

# COMPLAINTS HANDLING POLICY



<b>Approval Body:</b>	Council
<b>Endorsement Date:</b>	14 December 2021
<b>Council Plan Reference:</b>	5.2 Improve Council decision-making to reflect community needs and priorities. 6.2 Continue to identify opportunities to improve better Council decision making through governance practices and community engagement.
<b>Current Version:</b>	1.0 <i>Council policy documents change from time to time, and it is recommended that you consult the electronic reference copy on Casey Council's Website to ensure that you have the current version. Alternatively, you may contact Customer Service on 9705 5200.</i>
<b>Compulsory Review Cycle:</b>	Every 4 years
<b>Review Date:</b>	1 July 2025 <i>It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.</i>
<b>Responsible Department:</b>	Customer and Digital
<b>Relevant Legislation:</b>	<ul style="list-style-type: none"> <li>Local Government Act 2020 - Section 57 (Public Transparency Policy)</li> <li>Local Government Act 2020 - Section 107 (Complaints Policy)</li> <li>Victorian Charter of Human Rights and Responsibilities Act 2006</li> <li>Freedom of Information Act 1982</li> <li>Public Interest Disclosure Act 2012</li> <li>Privacy and Data Protection Act 2014</li> <li>Child Wellbeing and Safety Act 2005</li> </ul>
<b>Relevant Council Documents:</b>	<ul style="list-style-type: none"> <li>Complaints against Councillors Policy</li> <li>Public Interest Disclosures Policy</li> </ul>



	<ul style="list-style-type: none"><li>• City of Casey Child Safety Policy</li><li>• Managing Unreasonable Complainant Conduct Policy</li><li>• Privacy Policy</li></ul>
<b>Breaches:</b>	Nil
<b>ECM ID:</b>	Add here

## 1. Purpose and Intent

As a customer-focused organisation, Council is committed to providing a fair and consistent process for managing complaints.

The Complaint Handling Policy provides information on what customers can expect when making a complaint to Council.

This policy will:

- define what is considered a complaint
- clarify roles and responsibilities of Council officers
- ensure Council officers manage complaints fairly and objectively
- establish timeframes for resolving complaints
- identify key performance indicators for Council officers to report on
- outline how complaints will be captured and reported
- provide an open and transparent complaint handling process
- ensure complaint outcomes inform continuous improvement activities
- improve customers' experiences in relation to complaint handling

## 2. Scope

This policy applies to Council officers, volunteers and contractors carrying out services on Council's behalf.

Some complaints are governed by specific statutory and regulatory processes which fall outside the scope of this policy. Where this is the case, the customer will be referred to the appropriate process or authority. This includes decisions, directions and processes relating to:

- privacy and health records
- freedom of information
- protected disclosures
- decisions made under legislation that provide for separate avenues of review (e.g. decisions made under the Building Act, Planning and Environment Act, Local Government Act, Infringements Act and Valuation of Land Act, Public Health and Wellbeing Act - section 63 and Domestic Animals Act - section 98)

### 3. Definitions

<b>Complaint</b>	<p>Communication, by any channel, whether verbally or in writing, to the Council by a person of their dissatisfaction with –</p> <ul style="list-style-type: none"> <li>• the quality of an action taken, decision made, or service provided by a member of council staff, or a contractor engaged by the council; or</li> <li>• the delay by a member of council staff or a contractor engaged by the council in taking action, making a decision, or providing a service; or</li> <li>• a policy or decision made by a Council or a member of Council staff or a contractor.</li> </ul> <p>A complaint in the context of this policy does not include a request for service.</p>
<b>Contractor</b>	A person, company or other entity that undertakes, provides materials or labour to perform a service or completes an activity on behalf of the City of Casey
<b>Council</b>	Has the same meaning as the definition in the Local Government Act 2020
<b>Councillor</b>	Has the same meaning as the definition in the Local Government Act 2020
<b>Council officer</b>	Has the same meaning as the definition in the Local Government Act 2020
<b>Customer</b>	An individual, business or organisation that use the services of the City of Casey
<b>Frontline staff/officer</b>	A Council officer or anyone representing or contracted by the City of Casey who has direct contact with customers.
<b>Request for service</b>	Contact with the City of Casey to seek assistance, access a new service, advice or inform/make a report about something the City of Casey is responsible for.

### 4. Context

City of Casey delivers a diverse range of services to a growing community. We know that sometimes we will not meet the service expectations of customers. Council aims to provide a consistent and fair approach to the way we manage complaints and ensure the process is easy for customers and staff.

