

AP51 Complaints Handling

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Policy Objective

Benalla Rural City Council is committed to service excellence and recognises the customer's right to make a complaint. The lessons learnt from complaint investigations give Council fundamental information about its services and will be used to directly inform service improvements.

This Complaint Handling Policy aims to ensure that customers can raise their complaints with Council easily and with confidence that Council will listen to their concerns, be responsive and handle their complaints fairly and objectively.

This policy provides an organisational approach to complaints handling and supports and empowers staff in the facilitation and resolution of complaints in an efficient and transparent manner. It also ensures that Council is accountable both internally and externally for its decision making and complaint handling performance.

This policy is based on the Victorian Ombudsman's Councils and complaints – A good practice guide (Feb 2015), and the Australian Standard: Customer satisfaction – guidelines for complaints handling in organisations (ISO 10002:2006, MOD).

This policy aims to:

- Put in place an open and transparent complaint handling system
- Specify the key performance indicators to which we will hold ourselves accountable
- Establish our timeframes for resolving complaints
- Clarify the roles and responsibilities of council staff
- Ensure staff handle complaints fairly and objectively
- Set out how staff record and analyse complaint data to identify where we can improve

Scope

This policy applies to all staff, contractors, agents and volunteers of the Benalla Rural City Council. These will be referred to throughout this policy as Council staff and contractors.

Guiding principles

This policy is based on seven principles, as outlined in the Victorian Ombudsman's *Councils and complaints – A good practice guide*.

1. Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to make a complaint and considers complaint handling to be part of our core business of serving the community and improving service delivery.

2. Accessibility

People can easily find out how to complain to us and we actively assist them with the complaint process.

3. Transparency

The complaint handling system clearly sets out how to complain, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

4. Objectivity and fairness

Under the complaint handling system, complainants and staff are treated with respect and courtesy, and complaints are judged on merit and fact.

5. Confidentiality

The complaint handling system protects the personal information of people making a complaint and council staff are informed only on a 'need to know' basis. The Customer Relations Coordinator will be responsible for determining what information staff receive.

6. Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure that our decisions are subject to appropriate review processes.

7. Continuous improvement

Complaints provide an opportunity for the Council to assess inefficiencies or gaps in processes. Each complaint will be closed when an action item has been included about what improvement/s may be necessary to avoid similar complaints in the future, or it is determined no improvements to process are required. A report of improvements made will be provided as part of reviewing complaints overall.

Definition

Complaint

An expression of dissatisfaction with;

- The quality of an action taken, decision made, or service provided by Council or its contractor.
- A delay or failure in providing a service, taking action, or making a decision by Council or its contractor.

Complainant/Customer

Person (or their parent/guardian) or entity affected by the action or inaction of Council.

Complaint handling system

The way individual complaints are dealt with by Council including the policy, procedures, practices and technology.

Compliment

An expression of praise or regard for staff, processes or services provided and the experience when interacting with any of these.

Feedback

Feedback may take the form of positive and negative comments about a service, product, experience or process of Council that may not necessarily require corrective action, change of services or a formal review of decision. Feedback may however be used to influence future service reviews and delivery methods.

First point of contact

The person who the complainant contacts to express their complaint. This could be any staff member at any level, or a Councillor.

Front line staff

All staff and their teams who have authority in their role to manage simple complaints. This is typically staff who have direct contact with customers but could be any staff member who initially receives a complaint, regardless of their position or role within the organisation.

Internal review

Internal review can be requested if the complainant is not satisfied that the complaint has been resolved or was handled correctly. The review is handled by a senior officer who has not been involved with the original decision, action or investigation, and is not from the same work area.

Request for service

Contact with the Council to seek assistance, advice, information, access to a new service or to inform/make a report about something for which the Council has responsibility.

Systemic complaint

Issue identified through complaints to be a problem in service or action, which is likely to be ongoing and to apply to multiple cases.

Unreasonable Complainant Conduct

Unreasonable complaint conduct (UCC) is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council, our staff, other service users and complainants or the complainant himself/herself. UCC will be handled in accordance with the Council's *Dealing with Difficult Customers Policy*.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands

- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviour
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How to make a complaint

A person can make a complaint in a number of ways:

Mail:

Customer Relations Coordinator
Benalla Rural City Council
PO Box 227
Benalla Vic 3672

Telephone:

Customer Relations Team 03 5760 2600
National Relay Service (Refer to Council website)

Email:

Complaints Management
council@benalla.vic.gov.au

Website

By completing and submitting the form “Report a Problem” – Complaint, available on Council’s website www.benalla.vic.gov.au.

In person:

Customer Service Centre
1 Bridge Street East
Benalla Vic
Monday – Friday 8.30 – 5.00 pm

Fax:

Complaints Management
03 5762 5537

Accessibility

The complaint handling system aims to be accessible to members of the public of all ages and abilities. Anyone who has been affected by an action or inaction of Council can make a complaint.

