

# Request for Service and Complaint Handling Policy

<b>Policy Reference Number</b>	1171965
<b>Responsible Department</b>	Community Connections
<b>Related Policies</b>	Internal Review of Council Decisions Policy; Administrative Policy for Elected Members; Public Interest Disclosure Policy & Procedures, Staff Conduct Policy for Employees
<b>Related Procedures</b>	General Complaint Handling Process; Customer Requests; Public Interest Disclosure Policy & Procedures; Customer Service Charter
<b>Date of Initial Adoption</b>	20 March 2012
<b>Last Reviewed by Council</b>	5 December 2023

## 1. Purpose

This Policy aims to provide guidance to Elected Members, the Community and Council Employees on:

- What may constitute a reasonable request for a service or an improvement to a service
- Distinguishing between requests, complaints and feedback to Council and giving direction on management of requests
- How Council assesses and processes requests including the collation of information which can be used to directly inform service improvements

## 2. Introduction

Council delivers an extensive range of services and infrastructure to its Community, and discharges obligations under many pieces of legislation. The delivery of services is a key component of Council's operations and requests for work to be undertaken or a service provided are a routine occurrence.

Council is committed to the provision of quality service to customers and aims to provide services fairly and efficiently. It also monitors requests to identify ways in which it can proactively improve its services.

Council's preference is to resolve requests for service and complaints as quickly as possible thereby optimising the customer experience. This Policy provides guidance to the customer in this regard.

Where a customer is dissatisfied with the manner in which Employees have dealt with their request for service or complaint, the relevant Manager will assist the customer with information about how to request a more formal review of Council's Decision on a matter (utilising Council's Internal Review of Council Decisions Policy processes or other legislated process). Information will also, on request, be provided about alternative external authorities through which a customer may seek assistance.

### 3. Power to Make the Policy

Section 270 of the Local Government Act 1999 requires Council to develop and maintain policies, procedures and practices for 'any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council' as well as 'complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council'.

Clause 2 of Schedule 2A of the Local Government (General) Regulations 2013 requires Council to prepare and maintain a policy relating to complaints about employees.

### 4. Strategic Plan Link

This Policy has the following link to Council's Strategic Plan 2024:

- Leading Our People (Goal 5)

### 5. Principles

- Council acknowledges that treating customers fairly requires impartiality, confidentiality and transparency at all stages of the process.
- Council will promote to its Community the methods by which they can request services and make complaints.
- Council is committed to providing sufficient resources and well trained employees to manage service and complaint matters, and to review its systems for opportunities for improvement.
- Customer requests and complaints will be dealt with in accordance with this Policy in a timely manner that takes into account a response that is considerate of the matter's complexities, and takes up opportunities for improvement across the organisation where appropriate.
- In processing requests for service emphasis will be placed on:
  - Public safety and emergencies
  - Fulfilling Council's Strategic and business plans
  - Using Council resources effectively
  - Guidelines and conditions of externally funded programs such as Council's Home Support program

### 6. Definitions

#### **Business Day**

means a day when the Council is normally open for business; that is Monday to Friday between 8.45 am and 5 pm, excluding public holidays and the period between Christmas and New Year's Day when the Council office is usually closed.

The ARC Campbelltown and Campbelltown Library are open for extended hours. Council's website has details of opening times.

<b>Complaint</b>	<p>for the purpose of this Policy means an expression of dissatisfaction with a product, service or behaviour delivered by the Council or its representatives that has failed to reach the standard stated, implied or expected. This includes complaints about a service that has been, or should have been delivered, but does not include matters outside of Council's responsibility such as disputes between neighbours, or complaint processes that require an alternative legislated approach.</p> <p>Where Council has failed to meet the normal standards for a service which has been, or should have been delivered, Council will manage the matter in accordance with the Complaint Handling component of this Policy (Clause 7.2) and associated procedures. Where ambiguity exists Council will deal with a matter as a request for service in the first instance, rather than as a complaint.</p>
<b>Employee</b>	<p>means any person performing work on behalf of Council, either paid or unpaid, including the Chief Executive Officer, Managers and Employees employed on a full time, part time, casual or contract basis, work experience students, agents, consultants and contractors employed by Council. It includes volunteers on Council's Advisory and Management Committees but excludes all other volunteers.</p>
<b>Feedback</b>	<p>can take the form of comments, both positive and negative, about services provided by Council without necessarily forming the basis of a request for service or complaint. Council welcomes feedback of all types as an important way of continually monitoring its service standards.</p>
<b>Request for Service</b>	<p>is an application to have Council or its representative, take some form of action to provide or improve a Council service.</p>

## 7. Policy

### 7.1 Request for Service

Requests for service will be assessed in the context of the services and work provided for in the Council's annual business plan and budget and according to the conditions of externally funded programs.

