

**7.5 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO CUSTOMER SERVICE COMPLAINTS MANAGEMENT POLICY**

- Attachments:**
1. **Customer Service Complaints Policy**
  2. **Complaint Management Policy - DRAFT**

**RECOMMENDATION:**

That Council **ADOPTS** the amended **Customer Service Complaints Management Policy (to be renamed Complaint Management Policy)** at **Attachment 2**.

**PURPOSE OF REPORT:**

To present the outcome of community consultation and seek adoption of the amended Complaint Management Policy at **Attachment 2**.

**BACKGROUND:**

The City's **Customer Service Complaints Management Policy (Attachment 1)** was adopted in 2005 and last reviewed in 2010.

**DETAILS:**

The Policy was originally established to provide procedures and guidelines for processing complaints about the service received from Employees or Elected Members to ensure that they are acknowledged and investigated in a timely and efficient manner.

**Proposed Changes:**Removal of procedural content

Administrative procedural content has been removed from the Policy.

Renaming of the Policy

The name of the Policy has been changed from Customer Service Complaints Policy to Complaint Management Policy.

Updated Policy objectives

The objectives of the Policy have been revised to better align with the City's Customer Service Charter:

- Provide a framework for the management of complaints to ensure that requests are acknowledged promptly and courteously and investigated effectively and comprehensively in a timely manner.
- Enhance community confidence in the City's commitment to being transparent and accountable.
- Enable the City to compile and use complaint data to drive business improvement and increase community satisfaction with service delivery.

Removal of references to complaints about Elected Members

The management of complaints related to Elected Members is guided by the [Code of Conduct for Council Members, Committee Members and Candidates](#) and the Elected Member [Code of Conduct Behaviour Complaints Management Policy](#). Reference to Elected Members has therefore been removed from the Policy.

Clarification around complaints related to employee conduct

The policy wording has been revised to clarify that complaints related to suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour of employees are covered under the [Code of Conduct - Employees](#) and therefore not included as part of the Complaint Management Policy.

**CONSULTATION/ADVERTISING:**

At its 22 August 2023 Meeting, Council approved conducting community consultation on the intention to amend the Policy.

In accordance with the City's [Community and Stakeholder Engagement Policy](#), community consultation was undertaken between 25 August 2023 and 18 September 2023.

The policy was advertised on the City of Vincent website, social media and through the following public notices:

- Perth Now – 31 August 2023; and
- Notice displayed on the notice board at the City's Administration and Library and Local History Centre.

No public submissions were received.

**LEGAL/POLICY:**

Section 2.7(2)(b) of the Act provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for repealing and adopting policies.

The Policy review has been conducted in consideration of [AS/NZS 10002-2014 Guidelines for Complaint Management in Organisations](#) in conjunction with Ombudsman Western Australia guidance on Unreasonable Complainant Conduct. The Policy is also consistent with complaint management policies from other WA local governments.

**RISK MANAGEMENT IMPLICATIONS**

**Low:** Adopting the policy is low risk.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

*Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.*

**SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

**FINANCIAL/BUDGET IMPLICATIONS:**

None.

**POLICY NO: 4.1.3**

**CUSTOMER SERVICE COMPLAINTS MANAGEMENT**

**OBJECTIVE**

To provide procedures and guidelines for the processing of complaints as a way of improving services and enhance the public image of the City of Vincent ensuring that requests are acknowledged promptly and courteously and investigated efficiently, effectively and comprehensively.

**POLICY STATEMENT**

For the purpose of this policy, the following definitions will be used:

**“Complaint”** is an expression of dissatisfaction about the standard of service provided, or an action or inaction by the City of Vincent or its Employees or Elected Members.

**“Service Request”** is a person’s demand, however made, for a service to be provided or an action to be undertaken by the City.

**“Service Complaint”** an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the City, affecting any person.

1. The Council’s Customer Service Charter will form the basis of the minimum level of service provided by the City of Vincent.
2. All Employees will comply with the Council’s Customer Service Charter. Elected Members and Employees are required to comply with the Council’s Code of Conduct.
3. The City of Vincent has comprehensive management procedures which establish guidelines and standards for the processing of complaints and service requests.
4. All complaints/requests must be dealt with in accordance with the “Customer Service Complaints Management Procedures” as adopted and amended from time to time by the Council.
5. All complaints/requests received by the City must be recorded and documented and shall be acknowledged as soon as possible.
6. All complaints will be investigated and reviewed where requested and complainants notified of the results of the investigation, within the prescribed timeframes of the “Customer Service Complaints Management Procedures”.
7. Where a complainant is not satisfied with the outcome, a review of the result can be lodged with the Chief Executive Officer or the matter can be referred to an independent external authority for investigation, if appropriate.
8. Complaints which, when assessed, relate to illegal or corrupt behaviour or misconduct will be referred to the appropriate external organization.
9. All complaints will be kept confidential as far as practicable subject to the constraints of the various Acts that relate to local government.
10. Subject to statutory charges and Council requirements, the processing of a complaint is free of cost.

<b>Date Adopted:</b>	<b>27 September 2005</b>
<b>Date Amended:</b>	-
<b>Date Reviewed:</b>	<b>November 2010</b>
<b>Date of Next Review:</b>	<b>November 2015</b>



# CITY OF VINCENT

**CUSTOMER SERVICE  
COMPLAINTS MANAGEMENT  
PROCEDURES**

A guide to the City of Vincent's formal procedures and practices in the handling of customer complaints

*"For consideration by the Council on 9 August 2005"*

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## 1. INTRODUCTION

The City of Vincent recognises the right of the individual to complain when feeling dissatisfied with the service received from Employees or Elected Members and undertakes, wherever possible, to resolve these complaints and to prevent similar complaints from occurring.

This procedure is an essential part of any customer driven business, however we must not lose sight of the fact that this is not so much about complaints, but about quality Customer Service.

Our focus in dealing with people (*"our Customers"*) should always be about service. A measure of our success in providing that quality service is not how good our complaints-handling procedure is, but how little we have to use it.

### Our Customers

Our customers include:

- People who have dealings with the City of Vincent.
- Residents, ratepayers, business proprietors, community, sporting and recreations clubs and associations.
- Visitors to the City of Vincent.
- Employees within the City of Vincent.
- Government departments and non-government agencies and organisations.

### 1.1 Purpose

*The purpose of these procedures is:*

- (a) *to resolve the problem for the individual; and*
- (b) *to improve the quality of the service provided by the City of Vincent.*

*This complaints-handling procedure is in place to resolve complaints made to the City of Vincent, and to enable us to continuously improve the quality of our customer service. These procedures will be applied to all customer complaints, including requests that have the potential to become complaints.*

### 1.2 Definition of a Complaint

- (a) *For the purpose of recording complaints as opposed to service requests, a complaint shall be defined as follows:*

**"A complaint is an expression of dissatisfaction about the standard of service provided, or an action or inaction, by the City of Vincent or its Employees or Elected Members."**

*Some examples of a complaint are:*

- *confusing or incorrect advertised information;*
- *a published service standard that has not been met in accordance with the Charter or policies of the City of Vincent; and*
- *inappropriate behaviour/conduct of Employees or Elected Members.*

A complaint therefore is not:

- a request for service (eg: to remove a verge tree, remove graffiti, the reporting of a pothole, to repair a footpath or broken rubbish bin);
  - the lodgement of an review application against a decision that has been made by Council in accordance with Council procedure or policy;
  - a request to provide information; or
  - a trivial, vexatious or frivolous matter.
- (b) *In the event that a request for service or information is agreed to but not forthcoming, or has been handled inappropriately, the person's next contact with the City of Vincent about that issue could become a complaint, through our failure to respond, or respond appropriately. All requests therefore have the potential to become complaints. Employees need to be aware of this and exercise judgement.*
- (c) The complaint can be received in a number of ways:
- (i) in writing, including faxed and electronic (e-mail) copies;
  - (ii) in person; or
  - (iii) by telephone.
- (d) In applying these procedures, the principles on which they are based must not be overlooked.

*It should be clearly understood that while this procedure is to be followed for all complaints, there may be situations that call for alternative handling. In any case, the following basic principles apply:*

- Action
- Common Sense
- Commitment
- Discretion
- Empathy
- Fairness
- Flexibility

It should be appreciated that most people want:

- (i) to be heard;
- (ii) to be informed;
- (iii) to be understood and taken seriously;
- (iv) to be respected;
- (v) to be given an explanation or reason for a decision;
- (vi) to get action or resolution as soon as possible; and
- (vii) to be given an apology, where appropriate.

- (e) What do the procedures contain?

The complaint procedures include the following:

- (i) a description of how persons can make a complaint;
- (ii) the process to review a previously made decision on a complaint;
- (iii) guidelines for Employees to process and resolve a complaint;
- (iv) reporting procedures;
- (v) preventative-action guidelines;
- (vi) review process for making changes to current complaints-handling process and to current actions and policies; and
- (vii) a brief description of how the City of Vincent addresses the Australian Standards (AS4269-1995) criteria on Complaint Handling.

- (f) Do we accept all complaints?

