

Complaints Policy

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1. Purpose

This policy establishes Council's overarching framework for receiving, managing, reviewing and learning from complaints across all Council services, including services that are subject to additional statutory or regulatory requirements.

This policy is supported by the Corporate Complaints Procedure and the Early Years Complaints Procedure. These procedures set out the operational steps, roles, timeframes and any service-specific legislative, regulatory, funding or reporting requirements that apply to different complaint types.

Towong Shire Council (Council) understands that there will be times when we don't get things right, or don't meet the expectations of residents and ratepayers. We are committed to:

- Enabling members of the public to make complaints about Council;
- 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.

We encourage people to raise concerns with us about our services, actions, decisions or policies. This policy sets out how Council manages complaints to support a fair, consistent and timely response, and to help improve our services.

2. Scope

This policy applies to all complaints from members of the public about Council employees, volunteers, and contractors, and complaints about Council's actions, decisions, services or policies, including unreasonable delay. It does not apply to complaints made about individual Councillors (except where relevant to administrative complaints).

This policy does not apply to complaints about matters for which there is already a process of review, appeal or objection prescribed by legislation, including matters managed under separate statutory or specialist processes (e.g. Freedom of Information (FOI), privacy complaints to the Office of the Victorian Information Commissioner (OVIC), Public Interest Disclosures, Councillor misconduct, internal workplace grievances, court and tribunal proceedings).

Some Council services operate under additional legislative, regulatory or funding requirements that require specific complaint handling, notification, reporting or escalation processes. Where this applies, complaints will be managed in accordance with this policy and the relevant supporting procedure.

3. Guiding Principles

Council's approach to handling complaints is guided by the following principles:

Fairness and respect

Council is committed to treating complainants with courtesy, respect and fairness. In turn, Council expects complainants and their representatives to communicate respectfully and refrain from behaviour that is abusive, threatening, discriminatory, harassing or otherwise unreasonable. Where customer conduct becomes unreasonable, Council may manage interactions in accordance with its Unreasonable Customer Conduct Policy and Procedure.

Accessibility and safety

Council ensures its complaints process is accessible, inclusive and safe. Complaints can be made through a range of channels, with support available where required. Council seeks to ensure that people feel safe and supported when raising concerns.

Transparency and communication

Council is open and transparent in its handling of complaints. Submissions are acknowledged promptly, progress updates are provided where appropriate, and outcomes are clearly explained, including reasons for decisions and information about review options.

Privacy and confidentiality

Personal information is handled with care and in accordance with privacy legislation. Information collected during the complaint process is used only for managing the complaint, stored securely, and shared only where necessary.

Independent review

Where a complaint is subject to internal review, it is undertaken independently from the original decision, action or service where practicable, in order to support objective consideration and fair outcomes.

Learning and continuous improvement

Council values complaints as an opportunity to learn. We analyse complaints to identify trends, risks and improvement opportunities, and use this information to improve our services, systems and decision making for the benefit of the community.

Relationship with service-specific procedures

This policy provides the overarching complaints framework for Council. Service-specific procedures may be developed where additional legislative, regulatory, contractual or operational requirements apply.

Service-specific procedures must be consistent with this policy and must not establish a separate or competing complaint handling framework unless required by legislation.

Where a service-specific procedure applies, it should identify any additional notification, reporting, recordkeeping, escalation or communication requirements relevant to that service.

4. Policy Details

4.1. What is a complaint?

In line with the definition of complaints provided by the Local Government Act 2020 (LGA 2020), a complaint includes the communication, whether orally or in writing, to the Council by a person of their dissatisfaction with:

- The quality of an action taken, decision made or service provided by a member of Council staff or a contractor engaged by the Council;
- The time taken by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision or providing a service; or
- A policy or decision made by a Council or a member of Council staff or contractor.

The definition of complaint is irrespective of:

- The merit of the complaint or the issue complained about;
- How the matter will be resolved or responded to;
- The complainant's motivations.

