

COMPLAINTS MANAGEMENT POLICY

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Responsible Position	Council's Complaints Coordinator
Branch	Corporate Governance
Division	Organisational Performance
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Document Revision History	
Description	Date
This policy has been rewritten to give Council officials, Council staff and members of the public clear direction on what constitutes a complaint and how a complaint will be managed at Council.	October 2023
Notes	
This Policy replaces the previous Complaints Management Policy (2018) and the Unreasonable Complainants Policy (2018).	

PURPOSE

This policy outlines Council's approach for responding to complaints in a timely, consistent and structured manner. Council values customer feedback and complaints are an effective learning resource for Council.

This policy aims to deal effectively with and manage complaints from the community by:

- Demonstrating and promoting Council's commitment to customer satisfaction
- Acknowledging receipt of complaints in a timely fashion
- Ensuring that complainants are responded to in a courteous, fair, respectful and timely manner, without bias or fear of retribution
- Ensuring that all members of the community have access to information on how complaints will be dealt with by Council
- Educating staff in relation to complaint handling procedures and practices
- Monitoring feedback to improve existing services and facilities
- Identifying areas that need improvement or would benefit from enhancement
- Assisting in the planning and allocation of resources
- Affording complainants with a process of review, should they remain dissatisfied

RELATED LEGISLATION

Complaint handling is a key component of sound corporate governance and is fundamental to ensuring an appropriate level of accountability in the exercise of Council functions.

The following legislation and Council publications are related to this policy:

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Independent Commission Against Corruption Act 1988*
- *Ombudsman Act 1974*
- *Public Interest Disclosures Act 1994*
- *Government Information (Public Access) Act 2009*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Child Protection (Working with Children) Act 2012.*
- Dubbo Regional Council's *Public Interest Disclosures Act 1994* – Internal Reporting Policy
- Dubbo Regional Council's Code of Conduct
- Dubbo Regional Council's Unreasonable Complainant Conduct (UCC) Policy
- Dubbo Regional Council's Privacy Management Plan

BACKGROUND

A comprehensive complaints management system is an essential part of providing a quality service in local government. It is a mechanism that allows Council to measure community satisfaction and provides a useful source of information and feedback for improving Council's services.

This policy is based on the customer satisfaction formula suggested by the NSW Ombudsman's Effective Complaint Handling Guidelines (2004) and the Australian Standard ISO 10002:2004, MOD, Customer Satisfaction – Guidelines for complaints handling in organisations.

Doing the job right the first time + Effective customer contact / complaint handling = Increased customer satisfaction / support

It is further informed by a best practice publication prepared jointly by the NSW Ombudsman and the Department of Local Government, entitled, 'Complaints Management in Councils – Practice Note No. 9, July 2009).

SCOPE

This policy applies to Councillors and Officers of Dubbo Regional Council who deal with customers, members of the public, other agencies, service providers, community organisations or other members of staff.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Complaint	A complaint is an expression of dissatisfaction with Council's policies, procedures, charges, employees, agents or quality of service, affecting an individual or group of customers. These complaints are considered general complaints, and are dealt with and resolved inside Council.
Service Request	Initial requests for information, action or routine operational service matters. For example, missed bins, road repairs, requests for mowing or tree planting.
Child Protection Complaint	This is a complaint about a child (16 years and under) and/or young person (17 or 18 years old) being at risk of harm. Complaints of this nature are referred to the Manager Community Services under the Child Safe Standards.
Competitive Neutrality Complaint	This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of Council business.
Complaint Management System	All Policies, procedures, practices, staff, hardware and software used in the management of complaints.
Complaint under the Code of Conduct	A complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official, that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.

Dispute	An unresolved complaint escalated either within or outside of the organisation.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, to or about Council, where a response is not required.
Policy	A statement of Council's position on a matter designed to guide current and future decisions of the organisation. It contains instruction that sets out how Council should fulfil its vision, mission and goals.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Public Interest Disclosure (PID)	A report of wrong doing within council, made by Councillors or staff in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994.
Privacy Complaint	This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Council.

WHAT IS NOT A COMPLAINT

At times, customers have contacted Council and have referred to their request as a "complaint" because they were unhappy about the situation and wants something done. However, Council determines a 'complaint' as a request for action. This terminology does not reduce the importance of the issue, nor does it change the actions Council will take. However, it does help Council differentiate between a complaint and a request or feedback so that the issue can be registered appropriately in Council's customer request tracking system (CRM).

