



**Working together**

to create the world's most liveable community

## COMPLAINT HANDLING POLICY

<b>Approval Level:</b>	EMT
<b>Policy Type:</b>	Organisation
<b>Approval Date:</b>	14/12/2021
<b>Review cycle:</b>	Four years (12 months in the first year of operation)
<b>Review Date:</b>	30/11/2022
<b>Responsible Officer:</b>	Manager Business Transformation
<b>Owner:</b>	Business Transformation
<b>Responsible Director:</b>	Corporate Performance
<b>Relevant Legislation/Authority:</b>	<i>Local Government Act 2020 (Vic)</i> <i>Public Interest Disclosures Act 2012 (Vic)</i> <i>Gender Equality Act 2020 (Vic)</i> <i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i> <i>Freedom of Information Act 1982 (Vic)</i> <i>Privacy and Data Protection Act 2014 (Vic)</i>
<b>DOCSETID:</b>	4663565

### 1. PURPOSE

The purpose of this policy is to demonstrate the City of Greater Bendigo's (City) commitment to good practice complaint handling and building a positive culture around complaints:

- enabling members of the public to make complaints about the City;
- responding to complaints by taking action to resolve complaints as quickly as possible, and by keeping customers informed of progress and outcome of complaints;
- learning from complaints to improve our services; and
- treating every complaint we receive on its individual merits, through clear and consistent processes.

### 2. BACKGROUND

**2.1** Of the three tiers of government, Councils often have the most direct contact with the public. The City provides community services; manages recreation facilities; constructs and maintains local roads and essential infrastructure; supports business and economic development; regulates planning and land use; and enforces various State and Federal laws.



- 2.2 It is unsurprising that Councils deal with high numbers of complaints. The City values complaints and encourages people to contact us when they have a problem with our services, actions, decisions, and policies.
- 2.3 Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.
- 2.4 The City regularly analyses complaint data to identify trends and potential issues that deserve further attention. We use this information to develop solutions about how we can improve our services.

### 3. SCOPE

- 3.1 This complaints policy applies to all complaints from members of the public about employees, Contractors and decisions made at Council meetings.
- 3.2 This policy does not apply to complaints about individual Councillors.
- 3.3 This policy does not apply to matters or complaints that are otherwise subject to statutory review. For example;
  - complaints/objections relating to a planning application decision
  - complaints/appeals relating to parking infringements
  - complaints about alleging fraud, corruption or other criminal behaviour
  - complaints relating to a councillor outside of their role as a councillor
  - freedom of information requests
  - a petition to Council about a particular matter
  - comments or submissions received during a formal consultation or community engagement process, which has a specific process for management
  - work related grievances from Council staff (i.e. complaints relating to their employment)
  - complaints that have already been reviewed by an external agency.
- 3.4 This policy also does not apply to:
  - Matters involving disputes between individuals or groups
  - Councillor behavior – please refer to Councillor policies
  - Matters related to claims of a financial nature made against Council
  - Requests for service
  - Complaints about the Chief Executive Officer (CEO). These complaints are to be directed to the Mayor and a process followed that is consistent with the process outlined in the Councillor Code of Conduct.



## 4. DEFINITIONS

**Actioning Officer** – responsible for actioning a customer's complaint

**Complainant** – a customer who makes a complaint about the City

**Customer** – a member of the public

**Employees** – staff employed by the City

**Receiving Officer** – responsible for receiving and recording complaints from customers

**Responsible Director** – director that actioning officers and responsible officers are accountable to.

**Responsible Officer** – responsible for the actions of an actioning officer. Generally, the actioning officers line manager.

**Reviewing Officer** – senior officer not previously involved in the complaint appointed to conduct an internal review.

**Request for service** is when a customer seeks assistance, requests to access a new service, seeks advice or informs/makes a report about something for which the council has responsibility. The following are examples of requests for service:

- insurance claims
- a request for information or explanation of policies or procedures
- reports of damaged or faulty infrastructure (i.e. potholes)
- reports of hazards (e.g. fallen trees)
- a dispute concerning neighbours.

