

Complaints Handling Policy

Purpose

The purpose of this policy is to:

- outline how Darebin City Council manages customer complaints provide a framework for the open, fair, objective and transparent handling of complaints received from the community
- maintain high standards of good governance and transparency; and ensure alignment with the *Local Government Act 2020*

Scope

This policy is applicable to all members of Council staff, volunteers and contractors.

This policy applies to all external complaints from the community about Council services, employees, contractors, volunteers, councillors and decisions made at Council meetings.

This policy does not apply to complaints that are required to be handled according to the requirements of other legislation or policies, such as:

- Infringements
- Planning matters and enforcement
- Health
- Building
- Human Rights
- Child Safe Standards
- Public Interest Disclosures
- Breach of Local Government Act
- Aged and Disability Service Delivery Business Unit
- Disputes between councillors

Disputes between councillors and Darebin employees Where a complaint does not fall within Council's responsibility, we will direct the customer to the appropriate authority or organisation for resolution.

Definitions and abbreviations

Act: means the *Local Government Act 2020*.

Chief Executive Officer (CEO) means the person appointed by Council to be its CEO, or any person acting in that position.

City means the Darebin City Council, being a body corporate constituted as a municipal Council under the Act.

Complaint: A complaint is communication (verbal or written) to Council which expresses dissatisfaction about:

- the quality of an action, decision or service provided by Council officers, a Council contractor, volunteers, a councillor, a group of councillors
- inaction or 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.

	<p>Complaint handling process means the way individual complaints are received and dealt with by the Council, including policy, procedure, technology, reporting, evaluation and improvement.</p> <p>Complainant: the person, organisation or representative making the complaint. This may include residents of the City of Darebin, the public, potential residents, citizens, service users, stakeholders, business owners, rate payers, students, organisations, agencies and visitors.</p> <p>Council means the Darebin City Council.</p> <p>Councillor means a person holding the office of Councillor of Darebin City Council.</p> <p>Councillor Conduct Officer means the officer appointed by the CEO under the Local Government Act to support the management of complaint relating to conduct.</p> <p>Council staff: any person employed by the Council to carry out the functions of the Council.</p> <p>Contractor: Third parties carrying out services on behalf of the Council</p> <p>Customer: the public, residents, potential residents, citizens, service users, stakeholders, business owners, rate payers, students, organisations, agencies and visitors.</p> <p>Frivolous means a complaint that is of little or no weight, worth, or importance or is not worthy of serious notice.</p> <p>Improper conduct has the meaning as defined in the <i>Public Interest Disclosures Act 2012</i> and includes corruption, criminal conduct or the dishonest performance of public functions.</p> <p>Mayor means the councillor elected to the Office of Mayor of the City or any person appointed by Council to be acting as Mayor.</p> <p>Misconduct is defined by the Act and means any breach by a councillor of the standards of conduct.</p> <p>Municipality means the Darebin City Council municipality.</p> <p>Request for Service - A routine request asking Council to do something it normally does – for example fix a pothole or trim a street tree. These will be actioned as per usual business processes.</p> <p>Resolution: A complaint is resolved after an initial investigation has taken place and the customer has been updated with the outcome. The outcome could be a service recovery action that has or will take place or an explanation for why no action will be taken. This could also include advising the customer if Council is not the responsible authority.</p> <p>Vexatious means a complaint that is without reasonable foundation, is instituted without sufficient grounds and serves only to cause annoyance.</p>
Policy statement(s)	<p>Darebin City Council sees complaints as a valuable opportunity to improve the way we operate and the services we provide. We encourage people to contact us when they have a problem with our services, actions, decisions, and policies.</p> <p>We are committed to:</p> <ul style="list-style-type: none"> • enabling members of the public to make complaints about the Council

