

Complaints Policy

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1. Purpose

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 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.

2. Scope

This policy applies to all complaints from members of the public about Council employees, volunteers, and contractors, and complaints about decisions made at Council meetings. It does not apply to complaints made about individual Councillors.

This policy does not apply to complaints about matters for which there is already a process of review, appeal or objection prescribed by legislation.

3. Policy Details

3.1. 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 delay 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 a Council's response to a service request (complaint).

3.2. How to make a complaint

You can make a complaint in a number of ways:

- Email info@towong.vic.gov.au
- Mail: PO Box 55, Tallangatta VIC 3700
- Telephone: 1300 365 222
- In person:

Tallangatta Customer Service Centre
32 Towong Street, Tallangatta
Monday – Friday 8.30am – 5.00pm

Corryong Customer Service Centre and Library
76 Hanson Street, Corryong
Monday – Friday 9am – 4.30pm.

When raising a complaint it is helpful to provide the following details:

- Name and contact details - you can complain anonymously, but this may limit how we are able to respond to you;
- The action, decision, service or policy you are complaining about, and why you are dissatisfied;
- Relevant details, such as dates, times, location or reference numbers, and documents that support your complaint;
- The outcome you are seeking from making your complaint;
- Whether you have any communication needs.

3.3. Accessibility

We are committed to ensuring our complaints process is accessible to everyone. If 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.

3.4. How we handle complaints

When you make a complaint to us, we will record and acknowledge receipt of your complaint. A staff member will get back to you regarding next steps within 21 calendar days.

Our staff will be respectful and responsive in all of their communications with members of the public. We expect the same of you when communicating with our staff.

We may change the way we communicate with you if your behaviour or conduct raises health, safety, resource or equity issues for Council staff involved in the complaints process.

Our complaints handling process may involve the following approaches:

- First-contact complaint resolution;
- Investigation;
- Internal review;
- External review.

First contact complaint resolution

We will initially assess your complaint to decide how we will handle it. If you make your complaint in person or over the telephone, this may happen while we are talking to you.

After our initial assessment, we may:

- Take direct action to resolve your complaint;
- Refer your complaint to an appropriate staff member for investigation;
- Decline to deal with your complaint if you have a right of statutory review of your complaint, such as a right of appeal to VCAT.

Where possible, we will attempt to resolve your complaint the first time you contact us. If we cannot resolve your complaint quickly and it requires investigation, we will advise you who will be investigating your complaint.

If we decide not to take action on your complaint, we will explain why, and where possible, inform you about other options.

Investigation

When complaints cannot be resolved at first contact, they may be referred to an appropriate staff member for investigation. We will advise you how long it may take and, as the investigation proceeds, we will let you know if we anticipate that it may take longer. As part of our investigation we may:

- Assess the complaint against relevant legislation, policies and procedures;
- Refer to relevant Council documents and records;
- Involve relevant staff or other parties who can provide information to assist in resolving the complaint;
- Discuss possible solutions with the affected parties.

We will advise you of the outcome and explain our reasons and inform you about other options if relevant.

Internal Review

If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review. The internal review will be conducted by a senior Council officer who has not had any prior involvement with your complaint.

We will endeavour to complete the internal review and inform you of the outcome in writing within 30 calendar days of the date of your request and, as the review proceeds, will let you know if we anticipate that it may take longer.

External Review

There are external bodies that can deal with different types of complaints about us. You can request an external review from the following organisations:

Type of complaint	Organisation to contact
Actions or decisions of a Council, Council staff and contractors. This includes failure to consider human rights or failure to act compatibly with a human right under the Charter of Human Rights and Responsibilities Act 2006 (Vic).	Victorian Ombudsman www.ombudsman.vic.gov.au 1800 806 314
Breaches of the Local Government Act	Local Government Inspectorate www.lgi.vic.gov.au 1800 469 359
Breach of privacy or complaint about a freedom of information application	Office of the Victorian Information Commissioner www.ovic.vic.gov.au 1300 006 842
Corruption or public interest disclosure ('whistleblower') complaints	Independent Broad-based Anti-corruption Commission www.ibac.vic.gov.au 1300 735 135
Discrimination	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au 1300 292 153
Council elections	Victorian Electoral Commission www.vec.vic.gov.au 13 18 32

3.5. 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.

3.6. 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 data, personal information will be removed.

Further information can be found in our Privacy Policy.

4. Roles and responsibilities

Responsibility	Role / Position
Receive complaints and achieve first contact resolution where possible	Customer Service
Receive, investigate and manage any referred complaints through to resolution Report and implement appropriate service improvements	Team Leaders, Coordinators, Managers
Receive, investigate and manage any escalated complaints that cannot be resolved by other relevant staff Provide oversight of any appropriate service improvements including their implementation	Directors
Receive, investigate and manage escalated complaints that cannot be resolved at the Director level Monitor overall trends for service improvements and oversee implementation	Chief Executive Officer
Inform the Council's contract manager of any complaints requiring escalation to, or awareness of, Council in accordance with their contract	Contractors

5. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

6. Supporting documents

This policy should be read in conjunction with all other relevant Council policies and procedures, as well as relevant legislative requirements.

Other related legislation includes:

- *Local Government Act 1989;*
- *Local Government Act 2020;*
- *Charter of Human Rights and Responsibilities Act 2006;*
- *Disability Act 2016;*
- *Equal Opportunity Act 2010;*
- *Freedom of Information Act 1982;*
- *Privacy and Data Protection Act 2014;*
- *Protected Disclosure Act 2012.*

Other related guidelines or policies include:

- *Towong Shire Council Privacy Policy;*
- *Towong Shire Council Public Transparency Policy;*
- *Towong Shire Council Councillor Code of Conduct;*
- *Towong Shire Council Employee Code of Conduct.*



Authorised by: _____

Juliana Phelps
Chief Executive Officer