

DRAFT COMPLAINTS HANDLING POLICY

Title	Complaints Handling Policy
Summary	This policy outlines how Council will handle customer complaints.
Background	This policy is consistent with the NSW Ombudsman's model policy for complaint handling
Policy Type	Council
Relevant Strategic Plan Objective	Strategic direction 5: Progressive local leadership
Relevant Council References	<p>This policy supersedes:</p> <ul style="list-style-type: none">- Marrickville Council Complaint Management Policy, December 2014- Ashfield Council Customer Complaints Policy, December 2015- Leichhardt Council Service and Complaints Policy, March 2009
Main Legislative Or Regulatory Reference	NSW Ombudsman's model policy for complaint handling (2015)
Record Notes	External available document
Version Control	See last page

1. Introduction

Inner West Council is committed to providing outstanding customer service to the community. Council recognises the value of an effective complaints management framework as a vital part of capturing and responding to feedback.

Council sees the receipt of feedback as an opportunity to identify service issues and to improve the customer experience. Council will consider complaint feedback in its planning and quality management practices.

2. Purpose

Our complaint management system is intended to:

- handle complaints fairly, efficiently and effectively
- enable Council to respond to issues raised by customers making complaints in a timely and cost-effective way
- increase public confidence in Council's administrative processes,
- outline Council's management of unreasonable complainant conduct;
- outline the relevant external agencies for referral of serious breaches/ complaints; and
- provide information that can be used to deliver quality improvements in our services, staff conduct and complaint handling.

This document provides guidance to Council staff and to Council customers who wish to make a complaint about Council's service or performance.

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

3. Organisational commitment

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
General Manager	Promote a culture that values complaints and their effective resolution	<p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about complaint trends and issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Encourage staff to make recommendations for system improvements.</p> <p>Recognise and reward good complaint handling by staff.</p> <p>Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.</p>

Who	Commitment	How
Internal Ombudsman	Review / investigate matters in accordance with the Internal Ombudsman Shared Service Governance Charter.	<p>Contribute to the development of an efficient, fair, consistent and transparent complaints handling framework at Inner West Council.</p> <p>Provide regular reports to the General Manager and Audit, Risk and Improvement Committee on issues arising from complaint handling work including identifying any systemic organisational issues.</p> <p>Ensure recommendations arising out of complaints are addressed by the General Manager.</p> <p>Educate and support staff involved in managing complaints.</p> <p>Educate Council's customers on the Internal Ombudsman service.</p>
Group Manager, Customer Service Business Excellence & Civic Governance	Establish and manage Council's complaint management system.	<p>Provide regular reports to the General Manager on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and relevant Group Manager and implemented where appropriate.</p> <p>Train and empower staff to resolve complaints promptly and in accordance with Council's complaints framework.</p> <p>Ensure all staff are aware of Council's complaint handling framework.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve Council's complaint management system.</p>
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices.	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people make a complaint, if needed.</p> <p>Comply with Council's complaints handling policy.</p> <p>Implement Council's complaint management system as relevant to role and responsibilities.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Provide suggestions to management on ways to improve Council's complaints management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as required.</p> <p>Keep all appropriate records in relation to a complaint as required by this policy, but not limited to correspondence with complainant, interview notes, the evidence relied upon in an investigation, investigation/complaint findings and reasons for decisions.</p>

Who	Commitment	How
All staff	Understand and comply with Council's complaint handling practices.	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of Council's complaint handling framework.</p> <p>Assist people who wish to make complaints to access the complaints process.</p> <p>Be alert to complaints and assist staff handling complaints to resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed.</p>

4. Terms and definitions

Complaint

A complaint is an expression of dissatisfaction with the level or quality of the service provided by Inner West Council. This includes dissatisfaction with the outcome of a decision, level or quality of service, the failure to adhere to a policy or procedure, or behaviour of an employee or agent, which can be investigated and acted upon.

