

General Policy**GENERAL COMPLAINTS MANAGEMENT PROCESS POLICY**

- Intent** The *Local Government (Operations) Regulations 2010 (Part 4 – Process for resolving administrative action complaints)* requires Council to adopt by resolution:
- a) a complaints management process that effectively manages complaints from their receipt to their resolution; and
 - b) written policies and procedures supporting the complaints management process.

This policy excludes actions and decisions taken under legislation which provide for separate avenues of appeal, such as decisions made under the *Sustainable Planning Act*, destruction orders for dogs, prosecutions made under Local laws that are appealable to a Magistrates Court and decisions.

- Scope** This policy applies to all administrative action complaints made to the local government.

DEFINITIONS

In this policy the words below are defined as follows:-

“administrative complaint” shall mean dissatisfaction with the level of service provided in regard to the Council's operations, policies, procedures, charges, staff and agents. A customer request is not an administrative complaint but concerns about inaction in respect of a customer request shall constitute an administrative complaint.

PROVISIONS**1. HANDLING OF ADMINISTRATIVE COMPLAINTS****How are administrative complaints made?**

Administrative complaints are usually directed to Council in writing or verbally (in person at Council offices or by phone).

Process for Dealing with Administrative Complaints

Written Administrative Complaints (includes web, facsimile or letter)

1. Upon receipt, the Records Section shall refer the complaint to the appropriate manager for investigation.
2. The manager to whom the complaint is referred for investigation shall forward a letter acknowledging the complaint (within 7 days) which:
 - demonstrates that the subject of the complaint is understood;
 - indicates what will happen next;
3. The manager who is investigating the complaint shall do so as expeditiously as possible.

4. The manager shall advise the complainant, in writing, when action has been completed advising what remedial action (if any) has been taken in respect of the complaint.

Note: In replying to the complainant the manager shall explain that, if the complainant is unhappy with manner in which the complaint has been handled or the result, an appeal may be lodged either internally (by writing to the Council) or externally to either the Office of the Ombudsman or the Crime and Misconduct Commission.

Verbal Administrative Complaints

1. The officer who first receives complaint (either by phone or over the counter) shall refer the matter to the appropriate manager for attention.
2. The manager shall:
 - record the details of the complaint on the Complaint Form;
 - confirm with complainant the accuracy of what has been recorded;
 - explain what will happen next;
 - investigate the complaint as expeditiously as possible and recommend/take remedial action;
 - inform the complainant of the remedial action taken.

Note 1: In those cases where a complaint is received verbally which relates to a staff matter, the complainant is to be advised that the complaint must be lodged in writing.

Note 2: In informing the complainant of the action taken, the manager shall explain that, if the complainant is unhappy with manner in which the complaint has been handled or the result, an appeal may be lodged either internally (by writing to the Council) or to either the Office of the Ombudsman or the Crime and Misconduct Commission.

Appeal Process

If a complainant is not satisfied with the manner in which a complaint was handled or the remedial action taken, an appeal may be lodged.

There is basically a two (2) stage appeal process; internal and/or external.

Internal Appeals

Who will conduct internal appeals?

The following positions are responsible for reviewing complaints as a result of an appeal:

<i>Review Officer</i>	<i>for complaints relating to investigation by:</i>
Mayor	Chief Executive Officer (CEO)
CEO or General Manager (GM)	GM or Manager

How will an internal review be conducted?

1. The reviewing officer will investigate the manner in which the complaint was originally handled and the remedial action taken.
2. If, after investigation, the reviewing officer is satisfied with the process and the remedial action taken, he/she will inform the complainant accordingly.

3. If the reviewing officer is not satisfied with the manner in which the complaint was handled or the remedial action taken, he/she will:

- counsel the officer who initially handled the complaint;
- institute action to achieve the desired result;
- inform the complainant of the outcome of his/her review.

4. In the case of reviews undertaken by the CEO or GM, he/she will inform the Mayor.

Note: In replying to the complainant, the reviewing officer shall explain that, if the complainant is unhappy with manner in which the complaint has been handled or the result, an appeal may be lodged with either the Office of the Ombudsman or the Crime and Misconduct Commission.

External Appeals

If a person feels that the Council has not properly dealt with a complaint internally, that person may wish to refer the matter to any of the following Appeal Agencies:

The Office of the Ombudsman
GPO Box 3314
BRISBANE Q 4001
Telephone: (07) 30057000
Facsimile: (07) 30057067

Crime and Misconduct Commission
GPO Box 3123
Brisbane Q 4001
Telephone: (07) 33606060
Toll Free: 1800 061 611
Facsimile: (07) 33606333

2. MONITORING AND REVIEW

How are administrative complaints recorded

A register of all administrative complaints will be maintained by Council and a quarterly report will be provided to the Chief Executive Officer

Upon written request to the Chief Executive Officer, a member of the public may inspect the register.

In accordance with the requirements of the Local Government (Finance, Plans and Reporting) Regulations 2010 a report will be included in Council's annual report relating to administrative complaints.

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This process is to remain in force until otherwise determined by Council.

General Manager Responsible for Review: Corporate Services

ORIGINALLY ADOPTED: 9/03/2006

CURRENT ADOPTION: 13/07/2011

DUE FOR REVISION: 13/07/2015

REVOKED/SUPERSEDED: