

COMPLAINTS HANDLING POLICY

Title	Complaints Handling Policy	
Summary	This policy provides information to customers and staff around how Council will manage and respond to customer complaints.	
Background	This policy is consistent with the NSW Ombudsman's model policy for complaint handling.	
Policy Type	Council	
Relevant Community Strategic Plan Objective	Strategic direction 5: Progressive local leadership	
Relevant Council References	- NSW Ombudsman's Effective complaint handling guidelines (2017)	
	- Complaints Management in Councils: A joint publication by the NSW Ombudsman and the Department of Local Government (July 2009);	
Main Legislative Or Regulatory	- Effective complaints Handling Guidelines, NSW Ombudsman (2017);	
Reference	- Complaints Management Framework, Ombudsman New South Wales (June 2015); and	
	- Managing Unreasonable Complainant Conduct Manual – NSW Ombudsman (May 2012)	
Record Notes	Externally available document	
Version Control	See below	

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1. Introduction

Inner West Council is committed to providing excellent 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 and improving Council's services to the community.

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 customers who wish to make a complaint about Council's service or performance.

Complaints involving staff grievances, code of conduct complaints and public interest disclosures are dealt with through separate complaint handling processes – please see relevant policies for further information.

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	Provide adequate support and direction to key staff responsible for handling complaints.
	complaints and their effective	Regularly review reports about complaint trends and issues arising from complaints.
	resolution	Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.
		Encourage staff to make recommendations for system improvements.
		Recognise and reward good complaint handling by staff.
		Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.

Who	Commitment	How
Internal Ombudsman	Review / investigate matters in accordance with the Internal Ombudsman Shared Service Governance Charter.	Contribute to the development of an efficient, fair, consistent and transparent complaints handling framework at Inner West Council. 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. Ensure recommendations arising out of complaints are addressed by the General Manager. Educate and support staff involved in managing complaints. Educate Council's customers on the Internal Ombudsman Shared Service.
Manager Governance (Complaints Coordinator)	Establish and manage Council's complaint management system and ensure the system is responsive	Ensure all staff are aware of Council's Complaint Handling policy. Provide regular reports to the General Manager on issues arising from complaint handling. Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and relevant Group Manager and implemented where appropriate. Ensure Council has a system to track and implement all recommendations arising from complaints management. Train and empower staff to resolve complaints promptly and in accordance with Council's complaints framework. Encourage staff managing complaints to provide suggestions on ways to improve Council's complaint management system. Ensure staff managing complaints receive training in privacy and confidentiality. Ensures complaints are responded to in a timely manner and the response adequately addresses the complaint.
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices.	Treat all people with respect, including people who make complaints. Assist people make a complaint, if required. Comply with Council's complaints handling policy. Implement Council's complaint management system as relevant to role and responsibilities. Provide feedback to management on issues arising from complaints. Provide suggestions to management on ways to improve Council's complaints management system. Implement changes arising from individual complaints and from the analysis of complaint data as required. 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. Ensure privacy and confidentiality is maintained.

Who	Commitment	How
All staff	Understand and comply with Council's complaint handling practices.	Treat all people with respect, including people who make complaints.
		Be aware of Council's complaint handling framework.
		Assist people who wish to make complaints to access the complaints process.
		Be alert to complaints and assist staff handling complaints to 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 as directed.
		Ensure privacy and confidentiality is maintained.

4. Terms and definitions

Term	Definition	
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.	
	Dissatisfaction can be expressed in relation to:	
	Failure to achieve specified standards of service	
	Delay in responding	
	Behaviour or attitude of employees	
	A Council decision or policy and/ or	
	Withdrawal or reduction of service.	
	What is not a complaint	
	 A request for service (service request) such as collection of garbage or repairing a pothole. These should be lodged as requests for service. If Council fails to provide the appropriate service/response, that is reason for a complaint; 	
	requests for information or explanations of policy or procedure;	
	reports of hazards (e.g. fallen tree branch);	
	 reports concerning neighbours or neighbouring property (e.g. noise or unauthorised building works); 	
	complaints about the Council's policies or procedures that are	

