



## COMPLAINTS POLICY

<b>Document Status</b>	Adopted
<b>Statutory Environment (Preliminary)</b>	Freedom of Information Act (WA) 1992 Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Privacy Act 1998 Public Interest Disclosure Act 2003

### Record of Policy Review

<i>Version</i>	<i>Author</i>	<i>Council Adoption</i>	<i>Resolution</i>	<i>Reason for Review</i>	<i>Review Date</i>
01	Neville Hale(ACEO)	29 June 2017	217-16/17	New Policy	
02	Graeme Fardon	20 December 2018	115-18/19	<i>Policy Review Project – 03/10/2018</i>	

## PURPOSE

The Shire of Quairading is committed to providing an accessible, responsive and accountable Complaints Management Framework.

## OBJECTIVE

To promote organisational learning and continuous improvement. Accepting feedback, including complaints, assists the Shire in engaging with our customers to continually enhance services and acknowledge the need to be responsive to complaints in an appropriate manner.

## POLICY

The Shire of Quairading undertakes to respond to all complaints in a timely and courteous manner in accordance with its Complaints Management Framework.

## GUIDELINES

**Annexure A** - Complaints Management Framework attached.

Freedom of Information Act (WA) 1992

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

Privacy Act 1998

Public Interest Disclosure Act 2003.

## Annexure A

### COMPLAINTS MANAGEMENT FRAMEWORK

#### 1. OBJECTIVE

The intent of the Complaints Management Framework is to guide the Shire of Quairading in its management and handling of complaints.

#### 2. SCOPE

The Complaints Management Framework acknowledges Customers, Employees, Elected Members, Contractors and all Parties who deal with the Shire of Quairading have a right to provide feedback about the Shire's Policies and Services.

#### 3. COMPLAINTS

##### 3.1 What is a Formal Complaint?

The Australian Standard on Complaints Handling defines a 'complaint' as any: *"expression of dissatisfaction made to an organisation, related to its products [or services] or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected."*

##### 3.2 What is not a Formal Complaint?

Examples of matters that are **not** formal complaints are as follows:-

- A request for service (unless there was no response to a first request for a service);
- A request for information or an explanation of a Policy or Procedure;
- Disagreement with a Council Policy;
- A request for review of a decision for which a structured process applies;
- An expression concerning the general direction or performance of the Council or Councillors;
- Reports of damaged or faulty infrastructure; and
- Reports about noise, dogs, nuisances, unauthorised building work or similar issues that fall into the Regulatory aspect of Council's Service.

Many issues raised are called "complaints" because the customer is unhappy about the situation. However, they are simply issues dealt with by Council on a day-to-day basis, are not formal complaints and do not form part of the formal complaints management process.

##### 3.3 Making a Complaint

The Shire accepts complaints via our website, email, letter or in person.

A customer can nominate an independent person to assist or make a complaint on their behalf. The customer who is impacted by the complaint must provide permission for another person to act on their behalf and the Shire must be notified in writing.

At a minimum, the following information is to be supplied in order to effectively process the complaint:-

- Name and address.
- Contact details.
- Complaint details.
- Date of occurrence of Complaint.

##### 3.4 The Shire's principles of complaint management are;

###### Fairness and Objectivity

The Shire's handling of customer feedback is based on the Shire of Quairading's values and guiding principles and is in line with the standards set by the Shire's Customer Service Charter. All feedback is to be addressed in an equitable, objective and unbiased manner.

###### Customer Focus

The Shire is committed to providing an open, transparent and easily accessible complaints handling process for its customers.

**Responsiveness**

The Shire is required to address each Complaint in a fair, objective, unbiased and timely manner. Our customers are to be kept informed of the Complaint's progress and of any delays during the process.

**Remedies and Resolution of Complaints**

The Shire's Chief Executive Officer is assigned to make decisions in order to deal with complaints promptly, and, where possible, to achieve an early resolution.

The decision or action taken regarding the customer complaint is to be communicated to the customer as soon as the decision or action is taken.

The Shire recognises the various remedial methods that can be used to deal with a complaint:

- A review of the Issue.
- Information to the customer as to how the complaint was dealt with, upon conclusion thereof.
- A change to the decision.
- A conciliation process.
- Referral to third party for appeals e.g. State Administrative Tribunal, the State Ombudsman's Office.
- Other remedies that are considered appropriate to the circumstances i.e. an Apology.

**4. Timeliness**

Any complaint submitted to the Shire is required to be acknowledged within 2 (two) business days.

The Shire is committed to respond within 7 (seven) business days to all complaints submitted, either with a final solution or, if the nature of the complaint requires a longer period to resolve, with an interim response outlining the reason for the delay, further action to be taken and anticipated timeframe that a full response be provided.

**5. Risk**

In establishing the order in which complaints may be attended to, consideration is given to the urgency of each complaint in terms of public safety implications, seriousness, frequency of occurrence, severity and the need for immediate action.

**6. Confidentiality**

Customers of the Shire have the right to expect that their Privacy is respected when making a complaint or having a complaint investigated. Personal information related to the complaint is required to be kept confidential in accordance with the Freedom of Information WA Act 1992.

All complaints are treated confidentially, unless required by law or the complainant provides their permission to release information. There may be no adverse repercussions by the Shire for a complainant who, in good faith, chooses to make a complaint against the Shire or an employee of the Shire.

**7. External Review**

Any complainant is able to seek external review about any complaint about any Elected Members or Shire Staff from the Ombudsman, Public Sector Commission or Department of Local Government and Communities.

The level of information provided to the Shire by these agencies, and that which it can report to others is constrained by the various laws and policies governing those agencies.

**8. Reporting to the Council**

As part of Council's Performance Review, Council's Complaint Processes, Activity Level and Resolution Percentage Achieved by Council will be reported to Council on an Annual Basis.