#### 7.1.1 Recording Requests for Service

A person can make application for a service in a number of ways:

- Completion of the appropriate form, App or email request via Council's website
- Telephone
- Email
- Letter
- Petition to Council
- Visit the relevant Council site

All requests will be recorded in Council's records management systems in such a way that the information can also be analysed for service improvement opportunities.

#### **7.1.2 Reasonable Request for Service**

In determining how to respond to a request for service, Employees will consider:

- An assessment of risk
- Statutory responsibilities
- The content of Council's Strategic Management Plans, Annual and Departmental Business Plans, annual works program and Annual Budget
- Relevant Council policies and codes
- Established service standards and response times for regular Council activities
- Where delivering the request would result in a new level of service, the ongoing sustainability implications for Council

Requests for service will be acknowledged in accordance with Council's Customer Service Charter.

#### **7.1.3 Processing a Request for Service**

In Council's experience, most requests fit within well established guidelines which will be explained to an applicant at the outset. Council aims to manage requests efficiently and effectively. Employees are provided with a level of authority to advise applicants of the likely timeframe to complete the action required. Where further evaluation is necessary before committing Council to undertake the work the applicant will be informed accordingly. If a request cannot be fulfilled in a reasonable timeframe the applicant will be advised, including an explanation of why this decision was taken.

Where an applicant is not satisfied with the Council's decision, it is open to the applicant to lodge a complaint in accordance with clause 7.2 of this Policy.

#### **7.1.4 Timeframes for Response**

The circumstances of individual requests for service will vary due to the nature of the service to be provided. In the majority of cases requests will be processed within a short timeframe and the applicant advised verbally or by return post/email.

Routine requests are often subject to service response standards. For example, notification of uncollected rubbish bins will be forwarded to East Waste for collection within 24 hours and the assessment of public safety concerns will occur, where practicable, on the same day as the request is received. Other requests may be best suited to scheduling to coincide with work in a particular suburb or season. Examples of this include tree pruning on Council streets

and attention to graffiti concerns. Requests for major works or new services will be referred to Council for consideration as part of the next annual business plan cycle or budget review process if considered to be a matter of higher urgency.

Council Employees will respond to resident requests for service within 10 business days advising of Council's intentions in regard to the request.

#### **7.1.5 Rejected Requests**

All rejected requests will be recorded in Council's Records Management System and may be reconsidered at a future date, such as in conjunction with the preparation of an Annual Business Plan and associated budget.

## **7.2 Complaint Handling**

### **7.2.1 Making a complaint**

Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to put things right.

A person can make a complaint in a number of ways:

- Complete the appropriate form on Council's website
- Telephone
- Email
- Letter
- Visit the relevant Council site

Information about how to lodge a complaint, and Council's complaint handling process can be found on the 'Contact' page on Council's website and publicly displayed at Council's office.

### **7.2.2 Processing complaints**

Employee response to general complaints received will be managed in accordance with the General Complaint Handling Process. This ensures that, whenever possible, complaints are handled independently of the original decision-maker or employee involved in the matter that is the subject of the complaint.

Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

Employees will record all general complaints received in Council's records management system in such a way that the information can be utilised to respond to the complaint and analyse complaints by category for service improvement opportunities.

Complaints alleging that a Council employee has breached the Code of Conduct for Employees should be referred to the Chief Executive Officer (or if related to the Chief Executive Officer must be provided to the Mayor of the Council) unless otherwise directed by legislation.

#### **7.2.2.1 Steps to resolving a complaint**

The following will be considered to aid efficient and effective complaint handling:

- Acknowledge complaints promptly
- Assess the complaint
- Plan the investigation where one is warranted
- Investigate the complaint
- Respond to the complainant with a clear decision
- Follow up any customer service concerns
- Consider whether there are systemic issues which need correction.

#### **7.2.3 Timeframes**

Upon receiving a complaint, Employees will respond within [10] business days, acknowledging receipt of the complaint and, where possible, resolving it at that time. Where a complaint cannot be resolved immediately the complainant will be advised of the process to be undertaken, the likely timeframe required to investigate and resolve the matter, and regularly updated by email / letter as to progress that is being made to resolve the complaint (as per General Complaint Handling Process).

