delegates of council and Council advisers](#)].
- responses to requests for feedback about the standard of our service provision [see the definition of 'feedback'].
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of a 'complaint']
- requests for information [see our [Information Guide](#)].

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.

4. 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.

5. Accountabilities and responsibilities

Accountability for complaints management shall be the responsibility of all employees.

Specific responsibilities are as follows:

- **Councillors** - The elected Councillors have a responsibility to accept complaints and refer them to the General Manager, or where applicable, the Public Officer (Manager Customer & Compliance).
- **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/Manager'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.
- **Public Officer (Manager Customer & Compliance)** - Has a responsibility to receive and investigate complaints of inappropriate behaviour in reference to protected disclosures. Note: Protected disclosures are not dealt with under this policy. Council has a policy 'Internal Reporting System – Protected Disclosures Act' which is available on both the Council website and the intranet. Also responsible for populating complaints database with the results of complaint investigations and reporting findings to senior management quarterly.
- **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.
- **Leader Enterprise Content Management** - 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.
- **Coordinators & Supervisors**- 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.
- **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.

6. Facilitating complaints

People Focus

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.

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 (eg. advocate, family member, legal representative, member of Parliament, another organisation).

No Charge

Complaining to us is free.

7. 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 3 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
- 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 also advise people as soon as possible when it is unable to meet timeframes for responding to their complaint and the reason for our delay.

Objectivity and Fairness

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

Conflicts of interests, 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 Randwick City Council as permitted under the relevant privacy laws, secrecy provisions and subject to ethical obligations.

8. Managing the parties to a complaint

Complaints Involving Multiple Agencies

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Complaints Involving Multiple Parties

When similar complaints are made by related parties Council prefers to communicate with a single representative of the group.

Empowerment of Staff

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

Staff may be requested to provide information in response to complaints relating to their service, actions or behaviour.

9. Complaints about corruption, serious or substantial waste, pecuniary interests, competitive neutrality or criminal activity

External Customers

Complaints about corruption, serious or substantial waste, pecuniary interests or competitive neutrality (see definitions) 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.

Staff

Council has adopted an Internal Reporting Policy (under the *Protected Disclosures Act 1994*). This policy can be accessed on Council's website www.randwick.nsw.gov.au.

Staff, including contracted staff and Councillors, who wish to report corruption, serious or substantial waste or pecuniary interests should follow the procedures in Council's Internal Reporting Policy. Explanations of some of the terms used above can be found in 'Definitions' in Appendix 1 of this document.

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

10. Safeguards against victimisation and 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 Management Procedure

11. Introduction

When responding to complaints, staff should act in accordance with our complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

There are five key stages in our complaint management system:

- Receive Complaint
- Acknowledge Complaint
- Assess and Investigate Complaint
- Provide Reasons for Decision; and
- Options for Redress & Close Complaint.

12. Receiving a complaint

Council will respond to all complaints whether they are provided in writing (using the customer feedback form or in a letter, email, website, social media or verbally (in person or by telephone).

However, if a complaint cannot be resolved at the frontline, ie. at the first tier, then it is helpful if the complaint is put in writing. Council staff who receive a complaint directly will register the complaint and its support information in F2016/00194 upon receipt. Council's Enterprise Content Management Section will then register the complaint to the appropriate TRIM folder with the appropriate service level requirements and assign the relevant staff member.

The record of the complaint will identify:

- the contact information of the person making a complaint
- issues raised by the person making a complaint
- the outcome/s sought
- any other information required to properly respond to the matter, and
- any additional support the person making a complaint requires.

All complaints in relation to the following matter must be in writing:

Issue	Reason why complaints of this nature are required in writing
Complaints about staff	To ensure confidentiality of the complaint
Complaints about Council's assessment and regulatory processes	Certain aspects of statutory assessment and regulatory processes may involve court action

Language Aids

Council will provide assistance to complainants to help them communicate and lodge their complaint. This may include help in putting a complaint in writing (using the form attached to the Compliments & Complaints Brochure) or arranging a language aid.

Complaints can be made:

In writing

Post to: Randwick City Council
30 Frances Street
RANDWICK NSW 2031.

Email to: council@randwick.nsw.gov.au
mayor@randwick.nsw.gov.au

In person

- Make an appointment to talk to the staff member with whom you have been dealing, or with their Manager; or
- Visit Council's Customer Service Centre at 30 Frances Street, Randwick between 8.30am and 5.00pm, Monday to Friday.

By telephone

- Call Council's Call Centre on 1300 722 542.

Whichever way you choose to lodge your complaint it is a good idea to provide the standard information that is asked for in the Customer Compliments and Complaints Brochure, this will help Council resolve the complaint in a timely manner.

