

# Complaints Handling Policy

## Purpose

### Customer Experience Strategy

A positive customer experience is of the highest importance to Darebin City Council as we continue to improve our customer experience capabilities.

The launching of a complaint handling policy and procedure will be a significant benefit to the customer and the organisation. It will allow us to drive improvements in customer experience and strengthen the brand and reputation of Darebin City Council.

Once the policy and procedure has been developed the focus will be on embedding the policy across the organisation and driving the principles of good complaint handling through our day to day activities and values.

### Introduction

Darebin City Council (Council) is committed to being accessible, equitable, inclusive and responsive to the needs of our diverse community. We welcome feedback as an opportunity to improve our services and performance. Customers are encouraged to provide feedback, compliments, suggestions or complaints in a manner that is easy and appropriate to them.

The opportunity to receive and address complaints is important because it allows us to build rapport and understanding with our community, while also managing our reputation. Through the feedback, complaints and suggestions we receive, we are provided with an important insight of the lived experience of our community members.

A complaint can be related to a service we provide or the behaviour of our staff. Recording, responding to, reporting on and learning from complaints ensures we are responsive, timely, accountable and committed to delivering excellent customer service.

This policy provides a guide for how we will handle complaints from the community and ensures a fair and equitable approach towards the resolution of issues.

We will work with complainants to find a mutually agreeable resolution or let them know their rights to appeal if they are not satisfied with the outcome.

### Objectives

This policy is designed to provide Council staff, residents, citizens, service users and stakeholders with an understanding of how complaints are handled, and aims to:

- Inform potential complainants about the procedure.
- Ensure an open and transparent complaints handling system.
- Ensure staff handle complaints fairly and objectively.
- Establish our timeframes for resolving complaints.
- Drive continuous improvement and a learning culture
- Comply with the Local Government Act 2020

<p><b>Scope</b></p>	<p>This policy applies to all Council staff and third-party contractors carrying out services on Council's behalf.</p> <p>This policy does not apply to complaints that are required to be handled according to the requirements of other legislation or policies, such as:</p> <ul style="list-style-type: none"> <li>• Infringements</li> <li>• Planning matters</li> <li>• Health</li> <li>• Building</li> <li>• Human Rights</li> <li>• Child Safe Standards</li> <li>• Public Interest Disclosures</li> <li>• Breach of Local Government Act</li> <li>• Aged and Disability Service Delivery Business Unit</li> </ul> <p>Where a complaint does not fall within Council's responsibility, we will direct the customer to the appropriate authority or organisation for resolution.</p> <p>Some complaints may be critical in nature and require immediate action by Council.</p> <p>This policy does not apply to complaints about individual Councillors.</p>
<p><b>Definitions and Abbreviations</b></p>	<p><b>Complaint:</b> an expression of dissatisfaction with the quality of an action taken, decision made, or service provided by Darebin City Council or its contractor, or a delay or failure in providing a service, taking an action, or planning by Darebin City Council or its contractor.</p> <p><b>Complainant:</b> the person, organisation or representative making the complaint. This may include residents of the City of Darebin. the public, potential residents, citizens, service user, stakeholders, business owners, rate payers, students, organisations, agencies and visitors.</p> <p><b>Customer:</b> the public, residents, potential residents, citizens, service user, stakeholders, business owners, potential residents, rate payers, students, organisations, agencies and visitors.</p> <p><b>Public Interest Disclosure:</b> are reports about improper conduct of public bodies or public officers (such as corrupt conduct) or detrimental action that a public officer or public body has taken against a person in reprisal for them (or another person) having made a public interest disclosure or cooperated with the investigation of a public interest disclosure.</p>
<p><b>Policy Statement(s)</b></p>	<p><b>Guiding Principles</b></p> <p>This policy is based on seven guiding principles:</p> <p><b>1. Commitment</b></p> <p>We recognise customers' right to complain and we are committed to resolving the complaints we receive. We consider complaints handling to be part of our core responsibility to serve the Darebin community to continually improve service delivery, so our services are accessible, quality, equitable, inclusive and responsive.</p> <p><b>2. Accessibility</b></p> <p>Regardless of their needs (language other than English, disability or impairment, educational level, 'digital divide' or other), people can easily find out how to complain to Council, and we actively and respectfully assist them with the complaints process.</p>