In general, most 'true' complaints, as Council defines them, are about staff behaviour, quality of service, Council policy, or the outcome of a decision.

For the purpose of this policy, the following are **not** considered to be complaints:

- An initial request for works
- A complaint about an event, service or business, for which Council is not responsible
- A request for information or explanation of policies, procedures and decisions of Council
- A request for information regarding Council's assets or services
- An expression concerning the general direction or the performance of Council or its elected representatives
- Reports concerning neighbours, neighbour disputes, noise, dogs, unauthorised building work or similar issues that fall within the regulatory aspect of Council's service.
- An expression of disagreement with Council's policy, procedures or a lawfully made decision
- The lodging of an appeal or objection in accordance with a standard procedure or policy, for example a complaint about an approved development or draft policy or plan – unless this is recorded as a complaint against Council's decision making process.
- Reports of damaged or faulty infrastructure

Complaints that will not be investigated

Dubbo Regional Council may determine that a complaint will not be investigated where that complaint:

- is considered frivolous, vexatious or not made in good faith or concerns a trivial matter
- is a second request for service received within the service level timeframe
- involves a matter where an adequate remedy or right of appeal exists, whether or not the complainant uses the remedy or right of appeal
- where a matter is subject to existing mediation process
- private neighbourhood disputes
- relates to a decision of Council
- relates to a matter awaiting determination by the Council
- relates to matters already under investigation by the Minister for Local Government, the ICAC, the NSW Ombudsman's office, a Minister of the Crown or Government Department or the NSW Police Force
- relates to a matter before a court or tribunal
- relates to the appointment or dismissal of any employee or an industrial or disciplinary issue
- relates to the actions or conduct of private individuals, not contracted by Council
- involves a matter where the complainant declines or refuses to provide further information deemed necessary for action to be taken
- involves threats made against Council
- relates to a decision, recommendation, act or omission which is more than one year old

Should Council decide not to investigate a complaint, the complainant will be advised of the reason for the decision, and the decision will be registered on Council's records management system.

ROLES AND RESPONSIBILITIES

The Chief Executive Officer has a leadership role in demonstrating commitment to the effective resolution of complaints, and for promoting a culture that is receptive to the receipt of complaints, to improve Council service delivery wherever possible.

Council's Complaints Officer is the Governance Team Leader

- The Governance Team Leader will review complaints and refer them in accordance with the Complaints Flow Chart, using the TIER 1-4 system outlined in this policy.
- The Governance Team Leader will ensure complaints in relation to Council or Council staff are impartially and objectively managed and investigated;
- The Governance Team Leader will progressively examine the way Council operates and making recommendations to improve accountability, transparency and fairness.

- The Governance Team Leader will provide education, training and support to staff and management on ethical decision making,

Council's Complaints Coordinator is the Manager Corporate Governance

- The Manager Corporate Governance will review any complaints that meet the Special Circumstances outlined in this policy.
- The Manager Corporate Governance is the Disclosures Coordinator and deals with public interest disclosures in accordance with the Public Interest Disclosures Act 1994
- The Manager Corporate Governance is the Complaints Coordinator in accordance with Council's Code of Conduct Procedures
- The Manager Corporate Governance is the Privacy Officer and deals with reports alleging a breach of privacy
- The Manager Corporate Governance will periodically assess the administrative processes of the Council or Council staff. The Council's Complaint Coordinator is responsible for the development and documentation of processes associated with complaints management.

Directors

- Directors are responsible for ensuring that staff, managers and supervisors within their respective division, are aware of the requirements of this policy, and attend to any complaints expediently.

Managers and Supervisors

- Managers and Supervisors are responsible for investigating complaints that relate to their main business area, determining outcomes and recommending appropriate remedy. They are also responsible for educating their employees with regard to this policy and ensuring that complaints are responded to in a timely, courteous, fair and impartial manner.

Employees

- Employees are required to respond to complaints and requests from customers in a courteous, fair and timely manner.

