

# POLICY COVER SHEET

## Policy Development and Management

|                             |                             |
|-----------------------------|-----------------------------|
| <b>Type:</b>                | <b>Council</b>              |
| <b>Adopted:</b>             | 24 November 2021            |
| <b>Last Review Date:</b>    | 23 October 2019             |
| <b>Approved By:</b>         | Council                     |
| <b>Next Review Date:</b>    | October 2025                |
| <b>Responsible Officer:</b> | Manager Customer Experience |
| <b>Department:</b>          | Customer Experience         |
| <b>File No:</b>             | 21/94559                    |
| <b>Attachments:</b>         | N/A                         |

| <b>Step</b>                                       | <b>Approved By</b>     | <b>Date of Approval / Completion</b> |
|---|------------------------|--------------------------------------|
| Reviewed relevant legislation                     | Responsible Officer    |                                      |
| Consultation with relevant officers / departments | Responsible Officer    |                                      |
| Draft completed                                   | Responsible Officer    |                                      |
| Draft reviewed by Coordinator Governance          | Coordinator Governance |                                      |
| Draft approved by Department Manager              | Department Manager     |                                      |
| Draft circulated to staff via Murri for feedback  | Responsible Officer    |                                      |
| Changes made                                      | Responsible Officer    |                                      |
| Draft to EMT Policy Meeting                       | General Manager        |                                      |
| Changes made                                      | Responsible Officer    |                                      |
| EMT approval                                      | CEO                    |                                      |
| Briefing Note approved (if applicable)            | General Manager        |                                      |
| Agenda Item approved (if applicable)              | General Manager        |                                      |
| Council adoption (if applicable)                  | Council                |                                      |

### Conflicts of Interest

Nil

|                     |  |
|---------------------|--|
| <b>Title:</b>       | Customer Complaints Policy               |
| <b>Type:</b>        | <b>Council</b>                           |
| <b>Adopted:</b>     | 24 November 2021                         |
| <b>File No:</b>     | 21/94559                                 |
| <b>Attachments:</b> | "[Insert references to any attachments]" |

## Acknowledgement of Country and First Nations Peoples

*Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri people as the traditional custodians of the land we now call Murrindindi Shire.*

*We pay our respects to First Nations leaders and elders, past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.*

*We commit to working in collaboration with traditional owners of this land in a spirit of reconciliation and partnership.*

### 1. Purpose

This Policy sets out standards for receiving, managing and responding to customer complaints. It affirms the right of Council's customers to comment on our performance and hold us to our service standards and reinforces the importance of using customer complaints to improve the services we deliver.

### 2. Rationale

Council officers strive to resolve customer requests efficiently and effectively. We acknowledge however that we might not always do this on time or to a customer's satisfaction. If we don't get it right the first time, a customer has the right to make a complaint. Complaints about Council's performance help Council to monitor and improve its performance. This Policy aims to provide clarity to staff and the community about how Council will respond to complaints. Our organisational values of Empathy, Professionalism, Accountability and Integrity underpin our commitment to providing great customer service through the appropriate management and handling of complaints.

### 3. Scope

Managing customer complaints effectively is a core part of Council business. We value customer complaints and encourage people to contact us when they are not satisfied with our services, actions, decisions, and policies. We are committed to

- enabling members of the public to make complaints about Council
- recognising and recording complaints appropriately
- responding to complaints by taking action to resolve them as quickly as possible
- learning from complaints to improve our services

We treat every complaint we receive on its individual merits, through clear and consistent processes. This Policy applies to all complaints from members of the public about Council staff, Council contractors and decisions made at Council meetings.