### **3. Transparency**

The complaints handling system clearly sets out how to lodge a complaint, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

### **4. Objectivity and Fairness**

Complaints are dealt with courteously, respectfully and impartially, within established timeframes and are assessed on merit and facts, while paying attention to particular circumstances of hardship or other barriers to equity that the complainant might face. Any conflict of interest should be declared at the start of the complaint and the complaint referred to another Officer.

### **5. Confidentiality**

The complaints handling system protects the personal information of people making a complaint, in accordance with our obligations under privacy laws and internal policy. We provide clear information about how we handle personal information. Complaint data is de-identified if reported on more widely. Our staff and contractors are only informed should their expertise or knowledge be required to resolve the complaint.

### **6. Accountability**

We are accountable, both internally and externally, for our decision making and complaints handling performance. We provide explanations and reasons for decisions, and ensure our decisions are subject to appropriate review processes.

### **7. Continuous Improvement**

We act on complaints promptly, as set out in this policy. We regularly analyse complaints data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

## **What is a 'complaint'?**

A complaint includes a communication (verbal or written) to Council which expresses dissatisfaction about:

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

A request for service is an issue that needs to be addressed by Council. These will be actioned as per usual business processes.

The below table provides an example of a request for service compared to a complaint.

<b>Complaint to be dealt with according to Council's complaint handling policy</b>	<b>Request for service</b>
Council has said the neighbour's barking dog isn't breaching any noise laws, but I think the council is wrong and they just haven't investigated the situation properly.	My neighbour's dog keeps barking and I can't sleep. Can council do something about it?
I called last week about a tree branch on the footpath. It's still there and I don't understand why Council hasn't picked it up yet: I want to take this further.	My neighbour has branches overhanging on the footpath and Council should do something about it.
I would like to complain about a cat cage which was promised two weeks ago, and I have not heard anything.	I would like to complaint about a stray cat that is roaming in my backyard.

*\*Some category of complaints may be managed via the standard process if this results in a better customer outcome and quicker response. For example, a missed bin. These will still be reported as complaints and reviewed accordingly.*

## How to make a complaint

Customers may contact us by their preferred method to lodge a complaint. We accept complaints from authorised representatives if a person is unable or does not want to lodge a complaint themselves.

### Mail:

Complaint Management  
Darebin City Council  
PO Box 91  
Preston Vic 3072

### Telephone:

Customer Service team 03 8470 8888  
National Relay Service 133 677  
Speak your language 03 8470 8470

### Email:

Complaints Management  
mailbox@darebin.vic.gov.au

### Website:

<https://www.darebin.vic.gov.au/About-Council/Contact-us>

### In person:

Preston Customer Service Centre, **Address: 274 Gower Street, Preston**

Northcote Customer Service Centre, **Address: 32-38 Separation Street, Northcote**

Reservoir Community and Learning Centre, **Address: 23 Edwardes Street, Reservoir**

**Accessibility:**

We aim to remove barriers for people to complain and we:

- Provide a dedicated Multilingual Telephone Line which can be accessed by customers who speak a language other than English available Monday to Friday 8.30am – 5.00pm (Telephone: 8470 8470).
- Support communication with customers through the National Relay Service (TTY Dial 133677; Speak and Listen Call 1300 555 727; relayservice.gov.au enter 03 8470 8888).
- Can provide Auslan sign language interpreters with prior notice.
- Use plain English in all information about the complaints process as well as the process itself.
- Utilise Customer Service staff to provide a face to face explanation of the policy and procedures.