LODGING A COMPLAINT

Before lodging a complaint with Council, it is useful to ask yourself the following questions:

- What has Council or Council staff done wrong in this situation?
- Has Council or Council staff breached a law or policy which they have a duty to uphold?
- Has a process been applied unfairly or discriminatively?
- Has a Council officer done something that is against the law or could be a breach of Council's Code of Conduct?
- What is the outcome I am seeking?
- Is this a service request NOT a complaint?

When lodging a complaint, complainants should include their details such as name, address and contact number, together with a concise and factual description of the complaint and the outcome sought.

How to lodge a complaint

- In Person by attending Council's Customer Experience Centre:
 - Dubbo Office: Corner of Church and Darling Streets, Dubbo Regional Council
 - Wellington Office: Corner of Nanima Crescent and Warne Street, WellingtonThe Customer Service Centre is open 9am – 5pm Monday to Friday.

- By Telephone

Direct to Council's Customer Experience Centre on (02) 6801 4000.

- In Writing

- Email: council@dubbo.nsw.gov.au
- Post: PO Box 81, Dubbo, NSW 2830
- Online submission via council's web page

- To a Councillor

If complaints are made to Councillors of Dubbo Regional Council, it will be the responsibility of the Councillor to ensure the matter is formally relayed to the Chief Executive Officer as soon as practicable after having received the complaint.

If complainants require assistance to lodge a complaint due to disability, emotional distress or are literacy challenged, they can be referred to Dubbo Neighbourhood Centre located at 1, 80 Gipps St, Dubbo (PH: 02 6882 2100).

Possible Outcomes

Following investigation into a complaint, possible outcomes include:

- an apology where Council has made a mistake or where a Council Officer's comments or behaviour have offended
- provision of the desired service
- a refund of overcharged or incorrectly charged monies
- provision of more information about Council's policies and/or the decision making process including regular progress updates
- a commitment to investigate and/or review Council procedures or practices where a complaint is justified
- recommendation to refer the complaint to an external body where Council cannot resolve the matter to the satisfaction of the complainant
- any other remedy deemed appropriate by the Chief Executive Officer

SERVICE STANDARDS

Dubbo Regional Council aims to address and finalise all complaints within the following specified timeframes:

- Record the complaint in Council's electronic document management system, HP Content Manager, on the same day the complaint is made.
- Acknowledge the complaint within 5 working days by phone or email.
- Commence investigations within 5 working days.
- Finalise the response to the complainant within 10 working days of receiving the complaint. If this is not possible, the complainant will be informed of this within 10 working days and an explanation provided as to why.
- A finalised response will be sent to the complainant within 20 working days in writing. If this is not possible, the complainant will be provided with an update in writing within 20 working days and will be given an expected timeframe for finalisation of the matter.
- All actions undertaken will be recorded in Council's records management system.

RESPONDING TO SPECIAL CIRCUMSTANCES

This policy does not apply in circumstances where there is legislation covering the making of a complaint. For example:

Complaints Concerning Councillors - Complaints concerning Councillors of Dubbo Regional Council will be managed in accordance with Council's Code of Conduct and should be referred in the first instance to the Chief Executive Officer.

Complaints Concerning the Chief Executive Officer - Complaints concerning the Chief Executive Officer will be managed in accordance with Council's Code of Conduct and should be referred in the first instance to the Mayor.

Complaints Concerning Public Interest Disclosures - Complaints concerning allegations of corrupt conduct, maladministration, serious and substantial waste of public money, contravention of the Government Information (Public Access) Act 2009 or Local Government pecuniary interest contravention shall be referred immediately and directly to the Council's Disclosure's Coordinator, (Manager Corporate Governance) and/or the Chief Executive Officer.

Complaints that must be reported to ICAC - Under Section 11 of the ICAC Act, the Chief Executive Officer has a statutory duty to report any matter that he or she suspects on reasonable grounds concerns corrupt conduct.

The reporting of such matters to ICAC will not delay or substitute reporting to NSW Police or any other authority, or impact upon any assessment by the Council's Complaint Coordinator.

Complaints Concerning Pecuniary Interests - All complaints relating to pecuniary interest matters will be forwarded to the Chief Executive Officer for referral to the Office of Local Government under the Code of Conduct provisions. In consultation with the Council's Complaint Coordinator, any pecuniary interest matter involving a staff member may be subject to investigation as a potential breach of the Code of Conduct.

Complaints Concerning Competitive Neutrality - Dubbo Regional Council supports the principles of competitive neutrality by ensuring that Council business operates without any net competitive advantages over other businesses as a result of its public ownership.

