

Complaints Management Policy 2024

POL060



Policy No:	POL060
Policy Title:	Complaints Management Policy
Section Responsible:	Governance
Minute No:	21/085
Doc ID:	9153

1. INTENT

Council's complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way
- boost public confidence in our administrative process
- provide information that can be used by us to deliver quality improvements in our services, staff and complaint handling.

This policy provides guidance on the key principles and concepts of our complaint management system to our staff and people who wish to make a complaint.

2. SCOPE

This policy applies to all staff receiving or managing complaints from the public made to or about us, regarding our services, staff and complaint handling.

Staff grievances, code of conduct complaints, service requests and public interest disclosures are dealt with through separate mechanisms.

3. OBJECTIVE

This policy is intended to ensure that council handle complaints fairly, efficiently and effectively.

4. POLICY STATEMENT

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling.

5. PROVISIONS

5.1 GUIDING PRINCIPALS



Narrandera Shire Council is a public authority covered by the NSW Ombudsman scheme.

The NSW Ombudsman is an independent integrity agency that pursues fairness for the people of NSW. It strives to ensure that those entrusted with public power and resources fulfil their responsibilities and treat everyone fairly.

For information about the NSW Ombudsman, including when and how a complaint can be made, visit: www.ombo.nsw.gov.au.



5.2 FACILITATE COMPLAINTS

5.2.1 People focus

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures and complaint handling.

Concerns raised in feedback or complaints will be dealt with within a reasonable timeframe.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiple and accessible ways to make complaints
- listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate
- provided with reasons for our decision/s and any options for redress or review.

5.2.2 No detriment to people making complaints

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

5.2.3 Anonymous complaints

We accept anonymous complaints and will investigate the issues raised where sufficient information has been provided.

5.2.4 Accessibility

We will ensure that information about how and where complaints may be made to or about Council is well publicised. We will ensure that systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, we will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent such as using an advocate, family member, legal or community representative, member of Parliament or another organisation.

5.2.5 No charge

Complaining to Narrandera Shire Council is free.

5.3 RESPOND TO COMPLAINTS

5.3.1 Early resolution

Where possible, complaints will be resolved at first contact with Council **using the skills of the Customer Service Officer or by the person who has the knowledge and delegation to resolve the issue; alternatively, the Manager of the area subject to complaint can assist in resolving the issue. In exceptional circumstances the relevant Deputy General Manager or the General Manager can be made available to assist.**

5.3.2 Dispute between Consumer and Carer

If Community Services staff become aware of a dispute between a client and their carer, which concerns the Narrandera Shire Council's Community Transport or Home Support Programs, they should refer the situation to the Community Support Manager who will either:

- Mediate and attempt to negotiate a solution, or**
- With the client's permission, bring in someone with mediation skills to mediate.**

If a dispute arises which does not involve Narrandera Shire Council's Community Transport or Home Support Programs, staff should not get involved but should, if requested, refer the matter to the Community Support Manager. The Community Support Manager should then refer the client and their carer to a person who has agreed to mediate in such instances, or another mediation service.

5.3.3 Responsiveness

We will promptly acknowledge receipt of complaints where sufficient information has been provided to do so.

We will assess and prioritise complaints in accordance with the urgency and seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

We will manage community expectations and will inform persons as soon as possible, of the following:

- the complaints process
- the expected timeframe for our actions
- the progress of the complaint and reasons for any delay
- their involvement in the process; and
- the possible or likely outcome of their complaint.

We will advise persons as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed if this information is known, and it is appropriate to do so.

We will also advise persons as soon as possible when we are unable to meet our timeframes for responding to their complaint and the reason for our delay.

5.3.4 Objectivity and fairness

We will address each complaint with integrity and in an equitable, objective and unbiased manner.

We will ensure that the person managing a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

5.3.5 Responding flexibly

Our staff are empowered to resolve complaints promptly and with as little formality as possible. We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and or their representatives.

We will assess each complaint on its merits and involve people making complaints and or their representative in the process as far as possible.

