



Version Control and Objective ID	Version No: 1	Objective ID: A7284130
Name of parent Policy	Complaints Management Policy	
Procedure Owner	Integrity and Complaints Manager (Corporate Services Department)	
Approved by GM on	30 June 2021	
Date of Review	30 June 2025	

Table of Contents

1.	Background.....	2
1.	Purpose.....	2
2.	Complaints Dealt with under this Procedure	4
2.1.	Administrative Action Complaints.....	4
2.2.	Privacy Complaints	4
2.3.	Publication Scheme Complaints.....	4
3.	Roles and Responsibilities	4
4.	Key Stakeholders	6
5.	Education and Training Requirements.....	6
6.	Managing a Complaint	6
6.1.	Timeframes for Investigation and Response.....	7
6.2.	Considering a Remedy for a Complaint.....	8
6.3.	How Complaints, Investigations and Responses are to be recorded.....	8
7.	Procedures for Complaint Types.....	9
7.1.	Administrative Action Complaints.....	9
7.2.	Privacy Complaints	10
7.3.	Publication Scheme Complaints.....	11
8.	Monitoring and review.....	11
9.	Related documents.....	11
10.	Regulatory Authority.....	12
11.	Definitions	12

1. Background

Ipswich City Council (Council) is obliged to adopt:

- a) A complaints management process that effectively manages administrative complaints from their receipt to their resolution; and
- b) Written policies and procedures supporting the complaints management process.

To adhere to its legislative obligations Council has established a Complaints Management Framework (**Framework**) in accordance with Sections 306 of the Local Government Regulation 2012 and 268 of the Local Government Act 2009. Considerations were also given to Sections 65 of the Human Rights Act 2019, 166 of the Information Privacy Act 2009 and Ministerial Guidelines made under the Right to Information Act 2009 when developing this procedure. Further this procedure forms a component of Council's Complaints Management Process that satisfies its obligations under the *Local Government Act 2009* for managing administrative action complaints.

Under this Framework Council acknowledges the right of its customers, members of the public and its staff to complain when dissatisfied with an act or decision made (or failed to be undertaken or made) by Council, or how it has dealt with personal information and access to information in relation to Council's Publication Scheme.

Council recognises the need for an open and responsive Complaints Management System (**CMS**). A CMS provides Council with an enhanced ability to resolve complaints, identify trends and eliminate causes for complaints and provides complainants with a simple and effective process which in turn improves customer satisfaction.

Policies and procedures are an important element of an effective CMS. This procedure in conjunction with the following forms Council's CMS:

- the Framework
- Complaints Management Policy
- Human Rights Policy and Procedure
- Unreasonable Customer Conduct Policy and Procedure; and
- the Complaints Management Unit (**CMU**).

Council wishes to be seen as 'complaint 'friendly' and, in keeping with the push model¹, seeks to ensure the public, customers, and staff can readily find out:

- where to complain;
- how to complain;
- what information is required;
- what assistance is required;
- how complaints will be managed;
- where policies and procedures are located.

Information on the CMS and how to lodge a complaint are publicly available on Council's website or by contacting the CMU directly.

1. Purpose

While Council endeavours to resolve issues before they become complaints, there are instances where this may not be possible.

¹ One of the *Right to Information Act 2009* (RTI) fundamental principles is the push model of information release. The push model requires agencies (such as council) to proactively push information out to the community and making formal RTI applications a last resort.

Council recognises the importance and value of listening and responding to complaints from its customers and staff and acknowledges that it should be open and accountable for the decisions it makes. Council is committed to ensuring all complaints are dealt with in a confidential, efficient, effective, fair, transparent and economical manner. Council staff managing complaints are expected to treat complainants with courtesy and respect.

This procedure is a guide for Council officers that manage Administrative Action, Privacy and Publication Scheme complaints (**complaints**). The procedure provides advice on how to investigate and respond to complaints, ensuring that Council is meeting its legislative obligations and engaging in best practice for customer and complaint management.

