

# Draft Complaints Handling Policy

V3



<b>Title</b>	<b>Complaints Handling Policy</b>
<b>Summary</b>	This policy establishes a consistent, proactive, and measurable approach to effective complaint management for Inner West Council (Council).
<b>Document Type</b>	Policy
<b>Relevant Strategic Plan Objective</b>	Strategic Direction 5: Progressive responsive and effective civic leadership.
<b>Legislative Reference</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Effective Complaints Handling Guidelines, NSW Ombudsman (2017).</i></li> <li>• <i>Complaints Management Framework, Ombudsman New South Wales (June 2015).</i></li> <li>• <i>Managing Unreasonable Conduct by a Complainant Manual – NSW Ombudsman (2021)</i></li> <li>• <i>Managing Unreasonable Conduct by Complainants, NSW Ombudsman Model Policy (July 2022)</i></li> <li>• <i>Complaint Management Framework and Model Policy (June 2015)</i></li> </ul>
<b>Related Council Documents</b>	<ul style="list-style-type: none"> <li>• Model Code of Conduct</li> <li>• Customer Service Charter</li> <li>• Statement of Business Ethics</li> <li>• Internal Ombudsman Shared Service Governance Charter</li> <li>• Public Interest Disclosures Policy</li> </ul>
<b>Version Control</b>	See last page

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## 1 Purpose

The purpose of this policy is to:

- Provide a clear and transparent process on how to lodge a complaint, the available avenues for review and how complaints are to be managed
- Assist staff to handle complaints fairly, effectively, and in a timely manner
- Increase the community's confidence in Council's administrative and complaint handling processes
- Outline Council's management of unreasonable complainant conduct
- Outline the relevant external agencies for referral of serious breaches/complaints
- Enhance quality improvement in Council's services, staff conduct and the handling of complaints.

## 2 Scope

This policy applies to all Council staff, elected councillors, our community and service partners.

Complaints involving staff grievances, code of conduct and public interest disclosures are dealt with through separate complaint handling processes – please see relevant policies for further information as listed in 'Related Council Documents' on page two.

## 3 Definitions

In the Complaint Management Policy, the following terms are defined below:

<b>Councillor</b>	Inner West Council elected representative
<b>Council Officer</b>	Inner West Council members of staff (including full-time, part-time, casual, and contracted staff)
<b>Act</b>	Local Government Act 1993
<b>Complaint</b>	<p>A complaint is any expression of dissatisfaction with the level or quality of the service provided by Council, including:</p> <ul style="list-style-type: none"> <li>• Failure to achieve specified standards of service</li> <li>• Delays in response</li> <li>• Behaviour or attitude of employees</li> <li>• A Council decision or policy</li> <li>• Withdrawal or reduction of service.</li> </ul>

<b>Complainant</b>	The Complainant is the customer or parties making a complaint.
<b>What is not a Complaint</b>	<p>Interaction with Council in line with its normal business operations is not a complaint. This includes:</p> <ul style="list-style-type: none"> <li>• Requests for service or investigation</li> <li>• Requests for information or explanation of policies, procedures, or decisions</li> <li>• Dissatisfaction with Council's policies and procedures which are required by law</li> <li>• Lodgement of objection in accordance with a standard procedure or policy: <ul style="list-style-type: none"> <li>○ Objection to a Development Application</li> <li>○ Comments on a Policy on exhibition.</li> </ul> </li> </ul>
<b>Service Request</b>	<p>A service request includes asking Council for services such as:</p> <ul style="list-style-type: none"> <li>• Requests for provision of services or assistance, such as collection of waste, mowing of a park, or trimming of tree branches</li> <li>• Addressing hazards such as a fallen tree or pothole repairs</li> <li>• Seeking approvals such as development approvals or tree permits</li> <li>• Access to information about Council business</li> <li>• Requests for explanation of policies, procedures, or decisions</li> <li>• Reports concerning neighbours or their properties.</li> </ul>
<b>Feedback</b>	<p>Feedback can be positive or negative and includes reactions or opinions. This may take the form of a compliment to praise services received, a suggestion on improving services provided or complaining about the quality of service delivered by Council.</p>
<b>Internal Ombudsman Shared Service</b>	<p>An independent service providing an alternative avenue to review complaints about Council's:</p> <ul style="list-style-type: none"> <li>• Administrative conduct</li> <li>• Unethical behaviour</li> <li>• Misconduct or corrupt conduct</li> <li>• Maladministration.</li> </ul>