	<ul style="list-style-type: none"> • responding to complaints by taking action to resolve complaints as effectively and quickly as possible • learning from complaints to improve our services. <p>We recognise that people using our services have diverse backgrounds and needs and we are committed to responding to the needs of our diverse community in a way that is accessible, fair, and inclusive.</p> <p>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.</p>
Guiding principles	<p>The Policy is based on the following seven guiding principles to ensure a fair, equitable and customer-focused resolutions of complaints.</p> <ol style="list-style-type: none"> 1. Commitment <p>We recognise customers' right to make a complaint, and we are committed to resolving the complaints we receive. We consider complaint 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> 2. Accessibility <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 <p>Transparency means that all facets of the complaints policy are easily accessible, and the process clearly sets out how to lodge a complaint, where to complain, and how the complaint will be handled.</p> 4. Objectivity and Fairness <p>Complaints are dealt with courteously, respectfully and impartially, within established timeframes and are assessed on merit and facts, while paying attention to 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.</p> 5. Confidentiality <p>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.</p> 6. Accountability <p>We are accountable, both internally and externally for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure our decisions are subject to appropriate review processes.</p> 7. Continuous Improvement

	<p>We act on complaints promptly, as set out in this policy. We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes when appropriate. We train our staff on these principles and enhance their ongoing development through insights gained from complaint handling.</p>
Who can make a complaint?	<ul style="list-style-type: none"> Any member of the public, including community group members or advisory groups, can make a complaint. For the purposes of this Policy, members of Advisory Committees are considered to be members of the public and not employees, even if they are remunerated for their role. Council employees <u>cannot</u> make a complaint under this Policy. They must raise their complaint with their General Manager or Council's Public Interest Disclosure Coordinator if they are concerned about alleged improper conduct. <p>A complainant may use an advocate or authorised personal representative to progress their complaint provided the authorisation is in writing.</p>
What can the community expect from us when making a complaint	<p>Some complaints may be critical in nature and require immediate action by Council. Where this is not the case Council takes a four staged approach to complaint handlings as follows:</p> <p>Stage 1 – First Point Resolution</p> <p>Council always seeks to resolve a customer's complaint at the first point of contact. If we are unable to resolve the complaint at first point of contact we will commence investigating the complaint.</p> <p>Stage 2 – Investigation</p> <p>Council will investigate by reviewing the details of the complaint alongside any relevant laws, policies, and procedures.</p> <p>We'll also refer to Council records and may get in touch with you to ask for more information if needed.</p> <p>Throughout the process, we'll keep you informed about how long it's likely to take and let you know if anything changes.</p> <p>Complaints about a member of Council staff or a volunteer will be referred to the relevant Manager in the first instance or the Chief People Officer where appropriate. The complaint will be investigated in accordance with the Employee Code of Conduct and other relevant policies.</p> <p>Complaints regarding a Councillor will be referred immediately to the Councillor Conduct Officer who will record and acknowledge receipt of the complaint. The specific process can be found in complaints about specific matters – alternative procedures section.</p>

	<p>Stage 3 – Resolution</p> <p>Once we have thoroughly investigated the complaint, we will look at possible solutions. We will explain the outcome and the reasons behind our decision and provide this via your preferred method of communication. (email or phone)</p> <p>In the event we have made an error will offer an apology and an explanation as to why the error occurred and the actions we will take to prevent the error from happening again.</p> <p>Stage 4 – Internal Review</p> <p>If you're not satisfied with our decision or how we handled your complaint, you can ask for an internal review.</p> <p>We'll take a fresh look at your complaint and how it was managed, to make sure it was handled fairly and in line with our processes. Once the review is complete, we'll let you know the outcome and clearly explain the reasons behind our decision.</p> <p>The review will be carried out by an officer independent of the officer who originally handled the complaint and who has been nominated by a Manager or the Customer Resolutions Manager.</p> <p>Stage 5 – External Review</p> <p>Darebin accepts that it cannot always resolve complaints to the customer's satisfaction. If a customer is unhappy with the outcome of Darebin's internal review, we will provide contact information for the most appropriate external organisation. These may include one or more of the following:</p> <ul style="list-style-type: none"> • Victorian Ombudsman www.ombudsman.vic.gov.au • Local Government Inspectorate www.lgi.vic.gov.au • Office of the Victorian Information Commission www.ovic.vic.gov.au • Independent Broad-based Anti-Corruption Commission www.ibac.vic.gov.au • Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au Victorian Electoral Commission www.vec.vic.gov.au
Anonymous complaints	<p>Anonymous complaints about a councillor will not be accepted but Council will accept other anonymous complaints.</p> <p>Council will thoroughly investigate the issue utilising all available information. Council may be limited in what actions they can take based on the information provided. Council is unable to provide a responses or information on the outcome.</p>
Service level agreements	<p>To ensure we resolve issues promptly and deliver a great customer experience, Council aims to meet the following response times. At times where we cannot achieve these timelines due to circumstances outside our control, we will provide an update as soon as possible.</p>