### *Excluded from Scope*

Excluded from the scope of this Policy is any communication considered to fall outside the definition of a 'complaint'. This Policy excludes

- ordinary requests for service (i.e., customer requests)
- follow up queries about an existing request (unless that request is outside our set service standard timeframe for completion)
- reports of a hazard or emergency
- private matters concerning neighbours, including disputes between neighbours
- expressions of dissatisfaction with decisions made under legislation which have separate avenues of appeal, for example, those which fall under Freedom of Information legislation.
- serious complaints, as defined below
- Public Interest Disclosures (which are dealt with separately under Council's Public Interest Disclosure Policy)
- complaints about councillors, including alleged breaches under the Councillor Code of Conduct, which are dealt with under provisions of that Code

## **4. Definitions**

### *Complaints*

A 'routine complaint' ('complaint') is a communication (verbal or written) to Council which expresses dissatisfaction about

- the quality of an action, decision or service provided by Council staff or a Council contractor
- a delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service
- a policy or decision made by the Council, Council staff or a Council contractor.

A 'serious complaint' requires different treatment to a 'routine complaint'. It requires special handling, confidential recording and investigation to meet strict legislative requirements. Examples of serious complaints are a significant breach of privacy, a report of child abuse, a significant health and safety risk or incident, suspected fraudulent, corrupt, criminal or unethical conduct or any complaints regarding staff conduct. While included here for completeness, handling of serious complaints is not within the scope of this Policy.

| <b>Reference Term</b> | <b>Definition</b>   |
|-----------------------|---|
| Council staff         | any person employed by the Council to carry out the functions of the Council, and the Council's CEO |
| Council contractor    | any third-party engaged by the Council to carry out functions on the Council's behalf               |
| The Council           | the body of elected Councillors.  |
| Customer request      | Customer requests are communications requesting something new or additional from Council.           |

## **5. Policy**

We are committed to delivering great service for our community. This Policy provides clarity for staff and customers about how Council will respond to complaints if Council doesn't meet promised service standards. The intention of this Policy is to make Council's process for resolving complaints clear, transparent and easy for our customers.

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We analyse our complaint data to identify trends and potential issues that deserve further attention but we keep your personal information secure. We use this information to come up with solutions about how we can improve our services. We are open and transparent about the complaints we have received, and what we have done to resolve them. We publish our complaint data including in our annual report.

Any member of the public can make a complaint to Council. Complaints can be made by:

Telephone: 03 5772 0333

Online: via our website at [murrindindi.vic.gov.au](http://murrindindi.vic.gov.au) (search 'customer complaint')

Email: [customer@murrindindi.vic.gov.au](mailto:customer@murrindindi.vic.gov.au)

Post: Murrindindi Shire Council  
PO Box 138  
Alexandra VIC 3714

In person, at one of our branches:

- Alexandra Customer Service - 28 Perkins Street
- Kinglake Library and Customer Service - 19 Whittlesea-Kinglake Rd
- Yea Library and Customer Service - 15 The Semi Circle
- Mobile Library and Customer Service (at eight locations around the Shire)

Find our branch opening times and the Mobile Service timetable on our website at [murrindindi.vic.gov.au](http://murrindindi.vic.gov.au) (search 'hours').

The following information will assist us to address your complaint as quickly as possible

- name and contact details. You can complain anonymously, but this may prevent Council from responding to you and might also limit the extent of the investigation of your complaint
- identify the action, decision, service or policy you are complaining about, and why you are dissatisfied
- give us relevant details, such as dates, times, location or reference numbers, and documents that support your complaint
- the outcome you are seeking from making your complaint

We are committed to ensuring our complaints process is accessible to everyone. Please tell us if you have specific communication needs or barriers (including if you would like assistance with reading or writing), and we will work to assist you. We can also communicate with another person on your behalf if you cannot make the complaint yourself.

### ***Our Complaints Process***

If a complaint is made to us, we will record and acknowledge the complaint within ten business days. We will initially assess the complaint to decide how we will handle it. After our initial assessment, we may

- take direct action to resolve your complaint
- refer your complaint to the relevant team or manager for investigation
- decline to deal with your complaint, if you have a right to a statutory review of your complaint (such as a right of appeal to the Victorian Civil and Administrative Review Tribunal).

