



ADM09 COMPLAINTS MANAGEMENT POLICY

Aim	To develop a structured and systematic approach for complaints received by the Shire of Ashburton from external persons
Application	Elected Members Employees
Statutory Environment	Not Applicable
Principles	Strategic Community Plan 2017 – 2027 (Desktop Review 2019) Goal 01 Vibrant and Active Communities Objective 1 Connected, caring and engaged communities
Approval Date	OMC 17 December 2019 (MINUTE: 722/2019)

Objectives

The objectives of this policy are:

1. To develop a structured and systematic approach to dealing with complaints received by the Shire of Ashburton from external persons.
2. To assure the community that complaints may be made without fear of recrimination and that all complaints will be promptly dealt with and a (written if required) response will be given setting out the answer to the complaint providing reasons, where appropriate.
3. To use complaints statistics to improve the effectiveness and efficiency of Council's operations.

Policy

4. The Shire of Ashburton encourages and recognises the right of its customers to make complaints about services or service delivery, and will make it a priority to address those complaints and rectify unsatisfactory consequences.
5. The Council and its staff will be open and honest in its dealings with customers, and, where no action is proposed in response to the complaint, will explain in "plain English" why, for legislative/legal reasons, cost constraints or some other matter beyond its control, it is unable to act in accordance with a complainant's request.
6. The Council recognises that good complaints handling is an integral part of customer service and provides an effective way of reviewing performance and monitoring standards.

Guidelines

7. Any person or their representative can lodge a complaint.
8. Complaints will be accepted in writing, in person, by facsimile transmission, by email



or by telephone. If a verbally received complaint alleges a criminal offence, corruption or other serious matter, the receiving officer is to advise the complainant that the matter must be submitted in writing.

9. Complaints considered to be anonymous will be addressed under ELM17 Anonymous Communications Policy.
10. Complaints that are to be dealt with under this policy include, but are not necessarily limited to, expressions of dissatisfaction regarding;
 - a) decisions made by Council or staff;
 - b) inappropriate behaviour of staff or elected members such as rudeness, discrimination or harassment;
 - c) the standard of works or services provided by Council
 - d) failure of Council to comply with the *Local Government Act*, Council policies.

Council's local laws and other laws administered by Council.

11. The following issues shall not be regarded as complaints and shall not be dealt with under this policy:
 - a) requests for services;
 - b) requests for information or explanations of policies and/or procedures;
 - c) the lodging of a formal objection or appeal in accordance with the *Local Government Act* and other Acts or in accordance with Council policies or standard procedures;
 - d) the lodging of a submission in response to an invitation for comment;
 - e) asset maintenance related complaints/works requests – which are to be processed via the existing Customer Action/Works Requests CAR form (both paper and electronic).
 - f) matters relating to Rules of Conduct of elected members.
12. Complaints regarding elected members are to be directed to the CEO. The CEO is responsible for the initial investigation and administrative responses. Matters that may require disciplinary action are to be referred to the Shire President and dealt with under the Council's Code of Conduct or Rules of Conduct if relevant.
13. Complaints from Councillors, the Ombudsman, and the Local Government Department or from Members of Parliament shall be referred to, and dealt with by the CEO, unless the complaints relates to the CEO, whereupon the complaint will be dealt with by the Shire President.
14. When any complaint is made, other than a complaint referred to in clauses 6 and 7, the designated receiving officer shall, within the limit of their authority, attempt to satisfy the complainant as soon as possible. If a complainant cannot be satisfied immediately, or on the same day, the designated receiving officer shall immediately issue to the complainant a written acknowledgement of the complaint and if need be, refer to the complaint and a copy of the acknowledgement to a Director or the CEO, as is appropriate, for investigation and determination of the complaint.



15. The following standard response times shall, ideally, be adhered to by all staff when dealing with complaints:
 - a) Acknowledging in writing within 72 hours that the complaint has been received and a response will be given within 7 days.
 - b) Issue an acknowledgement and explanation for any delay before the initial 7 days is up.

Where a complainant is advised of a likely delay to the handling of the complaint and the complaint is not finalised within a 7 day period, the complainant is to be provided with status reports from time to time until the complaint is satisfied.

16. Where a complaint has been investigated and found to be justified, the relevant officer who dealt with the complaint will ensure that the remedy is carried out, will advise the complainant that the Shire does acknowledge substance in the complaint and the specific action that will be taken by the Shire to respond to the circumstances of the complaint. The officer will, if appropriate, make follow-up contact with the complainant to ensure that the complaint has been resolved satisfactorily.
17. Where a complaint may identify the need for a review of procedures to prevent reoccurrences, relevant staff are to implement any required changes which they feel appropriate. If the matter cannot be easily remedied by the officer, they must liaise with their Director or the CEO to agree on a course of action.

Where the complaint identifies a need for a change of Council policy in a particular area or a need for additional resources, the matter shall be referred to Council as early as practicable.

18. The CEO shall establish and maintain an appropriate record of all complaints. The record will provide the following:
 - a) nature of each complaint
 - b) services or facilities about which the complaints are made
 - c) time taken to conclude complaint investigations
 - d) outcomes
 - e) trends
 - f) other relevant information.
19. The designated receiving officer of any complaint shall be responsible for ensuring that all details pertaining to the complaint are recorded an appropriate manner.
20. The CEO may cease review of a complaint if it:
 - Has previously been dealt with by the Shire;
 - Was lodged more than twelve months after the alleged action took place, except where a complaint alleges that an action more than 12 months previously may have caused the issue of current concern; or
 - If another statutory authority could more effectively deal with the complaint, in which case an explanation will be provided along with the contact details of the appropriate organisation.



Associated Documents:

- Complaints Handling Procedure (Internal)
- General Complaints Form (SOA CS 002)