- (i) All complaints that fall within the Council's jurisdiction will be heard and treated equally and fairly according to these procedures, whether or not the person can or will be satisfied. Each complaint should be viewed as an opportunity to improve customer satisfaction, rather than just a complaint. It should be remembered that we are actually dealing with the person's perception of the situation, right or wrong, as well as the basis of the complaint.
- (ii) The only time a complaint will not be processed through the City's Complaint Handling Procedure is when the person's concern is not within the City's jurisdiction. There may also be circumstances for which the City is not responsible, but this may not be apparent until part way through the process. The complainant should then be redirected to the appropriate authority. Details of the referral are to be recorded in notes (in the CARS record).

- (g) Associated documents:

Complaint Review Form (Appendix 1)

Customer Service Charter (Appendix 4)

Customer Service Complaint Form: "How to make a Complaint" (Appendix 5)

### **1.3 Service Requests and Complaints**

The City is committed to the efficient and fair resolution of service requests or complaints and the provision of quality customer service.

A "service request" is defined as a person's demand, however made, for a service to be provided or an action to be undertaken by the City.

All Employees have the authority to handle complaints at the 1st Level as prescribed within these Management Procedures.

To achieve the above, Employees should be patient and sympathetic and above all listen to what the person's grievance/concerns.

### **1.4 Anonymous Complaints**

(a) No action will be initiated on complaints/requests where the complainant declines to provide their name and/or contact details unless:

- (i) the matter being brought to the attention of the City is in breach of statutory provisions or the Council's Code of Conduct; or
- (ii) a description of the matter is one that could be considered life threatening, a "serious risk", or create a health hazard or has a legal or financial implication for the Council.

(b) Notwithstanding clause (a), the Chief Executive Officer and Executive Managers may use their discretion to investigate anonymous complaints.

### **1.5 Customer Service Action Request Module (CARS)**

CARS is the primary tool for recording and tracking complaints and for reporting our performance in relation to complaints. Recording complaints accurately and completely is therefore vitally important. Every Employee who has any form of customer contact is expected to be familiar with the process of handling and recording a complaint. A full understanding of the process will ensure the correct person records the complaint correctly in CARS.

All complaint letters shall be registered through the City's Records Section and documented at each stage of assessment.

### **1.6 Cost**

Subject to statutory charges and Council requirements, the processing of a complaint is free of cost.

## 2. COMPLAINTS PROCEDURE GUIDING PRINCIPLES

This procedure is provided in various Parts to outline the administrative practices for all complaint handling and the workflow applicable to complaints.

- (a) The Chief Executive Officer has the overall responsibility for co-ordinating the complaints policy and procedures.
- (b) Executive Managers/Section Managers are responsible for investigating complaints arising from activities undertaken by their area of operation.
- (c) The Council's Customer Service Charter applies to all persons who have contact with the City, and Employees must ensure that the Charter is likewise applied to persons making a complaint.
- (d) Employees responsible at each Level are to ensure that complainants are advised of the progress of their complaint, within the following timeframes:
  - (i) all complainants will be provided with an initial reply or acknowledgement, detailing likely action, within **two (2) working days** of receipt;
  - (ii) if the complaint is referred for next Level investigation, the complainant will be advised in writing within **five (5) working days** of the referral;
  - (iii) all complainants are to be informed of action taken (and/or progress) within **ten (10) working days** of receipt of the original complaint; and
  - (iv) if the complaint requires extended investigation, the complainant is to be advised and kept informed of progress at least every **fifteen (15) working days**;
- (e) All complaints must be recorded on a Complaint Form (available in Customer Action Request Module Templates), completed and subsequently registered in Customer Action Request Module (CARS). Each Section shall be responsible for recording any complaints/requests received. Internal procedures are to be followed.
- (f) Complainants should be encouraged to preferably submit their concerns in writing addressed to the City and signed by the complainant including his/her address and contact details.
- (g) Verbal complaints (via telephone or in person) must be directed to the appropriate Employee, recorded and registered in Customer Action Request Module. If a complaint is resolved over the telephone or when the person attends the Administration and Civic Centre in person, it is still advisable to register the complaint into Customer Action Request Module, to note that the person is satisfied with the response, and close the complaint, in case the person, at a later stage, requests to take the matter further.
- (h) Employees are required to use discretion when receiving repetitive complaints. If the complaint is of a serious nature, it must be investigated;

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- (i) Persons should generally, when first attempting to make a complaint, be given a copy of the City's brochure "Customer Service Complaint Form", which includes details of the City's Complaints Management Procedures.
  - (j) All information provided by a complainant is to be treated as confidential. Care must be taken not to pass on any information to other persons who are not involved in the matter. Complainants may need reassurance that information provided will be treated confidentially.
  - (k) Records created in recording and registering a complaint are subject to the provisions of Freedom of Information legislation. Sensitivity is required when recording information relating to a complaint.
  - (l) Some people may have special communication requirements. It may be that they need assistance with writing a complaint or reading a letter. Therefore, a response letter must be in plain, simple English. People with special communication needs may require to be spoken to slowly and clearly, keeping explanations simple, and may need things repeated or rephrased. They may require technical modifications and communications such as to the phone so there might be no need to shout into the phone. More specialised assistance can be arranged as listed below:
    - (i) a deaf person may contact Council via the Australian Communication Exchange (ACE) whereby the conversation is relayed to a standard phone via a telephone typewriter used by the deaf person. (Ph - 132544);
    - (ii) Auslan Interpreters can be booked to arrange a face-to-face meeting with a deaf person. (The Western Australian Deaf Society Inc Ph - 9443 2677); and
    - (iii) for people who do not speak English or for whom English is a second language, assistance can be obtained from the Translating and Interpreting Service (TIS) on Ph – 131450.
  - (m) Training will be provided to Employees responsible for receiving and/or resolving complaints and those responsible for managing and processing more serious complaints will be provided with more specialised training in conciliation, mediation and investigation.

### 3. HANDLING THE COMPLAINT

#### 3.1 Procedure for All Complaints

The following procedure shall be applied to all complaints:

***"All Employees will assist complainants in the case of straightforward, minor complaints, ensuring appropriate action, resolution and response to the complainant."***

### 3.2 Verbal Complaints

An Employee receiving a verbal complaint must record the details in CARS and forward the matter to the appropriate Employee.

Exceptions to this are:

- (a) to ensure incoming calls are answered in a timely manner, the City's switchboard operator initially taking the complainant's call will transfer the call immediately to the appropriate Employee;
- (b) if the relevant Employee is not available, and will not be available within **four (4) business working hours**, the switchboard operator will note relevant details and create a Customer Service Request within the next **four (4) business working hours** for the appropriate Employee. This means the appropriate Employee will have received the complaint within **eight (8) hours**, allowing time to respond to the complainant within **twenty-four (24) hours**.

### 3.3 Written complaints

All complaints received in writing must be registered as an incoming document in CARS by the Records Officer and the paperwork forwarded to the relevant Divisional Secretary. The Secretary will attach any work-flow necessary and forward to the appropriate Employee.

Special exceptions:

- (a) This procedure does not apply where the complaint relates to alleged issues of workplace **violence, bullying, harassment**, or any form of **discrimination**. The Council has separate policies covering these types of complaints. (If in doubt, the Employee receiving a complaint of this nature is to contact the relevant Executive Manager or Human Resources Manager for advice on the specific procedure).
- (b) All complaints of an alleged **criminal** nature, shall be reported confidentially and directly to the Chief Executive Officer in the first instance.

### 3.4 Written or Verbal response?

The complainant and the nature of the complaint will determine whether or not the response should be in writing. There is an element of judgment, however the following should apply:

- (a) If the complainant requests a response in writing at any time, even if they were originally satisfied with a verbal response, a written response should be forwarded, with at least confirmation of what has transpired verbally to date.
- (b) When the issue involves policy, local laws or legislation, a written response is advisable.
- (c) If after several attempts you are unable to contact the complainant by phone, respond in writing immediately after the last attempt. Delaying your response may compound their concerns.

- (d) When investigation prolongs a response, the complainant is to be advised of this anticipated delay within **two (2) days** by phone, or where phone contact has not been possible, in writing immediately.
- (e) A response in writing will be forwarded to the person by the Employee taking responsibility for the complaint and/or its resolution.

Regardless of the form of the response, **it is absolutely essential that it is recorded** (preferably in CARS). If you are providing a verbal response, record the details.

### 3.5 Commitment

At each contact with the complainant, there will be a commitment as to when the person can expect to hear from an Employee next, and the name of the Employee they should contact for further information if required. The commitments must be recorded and any actions taken as a result will also be added to the notes.

Therefore the Employee taking responsibility/action will respond immediately on at least the following points:

1. Ensure we have a clear understanding of the person's concern by repeating it back to them in another way, "So my understanding is that you would like the City of Vincent to....."
2. Convey to the person all relevant information as available and, if possible, a suggested outcome.
3. Advise the expected time that will be taken before they will hear from an Employee again. Where applicable and always if requested, make an appointment for the person to meet with the relevant Employee.
4. Give the name and contact number of the Employee who will be their point of contact for future enquiries in relation to this issue. Include your name and telephone number as a secondary contact.