Where possible, we encourage you to raise your concerns directly with the Council staff member or contractor involved in the first instance. This may help to resolve your complaint at the time you first contact us. It may not be possible to resolve your complaint when you first contact us if your complaint requires deeper consideration or investigation by a particular team or officer, or needs to follow a statutory process or cannot be resolved satisfactorily.

Early resolution of a complaint may also involve arranging for Council to give you advice or explaining why we are not going to take action on your complaint.

If we cannot resolve your complaint quickly, we will refer it to the relevant team or manager to investigate. We will also tell you who you can contact about the investigation. We aim to complete investigations within 28 business days, and will tell you if the investigation will take longer. We will update you every 28 business days about progress until the investigation is completed. We will inform you of the outcome of your complaint and explain our reasons.

As part of our investigation we will

- assess the information against relevant legislation, policies and procedures
- refer to Council documents and records
- meet or speak with affected parties to consider possible solutions
- advise you in writing of the outcome and our reasons

Complaints which relate to the CEO will be referred to the Mayor for investigation.

If we decide not to take action on your complaint, we will explain why and, where possible, inform you about other options that might be available to you. If we do not agree that your request meets the criteria to be considered and treated as a complaint, we will let you know why.

We require our staff to be respectful and responsive in all of their communications with members of the public. We expect the same of you when you communicate with our staff.

We may change the way we communicate with you if your behaviour or conduct raises health, safety, resource or equity issues for Council staff involved in the complaints process.

### ***Escalation of complaints***

If you are dissatisfied with our action, decision and/or how we responded to your complaint, you can request an internal review. The internal review will be conducted by a senior Council officer who has not had any previous involvement with your complaint. The review officer will also not have had any involvement in the action or provision of service which led to your complaint.

We will inform you of the outcome of the internal review and explain our reasons within 28 business days of receiving your request for internal review.

There are also external bodies that can deal with different types of complaints about local government organisations. You can request an external review from the following organisations:

| <b>Complaint</b>  | <b>Organisation to contact for external review</b>  |
|---|---|
| Actions or decisions of a Council, Council staff and contractors, including a failure to consider human rights or failure to act compatibly with a human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic) | Victorian Ombudsman<br><a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a> |

|   |   |
|---|---|
| Breaches of the Local Government Act                                      | Local Government Inspectorate<br><a href="http://www.lgi.vic.gov.au">www.lgi.vic.gov.au</a>   |
| Breach of privacy or complaint about a freedom of information application | Office of the Victorian Information Commission<br><a href="http://www.ovic.vic.gov.au">www.ovic.vic.gov.au</a>                        |
| Corruption or public interest disclosure ('whistleblower') complaints     | Independent Broad-based Anti-corruption Commission (IBAC)<br><a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>             |
| Discrimination  | Victorian Human Rights and Equal Opportunity Commission<br><a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a> |
| Council elections   | Victorian Electoral Commission<br><a href="http://www.vec.vic.gov.au">www.vec.vic.gov.au</a>  |

## 6. Related Policies, Strategies and Legislation

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Equal Opportunity Act 2010 (Vic)*
- *Privacy and Data Protection Act 2014*
- *Gender Equality Act 2020 (Vic)*
- *Local Government Act 2020 (Vic)*
- Victorian Ombudsman's 'Councils and Complaints - a Good Practice Guide' 2nd edition, 26 Jul 2021
- MSC Privacy Policy
- MSC Procedure for Managing Unreasonable Complaint Conduct
- MSC Customer Service Charter
- MSC Councillor Code of Conduct
- MSC Employee Code of Conduct

## 7. Council Plan

This Policy furthers Strategic Direction 5 of the Council Plan 2021-2025 'Transparency, Inclusion and Accountability' and, specifically, Strategy 5.1 to 'put the customer first in everything we do'.

## 8. Management and Review

This Policy will be implemented and monitored by Manager Customer Experience and will be reviewed in October 2025.

## 9. Consultation

No external community or stakeholder consultation was required for this matter.

## 10. Human Rights Charter

This Policy has been developed with consideration to the requirements under the Charter of Human Rights and Responsibilities.