

# COMPLAINT HANDLING

## Policy | Integrated Risk Management

To ensure that complaints are handled fairly, efficiently and effectively

|                              |  |                     |                   |
|------------------------------|--|---------------------|-------------------|
| <b>Policy No:</b>            | POL/40007                                  | <b>Version:</b>     | 6                 |
| <b>Service Unit:</b>         | Integrated Risk Management                 |                     |                   |
| <b>Responsible Officer:</b>  | Coordinator Governance                     |                     |                   |
| <b>Responsible Director:</b> | Director Organisation & Community Capacity |                     |                   |
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# 1 Background

## 1.1 Title of the Policy and Commencement Date

The Complaint Handling Policy takes effect from the date of adoption by Council.

## 1.2 Purpose of the Policy

This policy is intended to ensure that Singleton Council (Council) handles complaints fairly, efficiently and effectively.

Council's complaint management system is intended to:

- Enable Council to respond to issues raised by people making complaints in a timely and cost effective manner;
- Boost public confidence in Council's administrative process; and
- Provide information that can be used by Council to deliver quality improvements in our services, staff performance and complaint handling.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

# 2 Objective

## 2.1 Objectives and Coverage of the Policy

This policy provides members of the community and other customers of Council services the opportunity to make complaints to Council and to ensure that these complaints are handled in accordance with best practice principles.

# 3 Application

## 3.1 Application of this Policy

This policy applies to all staff receiving or managing complaints from the public made to or about Council, regarding our services, staff and complaint handling.

Staff grievances, Code of Conduct complaints and Public Interest Disclosures are dealt with through separate mechanisms.

# 4 Definitions

For the purposes of this policy:

| Term      | Meaning   |
|-----------|---|
| Complaint | Expression of dissatisfaction made to or about Council, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. |



| Term                        | Meaning  |
|-----------------------------|--|
|                             | <p>A complaint covered by this policy can be distinguished from:</p> <ul style="list-style-type: none"> <li>• Staff grievances [see our Grievance and Dispute Resolution Procedure]</li> <li>• Public Interest Disclosures made by Council staff [see Council's Public Interest Disclosures (PID) Internal Reporting Policy]</li> <li>• Code of Conduct complaints [see Council's Code of Conduct]</li> <li>• Responses to requests for feedback about the standard of our service provision [see the definition of 'feedback' below]</li> <li>• Reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of 'feedback' below]</li> <li>• Service requests [see definition of 'service request' below]; and</li> <li>• Requests for information [see Council's website for information on the <i>Government Information Public Access (GIPA) Act, 2009</i>]</li> </ul> |
| Complaint Management System | All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.   |
| Dispute                     | An unresolved complaint escalated either within or outside of Council.   |
| Feedback                    | Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council, about our services or complaint handling where a response is not explicitly or implicitly expected or legally required.   |
| Service Request             | <ul style="list-style-type: none"> <li>• Requests for approval</li> <li>• Requests for action</li> <li>• Routine inquiries about Council's business</li> <li>• Requests for the provision of services and/or assistance</li> <li>• Reports of failure to comply with laws regulated by Council</li> <li>• Requests for explanation of policies, procedures and decisions</li> </ul>  |
| Grievance                   | A clear, formal written statement by an individual staff member about another staff member or a work-related problem.  |
| Policy                      | A statement of instruction that sets out how we should fulfil our vision, mission and goals.   |



| Term                             | Meaning  |
|----------------------------------|--|
| Procedure                        | A statement or instruction that sets out how our policies will be implemented and by whom.   |
| Public Interest Disclosure (PID) | A report about wrongdoing made by a public official in New South Wales that meets the requirements of the <i>Public Interest Disclosures Act, 1994</i> . |

## 5 Principles/Body



### 5.1 Facilitate Complaints

#### 5.1.1 People focus

Council is committed to seeking feedback and receiving complaints about our services, systems, practices, procedures and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable timeframe and in accordance with Council's Customer Service Charter.