### 3.6 Serious Complaints

- (a) In the case of complaints of greater concern, or the complaint being outside the front line (1st Level) Employees' duties, the complaint must be formally referred to the Section Manager/Executive Manager (2nd Level) responsible for the subject of the complaint and the complainant advised of this action.
- (b) Serious complaints involving inappropriate behaviour of Employees (i.e. violence, bullying, discrimination or harassment) shall be directed to the relevant Divisional Executive Manager and, where appropriate, the Chief Executive Officer.
- (c) Organisational Human Resource Management principles will apply to Employees who are the subject of a complaint.
- (d) Serious complaints involving personal injury, criminal activity, misconduct, a breach of the law or financial implications, and complaints which involve the need for a detailed knowledge of Council's operations and procedures, shall be directed to the Chief Executive Officer/Review Panel (3rd Level).

*Where such complaints are assessed as being more appropriately addressed under the Public Interest Disclosure Act (i.e. they relate to corrupt or improper conduct), they shall also be directed to the nominated Public Interests Disclosure Officer (Executive Manager Corporate Services) and dealt with under the City of Vincent Public Interest Disclosure Act - Internal Procedures.*

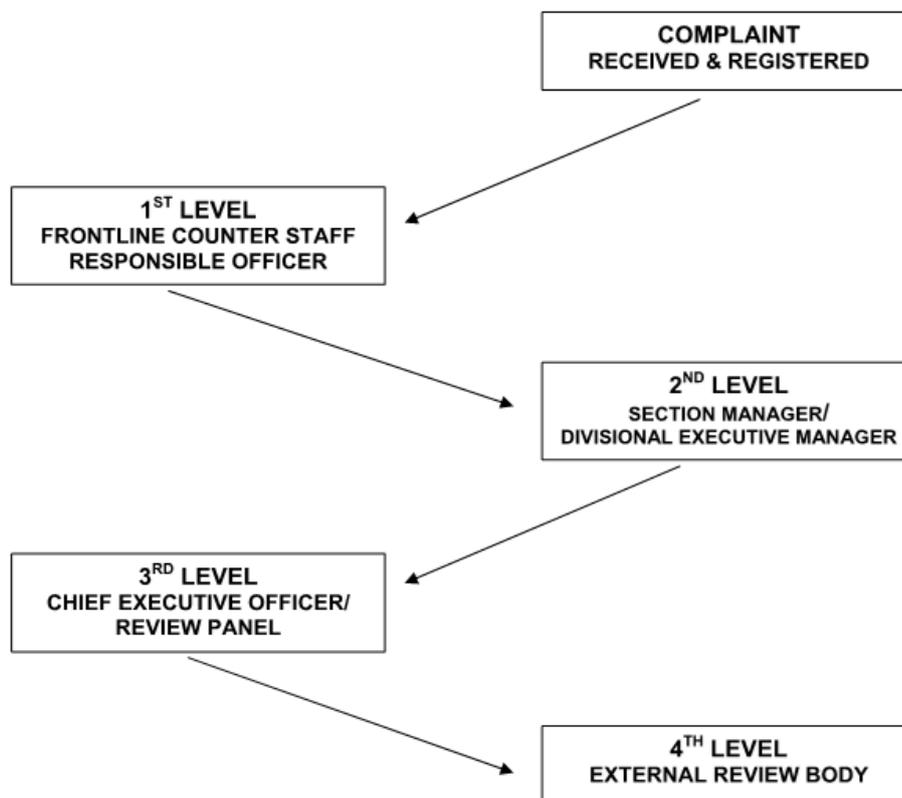
First contact:

For *all* complaints received, the time taken to respond to the complainant contributes significantly to the outcome, helping to determine the level of customer satisfaction. The first follow-up contact from the City will be **within 24 hours**, and by telephone whenever possible, noting the details of the contact in CARS. In some circumstances, this may simply be confirmation that the City has received the complaint, together with advice on when the customer can expect to hear further, and from whom. An appointment will be made when a person requests a 'face-to-face' interview.

Subsequent contacts:

Written responses will be forwarded **within ten (10) working days**. Note: This will be in addition to any personal follow-up within **24 hours**.

**3.7 Complaints Handling Flow Chart**



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#### 4. EMPLOYEES GUIDELINES – LEVEL OF AUTHORITY/REVIEW OF THE COMPLAINT

Dealing with complaints is not somebody else's problem; it is every Employee's responsibility. If you receive a complaint you may not be the most appropriate person to resolve it, but the process does start with you recording it, even if you will have no further involvement. The Employee first receiving the complaint is responsible for initiating the process.

##### 4.1 First Level – Front Line Employees (All Employees)

- (a) Level of Authority:
- (i) authority to resolve mistakes that have no cost or liability (present or future) to the Council; and
  - (ii) authority to apologise for errors as long as the admission is not an admission of liability on the Council's behalf.

***Note: All actions in response to complaints must be documented at each Level for later analysis.***

- (b) Actions to be Undertaken:
- (i) be courteous - greet the person properly, advise them of your name and position, ask how you can assist them;
  - (ii) listen to what they have to say, give them time to tell their story;
  - (iii) use good listening skills, maintain eye contact, lean forward if sitting down, adopt an open body posture;
  - (iv) seek clarification of any points you are not clear on in a non-judgemental way;
  - (v) if known, provide any relevant information that will assist the complainant to better understand the decision or action that they complained about;
  - (vi) make it clear you understand the complaint - summarise the main points and check that you have got them right;
  - (vii) ask, "If it is possible, what would you like us to do?";
  - (viii) advise clearly what you can and cannot do;
  - (ix) provide the customer with a copy of the Council's "Customer Service Complaint Form" and/or "Customer Service Charter" brochures, if necessary
  - (x) try to meet any reasonable requests that would resolve the matter if within delegated authority limits, or advise that the matter must be handled by the Section Manager or Executive Manager, Chief Executive Officer or an Independent External Review Body. If you have to refer the matter on, refer it to the appropriate person don't just "palm it off";

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- (xi) show empathy - don't dismiss the complaint out of hand;
  - (xii) treat the complainant respectfully, pleasantly and professionally;
  - (xiii) decide what is the appropriate course to take;
  - (xiv) take this action and inform the complainant;
  - (xv) record the complaint using if possible Council's standardised "Complaint Form" ensuring that it is signed, dated and the complainant's address is recorded;
  - (xvi) provide a copy of the completed complaint form to the complainant;
  - (xvii) ensure that the complaint is registered through Central Records Procedures including subsequent action taken or referral to next Level, for later trend analysis; and
  - (xviii) follow up in writing on action taken (i.e. if verbal apology given, confirm in writing).

***If front line (1st Level) Employees are not authorised within these procedures to resolve the grievance, Employees must refer the person to the Second Level (Section Manager/Executive Manager) for resolution. If the person is still dissatisfied with the resolution reached at the Second Level, the matter is to be referred to the Third Level (Chief Executive Officer/Review Panel) for review.***

- (c) When to refer a complaint on:
  - (i) when the complaint is about your own conduct and you are not confident that you can deal with it fairly and objectively or when the complainant requests it be dealt with by another officer - Refer to Section Manager;
  - (ii) when the complaint is outside your authority or area of expertise - Refer to relevant Section Manager/Executive Manager;
  - (iii) when the complaint should automatically be referred to the 3rd Level or external body - Refer to CEO; or
  - (iv) when an Employee or Elected Member is alleged to have committed a criminal offence, acted corruptly or engaged in misconduct behaviour or other serious or controversial conduct – or when significant disciplinary action is a possible outcome - Refer to the Chief Executive Officer.

- (d) When you have to refer a complaint on:

Where the complainant expresses dissatisfaction with the outcome of the complaint or the manner in which it was handled, the Employee handling the complaint will forward the history of the complaint to the Section Manager. The Section Manager will review the details and the manner in which it was handled, and reconsider the outcome. The Section Manager will advise the complainant that the result of the review will be conveyed to them within the following 48 hours. The Executive Manager will ensure that this occurs, and will also record the results of the review.

- (i) Ensure that the reviewing person/body is fully briefed on the details of the complaint so as to alleviate frustration by the complainant of having to explain everything a second or, worse still, a third time.
- (ii) Ensure that you have completed and registered through the Central Records Procedures appropriate documentation of actions you have undertaken in regard to the complaint.

#### **4.2 Second Level Employees – Section Managers / Executive Managers:**

- (a) Level of Authority:

- (i) same as 1st Level;
- (ii) authority to review actions of 1st Level Employees' decisions;
- (iii) ability to conciliate within the limits of their authority;
- (iv) authority to suggest a waiver of nominated fees (to be confirmed by the authority of the Chief Executive Officer under delegated authority);
- (v) ability to revoke instructions or orders when within their authority and where the circumstances warrant such revocation;
- (vi) resolve minor customer service complaints within their respective Sections/Divisions; and
- (vii) provide correct or supplementary advice where required.