By social media

- Complaints regarding service delivery can be made via Council's Facebook and Twitter Accounts, however Council will not respond to these complaints via social media. A response will be provided in writing, provided an email or postal address is provided.

13. Addressing complaints

Customers who lodge a complaint will be invited to identify what action they would like Council to take to address their complaint.

Such actions may include:

- An apology where Council has made a mistake or where a staff member's comments or behaviour have offended.
- Providing the desired service.
- A speedy refund of overcharged monies.
- Giving the complainant a date when they can expect their request to be actioned or application to be considered.
- Providing more information to the complainant e.g. about Council's policies or decision making processes or providing regular progress updates about an application.

- A commitment to investigate and/or review and change Council's procedures or business practices where a complaint is justified.
- A commitment to review and recommend to Council changes to policies where a complaint is justified.

There may be occasions where Council cannot resolve a complaint to the satisfaction of the complainant. In such cases, consideration may be given to a form of alternative dispute resolution procedure (such as mediation) or Council may refer the complainant to an external agency.

14. Acknowledging complaints

Complaints will be responded to as quickly as possible. An attempt will be made to resolve all complaints within a reasonable time limit. Council will keep complainants informed of progress by telephone, in writing or by interview.

Complaints received in writing (letter, facsimile or email) will be acknowledged as received by Council either by telephone or in writing within three (3) working days of receipt. Complaints received by telephone or in person will not be acknowledged in writing. Wherever possible a copy of this Complaints Handling Policy & Procedure will be provided to the complainant for their information and assistance.

In all cases the complainant will be given the name and telephone number of the person who will be dealing with their complaint.

Council delivers a wide range of services, therefore, complaints can range from matters which can be resolved immediately (e.g. by returning a telephone call or offering an apology or providing information) to others which will require an investigation or consideration of more complex issues.

Service Standards

Council will aim to resolve complaints:

- **For urgent matters** – immediately upon receipt. These matters would include a complaint about a safety issue that has been reported previously but has not been responded to.
- **For simple matters** – within 5 working days of receipt. These matters would include requests for readily available information such as estimates of when a decision on an application can be expected, apologies, returning calls and responding to correspondence where Council has not met the relevant service standard.
- **For more complex matters** – investigation within 15 working days. These matters would include complaints about more serious or complex issues such as alleged staff behaviour, allegations of corruption, maladministration or competitive neutrality.

Where timeframes cannot be met, the complainant will be advised before the time limit expires and given the reasons for the delay and a revised timeframe for resolution of the complaint/completion of the investigation etc.

15. Assessment of complaints

Initial assessment

After acknowledging receipt of the complaint, the actioning officer will confirm whether the issue/s raised in the complaint is/are within our control. The actioning officer will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, the actioning officer will assess the issues raised against the following criteria:

- Severity
- Complexity
- health and safety implications
- impact on the individual, the general public and/or us
- potential to escalate, and
- whether another organisation or area within our own organisation needs to be involved in the complaint resolution.

15.1 Council issues

Where a complaint cannot be resolved at the first point of contact, Council is committed to investigating complaints to ensure equitable outcomes for all parties concerned.

Complaints regarding the behaviour of Council employees will be referred directly to the General Manager who will consider and refer the matter to the appropriate Director or Manager in accordance with Section 5 of this policy.

Complaints regarding Council policies & procedures or the quality of services provided will be referred directly to the relevant Manager in accordance with Section 5 of this policy.

The actioning officer, for the purpose of investigation and management of complaints, shall be the appropriate Manager, Director or the General Manager as it relates to the complaint received.

Note: Staff complaints that are classified as internal grievances will be dealt with in accordance with Council's Grievance Policy.

15.2 Non Council issues

For matters which are not within Council's jurisdiction the complainant will be informed by the Council Officer of the name, telephone number and any other relevant details of the appropriate organisation (if known).

Contact list for external agencies:

Independent Commission Against Corruption (ICAC) – investigates complaints concerning corrupt conduct – www.icac.nsw.gov.au or phone (02) 8281 5999.

NSW Department of Premier and Cabinet (Local Government) – investigates complaints concerning serious and substantial waste of public monies, pecuniary interests and competitive neutrality - www.dlg.nsw.gov.au or phone (02) 9289 4000.

Office of the NSW Ombudsman – investigates complaints concerning maladministration - www.csc.nsw.gov.au or phone 1800 451 524.

Information and Privacy Commission NSW – investigates complaints concerning privacy and access to government information – www.ipc.nsw.gov.au or phone (free call) 1800 472 679.

