

MURRAY RIVER COUNCIL
COUNCIL POLICY

**CUSTOMER
FEEDBACK
&
COMPLAINTS
MANAGEMENT
POLICY**

POL-211.V#1



murray river
council

1. INTRODUCTION

This Feedback and Complaints Management Policy represents Council's system for responding to, recording, reporting and using complaints to improve and provide positive feedback and service to the community. It includes procedures for people to make complaints and provide feedback as well as provide guidelines for staff to resolve complaints, and provides information to managers and staff that can assist them to limit public dissatisfaction in the future

2. SCOPE

This Policy applies to all Council officials.

3. POLICY STATEMENT

Murray River Council (the 'Council') is committed to delivering quality customer service and communicating effectively with the community. This involves a commitment to respond promptly, fairly and effectively to instances of satisfactory and unsatisfactory dealing/s with a particular issue or request.

This Policy describes an organised system for responding to feedback and complaints and is based on a joint publication prepared by the NSW Ombudsman and Department of Premier and Cabinet (Division of Local Government) titled 'Complaints Management in Councils – Practice Note No 9' – July 2009

4. POLICY OBJECTIVES

- ▶ Recognise and protect the rights of the community and customers including the right to comment or complain about Council's level of service or manner of dealing with a matter.
- ▶ Provide an efficient, fair and accessible mechanism for resolving customer issues;
- ▶ Inform the community and customers about the process used to handle customer feedback regarding Council's services and products;
- ▶ Ensure complaints are monitored in a systematic way so corrective action is taken, where appropriate, and identifying areas that need improvement;
- ▶ Increase the level of customer satisfaction with Council's services and products.
- ▶ Council operates, and is seen to operate, in an environment of respect and professional behaviour;
- ▶ Opportunities for continuous improvement of processes and procedures can be identified, implemented and thereby improve customer service in all areas.

5. POLICY COMMITMENT

Council encourages feedback from its customers and the community because feedback provides Council with an opportunity to identify areas of service that need improvement, to respond to individual complaints and to strengthen the relationship between Council and the local community.

Council commits to:

- ▶ Accept any criticism graciously, believing that there is always room for improvement.
- ▶ Deal with complaints in accordance with this policy and associated procedure.

- ▶ Widely publicise the existence of this policy, strategy and procedure.
- ▶ Encourage members of the public who are either satisfied or dissatisfied with Council's conduct to lodge complaints or provide feedback and to facilitate such action by making feedback forms freely available in the Customer Service Centre and on Council's website.
- ▶ Ensure that members of the public who are dissatisfied with the outcome of their complaint are offered a review by a more senior officer.
- ▶ Advise members of the public of their right to make a complaint to an external body if they are dissatisfied with the way that their complaint has been handled internally.
- ▶ Regularly report publicly on complaint and positive feedback statistics, using this information to identify and rectify deficiencies in Council services.

6. DEFINITION OF A COMPLAINT

For the purpose of this Policy, a complaint is any expression of dissatisfaction with the service provided by Council.

For example:

- ▶ The quality and range of services provided;
- ▶ Failure to meet a service standard;
- ▶ A Council policy or procedure not being followed; or
- ▶ The conduct of an employee or agent.

The following are not considered complaints under this Policy:

- ▶ A request for works or services – unless it is a second request where there has been no response to the first request or where, in the view of the customer the response was unsatisfactory
- ▶ A complaint about an event, service or business for which Council is not responsible
- ▶ A request for information or an explanation of policies or procedures
- ▶ Disagreement with Council's policy 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 about Council's decision making process
- ▶ Reports of damaged or faulty infrastructure
- ▶ Reports about neighbours, noise, dogs, unauthorised building work or similar issues that fall into the regulatory aspect of Council's service.

Many of the issues above are called 'complaints' when a customer contacts Council. They are called complaints because a customer is unhappy about the situation and wants something done. To Council, however, the 'complaint' is 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 so that the issue can be registered appropriately in Council's customer request management 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.

7. FEEDBACK MANAGEMENT MODEL

Council has adopted a three-tiered approach to processing the complaint through this Policy. This approach aims to have complaints responded to and resolved as quickly as possible.

