



TITLE: Complaints Management Policy

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Policy author

Corporate Services Branch, Finance & Corporate Services Department

Objectives

Council recognises that it should be open and accountable for the decisions it makes. While Council endeavours to resolve issues before they become complaints, there are instances where this may not be possible. Council is committed to ensuring Administrative Action, Privacy and Publication Scheme Complaints are dealt with in a confidential, efficient, effective, fair, transparent and economical manner. Council will adhere to the principles contained in the *Local Government Act 2009* and referred to in Council's Corporate Plan.

Related links

Ipswich City Council Complaints Management Procedure
Local Government Act 2009
Local Government Regulation 2012
Right to Information Act 2009
Information Privacy Act 2009
Ministerial Guidelines made under the *Right to Information Act 2009*
AS ISO 10002-20006

Scope

Complaints are to be dealt with in accordance with Council Policies and Procedures, recorded appropriately in Council's Customer Engagement System and resolved as per agreed service levels. Such complaints are not covered by this Policy or the Ipswich City Council Complaints Management Process and should not be escalated to the Complaints Officer or the Chief Executive Officer (CEO) unless determined by the relevant Department Head.

This policy applies to all Council officers and relates to **Administration Action Complaints**, **Privacy Complaints** and **Publication Scheme Complaints**.

Section 268 of the *Local Government Act 2009* states an **Administrative Action Complaint** is a complaint that –

- (a) is about an administrative action of a local government, including the following, for example –
 - (i) a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;

- (ii) an act, or a failure to do an act ;
- (iii) the formulation of a proposal or intention;
- (iv) the making of a recommendation; and

(b) is made by an affected person.

Section 164 of the *Information Privacy Act 2009* states a **Privacy Complaint** is a complaint by an individual about an act or practice of a relevant entity in relation to the individual's personal information that is a breach of the relevant entity's obligation to comply with –

- (a) the privacy principles; or
- (b) an approval under section 157.

Ministerial Guidelines made under the *Right to Information Act 2009* also allow for **Publication Scheme Complaints** to be made when information included in a Publication Scheme is not available or able to be accessed when it should be published according to legislation.

This policy does not provide for the following matters which should be referred to the CEO:

- competitive neutrality complaints
- liability claims against Council
- official misconduct or criminal matters
- complaints regarding the Mayor or other Councillors

Complaints regarding the CEO should be directed to the Mayor.

Policy Statement

Council acknowledges the right of the public and its staff to complain when dissatisfied with a decision made by Council, how it has dealt with personal information or access to information in relation to Council's Publication Scheme. Council seeks to be "complaints friendly" and encourages feedback to assist with improving its business and customer service processes. Therefore complaints are to be managed in accordance with the ICC Complaints Management Process procedure which sets out the processes for receiving, acknowledging, investigating and responding to complaints. All complaints are to be:

- categorised according to specific identified criteria
- dealt with in a timely manner as stipulated in the procedure
- dealt with fairly, confidentially and objectively
- tracked and monitored
- reported upon from time to time
- where appropriate referred to external agencies
- resolved by mediation, negotiation and informal resolution where possible and observing natural justice wherever practical.

Complainants will:

- be advised of outcomes as soon as possible
- be given reasons for decisions; and

- be advised of any available internal review options or external appeal options.

Council has established a Complaints Management Process procedure in accordance with section 306 of the *Local Government Regulation 2012*. All relevant staff are to receive appropriate complaints management training and are to make use of the available Council resources to manage complaints.

Roles and responsibilities

All identified staff within the customer service and corporate services areas, are responsible for understanding, implementing and improving the ICC Complaints Management Procedure. Maintenance of this policy will be designated to the Corporate Services Branch.

Date of Council resolution: 24 May 2016

No of resolution: 2

Committee reference and date: Policy and Administration Board No. 2016(01) of 10 May 2016 – City Management, Finance and Community Engagement Committee No. 2016(02) of 17 May 2016

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