16. Complaints handling and investigation process – A four tiered approach

Council has adopted a four tiered approach to handling complaints. This approach aims to have the complaint resolved as quickly as possible by the person who initially provided the service or who dealt with the issue (the first point of contact). The following describes the four tiered approach.

Tier 1 – Frontline Complaints Handling

Responsibility: All Staff

This first tier is the attempted resolution of the complaint by the first point of contact or by frontline staff. This may include the referral to an appropriate person or agency to deal with the matter (e.g. Code of conduct issues, protected disclosures, allegations of corrupt conduct).

Complainants are encouraged to provide feedback and/or to lodge their complaint with the officer who initially provided the service or who dealt with the issue as this is more likely to result in a speedy resolution of the complaint.

Tier 2 - Internal Senior Officer Review

Responsibility: Relevant Manager or Director

If the complainant remains unsatisfied after speaking to the officer who initially delivered the service or who dealt with the issue, or any other frontline staff, or if they feel uncomfortable approaching the officer, then they may lodge the complaint with a more senior officer or request that the matter be reviewed by a more senior officer.

The name and contact details of the relevant Manager or Director can be obtained from the Customer Service Centre and/or Call Centre.

Tier 3 – General Manager Review

If the complainant remains unsatisfied with the outcome provided by the relevant Manager or Director – or if the complaint is about a staff member – the complaint will be submitted to the General Manager. If the complaint is about the General Manager then the complaint will be submitted to the Mayor or an external agency.

Tier 4 - External Agency Review

If the complaint cannot be resolved to the customer's satisfaction through Council's internal complaints handling system, the complainant may be referred to an outside agency such as the Ombudsman, the Independent Commission Against Corruption, the Department of Premier and Cabinet (Office of Local Government), or to an alternative dispute resolution procedure.

It should be noted that where, on Council's assessment, the complaint concerns or may concern corrupt conduct, it should be reported to ICAC at the first-tier stage as outlined above.

Complaints will be automatically referred to the appropriate officer on the next tier if:

- the complaint is about the staff member's own conduct (these complaints are to be referred directly to the General Manager)
- the complainant requests it
- the problem is clearly outside the staff member's delegation or area of expertise
- a staff member is alleged to have committed a criminal offence, acted corruptly, or engaged in other serious or controversial conduct (these complaints are to be referred directly to the General Manager).

When a complaint is referred on, the complainant will be told the name and telephone number of the person to whom it has been referred, exactly what they need to do or what the staff member will do to refer the matter and what action the complainant can expect.

After assessing the complaint, Council will consider how to address the issue/s raised. This may include:

- working with the person making the complaint to see how the issues can be appropriately addressed;
- making inquiries with the person or area the subject of the complaint, and/or
- conducting an investigation into the issues raised in the complaint.

The nature and scope of any action taken by us will depend on a number of factors including:

- the circumstances of each case
- any statutory requirements
- the issue/s complained about
- the parties involved, and
- the likely outcome.

Council will actively communicate our progress to the person making the complaint, particularly where progress has been delayed. Council will also communicate the proposed outcome using the most

appropriate medium taking into account our business needs and the expressed views of the person making the complaint.

17. Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, the actioning officer will contact the person making the complaint and advise them:

- the outcome of the complaint and any action that was taken arising out of the complaint;
- the reasons for any decisions that have been made;
- any remedy or resolution that has been offered, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, Council makes any adverse findings about a particular individual, it will consider any applicable privacy obligations under the Privacy and Personal Information Protection Act 1998 and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint and/or their representative.

18. Closing the complaint, record keeping, redress and review

At the time of closing the complaint, the responsible officer will ensure the final report is registered in Council's document management system in the TRIM complaints folder allocated to their respective Division. The Manager Customer & Compliance will record all relevant information, including the following, in the complaints database:

- steps taken to address the complaint
- the outcome of the complaint
- the reasons for any decisions, and
- any undertakings or follow up action required.

Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

All complaints received by Council will be initially registered as a complaint action document type in Council's Electronic Document Management System (TRIM). Depending on their complexity, complaints will either be filed in Council's general complaints folder or allocated an individual TRIM folder. A strict naming convention will be used for all TRIM folders to ensure information on any complaint can be readily retrieved into the future for further examination should the need arise.

Staff will be provided with training on how to identify complaints and how to recognise the difference between complaints and customer requests.

19. Appeal process

If a complainant is not satisfied with the manner in which a complaint was handled or with the response provided or action taken, an appeal may be lodged.