## 4 Statement

Inner West Council is committed to providing excellent service to the community. Council recognises an effective complaint management policy is a vital part of capturing and responding to feedback while continuously making improvements to achieve service excellence.

## 5 Organisational Commitment

Council expects staff to comply with this policy and be committed to fair, effective, transparent, and efficient complaint handling practices.

<b>All Council Staff</b>	<p>Be responsive to complaints in line with Council's Service Charter, this includes:</p> <ul style="list-style-type: none"> <li>• Applying good record keeping practices</li> <li>• Providing feedback on issues arising from complaints and suggesting ways to improve Council's processes and services to the community</li> <li>• Learning from complaints and continuously improving.</li> </ul>
<b>General Manager</b>	<p>Promote a culture that values complaints and their effective resolution, by providing support and direction to staff to be responsive to complaints.</p> <p>Regularly review complaint trends and incorporate feedback data in quality management practices and actively encourage staff to make recommendations for service improvements.</p>
<b>Councillors</b>	<p>When receiving complaints directly from residents Councillors will raise the complaint with the relevant Manager or the General Manager as required.</p>
<b>Internal Ombudsman (IOSS)</b>	<p>Review and investigate complaints in accordance with the Internal Ombudsman Shared Service Governance Charter.</p> <p>The IOSS also:</p> <ul style="list-style-type: none"> <li>• Contribute to the development of an efficient, fair, consistent and transparent complaints handling framework</li> <li>• Provide regular reports on issues arising from complaint handling including identifying any systemic organisational matters</li> <li>• Educate and support staff involved in managing complaints and on the role of the Internal Ombudsman Shared Service.</li> </ul>

<b>Customer Complaints Specialist</b>	<p>Coordinate, monitor and assist with complaint resolution ensuring optimum outcomes are reached and customer concerns are addressed.</p> <p>Encourage feedback and provide support to the delivery of continuous improvement of Council services and the complaints handling process.</p> <p>Manage complaints across multiple areas of Council or from multiple parties.</p>
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## 6 Guiding Principles

Council is committed to achieving best practice in delivering services to the community. To succeed, Council needs to ensure complaints received are dealt with courteously, investigated thoroughly through transparent processes and resolved efficiently and appropriately in line with Council's Customer Service Charter.

Council has followed the NSW Ombudsman's Guiding Principles and model approach when developing and implementing complaint handling practices.



## Enable Complaints

<b>People Focus</b>	<p>Council is committed to seeking feedback about our services, systems, practices, procedures, and the way we handle complaints.</p> <p>Complainants will be:</p> <ul style="list-style-type: none"> <li>• listened to and be treated with respect</li> <li>• provided with information about our complaint handling process and the multiple and accessible ways to make complaints</li> <li>• advised of timeframes for resolution</li> <li>• updated throughout the complaint process</li> <li>• provided with reasons for decisions</li> <li>• advised of options for review if they are dissatisfied.</li> </ul>
<b>No Detriment to People Making Complaints</b>	<p>Council will take all reasonable steps to ensure that complainants are not adversely affected because a complaint has been made by them or on their behalf.</p>
<b>Anonymous Complaints</b>	<p>Council will accept and investigate anonymous complaints.</p> <p>While Council acknowledges reasons why a complainant may wish to remain anonymous it will not allow for updates in the form of follow ups, information sharing or resolution.</p> <p>Council prefers complete contact details to allow for the sharing of information and communication of outcomes.</p>
<b>Accessibility</b>	<p>Council will ensure information about how to make a complaint is well publicised, easily understood, and accessible to everyone.</p> <p>Council welcomes complaints made through:</p> <ul style="list-style-type: none"> <li>• A third party assisting or representing the complainant</li> <li>• The National Relay Service (NRS)</li> <li>• Translating and Interpreting services (TIS International).</li> </ul>