Council officers should note that issues regarding **requests for services** are to be dealt with under Council's normal business processes, recorded appropriately in Council's Customer Engagement System (**CES**) and resolved in accordance with agreed service levels.

Such requests are **not** covered by this procedure and should not be escalated to the CMU unless determined by the relevant Department Head.

The CMU will be the central intake point for complaints received by Council. Together with the relevant business nominated person (BNP), the Customer Liaison Officers (CLOs) in the CMU will undertake the responsibilities as specified in this procedure.

All customer complaints are to be:

- received, assessed, recorded and responded to by the CMU;
- referred to external agencies where appropriate;
- dealt with fairly and objectively;
- dealt with in accordance with natural justice where practical;
- dealt with in accordance with human rights;
- resolved without formality where possible and;
- kept private and confidential.

The following complaints are not to be dealt with under this procedure and should be referred to Chief Executive Officer (CEO) in the first instance and managed under the relevant policies and procedures:

- competitive neutrality complaints;
- liability claims against Council;
- corrupt conduct or criminal matters and;
- complaints regarding the Mayor or Councillors.

Complaints regarding the CEO should be referred to the Mayor in the first instance and complaints of a personal nature regarding staff members (i.e. staff grievances) are to be dealt with in accordance with the Employee Complaints Policy and should be referred in the first instance to a supervisor/manager. Where this is not appropriate, or the issue has not been resolved to the employee's satisfaction the grievance may be lodged with the People and Culture Branch.

Public Interest Disclosures and Human Rights complaints are not managed under this procedure and officers dealing with those complaint types should refer to the relevant policies and procedures.

2. Complaints Dealt with under this Procedure

2.1. Administrative Action Complaints

The *Local Government Act 2009 (LGA)* requires councils to adopt a process for resolving administrative actions complaints. Section 268 of the LGA defines an administrative action complaint as 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.

2.2. Privacy Complaints

Under the *Information Privacy Act 2009 (Qld) (IP Act)* Council has an obligation to deal with privacy complaints which occurred after 1 July 2010.

Section 164 of the IP Act defines a privacy complaint as-

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 under the IP Act to comply with –

- the privacy principles; or
- an approval under section 157 of the IP Act.

2.3. Publication Scheme Complaints

A publication scheme is a list of agency information that is available to the public. The *Right to Information Act 2009 (Qld) (RTI Act)* and the Ministerial Guidelines require agency publication schemes to meet certain minimum standards.

Section 21 of the RTI Act requires all agencies covered by the RTI Act, other than excluded entities, to have a publication scheme. Publication schemes must comply with the Ministerial Guidelines. The Ministerial Guidelines set out classes of information into which the publication scheme must be organised and broadly state the kinds of information that must be available under each class.

Ministerial Guidelines made under the RTI Act allow for complaints to be made when information included in a Publication Scheme is not available or able to be accessed as required by legislation.

The Ministerial Guidelines require agencies to have a procedure in place which allows people to make a complaint if information listed in the publication scheme is not available.

The procedure and relevant contact details for making a complaint about the publication scheme should be clearly set out.

3. Roles and Responsibilities

Council staff that have the responsibility of dealing with complaints are to undergo training in relation to the legislation relevant to the complaints in this procedure and managing those complaints under that legislation.

Those staff are to receive appropriate complaints management training and are to make use of the available Council resources to manage complaints.

All identified staff within customer service areas of Council are responsible for understanding, implementing and adhering to all relevant complaint policies under this procedure.

Council staff that have the responsibility of dealing with complaints will display exemplary practice in managing complaints.

All Council staff are responsible for referring any complaint matters mentioned in this procedure to the CMU within 2 business days.

All Supervisors/Managers will:

- promote a positive culture that values complaint management;
- encourage staff to assist the CMU in the investigation of complaint matters;
- consider learnings/recommendations provided by the CMU that arise from complaint matters.