Complaints provide Council with valuable feedback from our community to help improve processes, systems, and how we deliver services. Complaints will also identify and inform staff development opportunities and ensure that training programs are relevant and targeted. The Complaint Handling Policy guides how complaints are received responded to and reported on.

## 5. Guiding Principles

The Complaint Handling Policy is based on the principles outlined in the Victorian Ombudsman's *Councils and Complaints good practice guide 2015*.

<b>Commitment</b>	Council is committed to resolving complaints that are received. Council recognises a customer's right to complain and considers complaint handling to be part of its core business of serving the community and improving service delivery.
<b>Accessibility</b>	Customers can easily find out how to complain to Council and will be actively assisted to support them during the complaint process.
<b>Transparency</b>	The complaint handling framework 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.
<b>Objectivity and fairness</b>	Under the complaint handling framework, customers and staff are treated with respect and courtesy, and complaints are judged on merit and fact.
<b>Confidentiality</b>	The complaint handling framework protects the personal information of customers making a complaint and Council staff are informed only on a 'need to know' basis.
<b>Accountability</b>	Council is accountable, both internally and externally, for decision making and complaint handling performance. Explanations and reasons for decisions will be provided and Council will ensure that decisions are subject to appropriate review processes.
<b>Continuous improvement</b>	Council regularly analyses complaint data to find ways to improve operations and how to deliver services.

## 6. Complaint Handling Procedure

Council has a four-level approach to complaint handling:

### Level 1 – Frontline resolution

Council aims to resolve complaints the first time a customer contacts us. When we are contacted about a complaint our frontline will:

- a) Attempt to resolve the complaint immediately as per our **Customer Service Charter** response times or contact relevant subject matter experts or senior staff for advice.
- b) Record details of the complaint for continuous improvement purposes.
- c) If the complaint is unable to be resolved by frontline staff to the satisfaction of the customer, or if an investigation is required, the complaint will be escalated to Level 2. If a complaint is about staff conduct the complaint will be escalated immediately to Level 2.

## Level 2 – Investigation

If we are unable to resolve a complaint at our frontline, the frontline officer will escalate the complaint for assessment and investigation.

- a) The customer will be contacted to clarify the complaint and discuss expectations.
- b) Once a complaint has been escalated, it will be assessed and investigated within 10 working days and the outcome will be communicated with the customer. If this is not possible, the customer will be contacted prior to this time to provide an update and timeframe for resolution. Complaints about staff members' conduct will be investigated and managed accordingly, however we may not be able to provide details on the outcome or actions taken in relation to the staff member.
- c) If the customer is not satisfied with the outcome, they may request an internal review by writing to the manager of the service or by advising the investigating officer that they wish to have the matter escalated further.
- d) All details and correspondence relating to the complaint will be recorded.

## Level 3 – Internal review

If a customer is not satisfied with Councils' response, they can request their complaint undergoes an internal review by a senior officer who has not previously been involved.

- a) The manager or their delegate will acknowledge the complaint within five working days and provide a timeframe for an outcome.
- b) The manager or their delegate will contact the customer in writing within 28 days to advise the outcome, including the reasons for their decision and options for an external review. If we need more time or information to review a complaint, the customer will be contacted with an update and likely timeframe for resolution.
- c) All details and correspondence relating to the complaint will be recorded.

## Level 4 – External review

If the customer's concerns cannot be resolved to their satisfaction through Council's complaint handling process or at any stage, the customer may refer the matter to the Victorian Ombudsman or the relevant external agency. The Victorian Ombudsman can be contacted on 03 9613 6222 or via [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)

## 7. External review avenues for complaints

There are several organisations that can provide an external review of complaints relating to a council.

Organisation to contact for external review	Type of complaint
Victorian Ombudsman <a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a>	Actions or decisions of a Council, Council staff and contractors. This includes failure to consider human rights or failure to act compatibly with a human right under the Charter of Human Rights and Responsibilities Act 2006 (Vic)
Local Government Inspectorate <a href="http://www.lgi.vic.gov.au">www.lgi.vic.gov.au</a>	Breaches of the Local Government Act
Office of the Victorian Information Commission <a href="http://www.ovic.vic.gov.au">www.ovic.vic.gov.au</a>	Breach of privacy. Complaints about a freedom of information application
Independent Broad-based Anti-corruption Commission <a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>	Corruption or public interest disclosure ('whistle-blower') complaints
Victorian Human Rights and Equal Opportunity Commission <a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a>	Discrimination
Victorian Electoral Commission <a href="http://www.vec.vic.gov.au">www.vec.vic.gov.au</a>	Council elections

## 8. Roles and Responsibilities

All Council officers are accountable to the Complaint Handling Procedure. Roles and responsibilities will vary depending on the structure of each team.

