

TITLE:	Managing External Complaints Policy		
DIVISION:			
ADOPTED BY:	Council		
DATE OF ADOPTION:	18 September 2014	DATE OF REVIEW:	1 September 2018
MOTION NUMBER:	185/14		
POLICY NUMBER:	CP000020		
AUTHORISED:	Chief Executive Officer		

THIS POLICY APPLIES TO:

All employees and Elected Members

PREAMBLE

The aim of all policy is for Councillors to provide strategic input into the effective operational framework of the organisation under S.11 of the Local Government Act

SUMMARY

Council Policy is to ensure that complaints from the public about a Council product or service are examined fairly and objectively. Emphasis will be placed on resolving complaints as quickly as possible. However, where complaints cannot be settled in the first instance, Council will ensure that they are dealt with through appropriate, more formal procedures by staff with the authority to make decisions. Findings from the complaint management process will be used as a way of improving services and programs.

OBJECTIVES

The purpose of this policy is to ensure that complaints from the public about a Council product or service are examined fairly and objectively and resolved as far as possible to the complainant's satisfaction.

BACKGROUND

Barkly Regional Council provides an extensive range of services and infrastructure to the community and discharges obligations under many pieces of legislation. Complaints may be received in respect to a Council service, action or product and it is important that these be dealt with fairly and objectively and seen as an opportunity to improve Council operations.

POLICY STATEMENT*Scope:*

This policy applies only to legitimate complaints from residents and other external parties. It does not apply to:

- Complaints from employees
- Requests for service or information

- Reporting of incidents.
- Criminal offences
- Insurance claims
- Where there are other complaint procedures which apply to particular types of complaints and decisions made under legislation other than the *Local Government Act*; or
- Complaints which are determined to be about matters that are not Council's responsibility, such as disputes between neighbours.

POLICY

The aim of this policy is to provide a fair, consistent and structured process for residents and others if they are dissatisfied with a Council action or service and wish to make a formal complaint.

Complaints are to be examined fairly and objectively and resolved as far as possible to the complainant's satisfaction and findings from the complaint management process will be used as a way of improving services and programs.

All complaints will be assessed and recorded. However, where a complaint is found to be frivolous, malicious, or vexatious, no further action will be taken on the complaint.

- An anonymous complaint will only be acted upon if the matter is considered serious and there is sufficient information in the complaint to enable an investigation to be undertaken.
- Residents who cannot write or speak English will be given the necessary assistance.
- Complaints about Council staff, Councillors and/or the President should be addressed to the CEO. Complaints against the CEO should be addressed to the President.
- Complaints against an elected member will be handled pursuant to the *NT Local Government Act* unless they can be resolved through more informal means.
- Complaints against a Council staff member will be investigated by the CEO (or delegate).
- All complaints will be recorded in the Council's Records Management system.
- The person making a complaint will receive a written response within 10 working days acknowledging the complaint.
- Unless there are exceptional circumstances Council will resolve the complaint within 20 working days.
- The CEO (or President if appropriate) will communicate the outcome of the investigation to the complainant in writing after the matter has been resolved.
- If a complainant is not happy with how the complaint has been resolved he or she will be advised of further avenues for review such as the Ombudsman.

REMEDIES

Where a complaint is found to be justified Council will, where practicable, remedy the situation in a manner which is consistent and fair for both Council and complainant. The solution chosen will aim to be proportionate and appropriate to the circumstances.

USING COMPLAINTS TO IMPROVE SERVICE

Quality of service is an important measure of Council's effectiveness. Council will review and evaluate the information gained through its complaints handling process to identify systemic issues and opportunities for improvements to service. A report on the number and nature of complaints will be provided to Council at least once a year.

PRIVACY AND CONFIDENTIALITY

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible and it is expected the complainant will also treat the matter as confidential. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint should not be revealed or made public by the Council, except where required by law. All complaints lodged with Council are subject to the *Freedom of Information Act* and confidentiality cannot be guaranteed under the provisions of that legislation.

OTHER FORMS OF RESOLUTION

While Council prefers to work with its residents to resolve complaints quickly and effectively, a complainant will always retain the right to seek other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time.

LEGISLATION, TERMINOLOGY AND REFERENCES

Sections 79 - 82 of the *NT Local Government Act* apply in relation to complaints against Elected Members that cannot be resolved through more informal means.

IMPLEMENTATION AND DELEGATION

The CEO has delegated authority to implement this policy

EVALUATION AND REVIEW

This Policy is to be reviewed every four (4) years, and may be reviewed at other times at the discretion of Chief Executive Officer.