The Integrity and Complaints Manager will:

- recruit suitable complaints management staff;
- provide comprehensive training to complaint management staff;
- manage and support complaint management staff;
- promote strong internal networks to enable complaint management staff to work with and be supported by other staff;
- through reporting bring systemic issues and weaknesses that are identified through the CMS to the attention of General Managers and the Chief Executive Officer;
- provide regular reports to other relevant areas of Council and councillors on outcomes and trends in relation to complaints in this procedure;
- keep up to date with best practice complaints management, regularly review Council's CMS and participate in organisation wide complaint management meetings.

CLOs in the CMU are responsible for:

- receiving and recording complaints into Council's record management system for complaints.
- acknowledging complaints in writing;
- assessing and triaging complaints;
- disseminating complaints to the relevant BNPs for investigation and advising of expected response timeframes;
- tracking and following up BNPs to ensure agreed timeframes are met;
- communicating with the complainant throughout the review process where required;
- receiving investigation findings from BNPs and reviewing advice provided to ensure that it addresses all core issues in the complaint matter;
- reviewing any decision formed from that investigation to ensure that it meets all legislative requirements;
- formulating customer responses with a customer centric focus that include appropriate resolutions or recommendations;
- acting or making decisions that are compatible under the *Human Rights Act 2019*, as well as giving proper consideration to human rights in making decisions in accordance with the Acts and Decisions – Human Rights Act 2019 Administrative Directive;
- responding to the complainant within statutory/agreed timeframes;
- providing learnings or recommendations from complaint matters to the business that will provide opportunity for improvement to service delivery;

- updating the database on all transactions during the management of that complaint file.

Business Nominated Person (BNPs) in operational areas will:

- assist the CMU with complaints handling by accepting referred complaints from the CMU for investigation;
- communicate with the CMU if they are unable to meet advised timeframes for their response to the CMU;
- provide their investigation findings into referred matters to the CMU. The CMU will then draft a customer response under Stage 1 of Managing a Complaint Process (see 7.1.1 below). Under Stage 2 and 3 of Managing a Complaint Process, the BNP will assist the CMU or Integrity and Complaints manager with their internal reviews of the original decision made;
- at all times maintain open communication with the CMU while managing complaints.

4. Key Stakeholders

The following will be consulted as appropriate during the procedure review process:

- Executive Leadership Team (ELT)
- Corporate Services
 - Complaints Management Unit
 - People and Culture
 - Legal and Governance

5. Education and Training Requirements

Department Heads will identify and advise the CMU of relevant staff (BNPs) to be involved in the CMS. These officers will be informed of appropriate policies, procedures, forms and information regarding the CMS by the CMU and will receive complaints management training/education covering general operational issues such as:

- how to receive complaints;
- responsibilities of Council officers, supervisors, the CMU and the CEO under the CMS;
- policies and procedures;
- timelines for dealing with complaints;
- categories of complaints and response requirements;
- tracking and recording complaints.

CLOs will receive training on:

- legislation applicable to the complaint types covered by this procedure;
- human rights;
- complaints management;
- dealing with hostile and violent people/conflict resolution;
- dealing with difficult customers;
- dealing with aggressive behaviours;
- good decision making.

6. Managing a Complaint

When investigating a complaint and preparing a response to a complainant, the CLO **must** undertake consideration of the following:

- the relevant evidence and whether it has been appropriately analysed and recorded;

- reasons given with the initial decision on the actions or failure thereof at operational level;
- human rights relevant to the decision;
- the true nature of the complaint issues;
- relevant legislation, policies and procedures;
- potential sources of information;
- assessment of information and sources impartially and without bias;
- proper recording of information during investigation;
- observing natural justice where possible;
- ensure decisions made are sound, provide a written Statement of Reasons and offer appropriate remedies where appropriate.

6.1. Making a complaint

Council will always try and resolve customer complaints prior to their escalation to a formal complaint. If this cannot be achieved, complaints can be lodged in the following ways:

In person at the Customer Service Counter, located on the ground floor, 1 Nicholas Street, Ipswich, QLD, 4305., Ipswich.

By telephone to the Council Call Centre on 3810 6666 which will refer the caller to the relevant area of Council, or to the employee the customer has been dealing with, or to the Complaints Management Unit.