<b>Frontline staff</b>	The first point of contact for the customer. This is not limited to customer service frontline; it includes all officers who have direct contact with customers. They are responsible for clarifying and attempting to resolve the complaint where possible. If they are unable to resolve the complaint, they will refer the complaint to the relevant specialist for investigation.
<b>Team Leaders/Coordinators</b>	Team leaders and coordinators are responsible for investigating complaints when they cannot be resolved by frontline staff. This includes communicating timeframes, next steps, outcomes and escalating the complaint for an internal review if requested by the customer. To ensure the process is as fair and independent as possible, a team leader and coordinator cannot be involved in the decision making at Level 2 if they have had prior involvement in the complaint.
<b>Managers or Heads Of</b>	Managers or a delegated Head Of position are responsible for internal review of complaints including the final decision and providing a written outcome. Managers are expected to promote and ensure staff are adhering to this policy.

	Investigation of a complaint may be delegated to a leadership team member with no prior involvement.
<b>Directors</b>	On occasion managers may seek advice or support from Directors regarding a complaint. However, the manager remains the officer responsible for the final decision and written outcome.
<b>Chief Executive Officer (CEO)</b>	The CEO will have oversight of any formal complaints received from the Victorian Ombudsman's Office or against a direct report to the CEO.
<b>Administrators/Councillors</b>	Administrators and Councillors are responsible for ensuring all complaints received from members of the community are directed to the relevant service in accordance with this policy.

## 9. Complaints across multiple services

If a complaint requires investigation or action across multiple services, a combined response and point of contact will be provided to the customer.

The complaint will be recorded in the customer record and linked to the primary service or the service that has the most responsibility with regards to the complaint.

## 10. How to make a complaint

Complaints can be made using any of the following channels and we will do our best to interact with customers on the channel of their choice.

To help us respond to feedback please include as much detail as possible including name, address, contact details as well as a brief description of the issue and issue location.

<b>Online</b>	<a href="http://www.casey.vic.gov.au">www.casey.vic.gov.au</a> via complaint form, webchat, or social media
<b>Email</b>	<a href="mailto:caseycc@casey.vic.gov.au">caseycc@casey.vic.gov.au</a>
<b>Telephone</b>	03 9705 5200
<b>Post</b>	City of Casey, PO Box 1000 Narre Warren Vic 3805
<b>In person</b>	At one of our Customer Service Centres <ul style="list-style-type: none"> <li>• <b>Civic Centre:</b> Bunjil Place, 2 Patrick Northeast Drive, Narre Warren</li> <li>• <b>Cranbourne Park Shopping Centre:</b> Shop 156, South Gippsland Highway, Cranbourne</li> </ul> <p>Complaints may also be received in person at any other customer facing spaces, events, forums etc.</p>
<b>Accessibility</b>	<b>National Relay Service (NRS)</b> Phone: 1800 555 677 Web: <a href="http://www.relayservice.com.au">www.relayservice.com.au</a>  <b>Translation service (TIS)</b> Phone: 131 450

<b>Executive Correspondence</b>	Correspondence that is addressed to Administrators, Councillors, Chief Executive Office, and Directors that fits the definition of a complaint will be managed in accordance with the Complaint Handling Policy.
<b>Members of Parliament</b>	Correspondence from Members of Parliament that fits the definition of a complaint will be recorded and managed in accordance with this policy.
<b>Community Engagement</b>	Council proactively asks for feedback from our customers via the Voice of Customer Program and community engagement activities. Where feedback fits the definition of a complaint, it will be forwarded to the relevant service to be handled as a complaint.

## 11. Anonymous complaints

If a customer wishes to remain anonymous, Council will respond to a complaint where possible. It can be difficult to resolve issues or to enforce legislation without the ability to thoroughly investigate and gather evidence and witness information. In some cases, Council will only be able to investigate a complaint where all the necessary information is provided.