Council will receive and consider any complaint alleging that Council has not abided by the spirit of competitive neutrality in the conduct of a business activity.

Any complaint of this nature received by Council will be managed in accordance with this policy and associated procedures.

Complaints between staff members - In the case of complaints made by one Council Officer about another Council Officer, Council's Complaint Officer will work with People, Culture and Safety to ensure investigations are carried out in accordance with due process and any applicable staff grievance processes.

Council Officers may not be informed of allegations against them, if such allegations have been found to be unsubstantiated, or if the Council's Complaint Coordinator has determined not to investigate the matter for one of the reasons stated below, or if the complaint is frivolous, vexatious or not made in good faith.

ANONYMOUS COMPLAINTS

Dubbo Regional Council encourages complainants to provide full contact information when lodging complaints.

In the event of an anonymous complaint, Council will determine whether the complaint will be investigated dependent upon the seriousness of the complaint, and provided there is sufficient information in the complaint to enable an investigation to be conducted.

An anonymous complainant cannot be provided with reasons for any decision made about their complaint.

CONFIDENTIALITY

Dubbo Regional Council will do its best not to disclose the identity of a complainant, should the complainant request their details remain confidential.

That said, in some circumstances, it may not be possible for Council to safeguard the confidentiality of the complainant due to the circumstances of the complaint, and/or having regard to the principles of natural justice and procedural fairness. Should such a situation arise the complainant will be consulted prior to the disclosure of any identifying information and measures put in place to prevent the complainant experiencing any form of victimisation or retribution resulting from the complaint.

Dubbo Regional Council manages personal and private information collected by Council in accordance with Council's Privacy Management Plan, and *The Privacy and Personal Information Protection Act 1998 (PPIP Act)*.

SAFEGUARDS AGAINST VICTIMISATION AND RETRIBUTION

Allegations of victimisation and retribution as a result of lodging a complaint will be investigated by Council's Complaints Officer and/or Complaints Coordinator.

If a complainant experiences such behaviour they should inform the Complaints Coordinator or the Chief Executive Officer in writing.

UNREASONABLE COMPLAINANT CONDUCT

Dubbo Regional Council accepts that the process of making a complaint to an organisation can sometimes be difficult and distressing. It is acknowledged that this may result in difficulties in communicating concerns and distressed behaviour.

In a small percentage of cases, despite the best efforts of Council, it may be challenging to manage complainants whose conduct is unreasonable, and whose actions or motivations are unacceptable.

Council will treat all complaints with the utmost seriousness and will take reasonable steps to manage these situations, while fulfilling the obligation to provide its employees with a safe workplace and to ensure appropriate use of public resources.

Dubbo Regional Council reserves the right to put in place administrative controls to assist in the management of unreasonable, persistent and difficult complainants who exhibit unreasonable complainant conduct.

Unreasonable complainant conduct ('UCC') 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 Council, our staff, other service users and complainants or the complainant himself/herself.

UCC can be divided into five categories of conduct:

- a) Unreasonable persistence - is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:
 - An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
 - Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
 - Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
 - Reframing a complaint in an effort to get it taken up again.
 - Bombarding our staff/organisation with phone calls, visits, letters, and emails (including cc'd correspondence) after repeatedly being asked not to do so.
 - Contacting different people within Council and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.
- b) Unreasonable demands - are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonable demands include:
 - Issuing instructions and making demands about how we have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
 - Insisting on talking to a senior manager or the [Mayor / Chief Executive Officer / Director] personally when it is not appropriate or warranted.
 - Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.

- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this.
 - Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.
- c) Unreasonable lack of cooperation - is an unwillingness and/or inability by a complainant to cooperate with Council, staff, or complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:
- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about – only where the complainant is clearly capable of doing this.
 - Providing little or no detail with a complaint or presenting information in ‘drips and drabs’.
 - Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
 - Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
 - Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and so forth.
- d) Unreasonable arguments - include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council, staff, services, time, and/or resources. Arguments are unreasonable when they:
- fail to follow a logical sequence
 - are not supported by any evidence and/or are based on conspiracy theories
 - lead a complainant to reject all other valid and contrary arguments
 - are trivial when compared to the amount of time, resources and attention that the complainant demands
 - are false, inflammatory or defamatory.
- e) Unreasonable behaviours - is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours include:
- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
 - Harassment, intimidation or physical violence.
 - Rude, confronting and threatening correspondence.
 - Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
 - Stalking (in person or online).
 - Emotional manipulation. All staff should note that Dubbo Regional Council has a zero tolerance policy towards any harm, abuse or threats directed towards them. Any conduct of this kind will be dealt with under this policy and in accordance with Council’s duty of care and occupational health and safety responsibilities.