	<table><tr><th>Action</th><th>Response Times</th></tr><tr><td>Acknowledge the complaint or request for an internal review</td><td>At the first point of contact or within 2 business days</td></tr><tr><td>Investigate and resolve the complaint advising of the outcome</td><td>Within 21 business days</td></tr><tr><td>Complete internal review and advise of the outcome</td><td>Within 21 business days</td></tr><tr><td colspan="2"><i>*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.</i></td></tr></table>	Action	Response Times	Acknowledge the complaint or request for an internal review	At the first point of contact or within 2 business days	Investigate and resolve the complaint advising of the outcome	Within 21 business days	Complete internal review and advise of the outcome	Within 21 business days	<i>*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.</i>	
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Complaints about specific matters – alternative procedures	Some types of complaints need to follow a specific statutory or regulatory process and therefore are not covered by this policy.										
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		<p>Local Government Inspectorate</p> <p>The Inspectorate accepts complaints about council operations and potential breaches of the Local Government Act, including:</p> <ul style="list-style-type: none"> • misuse of position • conflict of interest • disclosure of confidential information • electoral offences <p>The Inspectorate does not investigate complaints relating to councils' decisions or democratic processes, unless there is a breach of the Act. It does not look at services issues such as bins not being collected, rate charges being too high or parking infringements.</p> <p>www.vic.gov.au/lgi/complaints or 1800 469 359</p> <p>Victorian Ombudsman</p> <p>The Ombudsman investigates the actions, decisions or conduct of public sector organisations and their staff. It also looks at whether a public sector organisation has acted in accordance with the <i>Charter of Human Rights and Responsibilities Act 2006</i>.</p> <p>The Ombudsman will generally not become involved in a complaint when:</p> <ul style="list-style-type: none"> • you have not yet attempted to resolve it with the organisation directly • the matter may be decided by a court or tribunal • the complaint is more than 12-months old <p>www.ombudsman.vic.gov.au/complaints or (03) 9613 6222</p> <p>Victoria Police</p> <p>Allegations of criminal offences will be referred to Victoria Police for investigation.</p> <p><i>** In the event that the complaint is about the Mayor, an independent adviser will be appointed.</i></p>
	<p>Complaints about the Chief Executive Officer</p>	<p>Complaints regarding 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.</p>
	<p>Complaints or reports or allegations concerning abuse harm or neglect of a child or young person by an employee, Councillors,</p>	<p>Darebin City Council is required by law to implement Child Safe Standards in order to protect children from harm.</p> <p>If you are concerned about the conduct of a Darebin staff member, volunteer or work experience students towards a child, report it:</p> <p>Darebin City Council Child Safe Officer</p>

	<p>contractor or Volunteer.</p> <p>Complaints about Human Rights</p>	<p>Phone: 03 8470 8575 Email: childsafety@darebin.vic.gov.au</p> <p>Our child safe polices can be found on our website. Safeguarding children City of Darebin Council is committed to protect, fulfil and promote the human rights of all citizens in the City of Darebin</p> <p>Reflecting this commitment, Darebin has developed a step by step guide(PDF, 453KB) to advocating for human rights using the Charter, which can be used by citizens and community groups.</p> <p>Please get in touch with Darebin's Human Rights Officer. By contacting customer service on 8470 8888.</p>
Privacy and confidentiality	<p>Privacy and confidentiality</p> <p>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.</p> <p>When gathering information to respond to a complaint, we will only:</p> <ul style="list-style-type: none"> • 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. <p>Details about how we collect and use personal information can be found in the Darebin City Council's <i>Information Privacy Policy 2020</i>.</p> <p>Councillor/s who are the subject of a complaint will be notified if the complaint does not appear to breach the Code of Conduct or require referral to external agencies. The Councillor will be supported to resolve the issue with the customer.</p> <p>Serious complaints such as those to be referred to external agencies will remain confidential.</p>	
Acknowledging our mistakes	<p>Where Council has made an error, steps will be taken to address the situation, offering an apology and explanation as to why the error occurred and the actions taken to prevent it happening again.</p>	
How we learn from complaints	<p>Council monitors the volume, response times and types of complaints via our complaint management system. This data provides valuable information and insights on how we are performing and the opportunities to improve our services.</p> <p>We analyse our complaint data to identify trends and potential issues that require further attention. We use this information to come up with solutions about how we can improve our services and how we can improve our overall customer experience.</p> <p>We provide our staff with comprehensive training on these principles and support their ongoing development by incorporating lessons learned from past complaints.</p>	