5.3.6 Confidentiality

We will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

5.4 Manage the parties to a complaint

5.4.1 Complaints involving multiple agencies

Where a complaint involves multiple agencies, we will work with the other agencies where possible to ensure that communication with the person making a complaint and or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our staff but also the actions of service providers.

5.4.2 Complaints involving multiple parties

When related parties make similar complaints, we will try to arrange to communicate with a single representative of the group.

5.4.3 Empowerment of staff

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

5.4.4 Managing unreasonable conduct by people making complaints

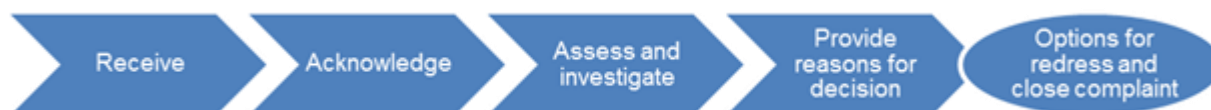
We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and wellbeing security of persons within our organisation; and
- our ability to allocate our resources equitably across all the complaints we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints please see Council's policy POL054 - Unreasonable Complainant Conduct.

5.5 COMPLAINT MANAGEMENT SYSTEM



5.5.1 Introduction

When responding to complaints, staff should act in accordance with our complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in our complaint management system are set out below.

5.5.2 Receipt of complaints

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the ~~complaint file~~ *record*.

The record of the complaint will document:

- the contact information of the person making a complaint where available
- issues raised by the person making a complaint and the outcome they want
- any other relevant information that can be used to resolve the matter
- any additional support the person making a complaint requires.

5.5.3 How to lodge a complaint

- In Writing – Post
Narrandera Shire Council
141 East Street
Narrandera NSW 2700
- ~~In Writing – Fax 02 69591884~~
- In Writing – Email: council@narrandera.nsw.gov.au
- In Person – Visit Council’s Administration Centre at 141 East Street between 9.00am and 4.30pm Monday to Friday.
- By Telephone – Call Council’s Customer Service on 02 6959 5510 between 9.00am and 4.30pm Monday to Friday.
- By Website – www.narrandera.nsw.gov.au

5.5.4 Acknowledgement of complaints

We will acknowledge receipt of each complaint promptly and preferably within three working days.

Consideration will be given to the most appropriate medium for response, such as email or written correspondence for communicating with the person making a complaint.

5.5.5 Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint are within the control of Council. We will also consider the outcome sought by the person making a complaint and where there is more than one issue raised, a determination will be made whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- How serious, complicated or urgent the complaint
- Whether the complaint raises concerns about people's health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed
- Whether a resolution requires the involvement of other organisations.

5.5.6 Addressing complaints

After assessing the complaint, we will consider how to manage it. To manage a complaint, we may:

- give the person making a complaint information or an explanation; or
- gather information from the person or area that the complaint is about, or
- investigate the claims made in the complaint.

We will keep the person making the complaint up to date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and factoring any statutory requirements.

5.5.7 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, we will contact the person making the complaint and advise them of:

- the outcome of the complaint and any action we took
- the reason/s for our decision
- the remedy or resolution/s that we have proposed or put in place
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If during investigation, we make any adverse findings about a particular individual, we will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

5.5.8 Closing the complaint, record keeping, redress and review

We will keep comprehensive records about:

- How we managed the complaint

- The outcome/s of the complaint, including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations
- Any outstanding actions that need to be followed up.

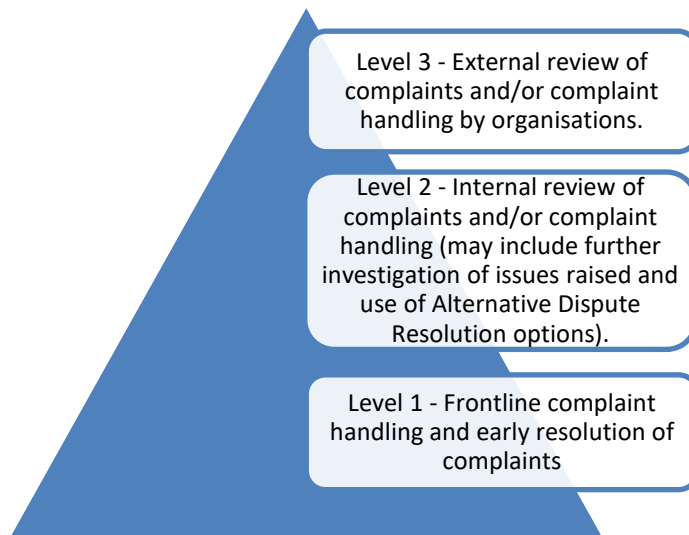
We will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and or senior management.