People making complaints will be:

- Provided with information about our complaint handling process;
- Provided with multiple and accessible ways to make complaints;
- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate; and
- Provided with reasons for our decision/s and any options for redress or review.

#### 5.1.2 No detriment to people making complaints

Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### 5.1.3 Anonymous complaints

Council accepts anonymous complaints and will carry out an investigation of the issues raised where there is sufficient information provided. It is noted, however, that by making an anonymous complaint Council will be unable to advise of any outcomes or action taken.



#### **5.1.4 Accessibility**

Council will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, we will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (eg. advocate, family member, legal or community representative, Member of Parliament, another organisation).

#### **5.1.5 No charge**

Complaining to Council is free.

### **5.2 Respond to Complaints**

#### **5.2.1 Early resolution**

Where possible, complaints will be resolved at first contact with Singleton Council.

#### **5.2.2 Responsiveness**

We will promptly acknowledge receipt of complaints.

We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and will be escalated appropriately.

We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected timeframes for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

We will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

#### **5.2.3 Objectivity and fairness**

We will address each complaint with integrity and in an equitable, objective and unbiased manner.

We will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.



Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

#### **5.2.4 Responding flexibly**

Council staff are empowered to resolve complaints promptly and with as little formality as possible. We will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

#### **5.2.5 Confidentiality**

We will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Singleton Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

### **5.3 Manage the Parties to a Complaint**

#### **5.3.1 Complaints involving multiple agencies**

Where a complaint involves multiple organisations, we will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. We take complaints not only about the actions of our staff but also the actions of service providers.

#### **5.3.2 Complaints involving multiple parties**

When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group.

#### **5.3.3 Empowerment of staff**

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.





### 5.3.4 Managing unreasonable conduct by people making complaints

We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible
- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints please see Council's Unreasonable Complainant Conduct Policy.

## 6 Complaint Management System

### 6.1 Introduction

When responding to complaints, staff should act in accordance with this policy as well as any other internal documents providing guidance on the management of complaints.

Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in our complaint management system are set out below.



### 6.2 Receipt of Complaints

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- the contact information of the person making a complaint;
- issues raised by the person making a complaint and the outcome/s they want;
- any other relevant information; and
- any additional support the person making a complaint requires.



### 6.3 Acknowledgement of Complaints

We will acknowledge receipt of each complaint promptly, and preferably within three (3) business days of receipt.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

### 6.4 Initial Assessment and Addressing of Complaints

#### 6.4.1 Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control. We will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- How serious, complicated or urgent the complaint is;
- Whether the complaint raises concerns about people's health and safety;
- How the person making the complaint is being affected;
- The risks involved if resolution of the complaint is delayed; and
- Whether a resolution requires the involvement of other organisations.

#### 6.4.2 Addressing complaints

After assessing the complaint, we will consider how to manage it. To manage a complaint, we may:

- Give the person making a complaint information or an explanation;
- Gather information from the service, person or area that the complaint is about; or
- Investigate the claims made in the complaint.

We will also communicate the outcome of the complaint using the most appropriate medium. Any actions we decide to take will be tailored to each case and take into account any statutory requirements.

We will respond to the person making the complaint within 21 days. If it is not possible to respond within 21 days, we will keep the person making the complaint up to date on our progress, particularly if there are any delays and we will advise of the approximate date when a detailed response will be provided.

### 6.5 Providing Reasons for Decision

Following consideration of the complaint and any investigation into the issues raised, we will contact the person making the complaint and advise them of:

- the outcome of the complaint and any action/s we took;
- the reason/s for our decision;
- the remedy or resolution/s that we have proposed or put in place; and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.



If in the course of investigation, we make any adverse findings about a particular individual, we will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act, 1998* and any applicable exemptions in or made pursuant to that Act before sharing our findings with the person making the complaint.

