

COMPLAINTS POLICY

Type	Governance
Category	Corporate & Community
Responsible Officer	Director Corporate & Community
First Issued / Adopted	23 February 2011
Review Period	2 years
Last Reviewed	26 April 2018, 22 April 2015
Minutes Reference	OM 115/18, OM117/15
Next Review Date	November 2020
Applicable Legislation	Local Government Act 1999 s 270
Related Documents	Code of Conduct for Council Members Code of Conduct for Council Employees Complaints Handling Procedure Requests for Service Policy
Public Consultation Required	No
File Reference	9.63.1.1

1. PURPOSE

To provide a fair, consistent and structured process for receiving complaints and dealing with them which enables lessons learned to directly inform service improvements.

2. SCOPE

This policy applies to all Council employees and volunteers who have contact with the public and is applicable to:

- All customer interactions;
- All requests for service and complaints made to Port Pirie Regional Council, from individuals and organisations that utilise the services provided by Council.

3. DEFINITIONS

- **Business Day** means a day when the Council is normally open for business, i.e. Monday to Friday, excluding public holidays.
- a **complaint** is defined as:
An expression of dissatisfaction with a product or service delivered by the Council or its representatives that has failed to reach the standard stated, implied or expected. This includes complaints about a service that has been, or should have been delivered.
- **Council** refers to the Port Pirie Regional Council.
- An **Employee** is any person who is employed by the Council, but also includes any contractors, volunteers, trainees, work experience students and consultants undertaking work for, or on behalf of the Council whether they are working in a full-time, part-time or casual capacity.
- **Volunteer** means a person who willingly provides unpaid help in the form of time, service or skills through the Council's volunteer program.

4. POLICY STATEMENT

Part 1 – Complaints regarding product and service delivery of council

Council is committed to the provision of quality service to customers and regards complaints as an opportunity to improve practices and procedures as well as resolve the matter. Lessons learnt from complaint investigations will be used to directly inform service improvements.

Emphasis will be placed on resolving complaints as quickly as possible. However where complaints cannot be settled in the first instance Council will ensure that they are dealt with through appropriate, more formal procedures by employees with the authority to make decisions. This process is broadly consistent with the Australian Standard for complaint handling.

4.1 Principles Underlying the Policy

This policy is based on five principles, which will be fundamental in the way Council approaches complaint handling. They are:

- **Fairness:** treating complainants fairly requires impartiality, confidentiality and transparency at all stages of the process;
- **Accessibility:** to be accessible there must be broad public awareness about Council's policy and a range of contact options;
- **Responsiveness:** this will be achieved by providing sufficient resources, well trained employees and review and improvement of the systems;
- **Efficiency:** complaints will be resolved as quickly as possible, while ensuring that they are dealt with at a level that reflects their level of complexity;
- **Integration** of different areas of Council where the complaint overlaps functional responsibilities.

5. COUNCIL'S COMMITMENT TO COMPLAINT HANDLING

Except for minor level 1 responses, (see *6 Procedures for Resolving Complaints* below) Council will try to ensure that, whenever possible, complaints will be handled independently of the original decision-maker or officer involved in the matter that is the subject of the complaint.

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

- Complete the appropriate form on Council's website
- Telephone
- Email
- Letter
- Visit a Council customer service office

All complaints will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

Complainants will be advised of the likely timeframe required to investigate and resolve a complaint and regularly updated as to progress where necessary.

Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

5.1 Seven Steps of the Complaint Handling Process

The following steps will be followed by employees to ensure complaints are dealt with efficiently and effectively:

- Acknowledge complaints promptly
- Assess the complaint - simple problems may not need to be investigated
- Plan the investigation where one is warranted
- Investigate the complaint
- Respond to the complainant with a clear decision
- Follow up any customer service concerns
- Consider whether there are systemic issues which need correction

6. TIMEFRAMES FOR RESPONSE

Where a complaint cannot be resolved immediately the complainant will be advised of the process to be undertaken. Council will respond within ten (10) business days, acknowledging receipt of the complaint and, where possible, resolving it at that time. If a resolution is not possible at that time, the complainant will be kept regularly informed of progress, either by email, letter or personal contact.

7. PROCEDURES FOR RESOLVING COMPLAINTS

Complaints may vary greatly in their level of complexity and seriousness. Wherever possible complaints will be resolved when first reported, but if necessary officers will escalate complaint handling as set out in the [Complaints Handling Procedures](#).

8. PRIVACY AND CONFIDENTIALITY

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint will not be revealed or made public by the Council, except where required by law.

All complaints lodged with Council are subject to the *Freedom of Information Act 1991* and confidentiality cannot be guaranteed under the provisions of that legislation.

9. ALTERNATIVE REMEDIES

Council may seek to use alternative dispute resolution methods such as mediation to resolve a complaint in circumstances where the CEO or his/her delegate deems such a course of action appropriate and the complainant is amenable to that process.

When advising a complainant of the outcome of an investigation of a complaint, Council will provide information about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the SA Ombudsman.

Part 2 — Complaints regarding Code of Conduct for Council Employees

Where a person alleges —

- an employee (or a relative of an employee) has sought or received a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or to influence the employee in the performance or discharge of the employees functions or duties; or
- an employee has failed to record, or correctly record, details of a gift or benefit received by the employee (or a relative of an employee) on the gift and benefits register; or
- the CEO has not appropriately maintained a register for gifts and benefits received by employees of the council,

They may submit a complaint alleging that an employee of council has contravened or failed to comply with the Code of Conduct for Council Employees, as prescribed in Schedule 2A of the *Local Government (General) Regulations 2013*.

Part 2 — Complaints regarding Code of Conduct for Council Employees (Cont'd)

A complaint must be given to the Chief Executive Officer. In the case of a complaint against the Chief Executive Officer, a complaint must be given to the principal member of the council, except in circumstance where it would be inappropriate to do so (such as where legislation requires the matter to which the complaint relates to remain confidential).

A complaint under this Part will be investigated and resolved according to the Complaints Procedure and relevant industrial and People and Culture procedures of the council.

10. FURTHER INFORMATION

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.pirie.sa.gov.au

- Port Pirie Council Administration Centre, 115 Ellen Street, Port Pirie
- Crystal Brook Rural Office, Bowman Street, Crystal Brook

Copies will be provided to interested parties upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.