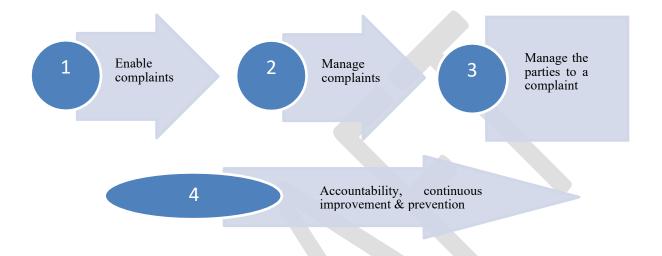
	required by law to be in place;
	 the lodgement of an appeal or objection in accordance with a standard procedure or policy e.g. objection to a development application, comments on a Policy on Exhibition.
	 Feedback - may be provided by customers through any of Council's communication channels. This includes phone, mail, email, social media, forms and in person. Feedback may take the form of a compliment, suggestion, comment or opinion on how Council could improve its services. Feedback may be classified as a Complaint when it meets the definition described above
Unreasonable complainant conduct	Unreasonable complainant conduct can be defined as any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint. Unreasonable Complainant Conduct (UCC) is grouped into five categories of conduct:
	 a) Unreasonable persistence - is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on Council staff, services, time and/or resources; b) Unreasonable demands - are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on Council staff, services, time and/or
	resources; c) Unreasonable lack of cooperation - is an unwillingness and/or inability by a complainant to cooperate with our organisation, staff, or complaints system and processes that result in a disproportionate and unreasonable use of Council services, time and/or resources; d) Unreasonable arguments - include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council staff, services, time, and/or resources; and
	e) Unreasonable behaviours - is conduct that is unreasonable in all circumstances, regardless of how stressed, angry or frustrated that a complainant is, because it unreasonably compromises the health, safety and security of Council staff, other service users or the complainant.
Compliment	A compliment is an expression of praise or regard for service received or performance delivered by Council or its staff and is not classified as a complaint.
Internal Ombudsman Shared Service	Is a service that provides residents, community members, ratepayers, local businesses, staff, Councillors and other Council stakeholders with an "independent complaint avenue" regarding: administrative conduct; unethical behaviour by Council; corrupt conduct; misconduct; or maladministration.

Service request	A routine service request is not considered a complaint under this policy and includes:
	 Requests for approval and/or action Routine enquiries 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.
Child Protection Complaints	Child protection is everybody's business. Inner West Council is committed to creating a child safe community for children and young people. This involves both meeting the requirements of child protection legislation and the Child safe Standards: • Allegations against staff – Children's Guardian Act 2019 • Mandatory reporting of risk of significant harm – Children and Young Persons (Care and Protection) Act 1998 • Selection and recruitment – Child Protection (Working with Children) Act2012 • Child-safe organisation – principles for child-safe organisations and the Royal Commission recommendations report (2017). If concerns are raised in relation to the safety and welfare of children or young people, the Child Protection Protocol and Procedures should be followed. All allegations of reportable conduct in relation to staff abusing or harming children or young people must be immediately reported. Any concerns Council holds concerning risk of significant harm to children and young people will be reported to the Child Protection Helpline. Child safety is everybody's business at Council.
Child	A person who is under the age of 16 years.
Young person	A person who is aged 16 years or above but who is under the age of 18 years.
Public interest disclosure	A report about wrongdoing made by a public official in New South Wales that meets the requirements of the <i>Public Interest Disclosures Act 1994</i> . Please refer to Council's <i>Public Interest Disclosure Policy</i> available at https://www.innerwest.nsw.gov.au/about/policies-plans-and-regulations/policies or contact Council's Public Interest Disclosures Coordinator. Council's Disclosures Coordinator is the Internal Ombudsman, Internal Ombudsman Shared Service.

5. Guiding Principles for our Complaint Handling Framework

Council is committed to achieving best practice in delivering services to the community. To succeed, Council needs to ensure that any complaints received are dealt with courteously, investigated thoroughly through transparent processes, and resolved quickly and appropriatly.

Council has followed the NSW Ombudsman's Guiding Principles and model approach to implementing a Complaints Management Frameword and procedures that will allow Council to adopt best practice aligned to AS/NZS Complaint Management Standard. This standard sets out the following guiding principles for complaint management:



5.1 Enable complaints

People focus	Council is committed to seeking and receiving compliments and complaints about our services, systems, practices, procedures and complaint handling. Complainants will be: provided with information about our complaint handling process provided with multiple and accessible ways to make complaints listened to and treated with respect by staff advised of estimated timeframes for resolution updated throughout the process; and provided with reasons for decisions 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. While Council acknowledges the reasons why complainants wish to remain anonymous, Council prefers that complainants advise of contact details to allow follow up

	information can be obtained if necessary and any outcomes can be communicated to complainants.	
Accessibility	Council will ensure that information about how complaints may be made to us is well publicised as well as recognising the importance of recognising complaints in a number of different formats. These formats are detailed in section 7.	
	Council will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance. Council welcomes complaints made through the National Relay Service (NRS) and Translating and Interpreting Services (TIS National). 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.	
No charge	Making a complaint to Council is free.	