## 5. PRINCIPLES

**5.1** The City will treat every complaint we receive on its individual merits, through clear and consistent processes.

**5.2** The City is committed to ensuring our complaints process is accessible to everyone.

**5.3** The City will use a Tiered Approach to complaint management<sup>1</sup>:

---

<sup>1</sup> Source [Councils and Complaints – a good practice guide 2<sup>nd</sup> edition](#), Victorian Ombudsman, 26 July 2021.



Figure 1: Four-tier model for complaint management





## 6. POLICY

### What is a complaint?

- 6.1** A complaint is any communication which involves the expression of dissatisfaction about an action, decision, policy or service that relates to an employee, a contractor, or the City or Council as a decision-making body.
- 6.2** A complaint includes the communication, whether orally or in writing, to the City by a person of their dissatisfaction with:
- 6.2.1 the quality of an action taken, decision made or service provided by a City employee or a contractor engaged by the City; or
  - 6.2.2 the delay by a City employee or a contractor engaged by the City in taking an action, making a decision or providing a service; or
  - 6.2.3 a policy or decision made by a Council or an employee or a contractor.

### How to make a complaint

- 6.3** Any member of the public can make a complaint. Complaints can be made by:
- Online: <https://www.bendigo.vic.gov.au/Contact/Feedback-and-complaints>
  - Email: [requests@bendigo.vic.gov.au](mailto:requests@bendigo.vic.gov.au)
  - Telephone: 1300 002 642
  - Post: City of Greater Bendigo, PO Box 733, Bendigo 3552
  - In person: 15 Hopetoun Street, Bendigo or 125 High Street, Heathcote
- 6.4** Information that is helpful to include in your complaint includes:
- 6.4.1 Your name and contact details. If you make an anonymous complaint the City will be unable to respond to you;
  - 6.4.2 Identify the action, decision, service or policy you are complaining about, and why you are dissatisfied;
  - 6.4.3 Relevant details, such as dates, times, location or reference numbers, and documents that support your complaint;
  - 6.4.4 The outcome you are seeking from making your complaint;
  - 6.4.5 Whether you have any specific communication needs or barriers, we can assist you by:



## Working together

to create the world's most liveable community

- using an assistance service, such as an interpreter or TTY (for free);
- talking with you if you have trouble reading or writing;
- communicating with another person acting on your behalf if you cannot make the complaint yourself.

### Our complaints process

- 6.5** The employee you make your complaint to we will record your complaint in our Pathway Customer Request System. You will receive acknowledgement of your complaint along with a reference number within 5 business days. The complaint will have an “Actioning Officer” and “Responsible Officer” assigned from the service area related to the complaint.
- 6.6** The Actioning Officer who received your complaint will make an initial assessment of your complaint to decide how to handle it.
- 6.7** The Responsible Officer will provide management oversight and direction on processing the complaint and handle any escalation of the complaint.
- 6.8** After the initial assessment the actioning officer who received your complaint may:
- 6.8.1 Take direct action to resolve your complaint; or
  - 6.8.2 Refer your complaint to another actioning officer/responsible officer for investigation; or
  - 6.8.3 Decline to deal with your complaint if you have a statutory review of your complaint (such as a right of appeal to VCAT).
- 6.9** Where possible, we will attempt to resolve your complaint at the time you first contact us. If we decide not to action your complaint, we will explain why, and, where possible, inform you about other options.
- 6.10** If we cannot resolve your complaint quickly the actioning officer will aim to complete investigations within 30 business days, and the actioning officer will tell you if the investigation will take longer. We will update you every 30 business days about progress until the investigation is completed. The responsible officer will monitor the processing of the complaint and if necessary, notify the responsible director of the complaint status.
- 6.11** As part of our investigation we may:
- 6.11.1 assess the information against relevant legislation, policies and procedures
  - 6.11.2 refer to Council documents and records



6.11.3 meet affected parties to consider possible solutions

**6.12** We will inform you of the outcome of your complaint in writing (or other method according to your communication needs) and explain our reasons.

### Behaviour expectations

**6.13** All employees must be respectful and responsive in all their communication with members of the public and we expect the same of members of the public communicating with City employees.

**6.14** The City may change the way we communicate with members of the public where their behaviour or conduct raises health, safety, resource or equity issues for City employees involved in the complaint process in accordance with the Managing Unreasonable Complaint Conduct.

