



COMPLAINT RESOLUTION POLICY

TITLE:	COMPLAINT RESOLUTION POLICY
RESPONSIBLE OFFICER:	MANAGER HR, CUSTOMER & COMMUNITY SERVICES
FIRST APPROVED BY COUNCIL:	20 JUNE 2017
RESOLUTION NO	80/2017
AMENDED ON	JUNE 2021
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1 AUTHORITY & APPLICATION

Date of approval	20 June 2017
Source of approval	Council Endorsement
Start date	20 June 2017
Related Council Documents	<p>This Policy should be considered in conjunction with the following policies and procedures:</p> <ul style="list-style-type: none"> • <i>Code of Conduct</i> • <i>Customer Service Charter</i> • <i>Customer Service Strategy</i> • <i>Council Code of Tendering</i> • <i>Councillor Code of Conduct</i>
Date of review	June 2021
Previous policies replaced by this Policy	N/A
Publication of policy	Sorell Council Website
Complaint	Any grievances, disputes, issues, complaints or concerns that a Person may have against Council, Councillor, Workers or Other Persons at the Workplace.
Council	Sorell Council
Councillor	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).

Employee	A person who carries out work for Council as an employee of Council.
General Manager	The general manager of Council as appointed under section 61 of the <i>Local Government Act 1993</i> (TAS).
Manager/Supervisor	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.
Other Persons at the Workplace	Any person, other than a Councillor, at the Workplace who is not a Worker including visitors and ratepayers.
Policy	This Complaint Resolution Policy including the 'Authority and Application'.
Procedure	This Complaint Resolution Procedure including the 'Authority and Application'.
Worker	<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"> (a) an Employee; (b) a contractor or subcontractor; (c) an employee of a contractor or subcontractor; (d) an employee of a labour hire company who has been assigned to work at Council; (e) an outworker; (f) an apprentice or trainee; (g) a student gaining work experience; or (h) a volunteer.
Workplace	A place where work is carried out for Council.
Training	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.
Amendment	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

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, procedures?, 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, potential risk to persons or property, 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
 - (iii) A request for information, documentation or explanation of policy/procedure

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- (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 department Manager
- ii. To assist Council in dealing with a complaint a customer should include the following:
 - Their full name, address, telephone numbers and email address.
Consideration to anonymous complaints may be given where there is a potential risk to persons or property;
 - Postal address;
 - Date, times and location of events;

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- To whom the customer has spoken to within Council;
- Copies of letters or documents relevant to the complaint;
- State what the customer hopes to achieve as an outcome to the complaint; and
- Sufficient details for the complaint to be actioned

6 COMPLAINT INVESTIGATION

6.1 When dealing with a complaint, Council will:

- Treat it in confidence within the requirements of the *Personal Protection Act 2004*.
- Not discriminate against anyone for any reason.
- Acknowledge errors and apologies and implement corrective actions.
- Examine the information provided and follow up points which require clarification.
- Look at Council Policies and relevant Legislation that might have a bearing on the complaint.
- Consider whether or not Council is at fault.
- Consider any necessary action to be taken to correct any fault identified.
- Where appropriate, consider a review of Council's procedures to avoid similar complaints in the future.

6.2 Complaint Resolution Procedure

- 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 within ten working days.
- All complaints will in the first instance be assigned to the relevant department Manager.

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

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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. After investigating Council will aim to reach a resolution to the complaint and advise the complainant of the outcome within twenty one (21) working days of it being received. If Council is unable to meet this timeframe it will be communicated to the complainant.
- iv. 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

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matter be referred to the General Manager for review.

- iii. If the complainant is not satisfied with the response from the General Manager, they may make a written request for an internal review to be conducted by the elected Councillors. To lodge a review, the complainant must provide details as to why they are dissatisfied with the way their complaint has been handled. It is then open to the Councillor to take the matter up on your behalf. This is the final stage of Council's complaints procedure.

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- iv. If the complainant is not satisfied with the outcome of the internal review a further external avenues available through The Ombudsman and Local Government Division:

The Ombudsman
Level 6, 86 Collins Street
HOBART TAS 7000
Ph: 1800 001 170
Email: ombudsman@ombudsman.tas.gov.au

Local Government Division
Level 5, 15 Murray Street
HOBART TAS 7000
Ph: 03 6232 7022
Email: lgd@dpac.tas.gov.au

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