## 12. Complaints with alternative procedures

<b>Complaints about contractors</b>	<p>Complaints regarding contractors will be referred to the contractor to be managed under their Complaint Handling Framework. Contractors will be given an opportunity to resolve complaints regarding their service.</p> <p>If a customer is not satisfied with the outcome of a complaint managed by a contractor, they can request for the complaint to be escalated in accordance with this policy.</p>
<b>Complaints about allegations of corrupt conduct</b>	Complaints involving allegations of corrupt conduct will be handled in accordance with the <b><i>Public Interest Disclosures Policy</i></b> .
<b>Complaints against Councillors/ Administrators</b>	Complaints regarding Councillors/Administrators will be handled in accordance with the <b><i>Complaints Against Councillors Policy</i></b> .
<b>Complaints about the Chief Executive Officer</b>	Complaints regarding the Chief Executive Officer will be investigated by Council's Administrators. Complaints can be emailed to <a href="mailto:administrators@casey.vic.gov.au">administrators@casey.vic.gov.au</a>
<b>Complaints reports or allegations concerning abuse, harm or neglect of a child or young person by a City of Casey employee, Administrator/Councillor, contractor or volunteer</b>	<p>Complaints can be made by a child, young person or adult about alleged reportable conduct by emailing <a href="mailto:childsafes@vic.gov.au">childsafes@vic.gov.au</a> or calling 9705 5200 and asking to speak to a member of Council's Internal Response Team (IRT).</p> <p>The IRT will look into the complaint and make a decision based on the Commission of Children and Young People's (CCYP) five types of reportable conduct. The IRT will also consider any breaches of relevant council policies or the employee Code of Conduct. If the IRT forms a 'reasonable belief' that the allegation meets a definition of child abuse, the CEO and CCYP will be notified immediately. For further information on child safe reporting, refer to Casey's <b><i>Child Safety Policy</i></b>.</p>

### 13. Unreasonable complainant conduct

While most customers have legitimate concerns and genuinely seek resolution, a small proportion of customers demonstrate unreasonable concerns and uncooperative behaviour or conduct which can impact Councils' resources and efficiency levels, as well as the productivity, safety and wellbeing of staff.

Unreasonable Complainant Conduct (UCC) is defined as "behaviour by a current or former complainant which, because of its nature and frequency, raises substantial health, safety, resource or equity issues."

Unreasonable conduct is recognised as falling into five categories:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviour

Unreasonable complainants will be managed with in accordance with the ***Managing Unreasonable Complainant Conduct Policy***

### 14. Remedies

Where Council has made an error, steps will be taken to address the situation, offering an apology and explanation as to why the error occurred and the actions taken to prevent it happening again.

### 15. Learning from complaints

Complaints provide us with valuable feedback about how we are performing.

We record and regularly analyse our complaint data to identify trends and potential issues that require further attention. We use this information to identify how we can improve our services.

We record the following information for each complaint:

- customer's details
- how the complaint was received
- a description of the complaint
- location of the issue where relevant
- customer's desired outcome (if known)
- Council officer responsible for handling the complaint
- any action taken, including contact with the customer, response times and the outcome
- any recommendations for improvement, and who is responsible for implementing them

We are open and transparent about the complaints we have received, and what we have done to resolve them. We publish our complaint data in our Annual Report.

### 16. Privacy and confidentiality

Council values our community's privacy when collecting information to respond to a complaint. Information is collected in accordance with our ***Privacy Policy***, Council 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 officers on a need-to-know basis

**17. Relevant policies**

<b>Policy</b>	<b>Link</b>
Complaints Against Councillors Policy	<a href="http://www.casey.vic.gov.au/policies-strategies/complaints-against-councillors-policy">www.casey.vic.gov.au/policies-strategies/complaints-against-councillors-policy</a>
Council's Child Safety Policy	<a href="http://www.casey.vic.gov.au/policies-strategies/child-safety-policy">www.casey.vic.gov.au/policies-strategies/child-safety-policy</a>
Customer Service Charter	<a href="http://www.casey.vic.gov.au/customer-service-charter">www.casey.vic.gov.au/customer-service-charter</a>
Managing Unreasonable Complainant Conduct Policy	<a href="http://www.casey.vic.gov.au/policies-strategies/managing-unreasonable-complainant-conduct-policy">www.casey.vic.gov.au/policies-strategies/managing-unreasonable-complainant-conduct-policy</a>
Privacy Policy	<a href="http://www.casey.vic.gov.au/policies-strategies/privacy-policy">www.casey.vic.gov.au/policies-strategies/privacy-policy</a>
Public Interest Disclosures Policy	<a href="http://www.casey.vic.gov.au/policies-strategies/public-interests-disclosures-policy">www.casey.vic.gov.au/policies-strategies/public-interests-disclosures-policy</a>

**18. Document history**

<b>Date approved</b>	<b>Change Type</b>	<b>Version</b>	<b>Next Review Date</b>