



## COMPLAINT RESOLUTION POLICY

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<b>TITLE:</b>	<b>COMPLAINT RESOLUTION POLICY</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MANAGER HR, CUSTOMER &amp; COMMUNITY SERVICES</b>
<b>FIRST APPROVED BY COUNCIL:</b>	<b>20 JUNE 2017</b>
<b>RESOLUTION NO</b>	<b>80/2017</b>
<b>AMENDED ON</b>	
<b>RESOLUTION NUMBER:</b>	
<b>REVIEW DATE</b>	<b>JUNE 2020</b>

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### 1 AUTHORITY & APPLICATION

<b>Date of approval</b>	20 June 2017
<b>Source of approval</b>	Council Endorsement
<b>Start date</b>	20 June 2017
<b>Related Council Documents</b>	<p>This Policy should be considered in conjunction with the following policies and procedures:</p> <ul style="list-style-type: none"> <li>• <i>Code of Conduct</i></li> <li>• <i>Customer Service Charter</i></li> <li>• <i>Customer Service Strategy</i></li> <li>• <i>Council Code of Tendering</i></li> <li>• <i>Councillor Code of Conduct</i></li> </ul>
<b>Date of review</b>	June 2020
<b>Previous policies replaced by this Policy</b>	N/A
<b>Publication of policy</b>	Sorell Council Website
<b>Complaint</b>	Any grievances, disputes, issues, complaints or concerns that a Person may have against Council, Councillor, Workers or Other Persons at the Workplace.
<b>Council</b>	Sorell Council
<b>Councillor</b>	An elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a 'councillor' as defined under section 3 of the <i>Local Government Act 1993</i> (TAS).

<b>Employee</b>	A person who carries out work for Council as an employee of Council.
<b>General Manager</b>	The general manager of Council as appointed under section 61 of the <i>Local Government Act 1993</i> (TAS).
<b>Manager/Supervisor</b>	A person at the Workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.
<b>Other Persons at the Workplace</b>	Any person, other than a Councillor, at the Workplace who is not a Worker including visitors and ratepayers.
<b>Policy</b>	This Complaint Resolution Policy including the 'Authority and Application'.
<b>Procedure</b>	This Complaint Resolution Procedure including the 'Authority and Application'.
<b>Worker</b>	<p>A person, other than a Councillor, who carries out work in any capacity for Council, including work as:</p> <ul style="list-style-type: none"> <li>(a) an Employee;</li> <li>(b) a contractor or subcontractor;</li> <li>(c) an employee of a contractor or subcontractor;</li> <li>(d) an employee of a labour hire company who has been assigned to work at Council;</li> <li>(e) an outworker;</li> <li>(f) an apprentice or trainee;</li> <li>(g) a student gaining work experience; or</li> <li>(h) a volunteer.</li> </ul>
<b>Workplace</b>	A place where work is carried out for Council.
<b>Training</b>	Council will provide all persons covered by this Policy with appropriate training so they are made aware of their responsibilities and obligations under the Policy.
<b>Amendment</b>	Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

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## 2 PURPOSE

The aims of this Policy are to:

- (a) ensure that all customer contact is fair, respectful, timely and aims to meet customer expectations.
- (b) provide a level of service that does not attract complaints, however in the instances where customers are dissatisfied, we will take all possible steps to achieve a resolution.
- (c) to effectively manage complaints, acknowledging the right of community members and stakeholders to make a complaint about Council without fear or retribution.
- (d) To ensure standardised method of responding to, recording, reporting and using complaints to improve service to the community

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## 3 COVERAGE

- (a) The Local Government Act 1993 includes accountability measures under which Council is responsible to their communities for their actions and decisions. The resolution of complaints about Council policies, producers, purchasing and tender process, service or fees is the responsibility of Council.
- (b) A 'Complaint' is defined as an expression of dissatisfaction that is related to the standard of service, action or lack of action provided by council including; Council policies, producers, purchasing and tender processes, service or fees and Employee and Councillor Conduct.
- (c) Council will accept anonymous complaints, however will generally only act if the matter is considered to be serious and there is sufficient information provided to enable an investigation to be undertaken.
- (d) A complaint does not cover decisions made by Council at formal meeting of council, nor does it include:
  - (i) A request for service
  - (ii) Verbal advice of unsatisfactory service or performance