The following table outlines the three-tiered approach:

TIER	RESPONSIBILITY
1ST – Initial Complaint Handling	
Complainants are encouraged to provide feedback on the complaint with the appropriate officer who provided the service or dealt with the issue. This is more likely to result in a speedy resolution to the complaint.	Appropriate Officer
2ND - Internal Review	
If the complainant remains unsatisfied after speaking to the appropriate officer in Tier 1, then the complaint may be escalated to a more senior officer.	Team Leader, Supervisor, Manager, Director or General Manager
If the complainant is still unsatisfied with the outcome, or if the complaint is about a Manager/Director, the complaint should be escalated to the General Manager.	General Manager.
If the complaint is about the General Manager then the complaint should be directed to the Mayor or an external agency.	Mayor/External agency
3RD – External Agency Review	
If the complaint cannot be resolved to the customer's satisfaction through Council's internal complaints handling system, the complainant will be referred to an outside agency such as the Ombudsman or to an alternative dispute resolution procedure.	External Agency or alternate dispute procedure

8. COMPLAINTS ABOUT CORRUPTION, SERIOUS OR SUBSTANTIAL WASTE, PECUNIARY INTERESTS, COMPETITIVE NEUTRALITY OR CRIMINAL ACTIVITY

External Customers

Complaints about corruption, serious or substantial waste, pecuniary interests or competitive neutrality should be lodged directly with the General Manager.

The General Manager is obliged to report allegations of corrupt conduct to the Independent Commission Against Corruption and may report other serious allegations to the Police and/or other relevant authority.

If a complaint involves allegations of criminal behaviour, it should automatically be referred to the Police.

Council Officials

Council has adopted an Internal Reporting Policy (under the *Protected Disclosures Act 1994*). This Policy can be accessed on Council's website www.murrayriver.nsw.gov.au.

Employees, including contracted staff and Councilors, who wish to report corruption, serious or substantial waste or pecuniary interests should follow the procedures in Council's Internal Reporting Policy.

Complaints about financial impropriety may be referred to the Internal Auditor.

9. REPORTING OF COMPLAINTS

Responsibilities in the implementation of this Policy will be delegated as follows:

- General Manager
- Directors
- Managers
- Supervisors
- Manager Human Resources
- Manager Risk

10. MANAGING DIFFICULT CUSTOMERS

There may be occasions where a complainant's actions or motivations are unacceptable. Council staff have rights that must be respected when dealing with aggressive or vexatious complaints.

A very small minority of the community make complaints that are vexatious, persist unreasonably with complaints, make complaints in order to make it difficult for Council rather than genuinely to resolve a grievance or continue to raise the same or similar matters over and over again.

Where an established pattern of previous or current contact with Council shows a complainant to be able to be classified as habitual or vexatious, the General Manager may deal with such a member of the community in one or more of the following ways:

- ▶ In writing, setting out a code of commitment and responsibilities for the parties involved, if Council is to continue processing the complaint;
- ▶ Inform the complainant they are to contact Council only via one contact method (ie either in person, by letter, by telephone, by fax or by email) and only through one (1) nominated Council officer with the complainant being notified of the method and officer;
- ▶ Notify the complainant, in writing that Council has responded fully to the issue raised and has endeavoured to resolve the complaint and there is nothing more to add and continuing contact on the matter will serve no useful purpose. Therefore, correspondence is at an end and Council does not intend to engage in further correspondence dealing with the complaint;
- ▶ In extreme circumstances, inform the complainant that Council reserves the right to seek legal advice on unreasonable or vexatious complaints;
- ▶ Suspend all contact with the complainant in connection with the issues

11. CUSTOMER FEEDBACK SERVICE STANDARDS

Customer feedback will be managed in accordance with the following timeframes:

Feedback Type	Acknowledgement of Receipt	Resolution
Positive Feedback		
Compliment	Immediately (where lodged verbally) or within 2 business days (where lodged in writing, via email or online).	Immediately or within 2 business days
Suggestion/comment	Immediately (where lodged verbally) or within 2 business days (where lodged in writing, via email or online).	Immediately or within 2 business days

Complaints		
Early Resolution	Immediately (where lodged verbally) or within 2 business days (where lodged in writing, via email or online).	Immediately or within 5 business days
Further Investigation	2 business days in writing (via letter or email).	Within 10 business days
Internal review	2 business days in writing (via letter or email).	Within 10 business days
External Review	Subject to reviewing body	Subject to reviewing body

12. RESPONSIBILITIES

Customer service management is the responsibility of all Council Officials

Councillors

The elected Councillors have a responsibility to accept complaints and provide feedback refer them to the General Manager, or where applicable, the Director Corporate Services.