**Council’s Complaint Handling Procedure**

Some complaints may be critical in nature and require immediate action by Council. Where this is not the case Council takes a four-tiered approach to complaint handlings as follows:

<b>1. First Point Resolution</b>
<ul style="list-style-type: none"> <li>• The customer can contact us by their preferred method to lodge a complaint</li> <li>• The Officer will triage the complaint to identify if they can keep, transfer or decline the complaint.</li> <li>• We aim to resolve complaints at the first point of contact. We record all details of the complaint. If we are unable to resolve a complaint at the first point of contact, we will refer it to the relevant department for investigation</li> <li>• We will give a system reference number and let the complainant know expected timeframes and what happens next</li> <li>• All complaints will be acknowledged within two business days</li> <li>• If the complaint does not relate to Council, we can refer the complainant to an appropriate organisation or agency</li> </ul>
<b>2. Investigation</b>
<ul style="list-style-type: none"> <li>• If the frontline staff cannot resolve the complaint, it will be assigned to a council officer for investigation</li> <li>• Council will aim to resolve all complaints within 14 business days</li> <li>• If the complaint cannot be resolved within 14 business days, the assigned officer will advise the complainant of any progress and revised timeframes</li> <li>• Complaints that are not resolved within 14 business days will be subject to review and escalated to ensure a resolution</li> <li>• The council officer will contact the complainant to advise them of the outcome and the reasons for the decision via the customer’s choice of contact method</li> </ul>

- If the Complainant is not satisfied with the outcome, they can request an internal review

### 3. Internal Review

- The internal review is conducted by a senior manager of Council
- The complainant will be provided with acknowledgement of their request for a review within two business days of its receipt
- The reviewing manager will assess and investigate to find a mutually agreeable outcome which may include remedies if appropriate (see section 9 for possible remedies)
- We will endeavour to complete the internal review within five business days
- A written letter outlining the outcome will be provided to the complainant at the conclusion of the review
- The complainant will be advised of options for appeal if the complainant is still not satisfied

### 4. External Review

- If the complainant is not satisfied with the process or outcome of Council's internal review, they have the right to refer the complaint to an external organisation or agency such as the Victorian Ombudsman
- We will endeavour to advise which external organisation is most appropriate and may be one of the following:
  - Victorian Ombudsman [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)
  - Local Government Inspectorate [www.lgi.vic.gov.au](http://www.lgi.vic.gov.au)
  - Office of the Victorian Information Commission [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)
  - Independent Broad-based Anti-Corruption Commission [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)
  - Victorian Human Rights and Equal Opportunity Commission [www.humanrights.vic.gov.au](http://www.humanrights.vic.gov.au)
  - Victorian Electoral Commission [www.vec.vic.gov.au](http://www.vec.vic.gov.au)

## Service Level Agreements

Council will endeavour to achieve the following Service Level Agreements to ensure we deliver on our commitments, provide timely resolutions and provide a great customer experience.

Area	Council Commitment
Acknowledge the complaint with the complainant	Within 2 business days
Investigate and resolve the complaint advising complainant of the outcome	Within 14 business days

Provide updates to the complainant on the progress of the investigation	Minimum once a week
If the complaint cannot be resolved within 14 days, the officer will advise the complainant of the revised timeframes	Within 5 business days
Acknowledge the request for an Internal review with the complainant	Within 2 business days
Complete internal review and advise complainant of outcome	Within 5 business

*\*Some areas of the business may have specific service levels agreements for service types which are required by legislations. These will be communicated to the complainant.*

## **Other complaint avenues**

### **Anonymous complaints**

We will accept anonymous complaints and thoroughly investigate the issue utilising all available information. Council are unable to provide feedback, responses or information on the outcome of an anonymous complaint.

### **Complaints received by councillors**

When a councillor receives a complaint from a member of the public, he or she will refer it to the CEO's Office or a relevant General Manager. Councillors will follow the protocols for interacting with Council staff as defined in the Local Government Act 2020. The Councillor may wish to write to the customer confirming the complaint has been referred to Council administration for response. Council staff will then respond to the complaint in accordance with this policy. A council officer may sign the outcome letter.