Via our Website by completing the [Online Feedback Form](#)

By email to cmu@ipswich.qld.gov.au

By post to Complaints Management Unit
Ipswich City Council
PO Box 191
IPSWICH QLD 4305

Customers are encouraged to place their complaint in writing so that all aspects of the complaint can be accurately investigated. If a customer lodges a verbal complaint, we will do our best to assist them to put their complaint in writing or to write it down ourselves as faithfully as we can. Where verbal complaints are recorded in this way, the contents will be read to the customer to verify the details are accurate.

Customers can access Council through the following mediums:

- If deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service www.relayservice.gov.au
- TTY users phone 133 677 then ask for 07 3810 6666.
- Speak and Listen users phone 1300 555 727 then ask for 07 3810 6666.
- Internet relay users connect to the NRS internet-relay.nrscall.gov.au then ask for 07 3810 6666.

6.2. Timeframes for Investigation and Response

The CMU will acknowledge, in writing, all Administrative Action, Privacy and Publication Scheme complaints within 2 business days of receipt of the complaint.

The standard timeframes for investigating those complaints are outlined below:

Type of Complaint	Acknowledgement	Investigation	Response
Administrative Action	2 business days	10 business days	20 business days
Privacy	2 business days	20 business days	45 business days
Publication Scheme	2 business days	10 business days	20 business days

The CMU will diarise timeframes for acknowledgement, investigation and review of complaints and will monitor each complaint process to ensure timeframes are adhered to.

Dependent upon the nature and complexity of the complaint, it may be necessary to extend the abovementioned timeframes. The complainant will be advised of any necessary extension before the initial due date.

6.3. Considering a Remedy for a Complaint

When considering a remedy for a particular complaint, the BNP and the CMU should take into account the following:

- what the complainant is seeking;
- what options are available;
- what remedy is offered by relevant legislation;
- whether negotiation or mediation is necessary.

Remedies may include the following:

- admission of fault;
- explanation;
- apology;
- change of decision;
- review or change to Council policies or procedures, etc.

The CMU may provide advice regarding any recommendations/remedies that have been decided upon by the relevant Branch or General Manager. The Chief Executive Officer must provide authorisation for a monetary remedy to be offered.

6.4. How Complaints, Investigations and Responses are to be recorded

All details and documentation concerning investigation and response to complaints, are to be completed and provided to the CMU for entry into the complaints record system. The information entered into the complaints record system will be used for monitoring and reporting purposes.

6.5. Privacy

Personal information contained within complaint matters will be managed in accordance with council's obligations under the *Information Privacy Act 2009*.

6.6. Human Rights

Consideration will be given to human rights under the HRA in the decision making process of complaint matters under this policy, and the decision maker will refer to the Human Rights Impact Assessment Checklist when making their decision.

6.7. Dealing with an Agent in relation to the complaint

People are entitled to appoint an agent to deal with Council in relation to a complaint on their behalf. A letter or notification of authority must be provided to Council by that person.

7. Procedures for Complaint Types

7.1. Administrative Action Complaints

Administrative Action Complaints are managed in accordance with section 306 of the *Local Government Regulation 2012* (LG Regulation).

The CMU will acknowledge receipt of the Administrative Action Complaint within 2 business days.

The CMU may refuse to accept and investigate an Administrative Action Complaint if they consider that the complaint is:

- trivial;
- frivolous;
- vexatious;
- not made by an Affected Person; or
- not an Administrative Action Complaint.

The CMU must provide a written Statement of Reasons to the complainant regarding their refusal to investigate within 14 business days of making their decision to refuse to investigate the Administrative Action complaint.

The Administrative Action Complaints process allows for three (3) stages of complaints management. Each stage allows the complainant the opportunity for either an internal or external review of a decision that has been made in regard to their complaint.