## 6.6 Closing the Complaint, Record Keeping, Redress and Review

We will keep comprehensive records about:

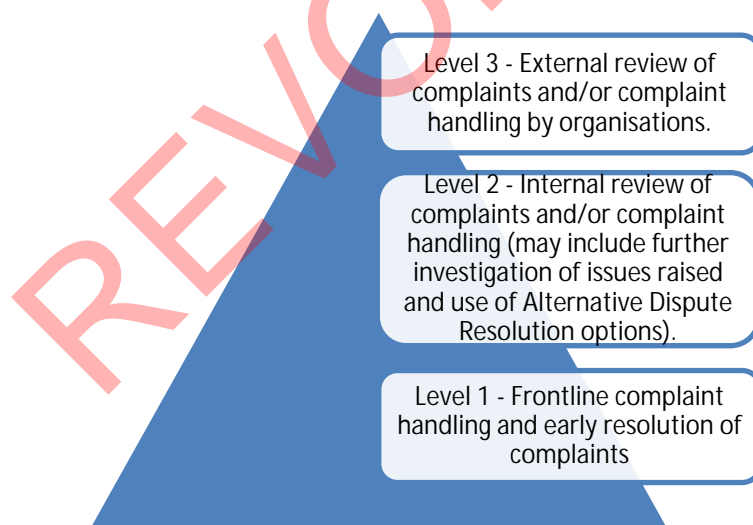
- How we managed the complaint;
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations; and
- Any outstanding actions that need to be followed up.

We will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

## 6.7 Alternative Avenues for Dealing with Complaints

We will inform people who make complaints to or about us about any internal or external review options available to them (including but not limited to, the NSW Ombudsman and/or the NSW Office of Local Government).

## 6.8 The Three Levels of Complaint Handling



We aim to resolve complaints at the first level, the frontline. Wherever possible, staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within Singleton Council. This second level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision/s already made; and/or

- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of Singleton Council's review of their complaint, they may seek an external review of our decision by the NSW Ombudsman.

## **7 Accountability and Learning**

### **7.1 Analysis and Evaluation of Complaints**

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- The number of complaints received;
- The outcome of complaints, including matters resolved at the frontline;
- Issues arising from complaints;
- Systemic issues identified; and
- The number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

Reports and their analysis will be made available to Singleton Council's General Manager and senior management for their review.

### **7.2 Monitoring of the Complaint Management System**

We will continually monitor our complaint management system to:

- Ensure its effectiveness in responding to and resolving complaints; and
- Identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

### **7.3 Continuous Improvement**

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- Support the making and appropriate resolution of complaints;
- Implement best practices in complaint handling;
- Recognise and reward exemplary complaint handling by staff;
- Regularly review the complaints management system and complaint data; and
- Implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.



## 8 Relevant Legislation

- *Local Government Act, 1993*
- *Public Interest Disclosures Act, 1994*
- *Ombudsman Act, 1974*
- *Independent Commission Against Corruption (ICAC) Act, 1988*
- *Government Information (Public Access) Act, 2009*
- *Privacy and Personal Information Protection Act, 1998*

## 9 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

### 9.1 Related Documents

Related documents, listed in **Table 9-1** below, are documents directly related to or referenced from this document.

| Number    | Title  |
|-----------|--|
| POL/1011  | Code of Conduct  |
| POL/40008 | Unreasonable Complainant Conduct Policy                      |
| POL/1020  | Public Interest Disclosures (PID) Internal Reporting Policy  |
| 14/7406   | Grievance & Dispute Resolution Procedure                     |
| 17/88402  | Customer Service Charter                                     |
|           | <a href="#">NSW Ombudsman Complaint Management Framework</a> |
| 21/79795  | Complaint Handling Process Map                               |
| 21/46113  | Complaint Acknowledgement Letter Template                    |
| 21/46114  | Complaint Response Letter – Level 1 Template                 |
| 21/46115  | Complaint Response Letter – Level 2 Template                 |

Table 9-1 – Related documents

## 10 Responsible Officer / Policy Owner

Ownership of this policy rests with the Coordinator Governance.