### **Complaints about specific matters – alternative procedure**

#### **Disclosures about improper conduct, including corrupt conduct**

Alleged improper conduct, which includes corrupt conduct, can be reported as Public Interest Disclosures. Disclosures may be made to the Council's Public Interest Disclosures Coordinator, Public Interest Disclosures Officer or the CEO, and they will be handled in accordance with Council's Public Interest Disclosures Act Procedure. Public Interest Disclosures may also be made directly to IBAC or the Victorian Ombudsman.

If a Public Interest Disclosure is about alleged improper conduct by a Councillor, the report must be made to IBAC or the Victorian Ombudsman.

#### **Complaints about Councillors**

Complaints about Councillors will be dealt with in accordance with the relevant legislation and procedures (ie the Local Government Act 2020, Public Interest Disclosure Act 2012 and the City of Darebin Public Interest Disclosures Procedures ) – depending on the nature of the complaint and whether it comes from a member of the public, a member of Council staff, another Councillor or from a group of Councillors. There are a range of external integrity agencies that deal with complaints regarding Councillors, depending on the nature of the complaint. These include the Victorian Ombudsman, IBAC and the Local Government Inspectorate. In the first instance a complaint about a Councillor should be directed to the

Manager Governance & Corporate Strategy who will undertake a preliminary assessment of the complaint and assist the complainant(s) to progress the matter.

### **Complaints about Staff**

Complaints about a member of Council staff or a volunteer will be referred to the relevant Manager in the first instance or the Chief Integrity and Conduct Officer where appropriate. The complaint will be investigated in accordance with the Staff Disciplinary and Investigation Procedure.

### **Complaints about the Chief Executive Officer**

Complaints about the Chief Executive Officer will be referred to the Mayor and handled in accordance with the Local Government Act 2020, Public Interest Disclosure Act 2012 and City of Darebin Public Interest Disclosures Procedures.

### **Remedies**

Where we have found that we have made an error, we will always offer an acknowledgement and apology to the complainant. This is irrespective of whether the complainant specifically requests this.

We will also take steps to address the situation. Possible remedies include, but are not limited to:

- an explanation of why the error occurred and the steps taken to prevent it happening again
- a reversal of a decision
- a refund, ex gratia payment or compensation
- a change in policy, procedure or practice
- disciplinary action
- providing the means of redress requested by the complainant
- referral to another agency

### **Privacy and confidentiality**

We keep your personal information secure. We use your information to respond to your complaint and may also analyse the information you have provided for the purpose of improving services that relate to your complaint.

When gathering information to respond to a complaint, we will only:

- Use it to deal with the complaint or to address systemic issues arising from the complaint.
- Release the information in a de-identified format when disclosing data to the public.
- Share the information with Council staff on a need to know basis.

Details about how we collect and use personal information can be found in the Darebin City Council's *Information Privacy Policy 2015*.

## **Recording and reporting on performance**

All complaints made to Council are recorded in our centralised system. This enables us to monitor progress to ensure complaints are resolved within the agreed timeframes and to the customer's satisfaction.

Audits will be randomly conducted to ensure the policy and procedure are being adhered to and to obtain feedback from the customer on the process.

Complaints data will be reported quarterly to the Executive Management Team and in stage two we will commence reporting annually to the public in the Darebin City Council Annual Report. Complaints data is anonymised and used to show information such as:

- Volume of complaints received
- theme or nature of complaint
- number of complaints that progressed to internal review
- number of complaints received by each department
- number of complaints resolved within the service level agreement
- Customer satisfaction

To measure performance, we will analyse our complaint data to identify areas of opportunity to improve our services, reduce complaint volume and improve the customer experience. Senior management is responsible for acting on the recommendations in these reports.

We will also detail any service improvements made as a result of complaints received.

## **Unreasonable complainant conduct**

Most complainants who lodge a complaint with Council act reasonably and responsibly in their interactions with us. We expect customers to:

- treat us in a courteous and respectful manner
- respect the privacy, safety and needs of other members of the community
- provide us with the information we need and as required by statutory authorities.

Unreasonable complainant conduct is any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for our organisation, our staff, other service users or the complainant themselves.