- (b) Review:

A review by the 2nd Level Employees, by reconsidering the original decision or action and then instigating corrective action where appropriate, is the easiest of the review options available at the 2nd Level. The review will include the following:

- (i) assess the grievance, or review the decision of the 1st Level;
- (ii) once resolved (and decision actioned) or a decision to refer to the next Level is made, ensure the action taken is recorded on the complaint report form; and
- (iii) provide the person with written confirmation of the action taken (if appropriate).

#### 4.3 Third Level Employees – (Chief Executive Officer / Review Panel)

- (a) Persons who are still dissatisfied after this review must be advised of their right to have the matter referred to the Chief Executive Officer and/or a **Review Panel**. This process gives the person another opportunity to have their views reconsidered by senior Council officers, before final deliberation.
- (i) The 'Review Panel' shall comprise a minimum of two Executive Management Team members, usually the Chief Executive Officer and the relevant Executive Manager. A Review Panel may assist in satisfying complainants that they have had a fair hearing, even after the rejection of their initial complaint.
- (ii) The complainant will be invited to attend the review, and relevant Employees may also be asked to attend, to clarify information. It is emphasised that this review process should be regarded as an option only to be used in exceptional circumstances. Review Panel meetings and outcomes will be minuted.
- (iii) Persons who do not wish to accept the outcome/response given by the Review Panel will be advised at this point that they have the right to take their concerns to an external "complaints" agency.
- (b) Level of Authority:
- (i) Review the decisions of the First and Second Level Employees and:
- (1) Authorise the reimbursement of fees/charges paid (where it is included in the Delegated Authority Register and considered such reimbursement is justified);
- (2) authorise the rectifying of the problem that prompted the complaint;
- (3) authorise the payment of an amount to cover costs (in part or in full) incurred by the complainant to rectify the problem which lead to the complaint, on a "without prejudice" signed agreement basis, if warranted;
- (4) authorise the waiving of notices or orders where action is not contrary to a Council decision, policies, legislation or local laws (if authorised under Delegated Authority); and
- (5) authorise the deferment of legal or other action, pending reporting the matter to the Council for a decision.
- (ii) Consider any serious complaints involving personal injury, inappropriate behaviour of Employees, a possible breach of the law or financial implications, and complaints that require a detailed knowledge of Council's operations and procedures.
- (iii) Direct complaints about decisions of Council where due process has not been followed, corrupt conduct, criminal actions or serious improper conduct, to an external body for investigation.

#### **4.4 Fourth Level – External Review Body**

- (a) Where the complainant is still dissatisfied with the decision, the complainant is to be advised of the alternative agencies and departments available for independent review of the complaint. These agencies include, but are not limited to:
- (i) State Ombudsman;
  - (ii) Corruption and Crime Commission;
  - (iii) Department of Local Government;
  - (iv) Equal Opportunity Commission;
  - (v) WA Police; and
  - (vi) Commonwealth Ombudsman;
- (b) The Chief Executive Officer may also refer matters to external bodies for investigation.
- These include:
- (i) complaints regarding a Council decision where due process has not been followed;
  - (ii) allegations of misconduct (behaviour), criminal or corrupt activity;
  - (iii) issues that in the view of the CEO warrant independent review.

#### **4.5 Procedure to be taken Prior to Referral to an External Review**

Prior to referral to an External Review body, the Chief Executive Officer shall follow the procedures prescribed in Section 5.

#### **4.6 Procedure to be taken for the Investigation of a Complaint/Allegation**

- (a) Check if there are any previous complaints from this person.
- (b) Contact the complainant (if necessary) to:
- (i) clarify the complaint;
  - (ii) clarify the outcome sought;
  - (iii) check whether they need support of any kind whether they have poor sight, hearing or a language difficulty, and what they need to understand the discussion properly; and
  - (iv) explain the investigation and referral procedure.
- (c) Brief yourself on the relevant legal and administrative background of the complaint.

- 
- (d) Assess whether the complaint procedure is the most appropriate way of handling the complaint. If not, discuss alternatives with the complainant (i.e. Appeals to tribunals, legal action, Public Interest Disclosure or police).
  - (e) Consider whether the complaint could be resolved without further investigation.
  - (f) Obtain all relevant documents (ensuring you see the originals, not copies). These may include; files, log books and timesheets. Arrange for copies of all the documents reasonably required.
  - (g) Establish the relevant sequence of events from the files and also the names of the persons most directly involved in the complaint.
  - (h) Prepare a line of questioning for each person to be interviewed:
    - (i) use open, not leading, questions;
    - (ii) do not express opinions in words or by your body language; and
    - (iii) ask single, not multiple, questions.
  - (i) Arrange the order of interviews so that where you need to establish normal procedures, (commence with the senior officers and end with the Employees most directly involved in the complaint).
  - (j) Where applicable, inform those Employees to be interviewed that they can be accompanied by a friend (advocate) or a union representative, provided the friend is not in a supervisory position over the interviewee. Explain the complaint clearly to them. (Not applicable to a Review Panel.)
  - (k) Consider whether you need a witness for a particularly difficult interview.
  - (l) Interviews should be conducted in an informal and relaxed manner, but persist in your questions if necessary. Don't be afraid to ask the same question twice. Make notes of answers or tape the interviews (whichever is most appropriate).
  - (m) Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact.
  - (n) Deal with conflicts of evidence by seeking corroborative evidence.
  - (o) At the end of the interview, summarise the main points covered by the interviewee and ask if they have anything to add.
  - (p) Make a formal record of the interview from your written notes as soon as possible after the interview while your memory is fresh. Never leave it longer than the next day.
  - (q) Draft a report setting out the evidence obtained (preferably without including your own opinions) and circulate this for comment to all those interviewed, including the complainant, unless there are special reasons not to do so.
  - (r) Consider comments and amend the report as necessary, adding conclusions, and if appropriate, a suggested remedy for the complainant.

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### **Conciliation**

If a review is not an option then the next phase should be conciliation.

Complaints about personnel, especially rudeness or other improper conduct complaints, often are more conducive to semi-formal conciliations. The aim is to prevent the complaint from escalating into a larger and more time-consuming dispute.

Often, prompt attention to a complaint may be better received and may result in conciliation being achieved to the satisfaction of the parties in a short period of time.

If the matter is complicated and emotions play a substantial part, the elapsing of time can assist in allowing tempers to cool, advice be obtained and alternatives to be investigated and considered.

Conciliation should not be undertaken in the following cases:

- (a) the complaint is complex;
- (b) the facts are likely to be in dispute and investigation may be needed;
- (c) disciplinary action is a strong possibility;
- (d) the outcome the complainant is demanding cannot be provided by the conciliator;  
or
- (e) questions of precedence for the organisation may be involved.

***“If 2nd Level Employees do not have the authority within these procedures to resolve the grievance, Employees must refer the complainant to the Third Level (CEO/Review Panel) for resolution. If the person is still dissatisfied with the resolution reached at the second Level, the matter is to be referred to the 3rd Level for review.”***

### **Apology**

***“A sincere apology for errors can be a potent weapon in resolving complaints!”***

*If an apology is warranted, it should be given immediately in a sincere manner. If not warranted, an apology for the situation arising that has caused the person to complain can be given without accepting blame for the organisation.*

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## 5. COMPLAINTS/ALLEGATIONS ABOUT EMPLOYEES AND ELECTED MEMBERS

### 5.1 Applicable to all Complaints

- (a) If a person has any complaint/allegation concerning the performance, ability, character or integrity of any Elected Member or Employee of the Council, or of any act or omission of such Elected Member or Employee, and desires to bring such complaint/allegation to the notice of the Council, he or she shall notify the Chief Executive Officer of the complaint/allegation in writing, and preferably be verified by a Statutory Declaration, as prescribed by the Evidence Act 1906, giving such details as are available in order that the complaint/allegation may be investigated and, if necessary reported upon by the Chief Executive Officer.
- (b) Any serious complaint/allegation or one which alleges misconduct or corruption (as defined by the Corruption and Crime Commission Act 2003) must be verified by a Statutory Declaration, as prescribed by the Evidence Act 1906.
- (c) All complaints/allegations will be treated as confidential and will ensure that the principles of "natural justice" and "procedural fairness" are followed at all times.
- (d) All complaints/allegations shall be kept on a confidential file, held by the Chief Executive Officer or on an Employee's personal file (if applicable).
- (e) All complaints/allegations about Elected Members or Employees shall be dealt with in accordance with this procedure.
- (f) Any complaints/allegations of a serious nature shall be reported by the Chief Executive Officer to the appropriate authority, including; the Corruption and Crime Commission, Western Australian Police and/or the Department of Local Government.

### 5.2 Procedure for the Investigation of a Complaint/Allegation

The procedures prescribed in Section 4.6 shall be followed at all times.

### 5.3 Procedure

- (a) Employees (other than the Chief Executive Officer):

The Local Government Act 1995, Section 5.41 states:

*"5.41 The CEO's functions are to:*

*...(g) be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);"*

Any complaint/allegation about an Employee (other than the Chief Executive Officer) shall be dealt with administratively by the Chief Executive Officer.