## Manage Complaints

<b>Early Resolution and Responsiveness</b>	Where possible, complaints will be resolved at first point of contact with Council or within timeframes as defined in section 9.
<b>Objectivity And Fairness</b>	<p>Council will address each complaint with procedural fairness, natural justice and without bias. Complaints will be responded to in the order received, however some matters may be escalated dependant on sensitivities and/or health and safety concerns.</p> <p>Council will ensure complaints about a staff member's attitude, behaviour or service are investigated by a different staff member. Following investigation constructive feedback will be provided to the staff member regarding their conduct or service.</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>
<b>Confidentiality And Privacy</b>	Council will protect the identity of complainants where this is practical and appropriate. Information collected will only be used for the purpose of investigating the complaint.
<b>National Disability Insurance Scheme (NDIS)</b>	<p>Council will take reasonable steps to report complaints received involving people with disability to the NDIS Commissioner. This includes:</p> <ul style="list-style-type: none"> <li>• Death or severe injury</li> <li>• Abuse or neglect</li> <li>• Use of an unauthorised restrictive practice</li> <li>• Unlawful sexual or physical contact, or assault</li> <li>• Sexual misconduct committed against or in their presence including grooming for sexual activity.</li> </ul>
<b>Public Interest Disclosure</b>	A Public Interest Disclosure is a report about wrongdoing made by a public official in New South Wales, which meets the requirements of the Public Interest Disclosures Act 2022. Please refer to Council's Public Interest Disclosures Policy available through the policy register <a href="https://www.nsw.gov.au/policies/register-inner-west-council">Policies register – Inner West Council (nsw.gov.au)</a> or contact Council's Public Interest Disclosure Coordinator – The Internal Ombudsman.
<b>Child Protection Complaints</b>	Child safety is everybody's business.

	<p>Council is committed to creating a child safe community for children (under the age of 16), and young people (between the ages of 16 to 18). This involves both meeting the requirements of child protection legislation and the child safe standards:</p> <ul style="list-style-type: none"> <li>• Allegations against staff – Children’s Guardian Act 2019</li> <li>• Mandatory reporting of risk of significant harm – Children and Young Persons (Care and Protection) Act 1998</li> <li>• Selection and recruitment – Child Protection (Working with Children) Act 2012</li> <li>• Child-safe organisation – principles for child-safe organisations and the Royal Commission recommendations report (2017).</li> </ul> <p>If concerns arise about the safety and welfare of children or young people, the Child Protection Protocol and Procedures should be followed.</p> <p>Any children or young people that Council suspect are at risk of significant harm will be reported to the Child Protection Helpline Phone 13 21 11.</p>
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## Managing Complaints Involving Multiple Organisations and Multiple Parties

Council will work with multiple organisations, where possible, to ensure communication with the complainant is clear and coordinated.

The Customer Complaints Specialist will be responsible for coordinating a complaint with multiple areas within Council.

When similar complaints are made by more than one party, Council will arrange communication with a single representative of the group to ensure complaints are managed effectively.

## Unreasonable Complainant Conduct

Council will deal fairly, objectively, and empathetically with all complainants. In some cases, the complainant’s behaviour may affect services provided, be a threat to the safety of staff or themselves or have an unreasonable impact on time and/or resources.