Some complainant behaviour will be inappropriate and unacceptable in the following modes:

- unreasonable persistence – e.g. contacting different Council officers in an attempt to get a different outcome, reframing a complaint that has been resolved, asking for a review without presenting an argument
- Unreasonable frequent enquiries and requests – e.g. frequent enquiries that put unreasonable demands on resources and impact staff and other service users
- unreasonable demands – e.g. issuing demands about how Council should handle the complaint and its priority, insisting on outcomes that are not possible or appropriate
- unreasonable lack of cooperation – e.g. not providing sufficient detail or evidence as required for investigation, not defining the core issue of the complaint
- unreasonable arguments – e.g. false, defamatory or inflammatory, failure to follow logical sequence, trivial compared to the time demanded by the complainant
- unreasonable behaviours – e.g. acts of aggression, harassment, threats, stalking.

	<p>Unreasonable complainant conduct will be monitored and recorded by the Customer Service Management Team. Where the Customer Service Management Team has identified a complainant has become unreasonable under the above definition, they will refer this issue to the relevant senior manager.</p> <p>The senior manager has the responsibility and authority to restrict access for the complainant, and may apply one or more of the following limitations:</p> <ul style="list-style-type: none"> <li>• Who the complainant has contact with – limiting a complainant to a sole contact person/staff member in our organisation?</li> <li>• What the complainant can raise with us – restricting the subject matter of communications that we will consider and respond to</li> <li>• When the complainant can have contact –limiting a complainant’s contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us</li> <li>• Where the complainant can make contact – limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office</li> <li>• How the complainant can make contact – limiting or modifying the forms of contact that the complainant can have with us.</li> </ul> <p>Before limiting contact, Council will consider the Victorian Charter of Human Rights and Responsibilities Act 2006 and any other legal obligations. Council will ensure that limits imposed on customers are proportionate to the conduct.</p> <p>Initial restrictions may be reviewed, and further restrictions applied if the complainant fails to follow the measures put in place.</p> <p>The Complainant will be informed in writing of the measures being implemented, the reason for the measures and the effective date. A review of restrictions will occur at least six months to consider whether it is appropriate to retain the restrictions.</p> <p>If the complainant is not satisfied with the restrictions, they have the right to refer the complaint to an external organisation or agency such as the Victorian Ombudsman.</p>				
<p><b>Responsibilities</b></p>	<p>All Council staff, Councillors and Council contractors are responsible for contributing to our complaints process.</p> <p><b>How are individuals responsible for the success of the policy?</b></p> <p>All employees are expected to read and understand this policy and to work within their teams to support and enable.</p> <p><b>How are managers responsible for the success of the policy?</b></p> <p>All Direct Managers are expected to understand, effectively implement and both support and demonstrate a positive commitment to the policy.</p>				
<p><b>Organisational Values</b></p>	<p>Council’s organisational values enable and support the effective design and application of this policy by guiding staff in the course of their work.</p> <table border="1" data-bbox="383 1836 1522 2072"> <tr> <td data-bbox="383 1836 1005 2016"> <p><b>We Make a Difference:</b> We are driven by our desire to make a difference for the people we serve. Our work is purposeful and creates a positive impact for the community. We are proud to work here. Our work matters.</p> </td> <td data-bbox="1008 1836 1522 2016"> <p><b>We have Integrity:</b> We act with integrity and transparency in conversations and decision-making. Through open and clear communication, we build trust. We’re honest. We walk the talk.</p> </td> </tr> <tr> <td data-bbox="383 2020 1005 2072"> <p><b>We are Accountable:</b> We are empowered to own and take responsibility for our actions. We follow</p> </td> <td data-bbox="1008 2020 1522 2072"> <p><b>We show Respect:</b> We are diverse, inclusive, respectful and caring. We</p> </td> </tr> </table>	<p><b>We Make a Difference:</b> We are driven by our desire to make a difference for the people we serve. Our work is purposeful and creates a positive impact for the community. We are proud to work here. Our work matters.</p>	<p><b>We have Integrity:</b> We act with integrity and transparency in conversations and decision-making. Through open and clear communication, we build trust. We’re honest. We walk the talk.</p>	<p><b>We are Accountable:</b> We are empowered to own and take responsibility for our actions. We follow</p>	<p><b>We show Respect:</b> We are diverse, inclusive, respectful and caring. We</p>
<p><b>We Make a Difference:</b> We are driven by our desire to make a difference for the people we serve. Our work is purposeful and creates a positive impact for the community. We are proud to work here. Our work matters.</p>	<p><b>We have Integrity:</b> We act with integrity and transparency in conversations and decision-making. Through open and clear communication, we build trust. We’re honest. We walk the talk.</p>				
<p><b>We are Accountable:</b> We are empowered to own and take responsibility for our actions. We follow</p>	<p><b>We show Respect:</b> We are diverse, inclusive, respectful and caring. We</p>				