Internal reviews will be conducted as follows:

- the reviewing officer will investigate the manner in which the complaint was originally handled and the remedial action taken.
- if, after investigation, the reviewing officer is satisfied with the process and the remedial action taken, they will inform the complainant accordingly.
- if the reviewing officer is not satisfied with the manner in which the complaint was handled or the remedial action taken, they will:
 - (a) Counsel the officer who initially handled the complaint
 - (b) Institute action to achieve the appropriate result, and
 - (c) Inform the complainant of the outcome of the review.

In replying to the complainant, the reviewing officer shall explain that, if the complainant is unhappy with the manner in which the complaint has been handled or the result, the complaint will be referred to the next tier up for a further internal review, or an appeal may be lodged with the appropriate external agency.

20. Confidentiality

Confidentiality of complaints, including the identity of the complainant will be maintained where requested and/or in accordance with relevant legislation or policies.

Where possible, complaints of a personal nature will be handled in such a manner to protect the privacy of both the person who is the subject of the complaint and the complainant.

21. Accountability and learning

Analysis and evaluation of complaints

Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports on complaints received will be run by the Manager Customer & Compliance every quarter (see Appendix 3) and will contain information including:

- the number of complaints received
- the outcome of complaints
- issues arising from complaints
- systemic issues identified, and
- the number of requests received for internal and/or external review of our complaint handling.

Analysis of these reports will be undertaken quarterly to:

- monitor trends
- measure the quality of our customer service
- redesign products and services
- change organisational practices and procedures
- retrain staff on product and service delivery
- reassess customer information needs, and
- make any other necessary improvements.

Both reports and their analysis will be provided by the Manager Customer & Compliance to Council's General Manager, senior management and Internal Audit for review.

Monitoring of the complaint management system

The Manager Customer & Compliance will continually monitor our complaint management system to:

- ensure its suitability for responding to and resolving complaints, and

- identify and correct deficiencies in the operation of the system.

Monitoring will include the review of this policy and procedure every two years, use of audits, complaint satisfaction surveys and online listening tools and alerts.

Continuous improvement

Council is committed to improving the effectiveness and efficiency of our complaint management system. To this end, Council will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaints management system, complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

A. Definitions

Competitive Neutrality - Is based on the concept of the 'level playing field' for all competitors in a market, be they public or private sector competitors. The National Competition Policy requires that 'where councils compete in the market place they should do so on a basis that does not utilise their public position to gain an unfair advantage over a private sector competitor'. Council will comply with this policy at all times. For more information on the National Competition Policy see the Department of Local Government website.

Complainant - Person or organisation making the complaint.

Complaint – See Page 3 for definition.

Complaint management system - All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.

Corruption - Corrupt conduct means any conduct which could affect the honest or impartial exercise of official functions, or may be a breach of trust, or may involve the misuse of any Council information by any Council official. Examples of corrupt conduct would include the inappropriate use of information or material gained in an official function, bribery, blackmail, offering secret commissions, forgery, etc.

Customer - A person offered a service or a product by Council, including both external and internal customers.

Council - Includes all employees and Councillors of Randwick City Council, including both external and internal customers.

Dispute - An unresolved complaint escalated either within or outside of our organisation.

Feedback - Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our services, products and/or complaint handling where a response is not explicitly or implicitly expected or legally required.

Grievance - A clear, formal written statement by an individual staff member about another staff member or a work related problem.

Maladministration - Is a failure to comply with proper procedures or the law and may involve action or inaction and inefficient, bad or improper administration. Examples would include failing to enforce development consent conditions, failing to act on complaints about unauthorised work or illegal activities, failing to comply with tendering processes or misusing secrecy provisions, etc.

Officer - Is an employee of Council, not an elected representative. **Pecuniary interest** - A situation where a public official has a personal monetary interest in their official duties. For example, a Council employee making a decision about a development application for their own business.

Policy - A statement of instruction that sets out how Council should fulfil its vision, mission and goals.