- 
- (i) All complaints/allegations will be treated as confidential and will ensure that the principles of "natural justice" and "procedural fairness" are followed at all times.
  - (ii) A letter will be sent to the Employee being complained about.
  - (iii) The letter will:
    - (A) contain details of the complaint/allegation (other than the complainants name/details);
    - (B) contain details of legislation/Code of Conduct being allegedly breached;
    - (C) seek comments or a response to the allegation; and
    - (D) specify a closing date for receiving such response.
  - (iv) The Chief Executive Officer will thoroughly investigate the complaint/allegation or may direct another person to carry out the necessary investigations and prepare a report.
  - (v) The Chief Executive Officer, will consider the response provided and advise the Employee being complained about and the complainant, in writing, of the findings.
  - (vi) The Chief Executive Officer (or other person) will prepare a confidential report. The report will contain details of the complaint/allegation, legislation/Code of Conduct being breached and a recommendation. If deemed appropriate and necessary by the Chief Executive Officer, in the case of a "Senior Employee" (as defined by the Local Government Act 1995), the Chief Executive Office will inform the Council in a confidential report, where any disciplinary action is to be taken under Section 5.37(2) of the Local Government Act 1995.
  - (vii) If any complaint/allegation or criticism is made concerning an Employee, that Employee may reply to the complaint/allegation in writing to the Chief Executive Officer.
  - (viii) The complainant and the Employee being complained about shall be advised in writing, as soon as practicable, of the outcome or decision concerning the complaint/allegation.
- (b) Elected Members and the Chief Executive Officer:
- (i) A letter will be sent to the person being complained about. (Mayor to write to Councillors. Where it involves the Mayor, the Deputy Mayor to write to Mayor. Where it involves the Chief Executive Officer, the Mayor to write to Chief Executive Officer.)
  - (ii) Any complaints/allegations about an Elected Member or the Chief Executive Officer shall be referred to a Review Panel for investigation.

- 
- (iii) (A) The Review Panel shall normally be chaired by the Mayor except when the complaint/allegation involves the Mayor and in these cases it will be chaired by the Deputy Mayor.
- (B) Notwithstanding (i) above, if the complaint is about the Mayor and the complainant is the Deputy Mayor, the Review Panel is to be chaired by a Councillor selected by the Chief Executive Officer, giving cognizance of the Councillor's "seniority" of service with the Council.
- (iv) the Review Panel normally shall comprise:
- (A) Mayor (except where the complain/allegations involves the Mayor) In this case the Deputy Mayor will chair the panel (unless he is the complainant;
- (B) Chief Executive Officer (except where the complaint/allegation involves the Chief Executive Officer); and
- (C) Two (2) Elected Members, one chosen by the complainant (if an Elected Member) and an Elected Member chosen by the person who is the subject of the complaint. Where the complainant is not an Elected member, the Elected Member who is the subject of the complaint may choose another Elected Member;
- In the case involving the Chief Executive Officer, the Chief Executive Officer may choose an Elected Member or an Employee.
- (v) If the Elected Member(s) are not nominated within seven (7) days of being advised of the complaint, the Chief Executive Officer in liaison with the Mayor (except where the Mayor is involved) shall select the Elected Member(s), giving cognizance to the Elected Member's "seniority" of service with the Council. If the Mayor is involved with the complaint, the Chief Executive Officer will liaise with the Deputy Mayor.
- (vi) The Review Panel shall meet as soon as practicable and in any case within fourteen (14) days of being informed by the Mayor/Chief Executive Officer (or Deputy Mayor, if applicable) of a complaint/allegation.
- (vii) An Elected Member submitting a complaint/allegation about another Elected Member may nominate another Elected Member whom they desire to be on the Review Panel for consideration of the matter (as per (iv)(C)).

- 
- (viii) When a complaint is received, a letter is to be sent within seven (7 days) of receipt of the complaint to the person being complained about. The letter will:
- (A) contain details of the complaint/allegation (other than the complainants name/details);
  - (B) contain details of legislation/Code of Conduct being allegedly breached;
  - (C) seek comments or a response to the allegation; and
  - (D) specify a closing date for receiving such response.

The Mayor or Chief Executive Officer (whichever is applicable) will send a letter to the person who is the subject of a complaint. (Where the complaint is about the Chief Executive Officer, a letter shall be sent by the Mayor.)

If the same Elected Member is nominated by both parties the Review Panel may comprise of an independent Elected Member.

- (ix) If necessary, the Chief Executive Officer may prepare a confidential report (to be jointly signed by the Mayor (or Deputy Mayor/Councillor if applicable) and Chief Executive Officer) for the consideration of the Council. The report will contain:
- (A) details of the complaint/allegation;
  - (B) legislation/Code of Conduct being breached;
  - (C) other relevant factors (eg whether the Review Panel decision was unanimous); and
  - (D) a recommendation. The Council will consider and determine appropriate action to be taken.
- (x) The complainant and the Elected Member or Chief Executive Officer being complained about shall be advised in writing, as soon as practicable, of the outcome or decision concerning the complaint/allegation.
- (xi) If any complaint/allegation is made concerning an Elected Member or Chief Executive Officer, that Elected Member or the Chief Executive Officer may reply to the complaint/allegation either in writing to the Mayor or to the Council itself.

If the complaint is about the Mayor, the Mayor may reply to the Chair of the Review Panel (in the first instance) or to the Council itself.

#### 5.4 Protection of Employees Reporting Unacceptable or Illegal Behaviour

The Chief Executive Officer is to ensure that Employees who report unacceptable or illegal behaviour of Elected Members or Employees (that is, "whistleblowers") are not in any way disadvantaged or victimised because of their actions. The Chief Executive Officer's action is limited to matters for which he/she has responsibility and/or jurisdiction to act.

#### 5.5 Corruption and Crime Commission Act 2003

Elected Members and Employees must be aware of the Corruption and Crime Commission Act 2003 which requires the Principal Officer of an organisation (ie: the Chief Executive Officer) to report possible misconduct or corruption to the Commission. Penalties will prevail if a person who makes a complaint:

- (a) has his or her safety or career prejudiced, or threatened to be prejudiced;
- (b) is intimidated or harassed; or
- (c) has an act done to his or her detriment because of having assisted the Commission, or furnished information to the Commission.

#### 5.6 Definitions

The Corruption and Crime Commission has produced the following information:

What is "Misconduct"?

"Misconduct" essentially occurs if a public officer:

- (a) Corruptly Acts or Corruptly Fails to Act – in the performance of the functions of the public officer's office of employment;
- (b) Corruptly Takes Advantage for Own Benefit or Detriment to Another – a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person to cause a detriment to any person; or
- (c) Commits an Offence in Official Capacity – a public officer whilst acting or purporting to act in his or her official capacity, commits an offence punishable by 2 or more years' imprisonment.

OR

A Public Officer engages in conduct that:

- (i) adversely affects or could adversely affect, the honest or impartial performance of the functions of a public authority or public officer whether or not acting in their official capacity at the time;
- (ii) involves the public officer performing his or her functions without honesty or impartiality;
- (iii) constitutes or involves a breach of trust placed in the public officer by reason of his or her office or employment as a public officer; or
- (iv) suggests that the public officer misused information for personal benefit or the detriment of another person.

AND constitutes or could constitute:

- (1) an offence against the *Statutory Corporations (Liability of Directors) Act 1996*;
- (2) an offence against any other written law; or
- (3) a disciplinary offence that could lead to termination of employment if the disciplinary process in the *Public Sector Management Act* were applied (even if the *Public Sector Management Act* does not apply to the position).

What does "Corruptly" mean?

The term "corruptly" is not defined under the Act. Corruption usually involves calculated, often continuing, covert and wrongful exercise of public duty or function. The Criminal Code also provides guidance by defining the offence of corruption at section 83, in the following terms:

"... *Any public officer who, without lawful authority or a reasonable excuse:*

- (a) *acts upon any knowledge or information obtained by reason of his office or employment;*
- (b) *acts in any matter, in the performance or discharge of the functions of his office or employment, in relation to which he has, directly or indirectly, any pecuniary interest; or*
- (c) *acts corruptly in the performance or discharge of the functions of his office or employment.*

*so as to gain a benefit, whether pecuniary or otherwise, for any person, or so as to cause a detriment, whether pecuniary or otherwise, to any person..."*

#### 6. REPORTING & ANALYSIS:

The Co-ordinator Customer Service shall gather data from CARS, records monthly and report complaint totals to the Section Managers for Key Result Area (KRA) reporting and to the Executive Managers. The individual complaint reports are analysed monthly to monitor customer satisfaction, by measuring trends and outcomes, and identifying "one-off" situations.

Where appropriate, results are publicised to all Employees, and where there is progress, results and service improvements are publicised community-wide as they occur.

- (c) The "Complaint Review Reports" File is examined annually by the CEO.
- (d) Complaint statistics and service improvements arising from complaints will be published in an annual report to the Council.

#### 7. PREVENTATIVE ACTION

- (a) Information gathered from the reporting process enables the City of Vincent to monitor processes, trends, and 'hot' issues. Steps are then taken to prevent recurrence, through the creation of Business Improvement Requests (BIRs).
- (b) Time is also allocated once a year to pro-actively discuss potential areas of concern, and to consider ideas for enhancing customer satisfaction within the City of Vincent.