## 11 Responsibilities

Singleton Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.



| Parties or Persons         | Commitment  | Responsibilities  |
|----------------------------|---|---|
| General Manager            | Promote a culture that values complaints and their effective resolution | <ul style="list-style-type: none"> <li>Report publicly on Singleton Council's complaint handling as required.</li> <li>Provide adequate support and direction to key staff responsible for handling complaints.</li> <li>Review reports about complaint trends and issues arising from complaints.</li> <li>Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</li> <li>Encourage staff to make recommendations for system improvements.</li> <li>Recognise and reward good complaint handling by staff.</li> <li>Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.</li> </ul>   |
| Leadership Team            | Establish and manage our complaint management system                    | <ul style="list-style-type: none"> <li>Provide regular reports to the General Manager on issues arising from complaint handling work.</li> <li>Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and implemented where possible.</li> <li>Recruit, train and empower staff to resolve complaints promptly and in accordance with Singleton Council's policies and procedures.</li> <li>Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</li> <li>Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</li> <li>Recognise and reward good complaint handling by staff.</li> </ul> |
| Staff whose duties include | Demonstrate exemplary complaint handling practices                      | <ul style="list-style-type: none"> <li>Treat all people with respect, including people who make complaints.</li> </ul>  |



| Parties or Persons | Commitment  | Responsibilities   |
|--------------------|---|--|
| complaint handling |   | <ul style="list-style-type: none"> <li>Assist people make a complaint, if needed.</li> <li>Comply with this policy and any associated procedures.</li> <li>Keep informed about best practice in complaint handling.</li> <li>Provide feedback to management on issues arising from complaints.</li> <li>Provide suggestions to management on ways to improve the organisation's complaints management system.</li> <li>Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.</li> </ul>  |
| All staff          | Understand and comply with Singleton Council's complaint handling practices | <ul style="list-style-type: none"> <li>Treat all people with respect, including people who make complaints.</li> <li>Be aware of Singleton Council's complaint handling policies and any associated procedures.</li> <li>Assist people who wish to make complaints access Singleton Council's complaints process.</li> <li>Be alert to complaints and assist staff handling complaints resolve matters promptly.</li> <li>Provide feedback to management on issues arising from complaints.</li> <li>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</li> </ul> |

## 12 Approval

As per cover sheet.

## 13 Monitoring

This policy will be monitored by the Coordinator Governance to ensure compliance.





## 14 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

## 15 Last Review Date

This policy was last reviewed on 17 June 2019.

## 16 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

## 17 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

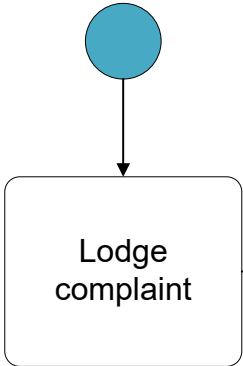

## 18 Document History

The below table provides a summary of changes and amendments to this document.

| Version. | Date Amended | Author   | Comments<br>(e.g. reasons for review)   |
|----------|--------------|----------|---|
| 6        | 26/05/2021   | L Bourke | <ul style="list-style-type: none"> <li>• Biennial review</li> <li>• Updated Business Unit and relevant Director</li> <li>• Updated dates throughout policy</li> <li>• Added other customers of Council services to objective</li> <li>• Added the word 'service' to 6.4.2</li> <li>• Added reference to <i>Privacy &amp; Personal Information Protection Act, 1998</i></li> <li>• Added reference to NSW Ombudsman Complaint Management Framework</li> <li>• Added reference to acknowledgement and response templates</li> <li>• Change Manager to Leadership Team</li> <li>• Updated process map</li> </ul> |