## Five categories of unreasonable behaviours are:

<b>Unreasonable Persistence</b>	Complainant is refusing to accept that a complaint has been closed and is contacting council repeatedly about the same issue.
<b>Unreasonable Demands</b>	Complainant is raising issues beyond Council's responsibility, asking for a solution that is not practical or will negatively impact services.
<b>Unreasonable lack of Cooperation</b>	Complainant is <ul style="list-style-type: none"> <li>• Not providing further information as requested, or</li> <li>• Dishonestly presenting the facts, or</li> <li>• Not clear on the details of the complaint, or</li> <li>• Details of the complaint change with each contact.</li> </ul>
<b>Unreasonable Arguments</b>	Where the complainant is raising issues that are: <ul style="list-style-type: none"> <li>• Exaggerated</li> <li>• Not based in reason or logic</li> <li>• Incomprehensible, false, inflammatory, or trivial</li> <li>• Delirious or focusing on conspiracy theories.</li> </ul>
<b>Unreasonable Behaviours</b>	Complainant is being rude or aggressive, threatening violence or being abusive towards staff.

## Managing Unreasonable Complainant Conduct

The General Manager will consider instances of unreasonable complainant conduct and may authorise limitations or adjustments for their future interactions with Council.

Council may decide to deal with unreasonable customer conduct in one or more of the following ways:

- Restricting access to a single staff member by indicating who the customer can contact within Council
- Limiting how the customer can contact Council. This can be either a phone call or an email
- Establishing alternative contact arrangements such as communication via a representative of the complainant
- Applying restrictions on a subject matter the customer can raise with Council, where the issues have been comprehensively considered and/or reviewed by Council
- Refusing to serve or requiring customers to leave the premises
- Calling the Police
- Temporary or permanent bans on attending Council facilities.

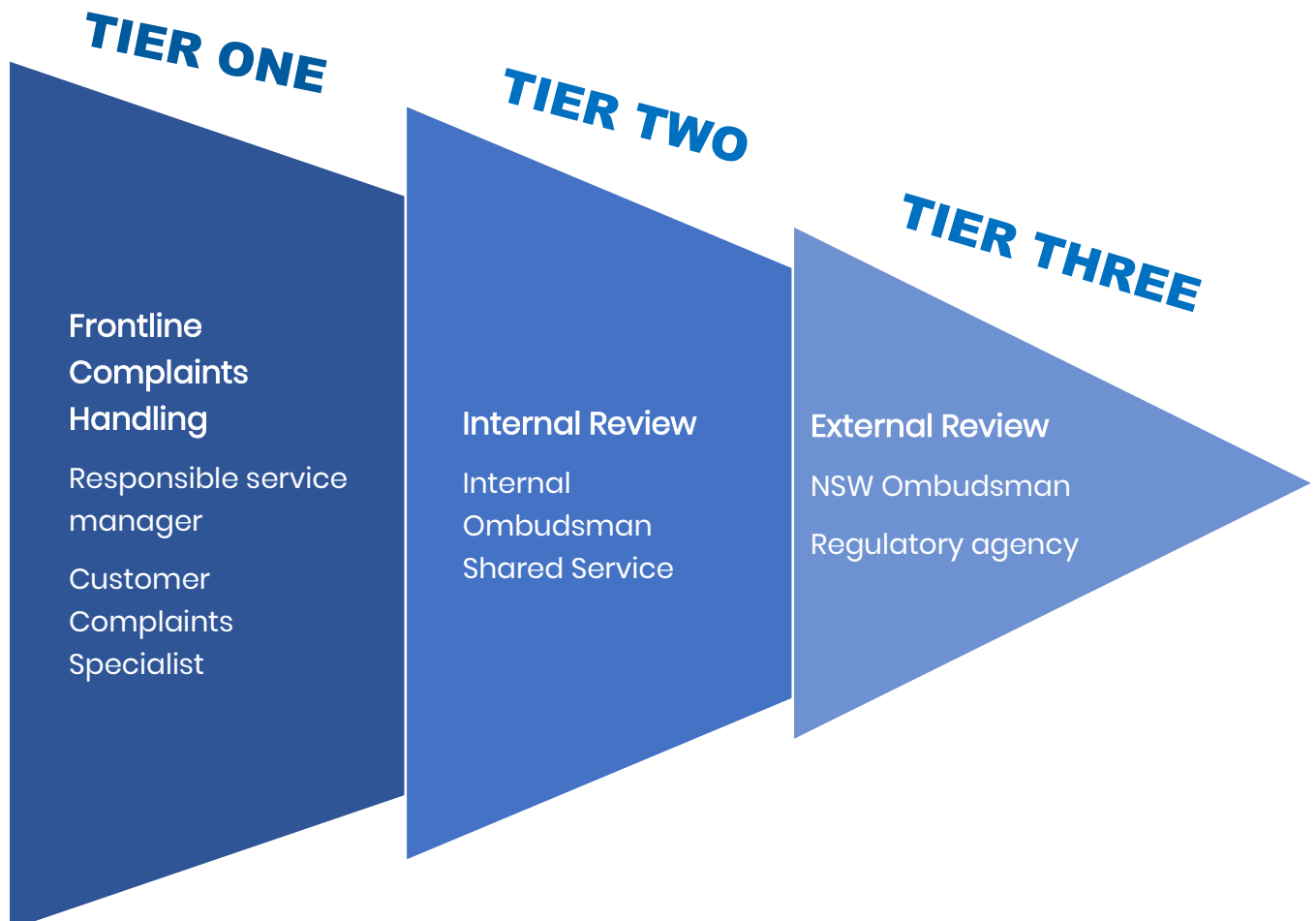
Council must notify the complainant in writing of their contact being changed or restricted. In cases where the unreasonable conduct does not pose health and safety risks for staff, Council will issue a warning letter asking for the behaviour to stop. Complainants are entitled to one appeal, to have their restrictions or changes to service to be reconsidered. This will be undertaken by a senior staff member who was not involved in the original decision.