General Manager

The General Manager has a leadership role in demonstrating a commitment to the effective resolution of complaints.

The General Manager has the responsibility to:

- ▶ Resolve complaints where the customer is not satisfied with the Director's/Manager's decision.
- ▶ Receive complaints alleging corruption for referral to the Independent Commission Against Corruption.
- ▶ Deal with complaints in relation to the conduct of staff members.

Directors

Have a responsibility to consider details of complaint investigations and decide upon appropriate action.

Disclosure Coordinator (Director Corporate Services)

Has a responsibility to receive and investigate complaints of inappropriate behaviour in reference to protected disclosures. Note: Protected disclosures are not dealt with under this policy. Council has a policy 'Internal Reporting Policy' which is available on both the Council website and the intranet.

Managers & Supervisors

Are responsible for educating employees with regard to this policy and ensuring that complaints are responded to in a courteous, fair, confidential and timely manner, and that the complainant is advised of progress and outcomes.

Employees

Are required to respond to complaints and requests from customers in a courteous, fair, confidential and timely manner, at least within the time frames as agreed within Council's Customer Service Charter.

Council's Professional Conduct

The Ombudsman or the Department of Premier and Cabinet (Local Government), are responsible for the investigation of complaints about the conduct of public authorities, and/or the management of Councils,

and may be contacted by the complainant at any stage.

13. EVALUATION AND REVIEW

It is the responsibility of the Manager Customer Service, to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

14. LEGISLATION, ASSOCIATED DOCUMENTS AND DEFINITIONS

Legislation

Associated Documents

- ▶ Murray River Council - Customer Service Policy
- ▶ Murray River Council - Internal Reporting Policy
- ▶ Murray River Council - Customer Service Charter
- ▶ Murray River Council - Customer Service Strategy
- ▶ Murray River Council - Request for Service Form
- ▶ Murray River Council - Initial Response Letter Template – Feedback (being developed)
- ▶ NSW Ombudsman and Department of Premier and Cabinet (Division of Local Government) titled 'Complaints Management in Councils – Practice Note No 9' – July 2009

Definitions:

Term	Definition
Competitive Neutrality	Is based on the concept of the 'level playing field' for all competitors in a market, be they public or private sector competitors. That National Competition Policy requires that 'where councils compete in the market place they should do so on a basis that does not utilise their public position to gain an unfair advantage over a private sector competitor' (paragraph 4.3). For more information see the Department of Local Government website.
Complainant	Person or organisation making the complaint.
Complaint	For the purpose of this policy a complaint is any expression of dissatisfaction with Council.
Corruption	Corrupt conduct means any conduct which could affect the honest or impartial exercise of official functions, or may be a breach of trust, or may involve the misuse of any Council information by any Council official. Examples of corrupt conduct would include the inappropriate use of information or material gained in an official function, bribery, blackmail, offering secret commissions, forgery, etc.
Council Official	Includes all employees and Councillors of Murray River Council, including both external and internal customers.

Customer	A person offered a service or a product by Council, including both external and internal customers.
Employees	Complaints about employees are generally about dissatisfaction with the behaviour of a Council employee.
Maladministration	Is a failure to comply with proper procedures or the law and may involve action or inaction and inefficient, bad or improper administration. Examples would include failing to enforce development consent conditions, failing to act on complaints about unauthorised work or illegal activities, failing to comply with tendering processes or misusing secrecy provisions, etc.
Officer	Is an employee of Council, not an elected representative.
Pecuniary Interest	A situation where a public official has a personal monetary interest in their official duties. For example, a Council employee making a decision about a development application for their own business.
Policies and Procedures	Complaints about policies and procedures are usually related to dissatisfaction with service charges, policy decisions or an agreed practice covered by a policy or procedure.
Quality of Service	Complaints about quality of service are generally related to the quality of the finished job (e.g. not up to an expected standard, poor workmanship) or the length of time taken to complete the job/provide the service (e.g. outside of service standards).

15. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	26 Nov 2019	DOC/19/36311	211119

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in before November 2023.

Disclaimer:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.