Imposing Restrictions

The Chief Executive Officer, in consultation with relevant staff, has the responsibility and authority to change or restrict a complainant's access to Council's services in the circumstances identified in this policy by imposing service changes/restrictions. Their aim, when taking such actions, will not be to punish the complainant, but rather to manage the impacts of their conduct.

When applying this policy the Chief Executive Officer will also aim to keep at least one open line of communication with a complainant. However, in extreme situations all forms of contact may need to be restricted for some time to ensure the health and safety and security of Council staff and/or third parties.

Changing or restricting a complainant's access to Council's services

UCC incidents will generally be managed by limiting or adapting the ways that Council staff interact with and/or deliver services to complainants by restricting:

- a) Who they have contact with – e.g. limiting a complainant to a sole contact person/staff member in Council.
- b) What they can raise with us – e.g. restricting the subject matter of communications that we will consider and respond to.
- c) When they can have contact – e.g. limiting a complainant's contact with Council to a particular time, day, or length of time, or curbing the frequency of their contact with us.
- d) Where they can make contact – e.g. limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office.
- e) How they can make contact – e.g. limiting or modifying the forms of contact that the complainant can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether

Completely terminating a complainant's access to Council services

In rare cases, and as a last resort when all other strategies have been considered and/or attempted, the Chief Executive Officer may decide that it is necessary for Council to completely restrict a complainant's contact/access to our services. A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct and/or their conduct poses a significant risk for Council staff or other parties because it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.
- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them in their home.
- Conduct that is otherwise unlawful.

Complainants will be advised in writing

Warning letter - Unless a complainant's conduct poses a substantial risk to the health and safety of staff or other third parties, the Chief Executive Officer will provide them with a written warning about their conduct in the first instance. The warning letter will:

- Specify the date, time and location of the UCC incident.
- Explain why the complainant's conduct/ UCC incident is problematic.
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed only those that are most relevant).
- Provide clear and full reasons for the warning being given
- Include an attachment of the organisation's ground rules and / or briefly state the standard of behaviour that is expected of the complainant.
- Provide the name and contact details of the staff member who they can contact about the letter.
- Be signed by the Chief Executive Officer (or his/her nominated delegate).

Notification letter - If a complainant's conduct continues after they have been given a written warning or in extreme cases of overt aggression, violence, assault or other unlawful/unacceptable conduct the Chief Executive Officer has the discretion to send a notification letter immediately restricting the complainant's access to our services (without prior written warning). This notification letter will:

- Specify the date, time and location of the UCC incident(s).
- Explain why the complainant's conduct/UCC incident(s) is problematic.
- Identify the change and/or restriction that will be imposed and what it means for the complainant.
- Provide clear and full reasons for this restriction.
- Specify the duration of the change or restriction imposed, which will not exceed 12 months.
- Indicate a time period for review.
- Provide the name and contact details of the senior officer who they can contact about the letter and/or request a review of the decision.
- Be signed by the Chief Executive Officer (or his/her nominated delegate)

Restrictions will be imposed for a term of 6 to 12 months depending on the nature and severity of each instance or case. Restrictions will be reviewed at the end of the imposed term. Complainants can appeal for restriction to be removed prior to the end of the imposed period, however the Chief Executive Officers has the final say on any changes to restrictions.

Right of Appeal - Complainants are entitled to one appeal of a decision to change/restrict their access to our services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the complainant's access. This staff member will consider the complainant's arguments along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by

letter which will be countersigned by the Chief Executive Officer. The staff member will then refer any materials/records relating to the appeal to the Chief Executive Officer to be kept in the appropriate file

If the complainant remains unsatisfied with the process or outcome, they are encouraged to contact an external agency listed in this policy.