To determine if restrictions are to be maintained, amended, or withdrawn, a review must be conducted every three or six months, depending on the nature of service effected, and not more than 12 months from the date they were imposed,

When issuing a warning or notification letter, considering rights of appeal and conducting periodic reviews Council will follow the 'NSW Ombudsman's Managing Unreasonable Conduct by Complainants Model Policy 2022'.













## 7 Three Levels of Complaint Handling





Council's three-tier approach to complaints handling aims to have complaints responded to and resolved promptly, efficiently, and effectively, subject to their seriousness and stage in the process. This approach is based on the NSW Ombudsman's Effective Complaint Handling Guidelines.



















<p><b>Tier One</b></p> <p>Frontline Complaints Handling</p>	<p>Council aims to resolve complaints at the first level, through investigation, action, and response by the relevant service areas.</p> <p>Tier One resolution may take place at any of the following levels:</p> <ul style="list-style-type: none"> <li>• Frontline Customer Service Officer</li> <li>• Person responsible for providing the service</li> <li>• Immediate supervisor of person providing the service</li> <li>• Responsible service manager</li> <li>• Customer Complaints Specialist</li> <li>• Responsible Director</li> <li>• General Manager.</li> </ul> <p>A Staff member may decide to escalate the complaint to an officer within their hierarchy for review or assessment. The outcome of this review will be provided to the complainant.</p>
<p><b>Tier Two</b></p> <p>Internal Review</p> <p>Internal Ombudsman Shared Service (IOSS)</p>	<p>Any complainant is open to approach the IOSS independently.</p> <p>Where Tier One frontline resolution is not possible or the complainant is not satisfied with Council's response, Council can refer the complaint to the IOSS.</p> <p>The IOSS provide an independent complaint avenue regarding Council's</p> <ul style="list-style-type: none"> <li>• Administrative conduct</li> <li>• Unethical behaviour</li> <li>• Misconduct and</li> <li>• Maladministration.</li> </ul>
<p><b>Tier 3</b></p> <p>External Review</p>	<p>If a complainant is not satisfied with Council's response to their complaint and the outcome of an IOSS review, they may seek a further review from a relevant Government body or regulatory agency.</p>

