



3.06 - COMPLAINTS HANDLING POLICY

1 INTRODUCTION

The purpose of this policy is to define a clear methodology for dealing with complaints made to the Council by members of the public.

2 POLICY OBJECTIVE

The objective of this policy is to:

- Promote a high standard of customer service in all areas of Council's operations by responding effectively and positively to complaints received.
- Provide a standard approach to the way in which Council processes complaints.
- Ensure that members of the public have an easily accessible system in which to submit a complaint.
- Inform Council's customers of the process that Council will follow when handling complaints.
- Ensure that the Council meets its obligations under the *Local Government Act 1993 (NSW) (NI)*.
- Recognise the importance of complaints in providing feedback about Council's services and performance and to utilise that information to improve services and identify training needs.

3 POLICY SCOPE

This policy applies to all complaints submitted to the Norfolk Island Regional Council regarding its operations and personnel, other than:

- Requests for services (unless there was no response to a previous request)
- Reports of hazards or damaged infrastructure
- Requests for information/explanation of Council policies, decisions or procedures (unless there was no response to a previous request)
- Appeals or objections regarding development applications
- Complaints in regards to a process which is legislated or relates to a person in a statutory position, the appeals process contained within the applicable legislation details the procedure to be followed when lodging a complaint or an appeal against a decision
- Complaints received by Norfolk Island Tourism in relation to third party operators on Norfolk Island for example a touring company. Norfolk Island Tourism has an internal system for handling these types of complaints.

4 DEFINITIONS

Complaint - an expression of dissatisfaction made about a standard of service provided by Council or the actions taken by Council or its employees.

Complaints Officer – Customer Care Manager

Public Officer - Executive Manager Governance and Human Resources

5 LEGAL AND POLICY FRAMEWORK

Local Government Act 1993 (NSW)(NI), Part 3

6 IMPLEMENTATION

6.1 Communication

Council Complaints Handling policy will be communicated by:

- Providing an easy to read brochure accessible to the public and available at Councils main office, the Public Library and the Customer Care Team.
- Including Council's Complaints procedure on Council's website and providing a downloadable form for the purpose of lodging a complaint.
- Training Council staff on how to provide information to customers on Council's Complaints Handling Policy.
- Providing all Councillors with a printed copy of this Policy and ensuring that this is included in the new Councillor induction processes.

6.2 Associated Documents

- Complaints process flow chart
- Complaints form

7 POLICY

7.1 Principles

- Any person, group or organisation (or their representative) using Council's services or impacted by Council's decisions, actions or lack of actions, has the right to lodge a complaint.
- Complaints must be in writing, signed and dated by the complainant before an investigation is commenced.
- Staff will be trained to receive complaints whether presented in person at Council offices, by telephone or in writing (fax, letter or e-mail). Staff will record the complaint and initiate appropriate action.
- If the matter falls outside this policy staff will assist in directing the person to the appropriate person or authority or assist with any request for service as warranted.
- All complaints received in writing will be acknowledged within 10 working days.
- All complaints received in writing will be responded to within 20 working days from the date that the complaint is received at Council.
- If Council is unable to resolve the matter to the complainant's satisfaction advice will be given as to how they may pursue their complaint further or referred to the appropriate statutory authority.
- Complainants will not be subject to disadvantage or victimization pursuant to the lodging of a complaint and any such allegations received will be investigated by the Executive Manager Governance and Human Resources and/or General Manager.

- Council commits to keeping the personal information of the complainant confidential. The information will only be used for the purposes of addressing the complaint, unless the customer or complainant expressly consents to disclosure.
- Anonymous complaints will be accepted however Council's ability to investigate will be dependent on the information supplied.
- Reports on the numbers and types of complaints received will be monitored by Council's Complaints Officer and the General Manager on a quarterly basis.

7.2 Complaint Handling

Council has adopted a three level approach to handling complaints.

Level One – First Line Complaint Handling

- Front line staff will endeavour to resolve straightforward minor complaints on the spot if practicable.
- Front line staff will record full details of the complaint on the complaints form to assist with investigation (including the outcome expected by the complainant), this information will be registered with the Complaints Officer.
- Front line staff may then refer the complaint to their Section Leader, Team Leader or Manager to ascertain who should attend to the issue and then proceed with the necessary action. Where practicable, complaints are resolved within the relevant Branch responsible for the matter. All officers are to resolve the complaints within the guidelines, timeframes and principles established in this policy.
- In some cases of serious or more complex issues first line staff shall direct the complaint to the most appropriate authority within Council. Guidance will be provided by the Complaints Officer and Public Officer on these matters.
- Complaints alleging pecuniary interest, corrupt conduct, significant breaches of laws/regulations or competitive neutrality issues are to be immediately referred to the Public Officer who will investigate the issues in accordance with policies and statutory requirements.
- Complaints which include issues relating to personal injury, property damage or other matters which may give rise to a claim against Council are to be escalated to the Complaints Officer and/or Public Officer and are to be dealt with in full consultation with Council's Insurance/Risk Management Officer.

Level Two – Internal Review of Complaint

- Where the complainant remains unsatisfied with the outcome, the matter is to be reviewed by the relevant Manager and/or Group Manager in consultation with the Complaints Officer and/or Public Officer, every endeavour will be made to resolve the issues.
- The Complaints Officer may refer the matter to the Public Officer if they consider it will assist in resolving the issues. If warranted, the General Manager will consult with the Mayor and/or report to Council.

Level Three – Independent Review Options

If the complaint cannot be resolved within Council’s complaint handling process, the complainant will be referred to the appropriate outside agency, the Ombudsman.

An alternate dispute resolution procedure involving mediation may be considered in some circumstances.

There may be cases where Council is unable to resolve the issue to the satisfaction of the complainant (after all the relevant processes have been followed) and is not reasonably in a position to take any further action on the matter. Whilst the complainant can still pursue the matter legally or with other agencies, Council may, in certain circumstances (determined by the General Manager or Council) have to consider imposing a limit on communication with the complainant if the same issue continues to be raised. This also applies to vexatious complaints.

7.3 Methods of Lodging Complaints

Complaints can be made to Council in any of the following way:

In Writing: Complaints Officer
 Norfolk Island Regional Council
 PO Box 95
 Norfolk Island, 2899

Fax: +6723 22205

Email: regionalcouncil@nirc.gov.nf

In Person: Norfolk Island Regional Council Offices
 Second floor
 New Military Barracks
 Norfolk Island, 2899

By Telephone: +6723 22001

7.4 Registration of Complaints

Upon receipt of a complaint the staff member receiving the complaint must ensure that the complaint is appropriately registered and marked for immediate follow up action.

7.5 Complaints Made to Councillors

In many instances complaints are made directly to Councillors rather than to Council Officers. In such cases the complaint needs to be registered and dealt with in accordance with the above processes. Councillors are requested to encourage the complainant to contact the relevant Council office if they have not previously made the complaint to Council, so that the matter can be recorded and followed up.

7.6 Contacting External Agencies

If the complainant is not satisfied with Councils response, they can contact the Commonwealth and ACT Ombudsman.

By Telephone: 1300 362 072

In writing: Commonwealth and ACT Ombudsman
GPO Box 442
Canberra ACT 2601

Further information can be obtained by visiting the Ombudsman website www.ombudsman.gov.au

8 REVIEW AND VERSION CONTROL

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	V1	2017/57	19 April 2017	Developed and Adopted