5.5.9 Alternative avenues for dealing with complaints

We will inform people who make complaints about us about any internal or external review options available to them including the Ombudsman or the Office of Local Government.

For clients of the Narrandera-Leeton Community Transport or Home Support Service, complaints can also be managed by the Aged Care Quality and Safety Commission. Please view 5.7 for Agencies and Resources information.

5.5.10 The three levels of complaint handling



We aim to resolve complaints at the first level, being the frontline. Wherever possible, staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within Council. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decisions already made; and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of council's review of their complaint, they may seek an external review of our decision by the Ombudsman or Office of Local Government.

5.6 ACCOUNTABILITY AND LEARNING

5.6.1 Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis such as:

- extracting reporting information on a regular basis to determine the number of complaints received and the outcome of complaints received
- issues arising from complaints
- systemic issues identified; and
- the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

Both reports and their analysis will be provided to Council's General Manager and the Executive Leadership Team for review on a determined timeframe.

5.6.2 Monitoring of the complaint management system

We will monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints; and
- identify and correct deficiencies in the operation of the system.


Monitoring may include the use of audits, complaint satisfaction surveys, community surveys and any online listening tools and alerts such as the frequency of posts on Facebook.

5.6.3 Continuous improvement

We will continue to improve the effectiveness and efficiency of our complaint management system by:

- supporting the making and appropriate resolution of complaints received; and
- implement best practices in complaint handling; and
- recognise and reward exemplary complaint handling by staff; and
- regularly review the complaints management system and complaint data; and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

5.7 Agencies and Resources



Complaints to the NSW Ombudsman

If Narrandera Shire Council has not been able to resolve your complaint, and you believe that the organisation has done something wrong, you may be able to take your complaint to the NSW Ombudsman: www.ombo.nsw.gov.au

To see when and how you may be able to make a complaint to the NSW Ombudsman visit: <http://www.ombo.nsw.gov.au/Making-a-complaint/how-to-make-a-complaint>.

- **Ombudsman New South Wales**

Telephone 1800 451 524

Email Online complaint management tool is available or use:
info@ombo.nsw.gov.au

Web www.ombo.nsw.gov.au



- **Independent Commission Against Corruption (ICAC)**

Telephone 02 8281 5999

Toll free 1800 463 909

Email Online complaint management tool is available or use:
icac@icac.nsw.gov.au

Website www.icac.nsw.gov.au



- **Office of Local Government**

Telephone 02 4428 4100

Email Online complaint management tool is available or use:
olg@olg.nsw.gov.au

Website www.olg.nsw.gov.au



- Aged Care Quality and Safety Commission
Telephone 1800 951 822
Email Online complaint management tool is available or use:
info@agedcarequality.gov.au
Website www.agedcarequality.gov.au



Communities and Justice

- For complaints relating to Children's Services please send information to the following:
Telephone 1800 000 164
Email complaints@facs.nsw.gov.au
Website www.djc.nsw.gov.au

6. DEFINITIONS

- **Complaint:** An expression of dissatisfaction made to or about Council, its staff or about its works, goods and services.

A complaint covered by this Policy can be distinguished from:

- staff grievances (refer to Council's Grievance Policy)
- public interest disclosures made by our staff (see Council's Public Interest Disclosures - Internal Reporting Policy)
- Code of Conduct complaints (see Council's adopted Code of Conduct)
- responses to requests for feedback about the standard of our service provision
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response
- service requests (see definition of 'service request' below)
- requests for information (see Council's Access to Council Information Policy)
- Child protection (see Council's Child Protection Policy)
- **Complaint management system:** All policies, procedures, practices, staff, hardware and software used by council in the management of complaints.
- **Dispute:** An unresolved complaint escalated either within or outside of council.
- **Feedback:** Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about council's services or complaint handling where a response is not explicitly or implicitly expected or legally required.