## 8 How to Lodge a Complaint

TIER ONE - Frontline Complaints Handling by Council Staff			
	<a href="#">Let us know how we are doing.</a>		
	<a href="mailto:council@innerwest.nsw.gov.au">council@innerwest.nsw.gov.au</a>		
	(02) 9392 5000		
	<a href="#">Mobile Customer Service</a>		
	<p>Customer Service Centres - Monday to Friday 8:30am to 5pm</p> <p>Ashfield Customer Service Centre 260 Liverpool Road, Ashfield NSW 2131</p> <p>Leichhardt Customer Service Centre 7-15 Wetherill Street, Leichhardt NSW 2040</p> <p>Petersham Customer Service Centre 2-14 Fisher Street Petersham NSW 2040</p>		
	PO Box 14, Petersham NSW 2049		
	<p><b>National Relay Service (NRS)</b></p> <p>Assistance for people with hearing or speech difficulties. Contact the organisation you need through the NRS.</p>		
	<a href="http://www.accesshub.gov.au/about-the-nrs">www.accesshub.gov.au/about-the-nrs</a>		
	1800 555 660		
	<p><b>Telephone Interpreter Service</b></p> <p>We can arrange an interpreter through TIS, or you can contact TIS yourself before speaking to us.</p>		
	<a href="http://www.tisinternational.gov.au">www.tisinternational.gov.au</a>		131 4500

TIER TWO - Internal Review	
Internal Ombudsman Shared Service	
	<a href="#">Internal Ombudsman</a>
	(02) 8757 9099
	<a href="mailto:internalombudsman@innerwest.nsw.gov.au">internalombudsman@innerwest.nsw.gov.au</a>
	11 Northumberland Road Auburn NSW 2144

TIER THREE External Review			
NSW Ombudsman		NSW Office of Local Government	
	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>		<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
	(02) 9286 1000 or 1800 451 524		(02) 4428 4100
	<a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a>		<a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
	Level 24,580 George Street SYDNEY NSW 2000		Locked Bag 3015 NOWRA NSW 2541
The Independent Commission Against Corruption		Information and Privacy Commission NSW	
	<a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a>		<a href="http://www.ipc.nsw.gov.au">www.ipc.nsw.gov.au</a>
	02 8281 5999		1800 472 679
	<a href="#">Complete an online form</a>		<a href="mailto:ipinfo@ipc.nsw.gov.au">ipinfo@ipc.nsw.gov.au</a>
	Level 7, 255 Elizabeth Street SYDNEY NSW 2000		GPO BOX 7011 SYDNEY NSW 2001

## 9 The Complaint Management System

When responding to complaints, staff must act in accordance with this policy, any relevant legislation/regulations and any other internal documents providing guidance on the handling of complaints.

Good record keeping practices must be followed for all complaints. Council will record complaints in a systematic way so that information can be:

- Easily retrieved for analysis, reporting and monitoring of trends
- Applied to measure the quality of Customer Service and the resulting customer experience
- Used to make improvements to services and the customer's experience.