## 8. REVIEWING THE PROCESS

- (a) The formal procedure for review is carried out annually by a team made up of a Co-ordinator Customer Service and Section Managers. In addition to the Council's internal audit process, the independent external auditors may also test the process.
- (b) A register of all complaints will be kept by the Co-ordinator Customer Service and those not responded to within the specified time frame, will be referred to the relevant person (Chief Executive Officer/Executive Manager/Section Manager) on a monthly basis.
- (c) An analysis of complaints will be undertaken on an annual basis. The City will measure and review this data to ensure that its complaints management process is performing appropriately and reviewed and amended as required. This information will also be used to identify systematic and recurring problems in order to recognize opportunities to provide improved service delivery and internal processes.
- (d) The Customer Complaints Management Procedures will be reviewed on an annual basis.
- (e) The review considers the effectiveness of the procedure, and whether or not it is user friendly for Employees and customers. Evidence of the effectiveness of the procedure will come from, but is not limited to, several sources, including:
  - (i) random customer complaint follow-up calls;
  - (ii) internal and external audits of managed complaints;
  - (iii) annual pro-active meetings;
  - (iv) employees' interviews and consultation; and
  - (v) statistics gathered on a monthly basis.

**APPENDIX 1**

**CITY OF VINCENT  
CUSTOMER COMPLAINT REVIEW FORM**

**File Reference No:** \_\_\_\_\_

*"A complaint is an expression of dissatisfaction about the standard of service provided or an action or inaction by the City of Vincent or its Employees or Elected Members."*

**Details of Complaint:**

Received in (please tick): person  telephone  facsimile  writing  email

Name of complainant: \_\_\_\_\_

Contact Phone No: \_\_\_\_\_ Mobile No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Email address: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb/City: \_\_\_\_\_ Postcode: \_\_\_\_\_

Details of complaint: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of complainant: \_\_\_\_\_

Receiving Officer's Name & Title: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date of Acknowledgment: \_\_\_\_/\_\_\_\_/\_\_\_\_

**1st Level Review (Front Line Employees):**

Complaint resolved: Yes/No

Action Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Action Taken: \_\_\_\_/\_\_\_\_/\_\_\_\_ Actioning Officer: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2nd Level Review (Section Manager/Executive Manager's):**

Officer's Name & Title: \_\_\_\_\_

Complaint resolved: Yes/No

Action Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

**3rd Level Review (CEO/Review Panel):**

Officer's Name & Title: \_\_\_\_\_

Complaint resolved: Yes/No

Action Taken: \_\_\_\_\_

\_\_\_\_\_

Date Action Taken: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**4th Level Review (Independent Body):**

Officer's Name & Title: \_\_\_\_\_

Complaint referred to: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Resolved to the satisfaction of the complainant: Yes/No

Original copy to Records Section: Yes/No

Data Base Updated: Yes/No

<p><b>Procedure for handling the Complaint Report Form</b></p> <p>Upon receipt of the Complaint Form the Employee receiving the request shall:</p> <ol style="list-style-type: none"> <li>1. Ensure all details have been entered correctly on the form;</li> <li>2. Write his/her name, title and date in the space provided;</li> <li>3. Forward the original to the Records Section for allocation of a reference number &amp; recording;</li> <li>4. Where the complaint has not been resolved, refer the complaint for consideration at the next level;</li> <li>5. The Co-ordinator Customer Service is to monitor progress and advise the Divisional Executive Manager, five (5) days after receipt of the Complaint Report Form, if no action has been taken by the action officer.</li> </ol>
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**APPENDIX 2**

**ESSENTIAL ELEMENTS FOR COMPLAINT HANDLING PROCEDURES**

Addressing Australian Standards (AS4269-1995) Criteria:

<b>Commitment</b>	<ul style="list-style-type: none"> <li>• Policy and procedures will be readily available and accessible</li> <li>• Employees' Induction will include ethics and culture, and complaints procedure</li> <li>• Employees' Customer Service Training refresher courses will be regularly provided as required</li> <li>• Procedures will offer multiple opportunities for customers to formalise complaints</li> <li>• CEO, Executive Managers and the Council are committed to employing and training Employees to continuously build, develop and maintain a customer driven culture throughout the organisation, at all levels.</li> </ul>
<b>Fairness</b>	<ul style="list-style-type: none"> <li>• Council acknowledges customers' and Employees' rights in accordance with Australian Standards, Council policies, and Customer Service Charter. This is reflected throughout the Procedures, showing the Council's desire to resolve and satisfy customers' concerns.</li> </ul>
<b>Resources</b>	<ul style="list-style-type: none"> <li>• Complaints-handling Procedure will be available in every Section and via Internet and Intranet</li> <li>• Employees will be trained in Customer Service, complaint handling, and in their own profession</li> <li>• Filing System and Record Management Systems will support the Policy and Procedures</li> <li>• Interview Rooms will be available</li> <li>• "Open-door" policy with Managers and Executive Managers to assist Employees will be the culture</li> </ul>
<b>Visibility</b>	<ul style="list-style-type: none"> <li>• Policy Statement and Charter will be displayed in our Customer Service areas</li> <li>• "How to.." brochures will be provided throughout Council buildings in plain view</li> <li>• 'Welcome Kits' will be provided for new residents include "How to.." brochures</li> <li>• Advertising of 'Welcome Kits' and 'How to..' brochures will occur on the Council's website and the Council Newsletter (at least annually)</li> <li>• Feedback will be provided to the community on changes and improvements implemented as a result of research and complaints</li> </ul>
<b>Charges</b>	<ul style="list-style-type: none"> <li>• No fees will be charged to investigate/resolve complaints/requests</li> </ul>
<b>Access</b>	<ul style="list-style-type: none"> <li>• "How to.." brochures will be readily available from City and included in 'Welcome Kits' supplied to new residents</li> <li>• Employees trained in Customer Service will be available to assist persons</li> <li>• Various and easy avenues will be available for persons to make complaints</li> <li>• Confidentiality will be assured to encourage persons to contact us</li> <li>• Parking for the Disabled and Wheelchair access will be available</li> <li>• Assistance will be provided to persons with communication or language difficulties</li> </ul>

<b>Assistance</b>	<ul style="list-style-type: none"> <li>• Employees will be trained in customer service</li> <li>• "How to.." brochure will explain what assistance is available and how to access it</li> <li>• Complainants will be advised as to what is available to them at the point of complaint</li> </ul>
<b>Response</b>	<ul style="list-style-type: none"> <li>• Commitment will be given to resolve issues within clearly stated timeframes</li> <li>• Formal written response will be provided upon request</li> <li>• Correct information/advice will be given</li> <li>• Due consideration will be given to all complainants, no matter what their concern is</li> </ul>
<b>Remedies</b>	<ul style="list-style-type: none"> <li>• Legal guidelines will be followed</li> <li>• Business Improvement Reports (BIR's) to change a current procedure</li> <li>• Referral to applicable outside authority will be available</li> <li>• Outcomes will include an explanation to the complainant, and an apology where appropriate</li> <li>• "Cause and Effect" case study will be carried out to eliminate repeating same problem</li> <li>• Outcomes will provide a learning experience to reduce recurrence</li> </ul>
<b>Data Collection</b>	<ul style="list-style-type: none"> <li>• Fully comprehensive data-management system (CARS) will capture all details required for analysis</li> </ul>
<b>Systemic &amp; Recurring Problems</b>	<ul style="list-style-type: none"> <li>• Ongoing analysis of data collected will allow for further assessment leading to changes and improvements, minimising recurrence</li> </ul>
<b>Accountability</b>	<ul style="list-style-type: none"> <li>• Categorisation of data will occur</li> <li>• Performance standards will be regularly reviewed</li> <li>• Divisional/Section meetings and reviews will regularly occur</li> <li>• Monthly reports will be provided to the Chief Executive Officer and Senior Management</li> <li>• Complaint statistics and service improvements arising from complaints will be published in the annual report</li> </ul>
<b>Reviews</b>	<ul style="list-style-type: none"> <li>• Annual review of Customer satisfaction with processes and outcomes will occur</li> <li>• Annual review of effectiveness of current procedure as a management tool will occur</li> <li>• BIRs will be reviewed through quality audits</li> </ul>

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**APPENDIX 3**

**ESSENTIAL ELEMENTS OF EFFECTIVE COMPLAINTS HANDLING**  
*(Extracted from Australian Standard AS4269-1995 – Complaints Handling)*

1. **COMMITMENT.** There shall be a commitment to efficient and fair resolution of complaints by people in the organisation at all levels, including the Chief Executive Officer or ruling body. This is shown by an organisational culture, which acknowledges consumers' rights to complain, and which actively solicits feedback from customers. The policy on complaints handling shall be in writing.
2. **FAIRNESS:** A complaints handling process shall recognise the need to be fair to both the complainant and the organisation or person against whom the complaint is made.
3. **RESOURCES:** There shall be adequate resources for complaints handling with sufficient levels of delegated authority.
4. **VISIBILITY:** A complaints handling process shall be well publicised to consumers and Employees, and shall include information to consumers about the right to complain.
5. **ACCESS:** A complaints handling process shall be accessible to all and ensure that information is readily available on the details of making and resolving complaints. The complaints handling process and supporting information shall be easy to understand and use, and be in plain language.
6. **ASSISTANCE:** Assistance shall be available for complainants in the formulation and lodgement of complaints.
7. **RESPONSIVENESS:** Complaints shall be dealt with quickly and the complainants shall be treated courteously.
8. **CHARGES:** Complaints handling shall be at no charge to the complainant, subject to statutory requirements.
9. **REMEDIES:** A Complaints handling process shall have the capacity to determine and implement remedies.
10. **DATA COLLECTION:** There shall be appropriate systematic recording of complaints and their outcomes.
11. **SYSTEMATIC AND RECURRING PROBLEMS:** Complaints shall be classified and analysed for the identification and rectification of systematic and recurring problems.
12. **ACCOUNTABILITY:** There shall be appropriate reporting on the operation of the complaints handling process against documented performance standards.
13. **REVIEWS:** A complaints handling process shall be reviewed regularly to ensure that it is efficiently delivering effective outcomes.

