

TITLE:	Managing External Complaints Policy		
DIVISION:	Corporate		
ADOPTED BY:	Council		
DATE OF ADOPTION:	October 2019	DATE OF REVIEW:	October 2022
MOTION NUMBER:	OC 273/19		
POLICY NUMBER:	CP20		
AUTHORISED:	Chief Executive Officer		

THIS POLICY APPLIES TO:

All Elected Members and Employees of the Barkly Regional Council ('Council').

PREAMBLE

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

SUMMARY

Council Policy is to ensure that complaints from the public about a Council product or service are examined fairly, objectively and in a timely fashion. 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 Council endorsed and organised services and programs.

OBJECTIVES

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

BACKGROUND

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

POLICY STATEMENT

Scope:

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

POLICY

- 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 (NT)*; 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 the wider community if they are dissatisfied with a Council endorsed and organised action or service and wish to make a formal complaint.

Complaints are to be examined fairly, objectively and in a timely fashion and resolved as far as possible to the complainant's satisfaction. Findings from the current Council's complaint management system will be used as a way of improving Council endorsed and organised 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.

- All complaints made in writing via the Council's current complaint management system will be actioned.
- Complaints about Council staff, Councillors and/or the Mayor should be addressed to the CEO. Complaints against the CEO should be addressed to the Mayor.
- Complaints against an elected member will be handled pursuant to the *Local Government Act (NT)* 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 in accordance with the current Council's complaint management system with a Council representative acknowledging the complaint.
- Unless there are exceptional circumstances, Council will resolve the complaint within 20 working days.
- The CEO (or Mayor 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 current complaints handling system to identify systemic issues and opportunities for improvements to the services Council provide. A report on the number and nature of complaints will be provided to Council at each Council Meeting and upon request.

PRIVACY AND CONFIDENTIALITY

Complainants have a right to privacy and the complainant must 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 will 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

Council prefers to work with its residents to resolve complaints quickly and effectively. A complainant retains the right to seek other forms of resolution if dissatisfied with the resolution of any complaint

LEGISLATION, TERMINOLOGY AND REFERENCES

Freedom of Information Act (*Cth*)

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

Confidentiality Policy

Privacy Policy

IMPLEMENTATION AND DELEGATION

The CEO has delegated authority to implement this policy.

EVALUATION AND REVIEW

This Policy is to be reviewed every three (3) years and may be reviewed at other times at the discretion of Chief Executive Officer.