



# LITHGOW CITY COUNCIL

Policy 4.12

COMPLAINTS AND PROCEDURES

Version 1

## **4.12 COMPLAINTS AND PROCEDURES**

**OBJECTIVE:** To provide a consistent procedure for management and response to complaints from a member of the public.

### **POLICY:**

#### **1.0 STATEMENT OF INTENT**

Lithgow City Council is an organisation which exists to assist its customers and stakeholders consistent with the common good, and legal and statutory responsibilities. Lithgow City Council treats all complaints with the utmost seriousness. Every complaint received by Council will be given attention by appropriate staff in order to resolve the issues raised.

The intent of this Policy is to provide a framework for receiving and responding to complaints from the public as a means of improving customer service in all areas of Council's operations. This policy will also ensure that issues which are the subject of complaints are addressed promptly, and in a manner which, as far as possible, ensures that such issues will not be the subject of future similar complaints. This process will ensure the validity of the complaint is ascertained and the principles of enquiry are applied.

#### **2.0 DEFINITION**

A complaint may be defined as: *"an expression of dissatisfaction with the Council's policies, procedures, charges, staff, agents, or quality of service. A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council's processes and/or procedures."* Works requests are items which are dealt with by lodging a service request and having the item appropriately assigned to a member of staff. Some "complaints" are more appropriately dealt with as works requested.

#### **3.0 TYPE AND SERIOUSNESS OF COMPLAINTS**

3.1 Complaints to Council will vary in type and seriousness. In many circumstances the onus will fall on staff to determine the seriousness of the complaint, and what action may be appropriate in responding to the complainant. Under such circumstances, and where the complaint is deemed to be of a more serious nature, staff should make a written record of the complaint and the advice provided to the complainant, and inform their Manager or Group Manager immediately. Some circumstances however, will not require such action. Minor complaints may be able to be dealt with immediately, to the satisfaction of the complainant.

The following is a rough guide to dealing with complaints according to their seriousness and implications:

- (a) Complaints addressing issues such as non-urgent maintenance work required at a specific location, non-collection of household waste, or other matters of a minor nature, may be referred to the appropriate Council officer and resolved on the spot. In circumstances where an appropriate officer is not available, the complaint should be referred to Customer Service for logging in Council's Action Request System, and referral.
- (b) Where the complaint is serious and requires investigation, the Steps for Complaint Handling, outlined in Section 6 of this policy should be followed.

(c) Where a report to Council is required due to the seriousness or complexity of the complaint, the matter should be referred directly to the General Manager.

3.2 Anonymous complaints will not be actioned unless the complaint related to matters of public health and or safety.

#### **4.0 LODGEMENT OF COMPLAINTS.**

.1 Complaints may be lodged with Council in the following ways:

- By telephone;
- In person;
- In writing to the General Manager.

Confidentiality will be maintained where requested by the complainant and principles of Council's Privacy Plan will be observed.

.2 All complaints within the following categories must be directed to the General Manager or Mayor immediately as per Council's Code of Conduct:

- Complaints about practices or procedures underpinning, or arising from, Council's decision making processes
- Complaints about the conduct of, or alleging impropriety in the actions of, Council staff or Councillors.

#### **5.0 PUBLIC OFFICER**

Under the Local Government Act, Council's Public Officer is specifically charged with the responsibility of dealing with complaints from the public concerning Council's affairs.

#### **6.0 STEPS FOR HANDLING COMPLAINTS.**

Where a complaint has been lodged with Council, the following steps must be followed by appropriate staff immediately:

- 1 Any member of staff approached by a person wishing to lodge a complaint must advise that person of the methods by which their complaint may be lodged. Staff involved in this initial contact should record a written account of the complaint, and the complainant's details, on the Record of Complaint form.
- 2 Where a person wishes to lodge a complaint on the spot, the Council Officer attending to that person should complete a Record of Complaint form and refer the complaint to the appropriate officer.
- 3 In circumstances where a complaint is received via the telephone, the complaint should be dealt with on the spot by the appropriate officer if the issue is minor, or referred to the Public Officer where the complaint is more complex or serious. In all circumstances, including those where the complainant wishes to remain anonymous, a written account of the complaint must be recorded and a Record of Complaint form must be completed by the officer dealing with the complainant.

Copies of these documents must be referred to the relevant Group Manager and Public Officer.

- 4 Upon receipt, the written complaint, or Record of Complaint if received by telephone, will be forwarded to the Records Branch for registration and

referred to the Public Officer. The Public Officer will forward a written response to the complainant, acknowledging receipt of the complaint.

- 5 The Public Officer will refer a copy of the complaint, along with a Complaint Report form, to the appropriate Group Manager, for action. Alternately, where appropriate, the Public Officer will refer the complainant to the General Manager for referral to an external agency or authority for lodgement of their complaint (i.e. Ombudsman's Office, ICAC, and Department of Local Government).
- 6 The Group Manager will oversee investigation of the complaint and, where appropriate, determine remedial action to be taken. Upon receipt of a complaint, the Group Manager must ensure that any investigation, decision making on remedial action, and reporting to the Public Officer, occurs within ten working days.
- 7 Following investigation the Group Manager will return the Complaint Report form, completed, to the Public Officer. A copy of all records of the complaint will also be retained in the appropriate Department for reporting purposes
- 8 The Group Manager's report on investigation and remedial action arising from the complaint will be reviewed and signed off by the General Manager.
- 9 The Public Officer will provide a written response to the complainant within 21 working days of lodgement of the complaint, with details of the investigation and remedial action taken in relation to their complaint.

#### **7.0 STAFF RESPONSIBILITIES IN DEALING WITH COMPLAINTS**

Every member of staff is required to be aware of the content of this policy, and the means by which complaints are handled within Council.

Staff are also required to be aware of their potential role in assisting and directing complainants, and in recording and referring to the Public Officer, any discussion that occurs with complainants.

#### **8.0 COMPLAINTS ALLEGING CORRUPT CONDUCT, PECUNIARY INTEREST, OR IMPROPER USE OF POSITIONS**

All complaints alleging corrupt conduct, pecuniary interest, or improper use of position, including complaints made verbally or even anonymously, are to be recorded on the Record of Complaint form referred immediately and directly to the General Manager.

Staff receiving and recording such a complaint must ensure that the complaint, and all allegations contained therein, remains confidential, and is not discussed other than with the General Manager.

#### **9.0 REPORTING OF COMPLAINTS**

On a 6 monthly basis (September and March) the Public Officer will provide a summary of complaints received to the General Manager. This summary will comprise details of the type and number of complaints received an outline of how they were resolved, the average time for resolution and recommendations of any changes to procedures made as a result. These summaries will form the basis of an annual report to Council from the Public Officer.

#### **10.0 OTHER AGENCIES**

Complainants who are dissatisfied with Council's complaints handling process, or who would like to have their complaint addressed by an external agency or authority, may seek assistance from the following organisations: NSW Office of the Ombudsman, Level 3, 580 George St Sydney 2000, Tel. 9286 1000.

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