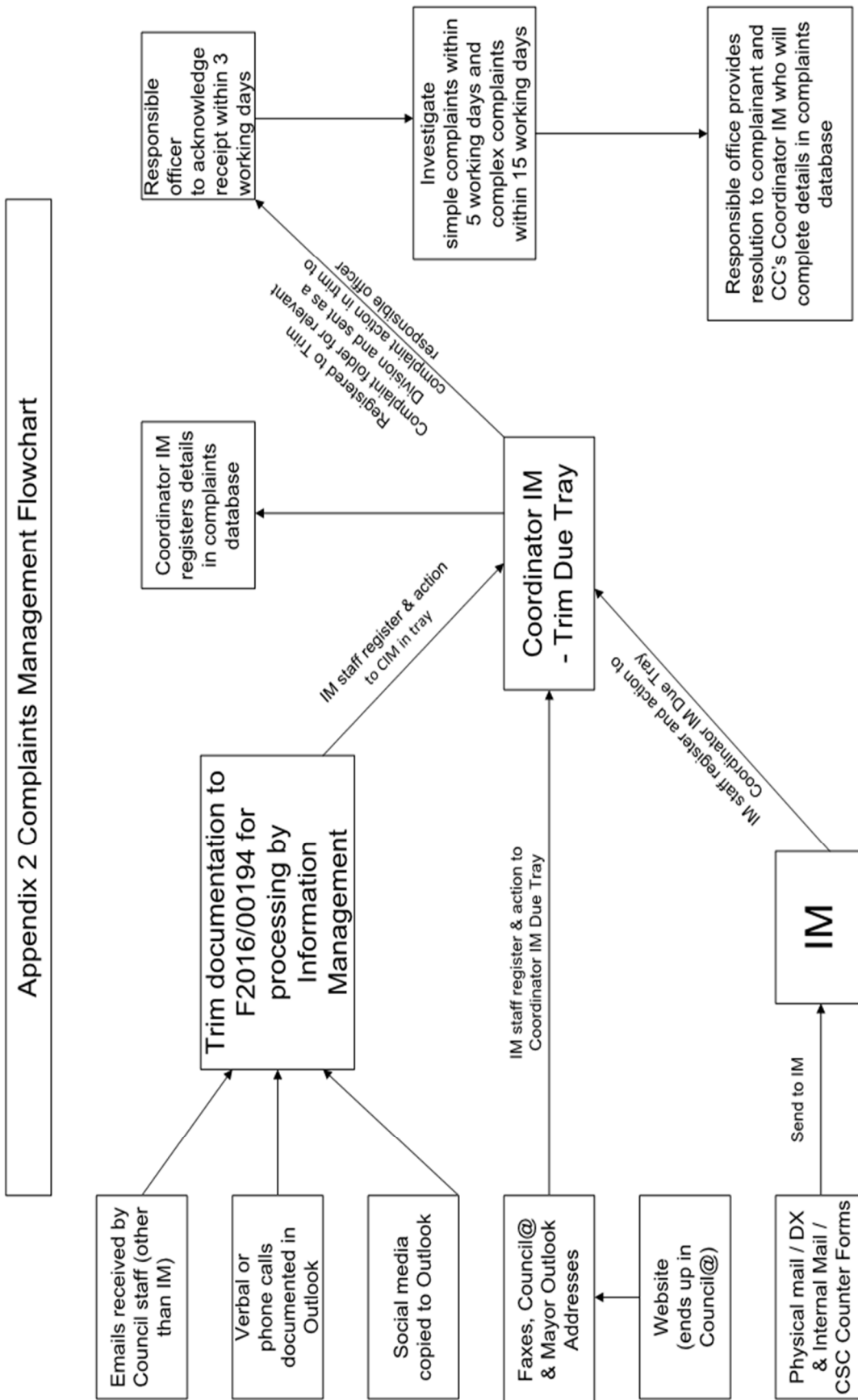
Procedure - A statement or instruction that sets out how our policies will be implemented and by whom.

Public interest disclosure - A report about wrong doing made by a public official in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994.

Service Request - The definition of a service request will vary depending on the organisation's core business. However, it is likely to include:

- requests for approval
- requests for action
- routine inquiries about the organisation's business
- requests for the provision of services and assistance
- reports of failure to comply with laws regulated by the organisation
- requests for explanation of policies, procedures and decisions.

B. Complaints Management Flowchart



C. Complaints recording database – categories for analysis by senior management

Randwick Council has developed a complaints database which will be used to generate quarterly reports for a detailed review by senior management. This thorough and ongoing analysis of complaints by senior management is undertaken in order to:

- monitor trends
- measure the quality of our customer service
- redesign products and services
- change organisational practices and procedures
- retrain staff on product and service delivery
- reassess customer information needs, and
- make any other necessary improvements.

The database is broken up into the following categories:

- Date/Time Received
- Mode of Receipt
- Date Processed
- TRIM document No.
- Council Department
- Names of Staff who are the Subject of the Complaint
- Complaint Type
- Complaint Description
- Outcome Sought
- Referred To
- Investigation Officer/Assignee
- Initial Acknowledgement – Sent By, When, TRIM Document Number
- Complaint Source
- Findings
- Identified Issues Arising
- Systemic Issues Identified
- Date Investigation Completed
- Date Complainant Advised
- Response Time
- Outcome and Action Taken
- Any Follow Up Action Required in the Future.

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