

Corryong Cemeteries Trust - Complaints Management

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Scope

The Corryong Cemeteries Trust recognises the importance of complaints and regards them as opportunities to correct or improve the services currently provided.

Background

The Corryong Cemeteries Trust recognises its responsibility to provide a Complaints Management policy to allow it to function as a responsible public body. Complaints may arise from different stakeholders and it is important that each point of view is acknowledged and discussed in resolving the dispute. These guidelines are to assist the Trust to resolve complaints and concerns.

Objectives

The Corryong Cemeteries Trust is committed to:

- Enabling members of the public and other stakeholders to make complaints;
- Treating every complaint on its individual merits;
- Applying clear and consistent complaint resolution processes;
- Responding to complaints in a timely manner;
- Learning from complaints to improve our services and the way that we operate;
- Responding to changing customer needs and environments.

We encourage people to contact us when they have a problem with our services, actions, decisions or policies. This policy outlines our approach to handling complaints in order to meet these objectives.

Approach

Complaints can originate from members of the public, funeral directors, monumental masons, Trust members or staff. The Trust will not disregard a complaint or consider it to be trivial or unnecessary to review.

Council staff are empowered to handle complaints in the first instance and in line with Council's *Complaints Policy*. Complaints are to be registered in Council's Customer Relationship Management system. If the initial decision is not satisfactory, a review by the Corryong Cemeteries Trust may be requested. The item is to be listed as an Agenda Item under "Complaints Received".

Complaints Regarding

Staff Member

This may relate to a staff member's behavior or how they have undertaken their responsibilities. All complaints regarding a staff member must be referred to the Chief Executive Officer.

Trust Member

The Chairperson of the Trust must ensure that trust members respect each others' point of view and conduct themselves in a fair and professional manner. The Cemetery Trust does not have the power to remove any trust member. Clause 3, Schedule 1 of the *Cemeteries and Crematoria Act 2003* states that the Governor in Council, on the recommendation of the Minister for Health may remove a trust member from office.

Contractors

This relates to how the contractor (funeral director, monumental mason) has conducted themselves or undertaken their responsibilities. Complaints are to be directed to the contractor's company or organisation and will be entered into the Customer Relationship Management system for record keeping purposes. A relevant Council officer may also investigate further if the complaint also refers to an action or decision by Council, or if the contractor was engaged directly by the Council. The Cemeteries and Crematoria Regulation Unit does not deal with complaints relating to funeral directors. Complaints against funeral directors that are unable to be resolved are to be directed to Consumer Affairs Victoria.

Policies and Decisions

Complaints about policies and decisions from members of the public require the Trust to review the relevant policy and/or decision. The complaint should first be discussed with the complainant and representatives of the Trust in an attempt to resolve the matter. The Trust should provide the complainant with a written response.

Removal from Cemetery

If the Cemetery Trust believes it has grounds to ban a person from the cemetery, it will seek advice from the Department of Health, Cemeteries and Crematoria Unit prior to introducing a ban. If a decision is then made to enforce the ban, independent legal advice must be taken prior to this action. Restriction of a person's access to the cemetery must be in writing and must cite the reason for the ban, the duration of the ban and the power the trust is relying on to apply the ban.

Complaint Referral to Department of Health

The Department of Health will investigate significant matters relating to cemetery trust governance and operations. These may include:

- Fraud, such as misappropriation of trust funds –concerns should be reported to Chairperson of the Corryong Cemeteries Trust who must act on the concern and decide whether to investigate internally or report to the police and the Department;
- Poor management practices;
- Poor record keeping practices;
- Trust decision making and review processes; and
- Conflicts of interest.

Dispute Settlement

Prior to a dispute becoming a legal matter or following a formal appeals process, the Trust should attempt to seek resolution with the complainant through mediation or another form of conflict resolution. The Dispute Settlement Centre of Victoria provides a fair approach to dispute management.

The avenues of formal appeal against a decision made by a cemetery trust are through a review of the decision by the Ombudsman for administrative review, or by an appeal to the Supreme Court for judicial review.

Victorian Civil and Administrative Tribunal

In addition, under section 179 of the *Act*, there is a specific appeals process for a holder of a right of interment to appeal to the Victorian Civil and Administrative Tribunal for review of a decision of a cemetery trust to:

- Refuse to grant an approval to establish a memorial or a place of interment in the cemetery; or
- Grant an approval to establish or alter a memorial or a place of interment in the cemetery, subject to terms and conditions.

How We Learn from Complaints

Complaints and compliments provide us with valuable feedback about how we are performing. We include complaints data regarding our cemetery operations in overall Council complaints reporting to identify trends and potential issues that deserve further attention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them, and publish complaints data in Council's Annual Report.

Your Privacy

When you make a complaint to us, we may ask you for selected personal information in order to assist in resolving your complaint. We may also analyse the information you have provided for the purpose of improving services that relate to your complaint.

We keep your personal information secure and treat it with confidentiality, and only use it in the proper course of resolving your complaint and improving our services. When we publish complaints related information, personal information will be removed.

Further information can be found in Council's *Privacy Policy*.

Deployment

Corryong Cemeteries Trust and relevant staff are to be familiar with this procedure within the areas of their responsibility.

Relevant Legislation

Cemeteries and Crematoria Act 2003

Cemeteries and Crematoria Regulations 2015



Authorised by:

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