



**GREATER SHEPPARTON CITY COUNCIL**

# **COMPLAINTS POLICY**

Adopted by Council: 16 February 2021

Next Review: 16 February 2025



## COMPLAINTS POLICY

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<b>Business Unit:</b>	Corporate Services
<b>Responsible Officer:</b>	Manager Corporate Governance
<b>Approved By:</b>	Chief Executive Officer
<b>Adopted By:</b>	Council 16 February 2021
<b>Next Review:</b>	16 February 2025

## DOCUMENT REVISIONS

<b>Version #</b>	<b>Summary of Changes</b>	<b>Date Adopted</b>
<b>1</b>	<b>Policy first adopted</b>	<b>16 February 2021</b>

## PURPOSE

Council accepts complaints as an important part of community feedback, and use this information to improve our service to the community.

This policy has been developed to assist customers to make a complaint to the Council, and to ensure the complaint is handled in a fair and transparent manner.

## OBJECTIVE

Through adherence to this policy, members of our community can gain a better understanding of Council's complaint handling process and expect that all complaints will be investigated in a consistent manner.

## SCOPE

This policy outlines the process which will be followed to manage any complaints received by Council. It also facilitates an independent review process for any action, decision or service in respect of which the complaint is made.

The policy is applicable to the following scenarios:

- A complaint made by a member of the public about a member of Council staff, a Councillor or a contractor engaged by the Council.
- A complaint made by a Councillor against a staff member or contractor engaged by the Council.
- A complaint made by a staff member against a Councillor.

This policy does not apply to complaints which are to be handled in accordance with legislation or regulatory processes that provide specific mechanisms for appeal. This may include, but is not limited to the following complaint types:

- Complaints relating to planning matters
- Complaints relating to parking infringements.
- Complaints relating to building, health and food services
- Complaints alleging fraud, corrupt conduct or other criminal behaviour
- Freedom of information requests
- Work related grievances from council staff (i.e. complaints relating to their employment).

## DEFINITIONS

Reference term	Definition
CEO	Chief Executive Officer of Greater Shepparton City Council
Complaint	An expression of dissatisfaction with <ul style="list-style-type: none"> <li>• The quality of an action taken, decision made, or service provided by a member of Council staff or a contractor engaged by the Council</li> <li>• A delay by a member of staff or contractor engaged by Council in taking an action, making a decision or providing a service; or</li> <li>• A policy or decision made by Council or a member of Council staff or a contractor.</li> </ul>

Reference term	Definition
Council	Refers to the Greater Shepparton City Council
Councillor	Refers to a current elected Councillor of the Greater Shepparton City Council.
CRM	Refers to Councils Customer Relationship Module
Independent Person	A Council Officer (or in certain circumstances, the CEO or Mayor) who is responsible for investigating a complaint to which he or she has not been involved in: <ul style="list-style-type: none"> <li>• taking the action</li> <li>• making the decision; or</li> <li>• providing the service</li> </ul> which is the subject of the complaint.
Mayor	Refers to the current elected Mayor of the Greater Shepparton City Council.
Request for service	Contact with the council to seek assistance, access to a new service, advice or to inform / make a report about something for which Council has responsibility.

## POLICY

### 1. What constitutes a complaint?

A complaint is the expression of dissatisfaction with a service provided by Council, which may include the level, quality or timeliness of the service provided, or perhaps the behaviour of an employee, Councillor or contractor.

Within the scope of this policy, the following situations do not constitute a complaint and should be reported directly to our Customer Services Team:

- A request for service
- A request for information or documentation
- Reports of hazards, damaged or faulty infrastructure
- Reports concerning neighbours, noise, nuisance animals, unauthorised building works and other regulatory aspects of our service
- Claims for compensation
- Statutory complaint processes – decisions made under legislation which provide for separate appeal processes

A complaint will only be accepted and investigated if the complainant is personally affected by the issue or has the authority and consent to complain on another person's behalf (eg- advocate, family member, legal or community representative, member of parliament, another organisation).

### 2. How to lodge a complaint

Complaints can be lodged by mail, telephone, National Relay Service, Multilingual Information Line Services, Email, In Person, Fax and via Council's website.

Complaints lodged in writing are encouraged to include return contact details for the complainant. Please include:

- Name
- Postal Address
- Phone Number

- Email Address (if preferred method of contact)
- Details of complaint including dates and times if relevant

Your complaint can be submitted to Council through the following methods:

<u>Mail to the Council</u>	Locked Bag 1000 <b>SHEPPARTON VIC 3632</b>
<u>Email to the Council</u>	<a href="mailto:council@shepparton.vic.gov.au">council@shepparton.vic.gov.au</a>
<u>Hand Delivered to the Council</u>	90 Welsford Street, Shepparton

Anonymous complaints will be accepted and investigated if sufficient information is provided to do so. Anonymous complainants need to be aware that should they wish to remain anonymous they will not be advised of the progress or outcome of a matter.