A complaint covered by this policy can be distinguished from the following:

- 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
- responses to requests for feedback about the standard of our service provision - see the definition of 'feedback' below
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response - see definition of 'feedback' below
- service requests - see definition of 'service request' below, and
- requests for information - see our access to information policy

Feedback

Opinions, comments and expressions of interest or concern to Council about our services or complaint handling where a response is not explicitly or implicitly expected or legally required.

Service request

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

Grievance

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

Public interest disclosure

A report about wrongdoing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

5. Guiding Principles for our Complaint Handling Framework



5.1 Facilitating complaints

People focus	<p>Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures and complaint handling.</p> <p>Complainants will be:</p> <ul style="list-style-type: none">• provided with information about our complaint handling process• provided with multiple ways to make complaints• listened to and treated with respect by staff; and• provided with reasons for decisions and any options for redress or review.
No detriment to people making complaints	<p>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.</p>
Anonymous complaints	<p>Council will accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.</p>
Accessibility	<p>Council will ensure that information about how complaints may be made to us is well publicised.</p> <p>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 (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation) to assist or represent them in relation to their complaint, we will communicate with them through their representative if this is their wish and this wish has been advised to us by the complainant.</p>
No charge	<p>Making a complaint to Council is free.</p>

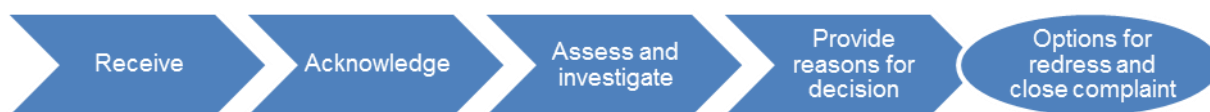
5.2 Responding to complaints

<i>Early resolution</i>	Where possible, complaints will be resolved at first contact with Council.
<i>Responsiveness</i>	<p>Complaints will be dealt with promptly.</p> <p>Council will investigate and respond to complaints within 10 business days of receipt. Where this is not possible due to the nature or complexity of a matter, a progress update will be provided to the complainant.</p> <p>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.</p> <p>Complainants will be informed about:</p> <ul style="list-style-type: none">• 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.
<i>Objectivity and fairness</i>	<p>Council will address each complaint with integrity and in an equitable, fair, and unbiased manner.</p> <p>Council will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.</p> <p>Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker and may be referred to Council's Internal Ombudsman.</p>
<i>Confidentiality</i>	When requested, Council will protect the identity of people making complaints where this is practical and appropriate.

5.3 Manage the parties to a complaint

<i>Complaints involving multiple organisations or parts of Council</i>	<p>Where a complaint involves multiple organisations, we will work with the other organisation/s where possible to ensure that communication with the person making a complaint is clear and coordinated.</p> <p>Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint will also be coordinated.</p> <p>Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our staff but also the actions of service providers.</p>
<i>Complaints involving multiple parties</i>	<p>When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.</p>
<i>Empowerment of staff</i>	<p>All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.</p> <p>Staff are encouraged to provide feedback on the effectiveness and efficiency of our complaints management system.</p>
<i>Managing unreasonable conduct by people making complaints</i>	<p>Council is committed to being accessible and responsive to all customers who approach us with feedback or complaints. At the same time our success depends on:</p> <ul style="list-style-type: none">• our ability to do our work and perform our functions in the most effective and efficient way possible• the health, safety and security of our staff, and• our ability to allocate our resources fairly across all the complaints we receive. <p>When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support Council staff to do the same in accordance with this complaints handling framework.</p> <p>In managing unreasonable conduct by people making complaints, Council will have regard to the NSW Ombudsman's guidelines on managing unreasonable complainant conduct.</p>

6. Our complaint management system



When responding to complaints, staff are required to act in accordance with this complaint handling framework and 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.