**APPENDIX 4**

**CUSTOMER SERVICE CHARTER 2005**

**Customer Feedback**  
*"Your views are important"*

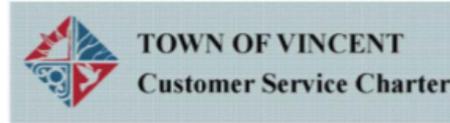
We believe our customers deserve a high quality service, delivering prompt and useful information. We welcome and value your constructive feedback.

The Town encourages you to express your views on the services provided. By telling us what services have been beneficial and how other could be improved, we can ensure our standard of customer service will meet your expectations. If we can help please contact us:

- In Person:** Administration & Civic Centre  
244 Vincent Street (cnr Lofhus) LEEDERVILLE
- By Mail:** PO Box 82, LEEDERVILLE 6902
- By Phone:** 9273 6000
- By Fax:** 9273 6099
- By TTY:** 9273 6078
- By Email:** [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)

If we are still not meeting your expectations, you are entitled to have the matter reviewed as part of the Council's Customer Service Complaints Management Procedures. Please complete a Customer Service Complaint form, available from the Administration and Civic Centre, Vincent Library and Beatty Park Leisure Centre, or download a form from the Town's website [www.vincent.wa.gov.au](http://www.vincent.wa.gov.au).

The Council has comprehensive Customer Service Complaints Management Procedures for dealing with Service Requests and any complaints.



**People with specific requirements**  
can ask to have this brochure provided in Braille, a language other than English, large print, on computer disk or audiotape.

Administration and Civic Centre  
244 Vincent Street (cnr Lofhus), LEEDERVILLE WA 6007  
Telephone 9273 6000 Fax 9273 6099 TTY 9273 6078  
email: [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)  
website: [www.vincent.wa.gov.au](http://www.vincent.wa.gov.au)

~ Adopted by Council on ~

## Customer Service Charter

*The Town of Vincent's commitment to you*

Our Customer Service Charter reflects our goals in the quality of service which is provided to you.

Our charter will be regularly reviewed and adapted to meet the changing needs of our customers.

## Our Mission

*"Enhancing and celebrating our diverse community"*

Our mission is to provide services and representation that meets the needs of our customers.

Our Customer Service Charter states our recognition of the diversity that exists within our community and the commitment to our service standards.

Our aim is to be acknowledged as an organisation which shows leadership and commitment to high quality customer service.

## Our Customers include

- People who have dealings with the Town of Vincent.
- Residents; ratepayers; business proprietors; community, sporting and recreation clubs and associations.
- Visitors to the Town of Vincent.
- Employees within the Town of Vincent.
- Government departments and non-government agencies and organisations.

## Service Requests

*(A Service Request is defined as a person's demand for a service or action to be undertaken by the Town)*

### We will:

- Make safe urgent road and footpath defects within 4 hours and finalise the repairs within 24 hours of notification. Carry out routine minor footpath and road repairs within 5 working days.
- Process crossover applications and provide written quotations within 10 working days.
- Carry out construction of crossovers within 14 working days of payment being received (weather permitting), providing the applicant has met all construction conditions.
- Process requests for works bonds refunds within 14 working days, providing all conditions are met.
- Collect refuse from 6am on designated collection days and recycling from 7am on designated days on a fortnightly basis. (Non-compliant bins/ crates will not be collected.)
- Deliver, replace and maintain mobile garbage bins and crates within 2 working days from date of request.
- Inspect street trees within 2 working days of any request for pruning. Undertake urgent works within 4 hours and non-urgent works within 10 working days of the request to the Town.
- Aim to remove obscene or offensive graffiti from Council-owned property within 4 hours of it being reported to the Town. Remove all other graffiti within 48 hours. The Town also removes graffiti from private property upon request and with the approval of the property owner.
- Action routine Service Requests or complaints within 48 hours of them being received.

## Development Applications

### We will:

- Register applications upon receipt (only if they contain all the necessary information).
- Advise applicants by letter or email, within 3 working days of registration, the name of the Employee who will be responsible for the application.
- Process building applications which do not require referrals to other parties within 10 working days.
- Process other building applications within 20 working days.
- Process planning applications for developments of a minor complex nature or impact within 20 working days.
- Process other planning applications within 6 to 8 weeks.
- Advise applicants at least 3 working days prior to their application being considered at a Council meeting.
- Advise persons who made a written submission about a development at least 3 working days prior to the application being considered at a Council meeting.

## We will achieve our commitment to you by:

- Progressively reviewing and improving forms, systems and procedures from a customer's perspective.
- Conducting regular customer service Employee training programs.
- Incorporating customer service improvements into all Business Plans.
- Making the development of positive customer service attitudes part of the annual performance review program for all Employees.
- Including a selection criterion of a positive attitude towards customer service in future Employees' recruitment.
- Through our Employee of the Month Award, formally rewarding Employees who continually give excellent customer service.
- Conducting regular market research to ensure we are meeting the needs of our customers.
- Progressively improving access to our services by people with disabilities and people from culturally and linguistically diverse backgrounds.
- Making information available in alternative formats for people with specific requirements.
- Improving access to Council information by utilising a wide range of information media including regular newsletters to residents, Welcome Pack for new residents, and electronic access to the Town's webpage via the Internet.
- Ensuring all complaints are dealt with in accordance with the Council's comprehensive Complaints Management Procedures.

## You can assist us by:

- Having a notepad and pen by the phone when you call the Town.
- Providing accurate and complete details when phoning us with any queries or requests for assistance.
- Phoning to make an appointment if you have a complex enquiry or need to see a specific officer.
- Phoning the officer nominated on correspondence sent to you and quoting the reference number on the letter.
- Being clear and concise with your requests and being prepared with relevant information.
- Treating Employees with the same courtesy and respect given to you.
- Acknowledging that the Town may not have the authority to deal with your request/complaint and may need to refer it to another agency.

### Service Standards (in person)

**We will:**

- Promptly attend to you at all times in a professional, polite and attentive manner.
- Listen attentively in order to understand your needs.
- Attend to your initial enquiry by one of our friendly Customer Service Officers.
- Endeavour to attend and complete your request at the time of your visit.
- When enquiries of a technical or specialist nature are made at the Customer Service Centre, ensure that the appropriate Employee is called, if available, or that contact is made within 24 hours to arrange an appointment.
- Ensure all Employees who have face-to-face contact with customers wear a name badge for ease of communication.
- Ensure that an Employee is available in each Section at all times during working hours.
- Always be appropriately dressed.
- Always try to resolve your request at the first contact.

### Service Standards (on the telephone)

**We will:**

- Promptly answer all telephone calls during working hours.
- Introduce ourselves over the phone by name and Section, and provide a direct contact number for future communications when necessary.
- Reply to telephone enquiries on the same day or the next working day, as appropriate.
- Take personal responsibility for your enquiry to reduce the transfer of calls and inform you of any delays if you are "on hold".
- Provide a 24-hour after hours telephone service for emergency calls.

### Service Standards (in writing, including emails)

**We will:**

- Acknowledge your written request within 5 working days of receipt.
- Whenever possible provide a completion date when requests require in-depth research which will take longer than 10 working days.
- Write to you in clear, concise language that is easily understood.
- Send out standard information within 24 hours of the request being received.

**APPENDIX 5**

**CUSTOMER COMPLAINT FORM  
 “HOW TO MAKE A COMPLAINT”**

**We welcome your feedback**

The Town of Vincent seeks feedback on all our activities and we hope that you will encourage us where you believe we have performed well.

**Confidentiality**  
 Please be assured that all information provided by you is treated with the utmost confidentiality.

**Customer Satisfaction**  
 The Town of Vincent welcomes your comments so that we can address any problems and improve our service.

