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**POLICY TITLE            COMPLAINTS HANDLING POLICY**

**POLICY NUMBER        POL/GOV012**

**1. PURPOSE**

Swan Hill Rural City Council (Council) is committed to service excellence and recognises a customer's right to make a complaint. Complaints give Council vital information about its services and a valuable opportunity to make things right and identify areas of service that need improvement.

This Complaint Handling Policy aims to ensure that customers can raise their complaints with Council easily and with confidence that Council will listen to their concerns, be responsive and handle their complaints fairly and objectively.

**2. SCOPE**

Anyone who has been directly affected by a decision, an action or inaction of Council has a right to complain. The provisions of this policy apply to the quality of decisions, actions and inaction of members of Council staff and of its contractors; a delay or failure in taking an action, making a decision or providing a service by a member of Council staff or a contractor engaged by Council; or of decisions and policies made by Council as a whole, members of Council staff or a contractor. This policy does not apply to complaints about individual Councillors.

We accept and respond to anonymous complaints, provided we have received enough information to do so.

**3. POLICY**

Council will maintain a complaints handling framework that includes policies and procedures related to complaints handling and unreasonable complainant conduct. It will also include provision of information about how to make a complaint which is made available at Council's office and on Council's internet website.

**4. DEFINITIONS**

**Complaint:**

A complaint is an expression of dissatisfaction with:

- The quality of an action taken, decision made, or service provided by a member of Council staff or a contractor engaged by the Council; or
- A delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision or providing a service; or

- A policy or decision made by Council or a member of Council staff or a contractor.

**Request for service:** A request for service is contact with Council to seek assistance, access to a new service, advice, information or to make a report about something for which Council has responsibility.

## 5. EXCLUSIONS

This policy does not apply to the following matters or complaints, which are managed through other processes:

- A request for service and/or action by Council
- Reports of a hazard (eg. fallen tree, pot hole)
- Reports concerning neighbours that trigger a legislative or regulatory process, or local laws administered or enforced by Council to be enacted (e.g. dog barking, noise issues)
- A request for information or an explanation of a policy or procedure
- Decisions made under legislation which provides for separate avenues of appeal (eg Building Act decisions and General Local Law prosecutions)
- An alleged breach under the Councillor Code of Conduct
- A report of improper or corrupt conduct

## 6. POLICY

### 6.1. Guiding principles

Complaints handling will be based on the following principles, as outlined in the Victorian Ombudsman's Councils and complaints – A good practice guide 2<sup>nd</sup> Edition – July 2021.

#### 1. Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to complain and considers complaint handling to be part of our core business of serving the community and improving service delivery.

#### 2. Accessibility

People can easily find out how to complain to us, and we actively assist them with the complaint process.

#### 3. Transparency

The complaint handling system clearly sets out how to complain, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

#### 4. Objectivity and fairness

Under the complaint handling system, complainants and staff are treated with respect and courtesy, and complaints are judged on merit and fact.

## 5. Confidentiality

The complaint handling system protects the personal information of people making a complaint, and council staff are informed only on a 'need to know' basis.

## 6. Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions, and ensure that our decisions are subject to appropriate review processes.

## 7. Continuous improvement

We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

### 6.2. Lodging a complaint

Complaints should preferably be in writing, submitted through Councils Lodge a Complaint Form on the website, complete with address and contact details. Telephone and verbal complaints will be entered into our complaints system but should be confirmed in writing where the complaint is complex, ambiguous or requires verification.

In person	45 Splatt Street, SWAN HILL 72 Herbert Street, ROBINVALE
Email	<a href="mailto:council@swanhill.vic.gov.au">council@swanhill.vic.gov.au</a>
Website	<a href="https://www.swanhill.vic.gov.au/contact/report-an-issue/">https://www.swanhill.vic.gov.au/contact/report-an-issue/</a>
By post	Chief Executive Officer 45 Splatt Street SWAN HILL VIC 3585
By phone	(03) 5036 2333

### 6.3. Complaints handling process

Council takes a four-tiered approach to complaint handling, as follows:

- 1. Frontline resolution:** frontline staff will receive the complaint and resolve it immediately, if possible. This may be with or without the assistance of a supervisor or team member.
- 2. Investigation, if required:** if frontline staff cannot resolve the complaint, it will be referred to a Coordinator or Manager for investigation.
- 3. Internal review:** if the complainant is not satisfied with the outcome of the investigation, they can request an internal review.
- 4. Access to external review:** if the complainant is not satisfied with the process or outcome of the internal review, they will be informed of any external avenues through which they can pursue their complaint.

## 6.4. External complaints

The Ombudsman can help when your complaint is about an action or decision of a Council, Council staff or contractors. The Ombudsman cannot deal with complaints against individual Councillors.

Victorian  
Ombudsman

Ombudsman Victoria  
Level 2, 570 Bourke Street  
MELBOURNE VIC 3000  
Phone: 9613 6222  
Toll Free: 1800 806 314 (regional only)  
Email: [ombudvic@ombudsman.vic.gov.au](mailto:ombudvic@ombudsman.vic.gov.au)

## 7. RELATED POLICIES/PROCEDURES/DOCUMENTS

POL/STAFF127 Staff Code of Conduct  
PRO/GOV018 Public Interest Disclosure Policy  
POL/GOV008 Charter of Human Rights Policy  
Victorian Ombudsman Council and Complaints – A Good Practice Guide 2<sup>nd</sup> Edition – July 2021  
Victorian Ombudsman Good Practice Guide to Dealing with Challenging Behaviour – May 2018  
Australian Standard: Customer satisfaction – guidelines for complaints handling in organisations

## 8. RELATED LEGISLATION

Local Government Act 2020  
Local Government Act 1989  
Charter of Human Rights and Responsibilities Act 2006  
Freedom of Information Act 1982  
Privacy and Data Protection Act 2014  
Public Interest Disclosure Act 2012  
Public Records Act 1973  
Equal Opportunity Act 2010  
Competition and Consumer Act 2010  
Public Health and Wellbeing Act 2008  
Food Act 1984  
Environment Protection Act 1970

## 9. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	February 2019	Initial release
1.1	December 2021	Review

Signed: Rosanne Kava Acting CEO Date: 05/01/2022