Note: The review of a Penalty Infringement Notice (**PIN**) is recognised as an Administrative Action complaint which will be managed by CLOs in the CMU. As this is a considered service and not a requirement under legislation, in the majority of cases there is no availability for a second internal review of a PIN complaint. If a customer is dissatisfied by the review decision, they are entitled to seek review of the PIN in the Magistrates Court as advised on the back of the PIN. Infringement reviews will be managed under the Review of Statutory Decisions including Penalty Infringement Notices Procedure

7.1.1 Stage 1 of Managing a Complaint Process (GC)

The CMU will refer the complaint to the BNP in the relevant business area for their investigation and response to the CMU.

The BNP must finalise their investigations and respond to the CMU within 10 business days. If the BNP cannot meet the agreed timeframe, they must advise the CMU so that the customer can be notified by the CMU.

The CMU are responsible for reviewing the investigation findings from the BNP, making a decision based on those findings, and preparing a response outlining the decision made.

The CMU, when preparing the response must consider the matters listed in Section 6 of this procedure.

Any decision will include a Statement of Reasons and must include relevant details of any internal/external review rights.

The CMU must finalise their response within 20 business days advised in the acknowledgment to the complainant. If this timeframe cannot be met a new due date must be communicated to the complainant.

The CMU are responsible for recording all details in the complaints recording system.

If the complainant is satisfied with the response, no further action is required. If the issue is not resolved to the complainant's satisfaction, the complainant may lodge a request for their complaint to be considered under Stage 2 of the Managing an Administrative Action Complaint Process.

7.1.2 Stage 2 of Managing a Complaint (AA)

Stage 2 requires the complaint be investigated by a different CLO in the CMU. The CLO will consider the matters listed in Section 6, together with the contents of the original written Statement of Reasons to the complainant.

The CLO must finalise their investigation and respond to the complainant within 20 business days. If this timeframe cannot be met this must be communicated to the complainant and a new due date provided.

Any decision conveyed to the complainant will include a Statement of Reasons and must include relevant details of any internal/external review rights.

The CLO is responsible for recording all details in the complaints recording system.

If the complainant is satisfied with the response, no further action is required. If the issue is not resolved to the complainant's satisfaction, the complainant may lodge a request to the CMU for consideration under Stage 3 of the Managing an Administrative Action Complaint Process.

7.1.3 Stage 3 of Managing a Complaint (IR)

Stage 3 requires the complaint to be investigated and responded to by the Integrity and Complaints Manager.

The Integrity and Complaints Manager will consider the following (in addition to the matters in Section 6 of this procedure) in relation to the State 1 and Stage 2 of Managing a Complaint:

- relevant legislation, policies and procedures;
- evidence considered and whether it has been appropriately analysed and recorded;
- whether natural justice has been observed;
- any reasons given with the initial decision;
- the contents of the Statement of Reasons previously provided to the complainant by the CMU under Stage 1 and 2 of the Managing a Complaint Process.

The Integrity and Complaints Manager must finalise their investigation within 20 business days and information regarding external review rights must be included in the Statement of Reasons response. If this timeframe cannot be met this must be communicated to the complainant and a new due date provided.

The Integrity and Complaints Manager is to provide the details of their investigation and response to the complainant to the CMU for recording in the complaints recording system.

If the complainant is satisfied with the response, no further action is required. If the complainant is not satisfied, it may be necessary to refer the complainant to an external agency. Such appropriate agencies may include the Queensland Ombudsman, QCAT or the Courts (e.g. Judicial Review).

7.2. Privacy Complaints

Privacy Complaints may be made to Council pursuant to section 164 of the IP Act. The CMU will acknowledge receipt of the Privacy Complaint within 2 business days.

If after the initial assessment of the complaint it is determined that the matter is not a privacy complaint, a decision letter outlining reasons why the matter will not progress as a privacy complaint must be provided to the complainant within ten business days.

If the matter is assessed as a privacy breach, the CMU will consider the matters in Section 6, along with all legislative requirements under the IP Act and will provide the Complainant with a written Statement of Reasons within 45 business days which will include external review rights.

If the complainant is satisfied with the response, no further action is required. If the complainant is not satisfied with the response received or a response has not been provided within 45 business days, they may refer their complaint for an external review with the Office of the Information Commissioner (OIC).