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- (iii) A request for information, documentation or explanation of policy/procedure
- (iv) Reports of damage or faulty infrastructure
- (v) Reports of hazards
- (vi) Reports concerning neighbours or neighbouring properties
- (vii) The lodging of an appeal in accordance with a procedure or policy.
- (viii) A complaint for which statutory review processes exist.
- (ix) Claims for compensation; and
- (x) Reports about neighbours, noise, dogs, nuisances, unauthorised building work or similar issues that fall into the regulatory aspect of Council's responsibilities

#### **4 CONDUCT**

##### **(a) Complainant**

Council requires the complainant to be respectful, co-operate and provide further information if requested by Council staff while investigating the complaint. Failure to provide assistance will result in the complainant losing the opportunity to seek internal review on their matter.

##### **(b) Council Officers**

Council Staff will conduct themselves in accordance with the Council's Employees Code of Conduct.

#### **5 LODGING A COMPLAINT**

- i. The complainant should direct their complaint in writing via email or letter and attention to the relevant section supervisor.
- ii. To assist Council in dealing with a complaint a customer should include the following:
  - Their name;
  - Postal address;
  - Telephone and email address;

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- Date, times and location of events;
- To whom the customer has spoken to within Council;
- Copies of references to letter or documents relevant to the complaint; and
- State what the customer hopes to achieve as an outcome to the complaint.

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## **6 COMPLAINT INVESTIGATION**

### **6.1 When dealing with a complaint Council will:**

- (a) Treat it in confidence within the requirements of the *Privacy Act 2000*.
- (b) Not discriminate against anyone for any reason.
- (c) Acknowledge errors and apologies and implement corrective actions.

### **6.2 Complaint Resolution Procedure**

- i. Upon receipt of a complaint, a copy of the complaint will be recorded in Council's Customer Request System and/or our records management system. Council will provide written acknowledgment to complainant of having received the complaint with five working days.
- ii. All complaints will in the first instance be assigned to the relevant section supervisor.

Where the complaint is about an employee of council, the complaint will be assigned to the employee's immediate supervisor and the Human Resource Officer, in the first instance.

A complaint about a Councillor should be addressed to the Mayor, with a copy to the General Manager.

A complaint about the Mayor should be addressed to the General Manager.

A complaint about the General Manager should be addressed to the Mayor.

- iii. If your complaint is across various council departments the Manager HR, Customer & Community Services will coordinate it with direct input from the appropriate sections.

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- iv. After investigating Council will respond and aim to resolve the complaint, giving reasons for our view, within 21 working days. If Council is unable to meet this timeframe it will be communicated to the complainant.
- v. If complex investigations are required, the response will provide an indication of the timeframes associated with the investigation process and contact information for the complainant to obtain feedback on the status of the complaint.

### **6.3 Decision not to investigate a complaint**

The General Manager may determine that a complaint will not be investigated if:

- i. The matter is considered frivolous, vexatious or not made in good faith.
- ii. There is insufficient information available or the complainant declines to provide adequate information
- iii. Repeated aggression is displayed or threats are made against council or council staff.
- iv. Relates to a matter under investigation by the Minister for Local Government or another government department.
- v. Relates to the appointment or dismissal of an employee and an industrial or disciplinary issue.

Where the General Manager determines the complaint will not be investigated the complainant will be advised in writing.

### **6.4 CUSTOMER DISATISFACTION WITH COMPLAINT**

- ii. If the complainant is not satisfied with the response, they may request that the matter be referred to the Department Manager for review.
- iii. If the complainant is not satisfied with the response from the Department Manager, they may make a written request for an internal review to be conducted by the General Manager. To lodge a review, the complainant must provide details as to why they are dissatisfied with the way their complaint has been handled. The General Manager will then advise in writing on the outcome of the review.

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- iv. If the complainant is not satisfied with the outcome of the internal review a further avenue of investigation is available through:

Office of the Ombudsman  
99 Bathurst Street  
HOBART TAS 7000  
Ph: 1800 001 170  
Email: [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au)

Local Government Division  
Department of Premier and Cabinet  
Level 5, 15 Murray Street  
HOBART TAS 7000  
Ph: 03 6232 7022  
Email: [lgsem@dpac.tas.gov.au](mailto:lgsem@dpac.tas.gov.au)

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