	<p>We are open and transparent about the complaints we have received, and what we have done to resolve them. We publish our complaint data in our annual report.</p>
<p>Unreasonable complainant conduct</p>	<p>Most complainants who lodge a complaint with Council act reasonably and responsibly in their interactions with us. We expect customers to:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>Unreasonable complainant conduct will be managed via council's Complex Customer Behaviour Policy.</p>
<p>How to make a complaint</p>	<p>Any member of the public can make a complaint. Complaints can be made by:</p> <p>Mail: Customer Resolutions Darebin City Council PO Box 91 Preston Vic 3072</p> <p>Telephone: Customer Service team 03 8470 8888 National Relay Service 133 677 Speak your language 03 8470 8470</p> <p>Email: Customer Resolutions mailbox@darebin.vic.gov.au</p> <p>Website: https://www.darebin.vic.gov.au/About-Council/Contact-us</p> <p>In person:</p> <p>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</p>
<p>Accessibility:</p>	<p>We are committed to ensuring our complaints process is accessible to everyone. Tell us if you have specific communication needs or barriers, and we can assist you by:</p>

	<ul style="list-style-type: none"> • 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). • 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. 	
Responsibilities	<p>Delivering great customer experience is the responsibility of everyone at Council and all. Council staff, Councillors and Council contractors are responsible for contributing to the complaints process.</p> <p>How are individuals responsible for the success of the policy?</p> <p>All employees are expected to read and understand this policy and to work within their teams to support and enable its implementation.</p> <p>How are senior leaders responsible for the success of the policy?</p> <p>All senior leaders are expected to understand, effectively implement and both support and demonstrate a positive commitment to the policy.</p> <p>How are Councillors responsible for the success of the policy?</p> <p>Councillors should familiarise themselves with this policy and refer community members directly to Council to submit a complaint.</p>	
Organisational values	<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>	<p>We Make a Difference: 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>We are Accountable: We are empowered to own and take responsibility for our actions. We follow through on our commitments and deliver on our promises. We make it happen.</p> <p>We are Collaborative: 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>

Breach of policy	Breaches of policies are treated seriously. Any concerns about non-compliance should be reported immediately to the owner of this policy.
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GOVERNANCE

Parent Strategy/ Plan	Customer Experience Strategy
Supporting Procedures and Guidelines	<p>This following internal procedure document supports the implementation of this policy across the organisation.</p> <ul style="list-style-type: none"> Complaint Handling Procedure
Related Documents	<p>This policy should be read in conjunction with:</p> <ul style="list-style-type: none"> Victorian Ombudsman: Councils and complaints – A good practice guide 2nd edition Managing Complex Customer Behaviour Policy Model Towards Equality – Council's Equity, Inclusion and Human Rights Framework 2019-2029 (draft) Gender Equity and Preventing Violence Against Women Action Plan 2019 – 2023 Aboriginal Cultural Protocols Guide Age and Disability Process for handling feedback Safeguarding Children Policy Employee Code of Conduct Model Councillor Code of Conduct Councillor Internal Dispute Resolution Procedure
Legislation/ Regulation	<ul style="list-style-type: none"> <i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i> <i>Disability Discrimination Act 1992</i> <i>Freedom of Information Act 1982</i> <i>Privacy and Data Protection Act 2014 (Vic)</i> <i>Local Government Act 2020 (Vic) Local Government (Governance and Integrity) Amendment Regulations 2024</i> <i>Public Interest Disclosures Act 2012</i> <i>Equal Opportunity Act 2010 (Vic)</i>
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