| Complainant  | IM & CS   | Relevant Manager   | Comments  |
|--|---|--|---|
| <div><div>Start Process</div><div></div></div>  | <div><div>Is it a complaint ?</div><div><div>Yes</div><div>Register and assign as relevant</div><div></div></div><div><div>No</div><div>Create new container and action complaint to responsible Manager</div></div></div> | <div><div>Acknowledge complaint within 3 days</div><div>Assess Complaint</div><div>Can a response be provided within 21 days?</div><div><div>No</div><div>Provide written advice to complainant giving reasons for delay and the date a response will be provided</div><div>Provide written response to complainant including reason for decision and options for review</div><div>Implement any required actions</div><div>Record all relevant information on CM container</div></div><div><div>Yes</div><div>Provide written response to complainant including reason for decision and options for review</div><div>Implement any required actions</div><div>Record all relevant information on CM container</div></div></div> | <div><div>le. An expression of dissatisfaction made to or about Council, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required (refer to section 4 – Definitions in Policy for more information)</div><div>Eg If a grievance refer to Grievance and Dispute Resolution Procedure</div><div>Use Complaint Acknowledgement Letter Template</div><div>Consider:<ul style="list-style-type: none"><li>- How serious, complicated or urgent it is;</li><li>- Whether it raises concerns about people’s health and safety;</li><li>- How the person is affected;</li><li>- Risks involved if resolution is delayed; and</li><li>- Whether a resolution requires the involvement of other organisations.</li></ul>(Refer to section 6.4.1 of Policy for more information)</div><div>If it is not possible to respond within 21 days, keep the complainant up to date on progress, particularly if there are delays and advise of the approximate date when a detailed response will be provided (Refer to section 6.4.2 of Policy).</div><div>Advise complainant of:<ul style="list-style-type: none"><li>- the outcome and any action/s we took;</li><li>- reason/s for our decision;</li><li>- remedy or resolution/s that we have proposed or have put in place; and</li><li>- any options for review that may be available to the complainant.</li></ul>(Refer to section 6.5 of Policy and use Complaint Response Letter – Level 1 Template)</div><div>Keep comprehensive records about:<ul style="list-style-type: none"><li>- How we managed the complaint;</li><li>- The outcome/s of the complaint; and</li><li>- Any outstanding actions that need to be followed up.</li></ul>(Refer to section 6.6 of Policy)</div></div> |
| <div><div>Receive Decision</div><div>Satisfied with the decision?</div><div><div>No</div><div>Lodge Level 2 Complaint (See next page)</div></div><div><div>Yes</div><div>End Process</div></div></div> |   |  |   |

## Complainant

## IM &amp; CS

## Relevant Director

## Comments

## Start Process

Lodge Level 2 Complaint

Register and Assign to relevant Director

Acknowledge complaint within 3 days

Assess Complaint

Can a response be provided within 21 days?

No

Provide written advice to complainant giving reasons for delay and the date a response will be provided

Yes

Provide written response to complainant including reason for decision and options for review

Implement any required actions

Record all relevant information on CM container

Receive Decision

Satisfied with the decision?

Yes

End Process

No

Lodge Level 3 complaint with External organisation

End Process

[ Use Complaint Acknowledgement Letter Template ]

[ Consider:  
- How serious, complicated or urgent it is;  
- Whether it raises concerns about people's health and safety;  
- How the person is affected;  
- Risks involved if resolution is delayed; and  
- Whether a resolution requires the involvement of other organisations.  
(Refer to section 6.4.1 of Policy for more information) ]

[ If it is not possible to respond within 21 days, keep the complainant up to date on progress, particularly if there are delays and advise of the approximate date when a detailed response will be provided  
(Refer to section 6.4.2 of Policy). ]

[ Advise complainant of:  
- the outcome and any action/s we took;  
- reason/s for our decision;  
- remedy or resolution/s that we have proposed or have put in place; and  
- any options for review that may be available to the complainant.  
(Refer to section 6.5 of Policy and use Complaint Response Letter – Level 2 Template) ]

[ Keep comprehensive records about:  
- How we managed the complaint;  
- The outcome/s of the complaint; and  
- Any outstanding actions that need to be followed up.  
(Refer to section 6.6 of Policy) ]

[ Where a complainant is dissatisfied with the outcome of our review of their complaint, they may seek an external review of our decision (Refer to section 6.8 of Policy) ]