5.2 Managing complaints

Early resolution	Where possible, complaints will be resolved at first contact with Council.
Responsiveness	Complaints will be dealt with promptly according to the timeline set out in part 6.
Objectivity and fairness	Council will address each complaint with procedural fairness, natural justice and in an unbiased manner. We will seek to respond to complaints in date order of being received, however note some matters may be escalated given sensitivities and concerns regarding health and safety. Council will ensure that the person handling a complaint is not the same staff member whose conduct or service is being complained about by the complainant. Feedback may be provided back to the staff member regarding their conduct or service. 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.
Confidentiality and privacy	Council will protect the identity of people making complaints where this is practical and appropriate. Information collected will only be used for the purpose of investigating the complaint. Council will ensure good record keeping practices are followed and privacy requirements relating to the complainant are followed.

5.3 Manage the parties

Complaints involving multiple organisations or parts of Council	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.
parto or oddinon	Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint will be coordinated by the Complaints Coordinator.
	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.
Complaints involving multiple parties	When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group to ensure efficiency in complaints management.
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 our complaints management system.
Managing unreasonable conduct by people making complaints	Council is committed to being accessible and responsive to all customers who approach us with feedback or complaints. At the same time Council's success depends on:
	 the ability to do its work and perform functions in the most effective and efficient way possible the health, safety and security of all staff, and the ability to allocate resources fairly across all the complaints it receives.
	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 complaint handing framework.
	Strategies for managing unreasonable customers
	Council may decide to deal with unreasonable customer conduct in one or more of the following ways:
	Who they contact - Where a customer demonstrates unreasonable persistence or demands, it may be appropriate to restrict their access to a single staff member (a sole contact point).
	This staff member will exclusively manage their complaint(s) and interactions with Council. This will ensure they are dealt with consistently and will minimise the chances for misunderstandings, contradictions and manipulation.
	What they can raise with Council - Where customers continue to engage in unreasonable conduct about issues that have already been comprehensively considered and/or reviewed (at least once) by Council,

restrictions may be applied to the issues/subject matter the customer can raise with Council.

When and how they can have contact - A customer's telephone, written or face-to-face contact with Council may place an unreasonable demand on time or resources because it affects the health, safety and security of staff and it may also be behaviour that is persistently rude, threatening, abusive or aggressive. As such, Council may limit when and/or how the customer can interact with Council.

If the General Manager (or their delegate) authorises limitations in relation to a complainant because of unreasonable complainant conduct, the limitations will be imposed for a defined period at the end of which there will be a review to decide if the limitations should be removed.

5.4 Accountability, learning and prevention

Accountability	Council is committed to good complaint handling and create a culture that respects the rights and views of other people. Are genuine in seeking and receiving compliments and complaints about our services, systems, practices, procedures and complaint handling.	
Continuous Improvement	Council will actively review and seek improvement to our services, systems, practices and procedures as well as our complaint handling. This will include regular analysis of complaint issues and trends relating to service quality and associated systems.	
Prevention	Council will use complaints as an opportunity to prevent further complaints and dissatisfaction through appropriate feedback and improvement mechanisms.	

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 and the timeframes within the relevant legislation.

Within 3 business days Council will:	Make a record of the complaint	Council will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file and ensure good record keeping is followed and to ensure staff can locate complaints as required.
		The record of the complaint will document:

Acknowledge complaint	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. All complaints will be acknowledged within three working days and advise about: 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 assess and address complaints Providing real	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. When determining how a complaint will be managed, we will consider: • 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. **Addressing complaints** After assessing the complaint, we will consider how to manage it. To manage a complaint we may: • 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. 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.
for decisions	

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	Closing the complaint, record keeping, redress and review*	 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. Formal complaints will receive a response in writing for recordkeeping purposes. 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. Council will ensure that outcomes are properly implemented. 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).
Beyond 10 business days*		In instances where Council is awaiting information to assist its investigation a complaint may go beyond our 10 working day timeframe. Council will endeavour to provide the complainant with as accurately as possible the timeframe to expect an informed response. If this timeframe is not met, Council will provide the complainant with a revised timeframe. If Council's response to a complaint is challenged by the complainant, such challenges may also extend a complaint response period, and each challenge will be subject to the above timeframes for the response. Council will be clear when it considers a matter "closed" or "resolved" and will advise the complainant of the details of any appropriate external agencies the complainant may contact if they are not in agreeance.