7.3. Publication Scheme Complaints

Section 21 of the RTI Act requires Council to have a Publication Scheme that complies with any guidelines about publication schemes published by the Minister on the Minister's website.

The Ministerial Guidelines provide that a complaint can be made when information included in Council's Publication Scheme is not available.

The CMU will acknowledge receipt of the complaint within 2 business days.

All Publication Scheme Complaints are to be investigated by the CMU. The CMU will process the complaint under Stage 1 of Managing a Complaint Process and provide a response to the complainant within 20 business days from the date the complaint is received.

The CMU will provide the complainant with a written Statement of Reasons. That response must include available review rights. If the complainant is satisfied with the response no further action is required.

If the complainant is not satisfied the complaint must progress through the other two stages of the Managing a Complaint process. If the complainant remains dissatisfied, they may refer their complaint for an external review with the OIC.

8. Monitoring and review

The CMU will deliver reports on complaint data to Senior Management, when required, regarding the operation of the CMS.

In relation to Administrative Action Complaints, this will meet the requirements of section 306(4)(c) of the LG Regulation which requires internal reports to be made occasionally to Senior Management about the Complaints Management Process for Administrative Action Complaints.

Pursuant to section 187 of the LG Regulation, Council will include particular information relating to its Complaints Management Processes for Administrative Action Complaints in its Annual Report.

Complaint data will be considered by the business for trend analysis that will allow for improvement in service delivery.

9. Related documents

Administrative Access Procedure

Complaints Management Framework

Complaints Management Policy

Good Governance Policy

Human Rights Policy

Human Rights Complaints Procedure

Acts and Decisions - Human Rights Act 2019 Administrative Directive

Information Privacy Policy

Information Privacy Procedure

Right to Information Policy

Right to Information Procedure

Unreasonable Customer Conduct Policy

Review of Statutory Decisions including Penalty Infringement Notices Policy

10. Regulatory Authority

Local Government Act 2009

Local Government Regulation 2012

Right to Information Act 2009

Information Privacy Act 2009

Human Rights Act 2019

Ministerial Guidelines made under the *Right to Information Act 2009*

AS ISO 10002-2006

11. Definitions

The following definitions are to be applied when interpreting this procedure:

Term	Definition
Administrative Action Complaint	Means a complaint about an administrative action of a local government as defined in section 268 of the <i>Local Government Act 2009</i> .
Affected person	Means a person who is apparently directly affected by an action or lack thereof or decision of a Local Government (and therefore entitled to make an administrative action complaint).
Complaints	Refers to either an Administrative Action, Privacy or Publication Scheme Complaint.
Complaints Management Unit - CMU	The central intake point in Council for the receipt, assessment, investigation and response to customer complaints.
Complaints Record System	Means the Objective ECM (Enterprise Content Management) electronic document management system that Council uses to store and manage its records.
Complainant	The person who makes the complaint.
Customer Liaison Officer (CLO)	An officer in the CMU who is a trained complaints management specialist.
Customer Service Staff	Any officer in Council who is front facing and liaises directly with customers
Days	Any reference to days means business days.

Term	Definition
Ministerial Guidelines	Guidelines published by the Minister on the Minister's website in accordance with section 21 of the <i>Right to Information Act 2009</i> .
Publication Scheme	A publication scheme sets out the classes of information that the agency has available and the terms on which it will make the information available, including any changes. The information should be easy for any person to find and use. As routinely published information is available as part of an agency's normal business, the information should be simple to access through the agency website or be easily and quickly sent out by an officer of the agency.
Publication Scheme Complaint	When information included in a Publication Scheme is not available or able to be accessed as required by legislation.
Privacy Complaint	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 under the IPA to comply with the privacy principles or an approval under section 157 of the IPA.
Statement of Reasons	<p>Means written reasons for a decision.</p> <p>(a) setting out the findings on material questions of fact; and</p> <p>(b) referring to the evidence or other material on which those findings were based.</p>