### 3. Who should your complaint be addressed to?

If your complaint relates to an operational or staffing matter, please address it to the relevant Manager or Director. If you are unsure of which Directorate your complaint relates to, please contact Council's Customer Services team for clarification via phone: (03) 5832 9700.

- Should your complaint relate to a Director or the Mayor, please address the complaint directly to the CEO.
- Any complaints relating to a Councillor should be addressed to the Mayor with a copy to the CEO, and
- A complaint about the CEO should be directed to the Mayor.

### 4. Complaints Management Process

All complaints will be recorded in Council's Request Management Application and will be assigned to the relevant independent person for investigation.

Once lodged, your complaint will be thoroughly assessed based on merit and fact before a determination is reached. The time required to investigate each complaint will vary based on the complexity of the matter, however Council will endeavour to reach an outcome within 10 working days.

If your complaint cannot be resolved within 10 working days, an acknowledgement will be sent within this timeframe, advising of the action being taken and the estimated timeframe for a resolution.

Complainants must at all times behave in a respectful and cooperative manner, and may at times be requested to aid the investigation by providing additional information if required. In return, all complainants can be confident that they too will be treated with respect and will be kept informed of the progress of the investigation.

The outcome of each investigation will be communicated to the complainant in writing, however the opportunity to meet with the investigating officer to discuss the matter in person is also available.

Council aims to achieve service excellence across all areas and is committed to resolving all complaints in a fair and timely manner. However, if you are not satisfied with the response provided, the following escalation processes are available to you:

a. Request for Internal Review by the Director or CEO

If your complaint related to an operational / staffing matter and was not resolved by the Manager to your satisfaction, you may request that an internal review be conducted by the relevant Director or, where the initial review was conducted by the Director, you may seek review by the CEO. To lodge a review request, you must provide details of why you are dissatisfied with the way your complaint was handled. The relevant Director or CEO will then advise you in writing on the outcome of the review.

b. Referral to the Ombudsman of Victoria

The Ombudsman is an independent officer of the Victorian Parliament who investigates complaints about statutory authorities and State and Local Government bodies. More information on how to lodge a complaint with the Ombudsman can be found at [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au) or via phone: (03) 9613 6222.

Please note that while you are entitled to refer a complaint to the Ombudsman at any time, you are encouraged to allow Council to investigate the matter in the first instance to see whether a resolution can be reached.

c. Complaints subject to statutory review

Any complaints which relate to a matter subject to a statutory review process, will be addressed in accordance with that statutory process.

In accordance with sections 107(1)(c) and (f) of the Local Government Act 2020, Council may only exercise its discretion to refuse to deal with such a complaint where:

1. the complainant has expressed a preference for the complaint to be handled in accordance with this policy instead; and
2. the CEO agrees that under the circumstances, it is appropriate to do so.

d. Complaints relating to a breach of privacy

If you believe that there has been a breach of your privacy by the Council, you may make a complaint to Council's Governance Compliance Officer.

For further information in relation to complaints of this nature, please refer to Council's Privacy Policy.

e. Complaints alleging Corrupt Conduct

Where a complaint involves allegations of corrupt conduct of a Council Officer, the matter is to be referred to Council's Public Interest Disclosure Coordinator, or one of the Public Interest Disclosure Officers.

For further information in relation to complaints of this nature, please refer to Council's Public Interest Disclosure Policy.

## RELATED POLICIES AND PROCEDURES

- Managing Workplace Performance and Behaviours 46.CEOD5
- Employees Code of Conduct 46.PRO12
- Councillor Code of Conduct
- Public Interest Disclosure Policy 37.POL9
- Privacy Policy 37.POL12

## RELATED LEGISLATION

- Local Government Act 2020
- Victorian Ombudsman's 'Councils and Complaints' Good Practice Guide
- Public Interest Disclosure Act 2012
- The Victorian Charter of Human Rights and Responsibilities Act 2006
- Privacy and Data Protection Act 2014

## REVIEW

The Manager Corporate Governance is to review this Policy no later than four years from the date of adoption. All reviews will be undertaken in conjunction with the Executive Team, with proposed amendments presented to Council for consideration.



23<sup>rd</sup> February 2021

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**Peter Harriott**  
**Chief Executive Officer**

**Date**