#### **7.2.4 Complex complaints**

Complaints may vary greatly in their level of complexity and seriousness. Wherever possible complaints will be resolved when first reported, but if necessary Employees will escalate the complaint in accordance with the General Complaint Handling Process.

In some instances, an alternative complaint handling process must be used due to legislation restrictions. In these instances, Employees will advise the complainant of the alternative process requirements, and assist them to seek resolution of their concerns. Examples of alternative complaint handling processes include:

- Code of Conduct complaints about an Elected Member
- Freedom of Information applications
- Insurance claims
- Decisions made under legislation other than the *Local Government Act*, such as the *Development Act 1993* or *Expiation of Offences Act 1996*.

A full list of alternative complaint handling mechanisms is listed in the Internal Review of Council Decisions Policy.

In some instances, Employees may advise complainants that mediation, conciliation or neutral evaluation may be appropriate



under the Council's scheme authorised by Section 271 of the Local Government Act. Costs and expenses of the appointment and work of a mediator, conciliator or evaluator will be shared equally between the Council and the other party.

#### **7.2.4.1 Internal Review of a Council decision**

Internal Review of a Council decision is available under Section 270 of the Local Government Act 1999 (refer Council's Internal Review Policy). This is a process established by legislation that enables a Council to reconsider all the evidence relied on to make a decision, including new evidence if relevant. This process is generally a last resort in the internal mechanisms at Council for handling complaints, but may also be used in situations which are not able to be resolved by other means, such as a complaint about a decision of the CEO.

#### **7.2.5 Complainant Rights to external review**

While Council prefers to work with its customers 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.

**Note:** As a general rule, the Ombudsman prefers a complaint to be addressed by Council in the first instance, unless this is not appropriate in the circumstances.

#### **7.2.6 Unreasonable Complainant Conduct**

All complaints received by Council will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, lack of cooperation, argumentative or threatening behaviour. What can be termed 'unreasonable' will vary depending on a number of factors and Council aims to manage these situations in a fair and equitable manner.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the person. Before making any decision to restrict contact, the complainant will be warned that, if the specified behaviour(s) or actions continue, restrictions may be applied.

Any decision to suspend action on a complaint will be made by the Chief Executive Officer (or nominee) and communicated in writing to the complainant.

### **7.2.7 Using Complaints to Improve Service**

Quality of service is an important measure of Council's effectiveness. Learning from complaints is a powerful way of helping to develop the Council and increase trust among the people who use its services.

In addition to making changes to procedures and practices where appropriate, Council's Executive Management Team will review and evaluate complaints received on at least an annual basis to identify systemic issues and improvements to service.

Where appropriate, complainants will be provided with an explanation of changes proposed or made as a result of the investigation of their complaint.

### **7.2.8 Privacy and Confidentiality**

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. 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 unless the matter is considered by Council or required by law.

**Note:** All complaints lodged with Council are subject to *the Freedom of Information Act 1991* and confidentiality cannot be guaranteed under the provisions of that legislation.

### **7.2.9 Remedies**

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

As a general principle the complainant should, so far as possible, be put in the position he or she would have been in, had things not gone wrong. This may mean providing the desired service or changing a decision. Sometimes, however, it may only be possible to offer an apology.

Compensation will only be offered in cases where the loss or suffering is considered substantial. Financial compensation will only be offered by way of a Council decision or at the discretion of the Chief Executive Officer (or nominee).

### **7.2.10 Alternative Remedies**

Council may seek to use alternative dispute resolution methods such as mediation to resolve a complaint in circumstances where the Chief Executive Officer (or nominee) deems such a course of action appropriate and the complainant is amenable to that process.



When advising a complainant of the outcome of an investigation of a complaint, Employees will provide information about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the SA Ombudsman, Office for Public Integrity or the Independent Commission Against Corruption SA.

## **8. Review & Evaluation**

Within twelve months of each new Council term, Council will review this policy. Following this initial review, this policy will be reviewed at least biennially by Staff with minor administrative adjustments being approved by the Chief Executive Officer.

## **9. Availability of the Policy**

Copies of this Policy will be available at Council's principal office during ordinary business hours and at Council's website [www.campbelltown.sa.gov.au](http://www.campbelltown.sa.gov.au).