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ITEM: 7

SUBJECT: CORPORATE GOVERNANCE SECTION'S PERFORMANCE IN RELATION TO
LEGISLATIVE COMPLIANCE

AUTHOR: CORPORATE GOVERNANCE MANAGER

DATE: 29 OCTOBER 2019

EXECUTIVE SUMMARY

This is a report concerning the performance of the Corporate Governance Section (the Section) in relation to managing Council's legislative compliance in the management of Complaints, Right to Information and Information Privacy functions for the period 1 July 2019 to 30 September 2019 (the Quarter).

RECOMMENDATION/S

That the report be received and the contents noted.

Comments added at Committee - 6/11/19

The Governance Manager raised a concern regarding the statistics related to infringements and the amount of infringements that are waived compared to the amount that are issued. The Governance Manager advised that this process would be reviewed.

RELATED PARTIES

There are no related parties.

ADVANCE IPSWICH THEME LINKAGE

Listening, leading and financial management

PURPOSE OF REPORT/BACKGROUND

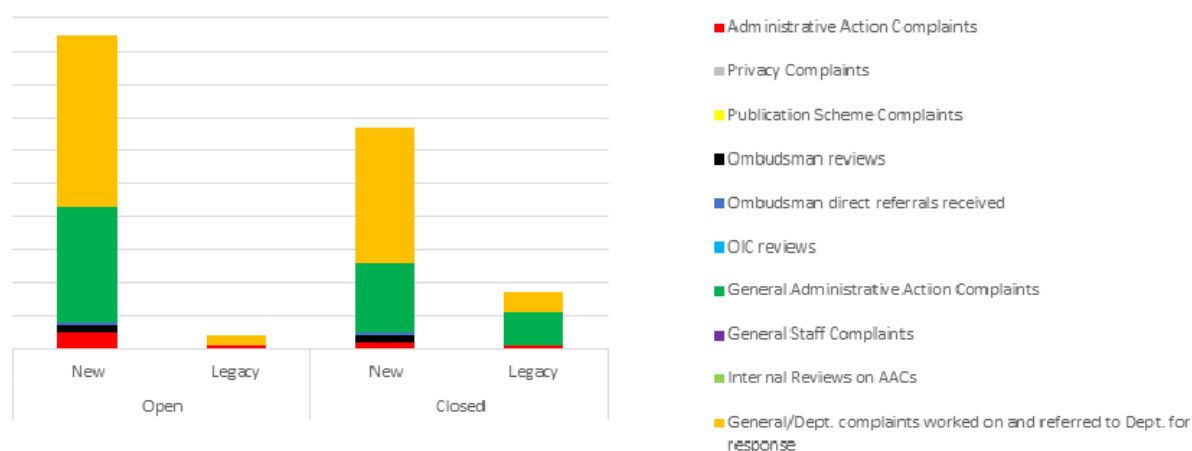
To inform the Committee on how the Section has performed and managed the below functions for the Quarter:

- Management of Complaints
- Management of Right to Information and Information Privacy Applications
- Delivery of Transformational TP#06 Complaints Management Framework

1. Management of Complaints

The below graph and table provide details of the management of all complaint types for the Quarter:

Complaint Type	Open		Closed	
	New	Legacy	New	Legacy
Administrative Action Complaints	5	1	2	1
Privacy Complaints	0	0	0	0
Publication Scheme Complaints	0	0	0	0
Ombudsman reviews	2	0	2	0
Ombudsman direct referrals received	1	0	1	0
OIC reviews	0	0	0	0
General Administrative Action Complaints	35	0	21	10
General Staff Complaints	0	0	0	0
Internal Reviews on AACs	0	0	0	0
General/Dept. complaints worked on and referred to Dept. for response	52	3	41	6



Figures for infringement review for the period July 2019 – 30 September 2019

- 999 CES Requests for infringement notices (these requests vary and also included waiving a PIN)
- 887 PATHWAY requests received specifically requesting a PIN be waived – 706 PINs waived and 181 upheld

These figures are not indicative of Q1- 2019-2020, matters from previous reporting periods are carried over into this reporting period and current figures will likely carry forward to the subsequent reporting period due to PINS being placed on hold during review periods.

Significant increase in General/Dept. complaints worked on and referred to Departments for response in this reporting period. This is indicative of the soft roll out of the Complaints Management Unit (CMU) and the business engaging in the new Complaints Management Framework. It is anticipated that there will be another notable increase in all General complaint types in the next reporting period, after the CMU has gone live on 18 November 2019.

A rise in General Administrative Action complaints is noted and again would be indicative of the soft roll out of the CMU.

A slight decrease in Administrative Action Complaints received in this period indicates success in the internal review process. More advice being sought by operational areas when drafting responses and the provision of template responses to the business areas means that responses are customer centric with the language used being understood by customers.