7. How to lodge a complaint

It is Council's preference that complaints are made in writing, in accordance with this Policy and its three-tier approach. Council will record anonymous complaints and act on them where the matter is of a serious nature, or where there is sufficient information provided at the time the complaint is lodged.

Complaints can be made:

By Email

council@innerwest.nsw.gov.au

By mail

Inner West Council PO Box 14 PETERSHAM NSW 2049

In person

At any of Council's Offices during normal business hours.

By telephone

Customer Service (02) 9392 5000

On our website

https://www.innerwest.nsw.gov.au/about/get-in-touch/online-self-service

Customers who have a hearing or speech impairment

Inner West Council welcomes calls made through the National Relay Service (NRS). The NRS is a government sponsored initiative that allows people who are deaf or have a hearing or speech impairment to make phone calls in the same way as anyone else. This service is available 24 hours a day, 365 days a year.

National Relay Service (NRS)

Tel: 1800 555 677

Web: www.relayservice.gov.au

Voice/Text phone users

To make a call dial: 133 677 (24 hours 7 days per week).

People who have speech/communication impairment only (do not have a hearing impairment)

Speak and Listen Service (SSR) on 1300 555 727

Translating and Interpreting Services (TIS National)

Council offers a Translating and Interpreting Service (TIS) and can be accessed by calling 13 14 50 (24 hours 7 days per week).

Should a complainant remain dissatisfied, a complaint can then be referred to the Internal Ombudsman Shared Service outlining the concerns with the outcome or handling of a complaint.

The Internal Ombudsman Shared Service contact details are as follows:

By Email

internalombudsman@innerwest.nsw.gov.au

Bv Mail

Internal Ombudsman Shared Service 11 Northumberland Road Auburn NSW 2144

By telephone

(02) 8757 9044

If a complainant is not satisfied with the outcome at the second tier stage, or for other complaint types as outlined in 6.3, then further remedy can be sought via the relevant external agency. A list of these agencies are detailed in the *Compliments and Complaints Management Guidelines*.

8. 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. This

approach is also founded on the NSW Ombudsman's Effective Complaint Handling Guidelines.

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 Senior Manager (Service Unit)
- 6. Responsible Director
- 7. 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 given particular sensitivities or the complainant is dissatisfied after Council's response, the relevant Director, Senior Manager or complainant may refer the matter to the Internal Ombudsman Shared Service for further review and in line with the Internal Ombudsman Shared Service Governance Charter.

Any complainant is open to approach the IOSS independently.

Tier 3 - External review

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

9. 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 Executive 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.

10. External agencies

NSW Ombudsman

Level 24,580 George Street, SYDNEY NSW 2000

Phone: 02 9286 1000 or 1800 451 524

Fax: 02 9283 2911

Email: nswombo@ombo.nsw.gov.au

NSW Department of Local Government

Locked Bag 3015, NOWRA NSW 2541

Phone: 02 4428 4100 Fax: 02 4428 4199

Email: dlg@dlg.nsw.gov.au

The Independent Commission Against Corruption

GPO Box 500, SYDNEY NSW 2001 Phone: 02 8281 5999 or 1800 463 909

Fax: 02 9264 5364

Email: icac@icac.nsw.gov.au

The Information and Privacy Commission NSW

GPO Box 7011, Sydney NSW 2001

Phone: 1800 472 679 FAX: (02) 8114 3756

Email: ipcinfo@ipc.nsw.gov.au

11. Related documents

- Code of Conduct;
- Public Interest Disclosures Policy;
- Complaints Management in Councils: A joint publication by the NSW Ombudsman and the Department of Local Government (July 2009);
- Effective complaints Handling Guidelines, NSW Ombudsman (2017);
- Complaints Management Framework, Ombudsman New South Wales (June 2015); and
- Managing Unreasonable Complainant Conduct Manual NSW Ombudsman (May 2012)

9. Policy Review

This policy is subject to regular review at a maximum interval of two years.