### How to request an internal review

**6.15** If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review.

**6.16** An internal review will be conducted by a “reviewing officer”. The reviewing officer will be a senior City employee who has not had any prior involvement with your complaint.

**6.17** The reviewing officer conducting the internal review will be appointed by the relevant Manager, Director or CEO (as appropriate).

**6.18** We aim to complete an internal review within 30 business days, and the reviewing officer will tell you if the internal review will take longer. We will update you every 30 business days about progress until the internal review is completed.

**6.19** We will inform you of the outcome of the internal review and explain our reasons.

### How to request an external review

**6.20** There are external bodies that can deal with different types of complaints about the City. You can request an external review from the following organisations:

Complaint	Organisation to contact for external review
Actions or decisions of a Council, Council staff and contractors.  This includes failure to consider human rights or failure to act compatibly with a human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic)	Victorian Ombudsman <a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a>



## Working together

to create the world's most liveable community

Breaches of the Local Government Act	Local Government Inspectorate <a href="http://www.lgi.vic.gov.au">www.lgi.vic.gov.au</a>
Breach of privacy. Complaint about a freedom of information application	Office of the Victorian Information Commission <a href="http://www.ovic.vic.gov.au">www.ovic.vic.gov.au</a>
Corruption or public interest disclosure ('whistleblower') complaints	Independent Broad-based Anti-Corruption Commission <a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>
Discrimination	Victorian Human Rights and Equal Opportunity Commission <a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a>
Council elections	Victorian Electoral Commission <a href="http://www.vec.vic.gov.au">www.vec.vic.gov.au</a>

### How we learn from complaints

**6.21** We regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We use this information to improve our services.

**6.22** We are open and transparent about the complaints we have received, and what we have done to resolve them.

### Privacy

**6.23** We keep your personal information secure. We use your information to respond to your complaint and may also analyse the information you have provided for the purpose of improving services that relate to your complaint. Please refer to our [Privacy Policy](#).

**6.24** When you complain we ask you to provide and will record:

- your name and contact details
- whether you have any communication or assistance needs that can be reasonably accommodated
- what you are complaining about and whether you require a response
- what outcome you are seeking and whether you require a response.

**6.25** We publish our complaint data including in our annual report. Published complaint data has personal information removed.

## 7. ROLES AND RESPONSIBILITIES

### Employees





All employees are responsible for:

- Reading and complying with this policy;
- Treating each complaint on its individual merits
- Attempting to resolve complaints at the time of first contact.

### **Receiving Officers**

All employees who receive complaints are responsible for:

- Recording complaints in the Pathway Customer Request System.
- Facilitating complaints by ensuring that members of the public can easily log complaints and any specific communication needs or barriers are addressed;
- Making an initial assessment and allocation to the most appropriate service area to manage the complaint;

### **Actioning Officers**

- Make an initial assessment of your complaint to decide how to handle and acknowledging your complaint within 5 business days.
- In consultation with their line manager referring a complaint to another actioning officer and providing all relevant information for investigating the complaint;
- Where a complaint is more complex or cannot be resolved quickly referring the complaint to their Manager for assessment;
- When investigating a complaint:
  - appropriate investigation and consideration of the complaint;
  - completing an investigation within 30 business days, and if the investigation will take longer updating the complainant every 30 business days about progress until the investigation is completed; and
  - informing the complainant of the outcome of their complaint in writing (or other method according to their communication needs) and explaining the reasons for the decision.

### **Responsible Officers**

In addition to their responsibilities as employees, Responsible Officers are responsible for:

- Supporting staff to deal with complaints and oversight of complaint handling in their service area;
- Escalation point for complaints;
- Complaint handling performance in their area;
- Recruit, train and empower staff to resolve complaints promptly and in accordance with council's policies and procedures;
- Managing conflicts of interest in the complaint process;
- Implementing any improvements identified from complaints.



## 8. RELATED DOCUMENTS

Employees are encouraged to access the related internal documents which are available on the intranet and/or external resources which are available as per the below.

These include:

[Procedure for Managing Unreasonable Complaint Conduct](#)

Further information or advice on this policy should be directed to Choose an item.

## 9. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## 10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

## 11. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
Dec 2021	MS	Business Transformation	Significant review	1	Dec 2022
Dec 2021	RM	Governance	Administrative update – review cycle	2	Dec 2022