- **Service request:**
 - requests for approval
 - requests for action
 - routine inquiries about the council's business
 - requests for the provision of services and assistance
 - reports of failure to comply with laws regulated by the council
 - requests for explanation of policies, procedures and decisions.
- **Grievance:** A clear, formal written statement by an individual staff member about another staff member or a work-related problem.
- **Policy:** A statement of instruction that sets out how we should fulfill our vision, mission and goals.
- **Procedure:** A statement or instruction that sets out how our policies will be implemented and by whom.
- **Public interest disclosure:** A report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act* 1994.

7. ROLES AND RESPONSIBILITIES

The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
General Manager	Promote a culture that values complaints and their effective resolution	<p>Report publicly on council's complaint handling.</p> <p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about complaint trends and issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</p> <p>Encourage staff to make recommendations for system improvements.</p> <p>Recognise and reward good complaint handling by staff.</p> <p>Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.</p>

Governance & Engagement Manager	Establish and manage our complaint management system.	<p>Provide regular reports to the General Manager on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with General Manager and implemented where appropriate.</p> <p>Recruit, train and empower staff to resolve complaints promptly and in accordance with council's policies and procedures.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</p> <p>Recognise and reward good complaint handling by staff.</p>
Customer Service Staff	Demonstrate exemplary complaint handling practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people make a complaint, if needed.</p> <p>Comply with this policy and its associated procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Provide suggestions to management on ways to improve the organisation's complaints management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.</p>
All staff	Understand and comply with council's complaint handling practices.	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of council's complaint handling policies and procedures.</p> <p>Assist people who wish to make complaints access the council's complaints process.</p> <p>Be alert to complaints and assist staff handling complaints to resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</p>

8. RELATED LEGISLATION

- *Local Government Act 1993*
- *Government Information (Public Access) Amendment Act 2018*
- *Privacy and Personal Information Protection Act 1998*

- *Workplace Health and Safety Act 2011*
- Australian & New Zealand Standard AS/NZS 10002:2022 - Guidelines for complaint management in organizations

9. RELATED POLICIES AND DOCUMENTS

- Code of Conduct Policy
- POL020 Access to Council Information Policy
- POL046 Child Protection Policy
- POL075 Grievance Policy
- POL003 Customer Service Charter Policy
- POL037 Public Interest Disclosures - Internal Reporting Policy
- POL054 Unreasonable Complainant Conduct Policy
- NSW Ombudsman publication titled - Managing unreasonable conduct by a complainant – ~~workbook 2020~~ *manual 2021* which contains:
 - ~~Approach and framework~~
 - ~~Strategies for persons dealing with the unreasonable conduct~~
 - ~~Communication~~
 - ~~Management responsibilities and providing support~~
 - ~~Restricting and controlling access~~

10. VARIATION

Council reserves the right to review, vary or revoke this policy in accordance with legislation, regulation and award changes, where applicable. Council may also make changes to this policy and the relevant procedures from time-to-time to improve the effectiveness of its operation.

11. PREVIOUS VERSIONS

Reference to a superseded policy number and/or name is also considered a reference to the new policy number. This policy was previously named:

- ES80 Complaints Management Policy.

POLICY HISTORY

Responsible Officer	Governance and Engagement Manager
Approved by	General Manager
Approval Date	21 June 2021
GM Signature <i>(Authorised staff to insert signature)</i>	
Next Review	1 June 2024

Version Number	Endorsed by ELT	Endorsed by Council	Date signed by GM
1 Adopted	-	-	18/04/2006
2 Reviewed	-	-	21/08/2007
3 Reviewed	-	-	17/02/2009
4 Reviewed	14/07/2014	14/10/2014	15/10/2014
5 Reviewed	1/08/2016	14/12/2016	8/02/2017
6 Reviewed	23/02/2021	20/04/2021	21/06/2021

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12. Acknowledgement of Training Received

I hereby acknowledge that I have received, read and understood a copy of Council's Complaints Management Policy.	
Employee Name	
Position Title	
Signature	
Date	