If you have any concerns or suggestions on how we can improve the delivery or standard of our services to our community, please do not hesitate to provide us with your views. A complaint may be lodged in any of the following ways:

- In Person:* Administration & Civic Centre  
 244 Vincent Street (nr Loftus)  
 LEEDERVILLE 6007
- By Mail:* PO Box 82, LEEDERVILLE 6902
- By Phone:* 9273 6000
- By Fax:* 9273 6099
- By TTY:* 9273 6078
- By Email:* [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)

**We aim to please ...**

The Town of Vincent has firmly established its focus on endeavouring to provide a high standard of customer service.

Our philosophy is clearly defined in our Customer Service Charter and our Customer Service Charter is supported by our Customer Service Complaints Management Procedures.

**Who can I call if I need assistance?**

If you need assistance or need this form in an alternative format, for example larger print, or you require an interpreter, this can be arranged by the Co-ordinator Customer Service.



TOWN OF VINCENT

**Customer Service Complaint Form**

*“How to make a complaint”*

Pic or graphical use of logo elements

**People with specific requirements**  
 can ask to have this brochure provided in Braille, a language other than English, large print, on computer disk or audiotape.

Administration and Civic Centre  
 244 Vincent Street (nr Loftus), LEEDERVILLE 6050  
 Telephone 9273 6000 Fax 9273 6099 TTY 9273 6078  
 email: [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)  
 website: [www.vincent.wa.gov.au](http://www.vincent.wa.gov.au)

~ Adopted by Council on ..... ~



# Complaint Management Policy



<b>Legislation / local law requirements</b>	<i>Local Government Act 1995</i> <i>Freedom of Information Act (WA) 1992</i> <i>Public Interest Disclosure Act 2003</i> <i>Public Sector Management Act 1994</i> <i>State Administrative Tribunal Act 2004</i> <i>State Records Act 2000</i>
<b>Relevant delegations</b>	Nil
<b>Related policies, procedures and supporting documentation</b>	Customer Service Charter Code of Conduct - Employees Code of Conduct Behaviour Complaints Management Policy Australian Privacy Principles City of Vincent Code of Conduct Ombudsman Western Australia Guidelines on Complaint Handling

## PRELIMINARY

### INTRODUCTION

The Customer Service Charter outlines the level and standard of service that City of Vincent customers can expect.

As part of the Charter, the City commits to resolving complaints in a fair, equitable, transparent and efficient manner.

### PURPOSE

The purpose of this Policy is to set out the City of Vincent's position on the management and resolution of complaints.

Accepting feedback and effectively managing complaints enhances engagement with the community and enables the City to continually improve service delivery.

### OBJECTIVES

- Provide a framework for the management of complaints to ensure requests are acknowledged promptly and courteously and investigated effectively and comprehensively in a timely manner.
- Enhance community confidence in the City's commitment to being transparent and accountable.
- Enable the City to compile and use complaint data to drive business improvement and increase community satisfaction with service delivery.

### SCOPE

This policy applies all employees, consultants or contractors engaged to provide services on behalf of the City or to the City.

# Complaint Management Policy



This policy does not cover:

- Complaints made by City employees or about City employees related to suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour – refer to Code of Conduct – Employee.
- Complaints about Elected Members – refer to Code of Conduct Behaviour Complaints Management Policy.

The following are not considered a complaint:

- Initial request for service\*.
- Request for documents, information or an explanation of policies or procedures.
- Request for the City to exercise a regulatory function.
- Community consultation feedback.
- Lodgement of an appeal or objection in accordance with a statutory process, standard procedure or policy.
- A petition.
- Matters currently being dealt with, or previously dealt with by a court, tribunal or external complaints agency.
- Matters that have already been subjected to an internal review with an outcome determined.

\*This may escalate into a complaint if not addressed to a Customer's satisfaction.

## POLICY PROVISIONS

### DEFINITIONS

The following definitions apply for the purpose of this policy:

**Complaint** – *“An expression of dissatisfaction made to an organisation, related to its product or service, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected”<sup>1</sup>*

**Feedback** - Includes compliments or suggestions received from customers where a response is not explicitly or implicitly expected or legally required.

**Request for Service** - The provision of a City service or an action required to address a problem. If the problem is not rectified, it may escalate into a complaint.

**Unreasonable Complainant** - Someone who engages in bad behaviour, but generally believes that their complaint is real and has a legitimate basis.

**Vexatious Complainant** - Someone whose primary objective is to distress or harass rather than having their complaint addressed.

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<sup>1</sup> As defined in the [AS/NZS 10002-2018 Guidelines for Complaints handling in organisations](#).

# Complaint Management Policy



## POLICY

### 1. Complaint resolution

Complaints will be acknowledged and responded to according to the service standards set out in the City's [Customer Service Charter](#).

The City will ensure anyone who is dissatisfied with a City service can easily and simply make a complaint and provide feedback by providing an accessible complaint handling process reflecting the preferences and needs of the community, including people who may otherwise experience difficulty due to age, disability, language, geographical, health, or cultural reasons.

The City may take the following courses of action as part of the complaint resolution:

- Resolve the complaint by use of strategies such as, but not limited to, mediation, informal discussion or negotiation.
- Discontinue the assessment in circumstances where the matter will be referred to another body or person, advising the complainant accordingly.
- Take no further action, providing the complainant with the reason/s.

### 2. Lodging a complaint

The following information is required for the City to effectively process the complaint:

- Name and address
- Contact details
- Complaint details
- Date the incident occurred (if relevant)

### 3. Anonymous complaints

The City understands that some customers may wish to remain anonymous when making a complaint.

As part of [Australian Privacy Principles<sup>2</sup>](#), under the Australian Privacy Principle 2, anonymity and pseudonymity, individuals must have the option of not identifying themselves, or using a pseudonym, in relation to a particular matter.

The City will accept an anonymous complaint but it will only be acted upon if it raises a serious matter that poses a public health or safety risk or in an emergency situation where there is sufficient information to enable an inquiry to be conducted.

The City will be unable to provide feedback or communicate the outcome of the complaint without knowing the identity of the complainant.

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<sup>2</sup> The Australian Privacy Principles (or APPs) are the cornerstone of the privacy protection framework in the *Privacy Act 1988*.

# Complaint Management Policy



## 4. Complaint management

Complaints will be addressed in a fair, objective and unbiased manner in line with the timeframes set out in the Customer Service Charter.

The complainant will be kept informed of the progress of the complaint and of any delays during the process.

## 5. Recording complaints

All relevant information in relation to a complaint will be collected and registered within the City's business systems as per the *State Records Act 2000*.

## 6. Unreasonable and Vexatious Complainant Conduct

As defined by the Ombudsman Western Australia, Unreasonable Complainant Conduct (UCC) tends to fall into the following three groupings:

### 6.1. Habitual or obsessive conduct

This includes behaviour by a person who:

- Can't 'let go' of their complaint;
- can't be satisfied despite the best efforts of the agency; and
- makes unreasonable demands on the agency where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other customers)

### 6.2. Rude, angry and harassing conduct

### 6.3. Aggressive conduct

Vexatious means a complaint brought solely to harass or subdue. Vexatious complaints may take the form of repetitive, burdensome or unwarranted communication with one or more City employees over matters that are considered resolved or responded to in previous communication with the complainant.

UCC and vexatious complaints are unacceptable. Regardless of how stressed, angry or frustrated a complainant is, if the health, safety and/or security of City employees, elected members, other service users, or the complainant themselves is at risk, the City may restrict or withhold the provision of service to the complainant at the discretion of the Chief Executive Officer (or their delegate).

The City may manage UCC and vexatious complaints by placing a reasonable and proportionate limitation on one or more of the following:

- The subject matter of communications, such as where the City believes a specific issue has been adequately addressed.
- The timing of communications, including time of day, and frequency and/or duration of contact with the City.
- Access, such as restricting or prohibiting entry to City premises.
- How the complainant may contact the City, such as in writing only or via email.
- Any other limitation which is reasonable and appropriate and satisfies legislative requirements.

# Complaint Management Policy



## 7. Privacy and Confidentiality

All complaints will be handled with confidentiality. Identities will only be made known to the relevant parties for the purpose of investigating and resolving the complaint. The complaint will not be available publicly except where required by law in accordance with the *Western Australian Freedom of Information Act 1992*.

## 8. Freedom of Information

The City will assist the public to obtain access to documents held by the City in accordance with the *Western Australian Freedom of Information Act 1992*. For more information please refer to the [Freedom of Information section](#) on the City's website.

## 9. Request for Review

Not all complaints can be resolved to the satisfaction of the customer. Complainants have the right to request a review of a decision or outcome unless it relates to an employee disciplinary matter or a matter that is covered under a separate process, policy or legislation.

Where a complainant is dissatisfied with the way a complaint has been dealt with and/or the final determination of the complaint, they may request a secondary internal review. This will only be supported when new information that was not already initially considered is presented.

If no new information is presented for review, the complainant will be informed of the most appropriate external body such as the Ombudsman Western Australia or the Department of Local Government. The City will work cooperatively with these external agencies as appropriate to assist in the resolution of the external review.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Communications and Engagement
Initial Council Adoption	27/09/2005
Previous Title	Customer Service Complaints Management Policy No. 4.1.3
Reviewed / Amended	01/08/2023

# Complaint Management Policy



Next Review Date

MM/YYYY