	<p>through on our commitments and deliver on our promises. We make it happen.</p> <p><b>We are Collaborative:</b> We are united by a common purpose to serve the community. We work together, connecting within our teams and across the organisation. We are inclusive and collaborative. We are one.</p>	<p>encourage everyone to have a voice and we listen to each other. We recognise one another's contributions and treat people fairly. We look after each other.</p> <p><b>We are Creative:</b> We are bold, courageous and innovative. We try new things, experiment and continuously improve. We are open-minded, creative and forward-thinking. We are leaders.</p>
<b>Breach of Policy</b>	Breaches of policies are treated seriously. Any concerns about non-compliance should be reported immediately to the owner of this policy.	

## GOVERNANCE

<b>Parent Strategy/ Plan</b>	Customer Experience Strategy
<b>Related Documents</b>	<p>This policy should be read in conjunction with Council's:</p> <ul style="list-style-type: none"> <li>• <i>Towards Equality – Council's Equity, Inclusion and Human Rights Framework 2019-2029 (draft)</i></li> <li>• <i>Age and Disability Process for handling feedback</i></li> <li>• <i>Safeguarding Children Policy</i></li> </ul> <p>These can be accessed from the intranet.</p>
<b>Supporting Procedures and Guidelines</b>	<p>The following Handle Customer Complaints Procedure can be accessed here: <a href="https://au.promapp.com/darebin/Process/Minimode/Permalink/Cv0SWpLgQUUKoYzaonXY04">https://au.promapp.com/darebin/Process/Minimode/Permalink/Cv0SWpLgQUUKoYzaonXY04</a></p> <p>The following guides will assist with implementing the policy:</p> <ul style="list-style-type: none"> <li>• Complaint Handling Policy quick reference guide</li> <li>• Pathway step by step guides</li> <li>• Toolkit supporting documents</li> </ul> <p>These can be accessed from the intranet. <a href="http://dnet.darebin.vic.gov.au/Process-Support/Customer-Experience/Complaint-Handling-Policy-and-Procedure">http://dnet.darebin.vic.gov.au/Process-Support/Customer-Experience/Complaint-Handling-Policy-and-Procedure</a></p>
<b>Legislation/ Regulation</b>	<ul style="list-style-type: none"> <li>• Charter of Human Rights and Responsibilities Act 2006 (Vic)</li> <li>• Disability Discrimination Act 1992</li> <li>• Freedom of Information Act 1982</li> <li>• Privacy and Data Protection Act 2014 (Vic)</li> <li>• Local Government Act 2020 (Vic)</li> <li>• Public Interest Disclosures Act 2012</li> <li>• Equal Opportunity Act 2010 (Vic)</li> </ul>
<b>Author</b>	Coordinator Customer Service
<b>Policy Owner/ Sponsor</b>	General Manager, Governance and Engagement
<b>Date Effective</b>	01 November 2020

<b>Review Date</b>	Nov 2023
<b>Version Number</b>	V17 October 2021
<b>Document ID</b>	A6153859
<b>Content enquiries</b>	Coordinator Customer Service

! All Darebin policies and procedures must be developed through the lens of key Darebin strategies, plans and related considerations. See the **Darebin Policy Review Lens** to inform and guide policy development and review.