

COMPLAINT MANAGEMENT POLICY

POLICY NO: 1.2.12

REVIEW DATE: April 2018

OBJECTIVE

The purpose of this policy is to provide guidelines for the management and processing of complaints that commit the Town to positively respond to complaints, allowing staff and customers to contribute to the improvement of the Town's services and products.

POLICY STATEMENT

The Town will endeavour to ensure that:

- (i) There shall be a commitment by the Town to efficient and fair resolution of complaints at all levels.
- (ii) The complaint management process shall recognise the need to be fair to the complainant, the Town and the person against whom the complaint is made.
- (iii) There shall be adequate resources to manage a complaint with sufficient levels of delegated authority.
- (iv) Complaint management will be well publicised to customers and staff, shall include information about the right to complain, be free of charge (subject to statutory requirements) and shall be easily accessible with assistance being provided to those who wish to submit a complaint.
- (v) A complaint shall be dealt with quickly, as outlined in the Towns *Customer Charter*, and the complainant treated courteously.
- (vi) The complaint management procedures and guidelines will ensure:-
 - Data is collected to ensure systematic recording and reporting of complaints and their outcomes;
 - unacceptable conduct or behaviour does not re-occur; and
 - policies, practices and procedures are reviewed and improved in order to accommodate the needs of our customers or the community in general.

This policy has been developed and complaints will be managed observing the requirements detailed in the Local Government Act 1995 (S5.103 – Codes of Conduct, Local Government (Administration) Regulations 1996 (Regs 34b and 334C) and the *Australian Standard AS ISO 10002-2006 "Customer satisfaction - Guidelines for complaints handling in organisations"*.

1. DEFINITIONS

"Complaint"

For the purpose of this policy a complaint is:

any dissatisfaction with the level or quality of products or services delivered by the Town or with the actions or decisions of Town employees, contractors, Elected members or Council.

It may be about:-

- (i) A decision of the Council, Elected Member, Town employees or service providers contracted by the Town.
- (ii) The standard or quality of a Town service, product, action or lack of action.
- (iii) The behaviour of Elected Members, Town employees or service providers contracted by the Town.
- (iv) Non compliance with any legislation by Council, Elected Members, Town employees or service providers contracted by the Town.

A complaint is not:

- (i) A first request for action or a service (*unless there was no response to a first request for service*) e.g.
 - *Noisy dog*
 - *Tree branch on verge*
 - *Street Sign broken.*
- (ii) A request for information or explanation of Council decisions, practices or procedures made in accordance with due process.
- (iii) The lodging of an appeal in accordance with procedures prescribed by legislation.
- (iv) A request for action or service provided by other agencies.
- (v) Enquiries in relation to non compliance with legislation administered by the Town.
- (vi) A FOI (Freedom Of Information) request
- (vii) A formal petition.

The above will be treated and registered as enquiries or service requests.

"Service Request"

A service request is defined as a request, however made, for a service to be provided by the Town or an action to be undertaken in relation to products or services administered by the Town.

"Product"

Product refers to facilities and infrastructure of the Town of Cambridge.

"Anonymous Complaint"

An anonymous customer complaint, where the complainant declines to provide their name and/or contact details, will only be investigated where the matter being brought to the attention of the Town constitutes:

- A breach of statutory provisions, or the Town's Code of Conduct ;
- A breach of an approval, licence or permit;
- Could be considered a safety, health or security issue or has a legal or financial implication for the Town;
- A matter for which the Town is obligated to act, prescribed in the Local Government Act 1995, or under any other written law; or
- The Chief Executive Officer and/or Directors and/or Managers use their discretion to investigate the complaint.

All other anonymous complaints shall be disregarded.

"Vexatious Complaint"

"Vexatious" means a complainant who complains of frivolous matters on a consistent basis and which is designed to annoy the Town.

The Town may consider it appropriate to determine that vexatious questions, complaints and repetitive communications are not given priority as they may divert a substantial and unreasonable portion of the Town's resources away from its other functions.

The safety of Town employees is of utmost importance, therefore all employees have discretion available to them to terminate any interaction in the event that the Town employee reasonably perceives that they are at risk of any type of whatsoever nature and particularly where the employee is being threatened or the behaviour of the complainant/customer is aggressive.

The Chief Executive Officer may decide, having regard to the nature, subject or number of complaints received, that a complainant is vexatious and that further complaints received from the person concerned or about a particular subject shall not be progressed.

"Allegations of Serious Misconduct"

A complaint that indicates misconduct by staff or other Town representatives will be investigated by the person's Manager for determination if it should be dealt with independently and in accordance with the Code of Conduct.

Where the allegation concerns criminal, corrupt or serious improper conduct by staff or Town representatives, the CEO will determine whether there are reasonable grounds for notification to the Corruption and Crime Commission of WA, Equal Opportunity Commission, referral to the Police or other agencies.

Serious misconduct includes, but is not limited to:

- Theft
- Corruption
- Dishonesty
- Breach of confidentiality
- Falsification of records
- Harassment, including racial, sexual or workplace harassment
- Indecent or abusive language
- Fighting or abusive threatening behaviour.

2. EXCLUSIONS FROM THE COMPLAINT MANAGEMENT POLICY

Some issues are to be excluded from the policy and as such will be dealt with as indicated in the attached Schedule.

3. APPLYING THE POLICY

This policy shall be applied in accordance with the Towns "*Complaint Management Procedures and Guidelines*".

ORIGIN/AUTHORITY

Council Meeting – 28 September 2004

DATE AMENDED

All policies are reviewed every two years in April. This policy was amended at the following meetings:-

Council Meeting – 28 February 2006

Council Meeting - 25 March 2008

Council Meeting - 27 April 2010

Council Meeting - 22 May 2012

Council Meeting - 27 May 2014

Schedule

COMPLAINTS MANAGEMENT POLICY

EXEMPTIONS TO POLICY

Nature of Complaint	Referred To
Request for information or explanation of Council decisions, practices or procedures made in accordance with due process	Relevant business area of responsibility
Initial queries regarding parking or other infringement notices	Team Leader or Administration Officer Ranger Services
Contractual matters e.g. tenders	Contracts Officer
Human Resources matters e.g. recruitment	Human Resources Manager
Complaint against a Staff Member of alleged serious misconduct	Initial investigation and determination to be dealt with independently and in accordance with the Town's Code of Conduct by the Directorate Manager in consultation with the Human Resources Manager. Criminal, corrupt or serious improper conduct by staff or Town representatives will be investigated by the Chief Executive Officer.
Complaint about an Elected Member	Chief Executive Officer to deal with in accordance with the Local Government (Official Conduct) Amendment Act 2007 and Regulations
Freedom of Information applications and requests for review	Manager Governance & Contracts
Complaint concerning an issue that occurred more than 12 months ago, vexatious or frivolous complaint	Relevant Manager
Complaint regarding matters requiring the exercise of the Town's authority e.g. noise, parking	These are service requests and will be referred to the relevant business area
Public Interest Disclosures	Manager Governance & Contracts
Internal service complaint	Relevant Manager or Director