Receipt of complaints	<p>Unless the complaint has been resolved at the outset, Council will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.</p> <p>The record of the complaint will document:</p> <ul style="list-style-type: none">• the contact information of the person making the complaint and the date this is received• issues raised by the person making the complaint and the outcome/s they want• any other relevant information; and• any additional support the person making a complaint requires.
Acknowledgement of complaints	<p>Where a complaint is not likely to be resolved within 10 days, the assigned officer must inform the complainant promptly about:</p> <ul style="list-style-type: none">• the complaints process• the expected timeframes for any 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

Initial assessment and addressing of complaints	<p><i>Initial assessment</i></p> <p>After acknowledging receipt of the complaint, Council will confirm whether the issues raised in the complaint are within Council's control. We will also consider the outcome/s sought by the person making the complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.</p> <p>When determining how a complaint will be managed, we will consider:</p> <ul style="list-style-type: none"> • whether the complaint falls under this or some other complaints or legislative framework (e.g. Code of Conduct, Public Interest Disclosures Act) • how serious, complicated or urgent the complaint is • whether the complaint raises concerns about health and safety • how the person making the complaint is being affected • the risks involved if resolution of the complaint is delayed; and • whether a resolution requires the involvement of the Internal Ombudsman or any external organisations. <p><i>Addressing complaints</i></p> <p>After assessing the complaint, we will consider how to manage it. To manage a complaint we may:</p> <ul style="list-style-type: none"> • give the person making a complaint information or an explanation • gather information from the service, person or area that the complaint is about, or • investigate the claims made in the complaint. <p>We will keep the complainant up to date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint.</p>
Providing reasons for decisions	<p>Following consideration of the complaint and any investigation into the issues raised, Council will advise the complainant of:</p> <ul style="list-style-type: none"> • the outcome of the complaint and any action taken • the reason/s for the decision • the proposed remedy or resolution/s that will be put in place, and • any options for review that may be available to the complainant, such as an internal review by the Internal Ombudsman, external review or appeal.
Closing the complaint, record keeping, redress and review	<p>Council will keep documented records at all stages of the complaints management process, including how we managed the complaint, the outcome of the complaint and any outstanding actions that need to be followed up.</p> <p>Council will ensure that outcomes are properly implemented.</p> <p>Council will inform people who make complaints about any internal or external review options available to them (including the Internal Ombudsman, Office of Local Government and the NSW Ombudsman).</p>

7. Our three levels of complaint handling

Our three tiered approach to complaints handling aims to have complaints responded to and resolved fairly, efficiently and effectively subject to their seriousness and stage in the process.

Tier 1 – Frontline complaints handling

Council aims to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Depending on the parties, nature and seriousness of the complaint, Tier 1 resolution may take place at any of the following levels:

1. Front line Customer Service Officer
2. Person responsible for providing the service (Service Unit)
3. Immediate supervisor of the person providing the service (Service Unit)
4. Level 4 Manager of the function (Service Unit)
5. Responsible Group Manager (Service Unit)
6. Responsible Deputy General Manager

A staff member may decide to escalate the complaint to a more senior officer within this hierarchy for review or assessment of the complaint at any point in time. This review will be provided to the complainant.

Tier 2 – Internal review

Where Tier 1 front line resolution is not possible, the relevant Deputy General Manager, Group Manager or complainant may refer the matter to the Internal Ombudsman for internal review.

Tier 3 – External review

Where a person making a complaint is dissatisfied with the outcome of Council's review of their complaint, they may seek an external review of our decision (for example by the NSW Ombudsman or the Independent Commission Against Corruption (ICAC)).

8. Accountability and learning

Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis to the Leadership Team to monitor trends, measure the quality of customer service and to make improvements.

The complaints management system will be continuously monitored and reviewed to ensure its effectiveness in responding to and resolving complaints.

9. Policy Review

This policy is subject to regular review at a maximum interval of two years. Any recognised change to relevant legislation, directives or guidelines issued by agencies including the NSW Ombudsman and the Office of Local Government will instigate an immediate review of this policy to reflect any changes.

Document:	Council Policy	Uncontrolled Copy When Printed	
Custodian:	Group Manager Customer Service, Business Excellence and Civic Governance	Version #	Version #
Approved By:	Leadership Team	TRIM Ref #	XXXXXX
Adopted By:	Council	Publish Location	Intranet/ Internet
Adopted Date and Minute #:	XX / XX / XXXX	Next Review Date	XX / XX / XXXX