When distinguishing a service request from a complaint we consider whether:

- The person is requesting something additional or new (service request);
- Reporting what they believe to be a shortfall (complaint);
- Complaining about Council's response to a service request (complaint).

Comments made on Council's social media channels are not treated as official complaints unless they are submitted through the complaints process set out in the relevant procedure.

4.2. How to make a complaint

Complaints should be made in accordance with the procedure that applies to the matter being raised. General complaints about Council services, actions, decisions or policies should be managed under the Corporate Complaints Procedure. Complaints relating to Council's Early Years services should be managed under the Early Years Complaints Procedure, which sets out any additional service-specific requirements.

4.3. Accessibility

We are committed to ensuring our complaints process is accessible to everyone. If you have specific communication needs or barriers, we can assist you by:

- Using an assistance service such as an interpreter or TTY, free of charge;
- Talking with you if you have trouble reading or writing;
- Communicating with another person acting on your behalf if you cannot make the complaint yourself.

4.4. How we handle complaints

Complaints will be assessed and handled in accordance with the procedure that applies to the complaint type. General complaints about Council services, actions, decisions or policies will be managed under the Corporate Complaints Procedure. Complaints relating to Council's Early Years services will be managed under the Early Years Complaints Procedure, including any additional requirements for notification, escalation, recordkeeping or reporting.

4.5. How we learn from complaints

Complaints and compliments from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We regularly analyse our complaints data 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. We publish our complaints data in our Annual Report.

5. Responsibilities

Responsibility	Role/Position
Approve and maintain the overarching policy position for complaints management and ensure Council's complaint handling approach supports transparency, accountability and continuous improvement.	Council
Provide organisational oversight of complaint handling, ensure appropriate procedures and systems are in place, and support the use of complaint information to improve services and decision making.	Chief Executive Officer Senior Management Team
Receive, assess, record, respond to and escalate complaints in accordance with this policy and the relevant supporting procedure, while maintaining confidentiality, procedural fairness and accurate records.	Managers, coordinators and employees involved in complaint handling

6. Related Documents

6.1. Relevant Legislation and Standards

This policy should be read in conjunction with the following legislation/standards:

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Disability Act 2006*
- *Equal Opportunity Act 2010*
- *Freedom of Information Act 1982*
- *Privacy and Data Protection Act 2014*
- *Public Interest Disclosure Act 2012*

6.2. Relevant Council Documents and Policies

This policy should be read in conjunction with the following Council policies and procedures:

- Corporate Complaints Procedure
- Early Years Complaints Procedure
- Privacy Policy
- Public Transparency Policy
- Councillor Code of Conduct
- Employee Code of Conduct
- Unreasonable Customer Conduct policy and procedure
- Child Safety and Wellbeing Policy

7. Human Rights

This policy gives regard to relevant legislation, principles of natural justice and procedural fairness, community values and Council's resource capacity. It is considered that this policy supports the rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

8. Privacy and Confidentiality

The collection, storage, use, and disclosure of personal information will comply with the Privacy Act 1988 (Cth) to the extent that it applies to Council, and the Privacy and Data Protection Act 2014 (Vic), which provides for the responsible handling of personal information by Victorian local governments.

For the avoidance of doubt, all personal health information provided to Council in the course of administering this policy will be treated in the strictest of confidence and will only be used for the purposes of this policy.

9. Policy Review

This policy should be reviewed every four (4) years from the date of adoption, or when there is:

- a change in relevant legislation,
- a change in Council's position,
- a recommendation from a governance body (e.g. Audit and Risk Committee, Regulatory Authority, external auditor etc).

10. Definitions

Term	Definition
Complaint	An expression of dissatisfaction made to Council about a Council service, action, decision, policy, employee, contractor or delay, whether made verbally or in writing.
Complainant	A person who makes a complaint to Council, or a person who has a complaint made on their behalf.

Authorised by:

ntaylor

Narelle Taylor

Active Chief Executive Officer