The Service Standards for the management of complaints are:





Within 1 Business Day	
Record	<p>As soon as the complaint is received it will be recorded with the following information:</p> <ul style="list-style-type: none"> <li>• A unique identifier and the date the complaint is received</li> <li>• Contact details of the complainant</li> <li>• Complete information about the complaint, as reported</li> <li>• Correspondence generated to acknowledge the receipt of the complaint.</li> </ul>
Allocation	<p>Complaints must be allocated to the most appropriate Council officer to take responsibility for the complaint.</p> <p>Complaints from IOSS, external agencies, complex complaints, and complaints regarding multiple services may be allocated to the Customer Complaints Specialist to case manage the response.</p>
Acknowledgement	<p>The Council officer or Customer Complaints Specialist will acknowledge the complaint advising the complainant/agency of the process the complaint will take.</p>

Within 10 Business Days	
Initial Assessment	<p>Council will consider:</p> <ul style="list-style-type: none"> <li>• Whether concerns raised regard the health and safety of the community</li> <li>• Whether urgent action is needed to prevent harm and impact on the community</li> <li>• Whether concerns raised and the expected outcomes are within Council's control</li> <li>• How the complainant is being affected by the claims made</li> <li>• Previous related requests and complaints</li> <li>• Whether the complaint falls under other frameworks such as the Code of Conduct or the Public Interest Disclosures Act.</li> </ul>

Investigation	<p>To manage a complaint, Council will:</p> <ul style="list-style-type: none"> <li>• Investigate the claims made</li> <li>• Gather information from the service area or staff member the complaint is about</li> <li>• Contact the customer to gather more information or provide information, an update, or an explanation.</li> </ul>
Communication	<p>The service manager/Customer Complaints Specialist will keep the complainant/agency updated of:</p> <ul style="list-style-type: none"> <li>• Progress or reasons for delays if any</li> <li>• Expected timeframes of any actions or resolutions.</li> </ul>
Resolution	<p>Following consideration and investigation, the service manager/Customer Complaints Specialist will advise the complainant of:</p> <ul style="list-style-type: none"> <li>• The outcome or resolution of the complaint</li> <li>• Reason/s for the decision</li> <li>• Any action Council will take or proposed resolution/s that will be implemented</li> <li>• Any options for review should the complainant be dissatisfied with Council's response.</li> </ul> <p>All complaints will receive a response in writing.</p>
Record Keeping and Review	<p>Council will keep records at all stages of the process, including:</p> <ul style="list-style-type: none"> <li>• How Council managed the complaint</li> <li>• Outcomes or resolution</li> <li>• Outstanding actions to be followed up.</li> </ul> <p>Council will ensure that outcomes are properly implemented.</p> <p>A thorough review of the process followed to resolve the complaint along with feedback from the complainant, will assist in improving and enhancing the experience for both the complainant and staff.</p>

Beyond 10 Business Days	
Delays in Reaching a Resolution	<p>The complaint may go beyond the 10 business day timeframe in certain circumstances. This may include waiting for more information from the complainant.</p> <p>The complainant will receive an update of revised timelines as changes occur.</p>

Council will be clear when it considers a matter closed and will inform the complainant of the details of any relevant external agencies the complainant may contact if they do not agree with the resolution.

## 10 Accountability and Learning

The complaints management policy will be continuously monitored and reviewed to ensure its effectiveness in responding to, resolving complaints and achieving service excellence.

Complaints will be put through a regular formal review process to understand trends and performance.

## 11 Breaches of this Policy

Breaches of this policy may result in an investigation of the alleged breach in line with relevant Council policies including the Model Code of Conduct.

Council will refer any alleged criminal offence or allegation of corrupt conduct to the relevant external agency.

## 12 Administrative Changes

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 including branding, Council Officer titles or department changes and legislative name or title changes which are considered minor in nature and not required to be formally endorsed.

## 13 Version Control – Policy History

This policy will be formally reviewed every two years from the date of adoption or as required.

Governance use only:

Document	Complaints Handling Policy	<i>Uncontrolled Copy When Printed</i>	
Custodian	Customer Complaints Specialist	Version #	Version 3
Adopted By	Council	ECM Document #	TBC
Next Review Date	October 2025		

Amended by	Changes made	Date Adopted
Director Corporate	Simplify Language and Refine Process	26 October 2021
Customer Complaints Specialist	Updated in line with current practice	