COMPLAINTS FLOWCHART

Tier 1 – Frontline Complaints Handling

Registration and attempted resolution by frontline staff. Complainants are encouraged to provide feedback and discuss their complaint with the officer who provided the service or dealt with the issue as this is more likely to result in a speedy resolution of the complaint.

A staff member receiving a complaint of a minor nature will, within the scope of their delegation, deal with the complaint at the time or refer it immediately to the appropriate Council officer, Manager or Supervisor who may be able to resolve the complaint on the spot.

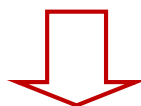
If the complaint is against a Council staff member, matter to be referred to that persons Manager or Supervisor. Serious allegations or allegations of corruption, misconduct, maladministration or unethical conduct, the matter is to be referred to the Council's Complaint Coordinator

All complaints and any actions/resolutions must be recorded on Council's records management system on the same day and copied to the relevant Manager / Supervisor and Council's Complaint Coordinator.



Tier 2 – Review

If the complainant remains unsatisfied after speaking to or corresponding with the Council Officer who delivered the service or who dealt with the issue, or if they feel uncomfortable approaching the officer, they may lodge a complaint in writing which will be reviewed and assigned to a more senior staff member, Manager or Supervisor for action in accordance with this policy.



Tier 3 – Escalation

Should the processes undertaken by the Manager or Supervisor fail to resolve the complaint, or the outcome be regarded as unsatisfactory to the complainant, the Manager or Supervisor will refer the complaint to the Council's Complaint Coordinator for further review.



Tier 4 – External Review

In circumstances where these internal processes are unable to resolve a complaint or satisfy the complainant, the complainant has the option of referring their concerns to an external agency, depending on which jurisdiction might be appropriate. Such agencies include the NSW Ombudsman’s Office, the Independent Commission Against Corruption, the Office of Local Government or the Office of the Information Commissioner.

EXCEPTIONS

Complaints will automatically be referred to the appropriate officer on the next tier, if:

- The complaint is about the staff member’s own conduct
- A request to do so is made by the complainant
- The problem is clearly outside the staff member’s delegation or area of expertise
- A staff member is alleged to have committed a criminal offence, acted corruptly, or engaged in other serious or controversial conduct (these complaints are to be referred to the Council’s Complaint Coordinator)

When a complaint has been referred on, the complainant will be told the name of the person to whom it has been referred and advised that they can expect contact from this person within five working days.

EXTERNAL AGENCIES

Agency	Nature of Complaint
<p>NSW Ombudsman Level 24, 580 George Street, SYDNEY NSW 2000 Phone: 02 9286 1000 or 1800 451 524 Email: info@ombo.nsw.gov.au</p>	<p>Matters concerning maladministration</p>
<p>NSW Office of Local Government (OLG) Locked Bag 3015, NOWRA NSW 2541 Phone: 02 4428 4100 Email: olg@olg.nsw.gov.au</p>	<p>Matters concerning serious Council misconduct or pecuniary interest matters</p>
<p>NSW Independent Commission Against Corruption (ICAC) Level 7, 255 Elizabeth Street, SYDNEY NSW 2000 Phone: 02 9318 5999 or 1800 463 909 Fax: 02 9264 5364</p>	<p>Matters concerning corrupt conduct, which is defined as dishonest or partial exercise of any official functions by a public official.</p> <p>The Chief Executive Officer is required to report suspected cases of corrupt conduct to the ICAC.</p>

Agency	Nature of Complaint
Email: icac@icac.nsw.gov.au	
Anti-Discrimination Board Level 7/10 Valentine Avenue, PARRAMATTA NSW 2150 Phone: 02 9268 5555 or 1800 670 812 Fax: 02 9268 5500 Email: complaintsadb@justice.nsw.gov.au	Matters in relation to discrimination, disability and harassment
Australian Competition and Consumer Commission (ACCC) Level 27, 135 King Street, SYDNEY NSW 2000 Phone: 02 9230 9133 Fax: 02 9223 1092	Competitive neutrality complaints
Information and Privacy Commission (IPC) Level 15, McKell Building, 2-24 Rawson Place, HAYMARKET NSW 2000 Phone: 1800 472 679 Email: ipcinfo@ipc.nsw.gov.au	Breaches of the <i>Government Information (Public Access) Act 2009</i> (GIPA Act) Breaches of the <i>Privacy and Personal Information Protection Act 1998</i>