Council has the following services in place to assist people with specific needs to make a complaint:

- Council can be contacted through the National Relay Service (NRS)
- TTY users can phone the NRS on 13 36 77 then ask for 03 57602600
- Hearing loop located at the Benalla Rural City Customer Service Centre counter. A portable system (FM Listening System) is available, on request, for all other locations.

- Communication boards are available at the Benalla Rural City Customer Service Centre, Benalla Community Care Ray Sweeney Centre, Benalla Art Gallery and the Benalla Performing Arts and Convention Centre.
- Interpreting services are available. (For prior arrangement contact 03 57602600.)

We consider anonymous complaints, provided we have received enough information to do so. These will be referred to the relevant Manager.

Roles and responsibilities of council staff and contractors

Frontline staff:

- Receive and assess complaints and where possible resolve the complaint at the point of contact, within the scope of their role.
- Where a frontline staff member cannot resolve the complaint, it will be referred to the Customer Relations Coordinator for investigation prior to transferring to the relevant council officer.
- Any complaint received regarding Council staff conduct involving a child or children, will be handled in accordance with the Council's Child Safe Standards Policy and referred to a designated Child Safe Officer.

Coordinators, Managers and General Managers

- Will provide training and support to staff so that they understand the complaint handling process, are empowered to manage complaints within the scope of their role, and to be able to recognise the responsible Council Officer to action the complaint.
- Receive, investigate and manage any referred complaints through to resolution at this stage.
- Where a complainant requests a review of the decision made, refer to an appropriate Manager, General Manager or the CEO for internal investigation.

Chief Executive Officer

- Receives and manages any escalated complaints that cannot be resolved at the manager and general manager level.
- Manages complaints that relate to other policies as applicable.

Third party contractors

- As per contracted agreement.
- Keep the Council contract manager informed of any trends and/or major issues.

Complaint handling procedure

Overview

Benalla Rural City Council takes a four tiered approach to complaint handling as follows:

- 1. Frontline resolution:** frontline staff will receive the complaint and resolve it immediately if possible. This may be with or without the assistance of a Coordinator or team member.

2. **Investigation if required:** if frontline staff cannot resolve the complaint, it will be referred to the Customer Relations Coordinator, who will then distribute to the appropriate Council Officer for investigation.
3. **Internal review:** if the complainant is not satisfied with the outcome of the investigation, they can request an internal review.
4. **Access to external review:** if the complainant is not satisfied with the process or outcome of the internal review, they will be informed of any external avenues through which they can pursue their complaint.

Procedures

Frontline resolution

Frontline staff will;

- Receive, clarify and register all complaints in the Customer Request Management System (CRMS).
- Action the complaint in the CRMS to the appropriate Council Officer.
- Acknowledge all complaints within 10 business days of receipt including providing the complainant information on the complaint process and the available avenues if they are not satisfied.
- Clarify the complaint and the outcome the complainant is seeking.
- Assess the complaint to determine how it should be dealt with.
- Complaints not resolved within 20 business days should be subject to review and escalated if necessary to help ensure the best chance of a resolution.

The following assessment criteria may be used to assist staff in determining the type of complaint and the best process to use to resolve the matter.

- a) Is the matter a complaint? A matter **is not a complaint** if it relates to;
 - A request for information about Council services, policies or procedures.
 - A request for a service or action to be taken in relation to a service or product provided by Council such as branches trimmed on a nature strip tree, a rubbish bin repaired or someone complaining about their neighbour breaching a local law or a planning scheme.
 - A report of damaged or faulty infrastructure or hazards such as potholes or fallen branches.
 - A suggestion for a proposed service or product improvement such as additional hard waste collections.
 - An enquiry or request for clarification or more information, such as a question about the fire services levy on a rates bill.
 - A petition to Council about a certain matter.
 - A follow up or further request for service that has not yet been completed by Council but is still within the service timeframes advised to the customer, such as if a customer was told their bin would be collected within three days and the customer contacted Council again within one day.

- Comments or submissions received during formal consultation or community engagement, which has a specific process for receiving community feedback and comments.
- Decisions or processes that have separate statutory or other legislative appeal processes. Examples of services include, but are not limited to:
 - Lodging an appeal in accordance with other policies, procedures and legislation, such as contesting a fine or a matter which is before VCAT or a court.
 - Complaints relating to building, health and food services.
 - Complaints relating to a planning application or decision.
 - Complaints alleging fraud, corruption or other criminal behaviour.
 - Freedom of Information requests.
 - Work related grievances from council staff

The above issues are still valid and are managed separately from the complaint handling process.

- b) Is the complainant personally affected by the complaint?
 - In some instances, the complainant should be personally affected by the issue or have authority and a sound reason to complain on another person's behalf e.g. the complaint relates to a person's personal affairs'.
- c) What type of complaint is being made.
 - Some complaints may be able to be dealt with by the staff member who receives the complaint. Depending on the nature of the complaint, some complaints may need to be referred to other areas of Council for resolution e.g. a reportable conduct complaint, or a Public Interest Disclosure.
 - Consideration will also be given to the severity, safety implications, complexity, impact and the possibility of immediate action needed.

