Complaint Management Policy

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Review Date:	[Insert – 3 years from amendment]
Version:	6
Responsible Officer:	Governance, Risk & Compliance Manager
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1. Purpose

Willoughby City Council is committed to providing high quality customer service to the community.

Council encourages and values all community and customer feedback and complaints as they assist with the ongoing review and continuous improvement of service delivery.

The purpose of the *Complaints Management Policy* (the Policy) is to provide a framework for Council to ensure appropriate management of complaints. The Policy is supported by the *Complaints Management Procedure* (the Procedure) which provides details on Council's arrangements and processes relating to complaints management.

2. City Strategy Outcome

Council's Community Strategic Plan, *Our Future Willoughby 2032,* , identified five city outcomes guiding our community's future direction in relation to Council's policy making, along with 33 community priorities.

This Policy is relevant to "Outcome 5 – A City that is effective and accountable" and the community priorities:

5.1 Be honest, transparent and accountable in all that we do
5.4 Anticipate and respond to changing community and customer needs
5.7 Deliver excellent customer service

2.1 Customer Experience Strategy

Council's Customer Experience Strategy outlines our commitments and initiatives to improve our customers experience through consistent and responsive service that builds trust. This Policy supports the *2023-2025 Customer Experience Strategy* commitment to "Listen to the Voice of the Customer" through continued delivery of the "Escalation and complaints handling policy" initiative.

3. Policy Principles

Council's complaints management is guided by the following principles:

- Council treats all people with respect and without bias, including those making complaints.
- The community and customers are encouraged to provide feedback and complaints to Council, and to be informed of relevant processes and provided with accessible ways to provide feedback and complaints.
- Feedback will be assessed through a separate process and form part of the Voice of the Customer program.
- All complaints are acknowledged and responded to in a fair, timely and effective manner in accordance with publicly and readily available procedures.
- All complaints are managed in accordance to Councils Customer Experience outcomes (Responsive, Easy, Engaging, Consistent)
  Council values and monitors complaint information and uses it to guide continuous improvement of its services, procedures and processes.

4. Policy Statement

Willoughby City Council will handle complaints in a fair, efficient, impartial and responsive manner. Council is committed to receiving feedback and complaints about its services, systems, practices and complaint handling.

This policy guides all Council officials (Councillors, staff, contractors, volunteers) as they perform their duties on behalf of Council across Council services and functions. The policy also guides Council officials and members of the public who wish to make a complaint, about Council's complaint management process.

4.1 What is a complaint?

A complaint is an expression of dissatisfaction with Council's services, decisions, policies, procedures, processes or the conduct of Council officials where a response is sought or reasonable to expect.

Sometimes it is difficult to distinguish between Customer Service Requests and complaints. A Customer Service Request may escalate to become a complaint in the following circumstances:

- Second Customer Service request on the same matter: referred to Manager if no action has occurred.
- Third request on the same matter: the request is now a complaint within the meaning of this Policy and the Procedures.

At the third request, Council's system is used to refer the complaint to the Complaints Coordinator, to manage under Council's *Complaint Management Procedure*.

4.2 What is not a complaint?

Some matters are not covered by this *Policy* and supporting *Procedures* due to specific policy or legislative requirements. These items are listed below:

- Customer Service Requests (see: 7. Definitions)
- Feedback (see: 7. Definitions)
- Requests for information (see "How to Access Information" on Council's website)
- Staff grievances (managed in accordance with the *Grievance Procedure)*)
- Issue of Code of Conduct complaints (managed in accordance with the *Code of Conduct*)
- Reports of fraud or corruption *(*managed in accordance with *Fraud and Corruptive Prevention Policy)*
- Public interest disclosures *(*managed in accordance with *Public Interest Disclosures Act 2022)*
- Privacy complaints (managed in accordance with the *Privacy Management Plan*)
- Data breaches (managed in accordance with the *Data Breach Policy*)
- Right of review complaints (see: 7. Definitions)
- Matters before a court or tribunal

4.3 Complaint management process

There are five key stages in our complaint management process:

1. Receipt of complaint
2. Acknowledgement of complaint
3. Assessment and addressing of complaint
4. Providing reasons for decision
5. Closing the complaint, record keeping, options for redress and review
6. Provide insights for continuous improvement

Details are provided in the *Procedures*.

4.4 Confidentiality

Council will manage and protect the confidentiality of parties to the complaint appropriately. Details are provided in the *Procedures*.

5.5 Accessibility

Council will ensure that information about how and where complaints may be made to or about Council is well publicised. 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 to assist or represent them in the making and/ or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

5.6 Unreasonable conduct by complainant

Unreasonable conduct is defined as any behaviour by a person which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the people involved in the complaint process.

As part of our work health and safety obligations, Council is committed to providing a safe and supportive workplace to staff for managing unreasonable conduct related risks. Details are provided in the *Procedures*.

5. Policy Management

5.1 Responsible officer

The Governance, Risk & Compliance Manager is the responsible officer of this *Policy*.

5.2 Administration and coordination

Action under this *Policy* is administered and coordinated by officers within the Governance, Risk & Compliance business unit as designated by the Governance, Risk & Compliance Manager (the

Complaint Coordinator(s)). The Complaint Coordinator(s) will be recorded in the *Procedures*.

6.4 Monitoring and review

The *Complaint Management Policy* and *Procedures* are reviewed as needed, in response to learned improvements, recommendations, or at least every three years. Further detail regarding complaint reporting and monitoring can be found in point 3 in the *Complaint Management Procedures.*

6. Definitions

	See “5.1 What is a Complaint?” and “5.2 What is not a Complaint?” above.
	See “6.2 Administration and coordination.”
	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, our services or complaint handling where a response is not explicitly or implicitly expected or legally required.
	A complaint where the complainant has a formal right of review, based in legislation, policy or procedure, in relation to the matter concerned. For example, including (but not limited to): • An appeal or objection to a standard Council procedure or policy e.g. development applications • Penalty Notices • Notices of Decision under the *Government Information (Public Access) Act 2009*
	A Customer Service Request includes: • Requests for the provision of works or services and assistance • Routine inquiries about the organisation’s business • Reports or requests for action in relation to laws or matters regulated by Council • Requests for information or explanation of policies, procedures and decisions • Complaints about third parties who are not working on behalf of Council.
	• Comments or objections relating to a development application
	See “5.6 Unreasonable conduct by complainant”

7. Supporting Information

	• Local Government Act 1993 • NSW Ombudsman's Complaint Management Framework (2015) • NSW Ombudsman's Managing unreasonable conduct by a complainant • Privacy and Personal Information Protection Act (1998)
	• Our Future Willoughby 2032 Community Strategic Plan • 2023-2025 Customer Experience Strategy • Code of Conduct • Work Health and Safety Policy • Complaints Management Procedures • Fraud and Corruption Policy
	• Adopted by Council: 22 July 2019 • Amended by Council on ***[insert]***
	The Policy is published on: • Council website • Council intranet