

## 1. Purpose

Council is committed to the delivery of quality services to meet the needs of its customers. Council welcomes feedback from customers as this provides opportunities for learning and improving services.

### 1.1 Scope

Customers are encouraged to inform Council if they are dissatisfied with any aspect of our service. Council will resolve complaints in a fair, timely and confidential manner in order to achieve positive outcomes for customers and staff.

### 1.2 Commencement

This Policy comes into force on June 2022 and will be reviewed every 3 years.

## 2.1 Definitions

### **Complaint**

Any expression of dissatisfaction about the Council service or action of a staff member that cannot be resolved at the first point of contact. Examples include:

- Taking too long to take action or failing to take action.
- Not following policy or rules.
- Not making a decision in the prescribed way.
- Giving wrong or misleading information.
- A member of staff failing to deliver on a commitment made.

### **Electronic complaint**

A complaint received via email or other electronic communications.

### **Frivolous, habitual or vexatious**

Frivolous, habitual or vexatious complaint means the complaint is initiated with malicious intent or is part of a pattern of conduct by the complainant that amounts to an abuse of the formal complaints process.

### **Investigating Officer**

The investigating officer is the Council officer tasked with investigating the complaint.

### **Verbal complaint**

A complaint received over the telephone or face-to-face

## 2.2 Procedure on receipt of a complaint

Every effort will be made to resolve a complaint received verbally, electronically or by post at the first point of contact following the Complaints Management Procedure.

Where a complaint cannot be resolved at the first instance, the receiver will escalate the complaint as per the Complaints Management Procedure.

## 2.3 Support for complainants

Complaints can be made on behalf of another person. The support person must provide their contact details for communication and written consent of the complainant.

If the assistance of an interpreter is required to facilitate the issue, Council will work with the complainant to arrange this.

## 2.4 Exceptions

Although it is intended that all issues will be dealt with under this process, there may be exceptions that arise as a result of other processes of review or statute. Possible examples are:

- Complaints that are criticisms or disagreement with Council policy or decisions.
- Complaints that constitute a disagreement with or refusal to accept matters that the Council is obliged or required by statute to apply.
- A complaint where the customer or Council has started legal proceedings or has taken court action.
- A complaint that has already been heard by a court or tribunal.
- Insurance claims
- Any other complaint where another formal process has been commenced.
- Where another formal complaints process exists, e.g. a statutory requirement.
- Where a formal right of appeal already exists.

The management of such complaints fall outside this policy, with each situation suitably managed given all the circumstances.

## 2.5 Unacceptable actions by complainants

Council acknowledges that Customers may behave out of character in times of distress. However, Council will not tolerate abusive behaviour towards staff, verbal or otherwise.

A complainant's actions may be deemed to be unacceptable if, for example:

- They are abusive to Council staff.
- They persistently make the same complaint, despite it having been fully investigated under the complaints policy or persist in seeking an unrealistic outcome.
- They repeatedly change aspects of the complaint or the desired outcome part-way through an investigation

An Investigating Officer may refuse to investigate a complaint if they consider that the complaint is frivolous, habitual or vexatious. In this case, the investigating officer should follow the process set out in the Complaints Management Procedure.

## 2.6 Monitoring

All complaints will be investigated and dealt with in confidence, consistent with the needs of the investigation. Monitoring of the compliance with the policy will be undertaken to enable the Policy to be adequately reviewed and revised.

The Group Manager: Corporate Services will be responsible for production of an annual monitoring report for key stakeholders, covering, but not limited to:

- Quantitative data of use of the policy.
- Unsuccessful complaints outcomes.
- Areas identified for service improvement.

The procedure for responding to a complaint is outlined in the Complaints Management Procedure.

The following legislation relates to this policy:

- Privacy Act 2020
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Protected Disclosures Act 2000

Note: Any legislation referred to should be interpreted as meaning the Act and its amendments

Staff are also referred to:

- Staff Handbook
- Staff Code of Conduct

A review of this policy will take place by June 2025.

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