If Council is not the right organisation to respond to the complaint, frontline staff will refer the complainant to an organisation that can assist them.

Investigation

- The staff member handling the complaint will advise the complainant who the contact person is and how long it will take to respond to the complaint.
- Complaint handling staff will aim to resolve all complaints within 28 days.
- If it takes longer than 28 days to resolve a complaint, the staff member responsible for the complaint will contact the complainant prior to or at this time and explain why.
- Complaints that are not resolved within 28 days will be subject to review and staff may need to escalate the complaint if necessary to ensure that a resolution is expedited.
- The staff member responsible for handling the complaint will write to the complainant to advise them of the outcome. The outcome letter will contain reasons for the decision made and the contact information of the responsible staff member.
- Where appropriate, the staff member responsible for handling the complaint will contact the complainant via telephone to discuss the outcome of their complaint prior to sending the outcome letter.

Internal review

- The complainant may request an internal review of their complaint if they are not satisfied that the complaint has been resolved or was handled correctly.
- When allocating a matter for internal review, the reviewing officer must not be involved in the original decision, action or investigation or be from the same work area. The allocated officer may be another manager, a General Manager or the CEO. The allocation of the review will be guided by the nature and the complexity of the complaint.
- The officer reviewing the complaint is required to review the history of the matter, including any findings from any previous investigations and any responses and information provided to the complainant.
- The complainant will be provided with a written acknowledgement of their request for a review within 10 business days of its receipt. This acknowledgement will include the contact details of the officer, how the complaint will be handled and how long it will take to resolve.
- A complainant can withdraw a complaint at any point during its review.
- A written outcome letter signed by the officer responsible for the internal review will be provided to the complainant at the conclusion of every internal review.
- Where available, the outcome letter will advise the complainant of any avenues of external review available in relation to the matter.

Complaint received by Councillors

- When a councillor receives a complaint from a member of the public, he or she will refer it to the CEO or the relevant General Manager.
- Council staff will then respond to the complaint in accordance with this policy.
- A council officer may sign the outcome letter.

Complaints about contractors

- Council retains a level of responsibility for services carried out by contractors on its behalf.
- This policy applies to all contractors carrying out services on Council's behalf.
- Contract managers will ensure that all contractors are made aware of their obligations under this policy and contract managers will review any complaint handling during any regular meetings.
- Where Council has made provision for a contractor to handle any complaints about their services, the complainant may be directed to contact the contractor in the first instance.
- If a complainant is not satisfied with the outcome of the complaint, he or she can ask the council to review the decision.
- All outcome letters written by contractors in relation to complaints will include the name and contact details of a council staff member to whom the complainant may escalate their complaint if they are not satisfied with the outcome the contractor has provided.

Recording Complaints

All complaints are recorded within Council's Customer Request Management System and/or the records management system.

We analyse our complaint data and provide annual reports to Council on how we can reduce complaints and improve services. The Leadership Team is responsible for acting on the recommendations in these reports.

We may record the following information for each complaint:

- the complainant's details
- how the complaint was received
- a description of the complaint
- the complainant's desired outcome (if known)
- the council officer responsible for handling the complaint
- any action taken, including contact with the complainant, response times and the outcome
- when the complaint was finalized
- relevant demographic information that could help improve services

Assessing Performance

Council's complaint data will be used to assess and improve the complaint handling system. This data may be reported annually in Council's Annual Report. Performance will be monitored by:

- measuring Council's complaint data against key performance indicators (KPI's)
- quality auditing
- assessing complaint satisfaction

Key Performance Indicators may include:

- complaint outcomes
- time taken to resolve matters
- any service changes resulting from complaints
- number of complaint outcomes altered following internal review
- customer satisfaction
- number of complaints escalated
- number of complaints escalated to the Victorian Ombudsman, resulting in changes to Council decisions, policies or practices.

Availability of the Policy

The Complaint Handling Policy is available from the Council's website www.benalla.vic.gov.au and can be made available in hard copy upon request at the Customer Service Centre.

Related Documents

Benalla Rural City Council Staff Code of Conduct

Benalla Rural City Council Councillor Code of Conduct
Benalla Rural City Council Customer Service Charter
Benalla Rural City Council AP 39 Dealing with Difficult Customers Policy
Benalla Rural City Council AP 65 Records Management
Benalla Rural City Council CP 04 Fraud Prevention Policy
Benalla Rural City Council CP 05 Public Interest Disclosure Policy and Procedure
(Formally Protected Disclosure Policy)
Benalla Rural City Council AP 58 Child Safe Standards Policy

References

Australian/New Zealand Standard AS/NZS 10002:2014 Guidelines for complaint management in organizations Standards Australia Limited/Standards New Zealand
Local Government Act 2020
Victorian Ombudsman 2015 *Councils and Complaints – A Good Practice Guide, February 2015*