

Complaint Management Policy

Responsible Division	Community and Development
Responsible Business Unit	Community Development
Responsible Officer	Manager Community Development
Affected Business Units	All Business Units
ECM Document Set ID	4549365

Purpose

This policy sets out how the City of Bayswater (the City) will effectively and appropriately engage in the handling and management of complaints received from customers and stakeholders.

Objectives

1. To provide a framework that will ensure complaints are managed quickly, fairly and respectfully from the time of receipt through to an outcome and enable the City to use complaint data to improve business practices and increase customer satisfaction levels.
2. To ensure community confidence in how the City handles complaints by implementing processes that ensure transparency and reinforce accountability.

Scope

1. This policy is for complaints relating to the City of Bayswater, its services and standard of services. This includes complaints regarding:
 - (a) Decisions made by City employees;
 - (b) The conduct of City employees; and
 - (c) City practices, policies and procedures.
2. The items listed below are outside the scope of this policy and covered by a separate process.
 - (a) A request for City services;
 - (b) A request for documents, information or explanation of policies or procedures;
 - (c) A request for the City to exercise a regulatory function;
 - (d) The lodging of an appeal or objection in accordance with a statutory process, standard procedure or policy;
 - (e) A submission relating to the exercise of a regulatory function;
 - (f) A petition; and
 - (g) A complaint concerning Elected Members, Committee Members and Candidates.

Definitions

For the purpose of this policy:

Complaint means: an expression of dissatisfaction with a level of service, repeated lack of promised service or response, or the conduct of any person employed by the City of Bayswater, made to the City of Bayswater.

Feedback means: a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.

Request means: an enquiry for assistance to action, inspect, remove, replace or repair a City service.

Complainant means: the customer or entity expressing dissatisfaction.

Customer means: residents, ratepayers, businesses and members of the public receiving advice, using a City service or facility; engaging in a business relationship; or any other person or organisation having an interest in the functions or activities of the City of Bayswater.

Employee means: all City employees and volunteers or contractors performing work for the City of Bayswater.

Policy means: this City of Bayswater policy titled 'Complaint Management Policy.'

Policy Statement

1. The City recognises that effective complaint handling is integral to providing excellent customer service. The City values all complaints, and encourages a customer focused, objective and proactive approach to complaints management.
2. The City recognises the right of customers to make complaints and considers complaint handling to be an essential part of serving the community in an accountable, open and transparent manner.
3. The City's Customer Service Charter will guide how the City will acknowledge and respond to complaints.
4. The City is committed to resolving complaints, using a customer-focused approach that encourages conciliation. The City will ensure anyone who is dissatisfied with a City service can easily and simply make a complaint and provide feedback.
5. The collection and reporting of complaint data will guide quality improvement of City services.
6. Complaint handling processes will be highly accessible, culturally appropriate and take into consideration the needs of all within our diverse community. Designated methods, channels and locations to lodge complaints will be highly visible and easily accessible to customers.
7. When possible, the utmost confidentiality and respect for personal privacy will be applied to the management and handling of all complaints.
8. Actions to ensure all employees are aware of the Complaint Management Policy and the relevant internal complaint handling practice and procedures will have a high priority.
9. The City will keep the complainant (and if applicable, the person who is the subject of the complaint) advised of the progress and outcome of their complaint.
10. All complaints will receive a procedurally focused fair hearing. The City will accord all parties to a complaint (complainant and respondent) natural justice.
11. A complainant's conduct may be considered unreasonable if the nature or frequency of the conduct:
 - (a) consumes a disproportionate amount of City resources that results in being detrimental to the needs of other complainants, and/or
 - (b) raises significant health or safety issues for City employees.

12. The City is committed to procedural fairness and will be guided by the Ombudsman of Western Australia, Guidelines on Effective Complaint Handling; and the Investigation of Complaints documents.
13. Complainant's may exercise their right not to make a complaint directly to the City but may elect to engage with an external oversight body such as the Corruption and Crime Commission, Public Sector Commission, Ombudsman Western Australia etc. In these instances, the complainants may still elect to refer the complaint to the City for investigation with an outcome report being provided to the agency. In some cases, the oversight body may conduct their own investigation with, or without, the City's knowledge.

Lodging Complaints

1. Complaints will able to be lodged by telephone, email, in writing, via the City's website, and in person.

Anonymous Complaints

1. The City understands that some customers may wish to remain anonymous. Anonymous complaints will be acted upon; however, they may limit the City's ability to fully investigate the matter and resolve the complaint.
2. When sufficient information is provided to the City, the City will manage the complaint in accordance with the City's Complaint Management Policy and Complaint Handling Management Practice and associated procedure. As a complaint is anonymous, the City will be unable to provide feedback on decisions made or action taken.

Confidentiality

1. The City will protect complainant confidentiality by:
 - (a) Using a unique identification number for each complaint through City ECM records;
 - (b) Ensuring access to the complaint database is restricted to authorised employees only through the use of restricted access code for complaints;
 - (c) Accepting anonymous complaints;
 - (d) Only disclosing identity or personal details to authorised employees; and
 - (e) De-identifying complainants in complaint reporting.

Unreasonable Complaint Conduct

1. A complainant's conduct may be considered unreasonable if it involves:
 - (a) Unreasonable persistence;
 - (b) Unreasonable demands;
 - (c) Unreasonable lack of cooperation;
 - (d) Unreasonable arguments; or
 - (e) Unreasonable behaviour.
2. In these circumstances, special measures to deal with this conduct may be required. The Ombudsman of Western Australia Managing Unreasonable Complaint Conduct Practice Manual will inform these measures.
3. When a complainant engages in unreasonable conduct, the Chief Executive Officer, or their delegate, will decide how to manage the communication with the complainant. The complainant will be informed of the decision.

Reviews

1. A complainant has a right to request a review of the processes undertaken and the decision made regarding their complaint. This can include a request to investigate the actions involved in the complaint handling process.
2. Where a complainant is dissatisfied with how the City dealt with their complaint, and/or the final determination of the complaint by the City, the complainant may request a secondary review.
3. An investigation of a complaint would occur as per the Ombudsman of Western Australia Investigation of Complaints six-step process chart, and includes compliance with the procedural and evidentiary requirements.

Related Legislation

- *Local Government (Rules of Conduct) Regulations 2007;*
- *Local Government Act 1995;*
- *Freedom of Information Act 1992;*
- *Public Interest Disclosures Act 2003;*
- *Crime, Corruption and Misconduct Act 2003;* and
- *State Records Act 2000.*

Related Documentation

City of Bayswater Customer Service Charter

City of Bayswater Code of Conduct

Councillor Complaint Policy

Ombudsman of Western Australia; Guidelines on Effective Complaint Handling; the Investigation of Complaints; and the Managing Unreasonable Complaint Conduct Practice Manual

Document details

Relevant delegations	Nil.
Risk evaluation	High
Strategic link	Provide good customer service: Respond to the needs of our community in a respectful and timely way. Communicate in a clear and transparent way: Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.
Council adoption	25 July 2023 Resolution 10.5.1.13
Next review due	July 2025