There were no requests for Internal Reviews on Administrative Action Complaints in this period. This will be monitored in future reporting periods. Initial indicators are that the new review process and changes to customer responses having a stronger customer focus may be the drivers here. Monitoring of different processing stages (reviews) will also be undertaken to ensure the efficiency of the new Framework and ensuing processes in complaints management.

The percentage of cases closed (new and legacy) has increased. It is anticipated this will continue to improve when the CMU is fully resourced.

2. Management of Right to Information and Information Privacy Applications

Council did not receive any Information Privacy Applications for the quarter. The below table provides details of the management of all RTI Applications for the Quarter:

	July	August	September
RTI Applications Received	1	1	2
RTI Applications completed/closed	1	2	1
IP applications Received	0	1	3
IP applications completed/closed	0	0	1

All RTI Applications were processed in accordance with legislative requirements, Council Policy and Procedures.

3. Status of the Transformational Projects which impact the Integrity and Governance Section's management of complaints and RTI/IP applications

3.1 TP#6 Complaints Management Framework

The purpose of the project is to ensure a better practice, legislatively compliant and transparent whole of Council approach to:

- formal complaints made against Council as a result of dissatisfaction with services provided or a failure to provide a service; and
- complaints and reports of wrongdoing against council or staff, including allegations of fraud, corrupt conduct and public interest disclosures.

The project has progressed throughout the Quarter and current status and activities planned for the next period are shown below:

Key Deliverable	Progress achieved this period	Activities planned for next period
Complaints Management Policy & procedure	Policy and Procedure nearly finalised at which point the documents will need to be endorsed by ELT, Risk and Governance Steering Committee and the Policy formally adopted by Council and the Procedure approved by the CEO. Comms have been drafted for the WIRE to ensure staff are aware amendments made to Policy and Procedure. This advice will also be included in meetings to be held with operational business teams.	Post adoption put up comms on WIRE.
Unreasonable Complaint Conduct (UCC) Policy and Manual	Comms prepared for the WIRE for staff to ensure awareness. Discussions have been held with CCED who are drafting a policy entitled Unreasonable Customer Conduct. It has been identified the CCED Policy could potentially cause confusion with staff as to which policy to use with customers displaying bad behaviour. Conversation and agreement with CCED Policy staff to change the name of their Policy.	Both Policies to go out to business areas for feedback prior to ELT and Steering Committee endorsement and adoption by Council. Tool box talks to be undertaken with operational teams to ensure staff understanding their responsibilities for managing UCC.
Meet with Department GMs and Level 3 Managers	Presentations at operational team meetings to discuss rollout of CMU continued during the period. Presentations focused on the benefits the CMU will provide their business areas and how Councillor received complaints will be managed. Presentations have been well received. A handout on the CMU and responsibilities of operational staff has been developed to support presentations. These will be delivered to relevant staff prior to go live date. Positive feedback has been received thus far from soft roll out. Appears a general acceptance on new Complaints Management Framework and CMU.	Post go live date 11 November - GMs and Level 3 Managers will be consulted for feedback on how the new Complaints Management Framework is impacting/benefitting their areas.
Develop comms to support process	Comms finalised with the inclusion of Go Live date. Comms discussing changes to internal review process for infringement notices has included in "In Touch" magazine being posted to Wire next week.	Proposed roll out date has been changed from 21 October to 11 November to accommodate the recruitment process for roles in CMU to be filled before roll out.
Supporting procedures and scripting	Procedures and scripting will continue to be worked on to meet deliverable time frame	Procedures and scripting will continue to be worked on to meet deliverable time frame
Develop supporting templates	To be commenced	Development of supporting templates will be commenced during period

Key Deliverable	Progress achieved this period	Activities planned for next period
Rollout of web content	Currently sitting with Marketing Manager and linked to web page amendments for TP#13 Return to Elected Representation.	Once format of web content is approved, progress to roll out. Review efficiency of web content (on line lodgement for complaints) by monitoring reporting on source of complaint.
On boarding of required governance resources to support Complaints function	Interviews for Customer Liaison Officer is complete. Awaiting final sign off from Andrew Knight on 21 Oct before advising successful candidate. Interviews for project officer role are on Monday 21 October. Anticipating on boarding of both resources to be completed prior to go live date 11 November	Development of training of resources
Reporting	Ongoing consultation with operational areas to establish what reports they require. Once known reports will be built to accommodate business reporting needs.	Confirming Objective can capture the complaints information and produce required reports. Liaison with Objective representatives has revealed reporting requirements are possible. May need to undertake some configuration changes to Objective. Working with ICT staff to progress.

The following Project Risks and Issues have been identified and appropriate mitigation and actions put in place. Risks and Issues will continue to be reviewed monthly by the Project Lead throughout the life of the Project.

Risk Description	Risk Mitigation/s	Initial Severity	Mitigated Severity
Lack of acceptance of Complaints Framework will result in: <ul style="list-style-type: none"> • siloed approaches to managing complaints across the organisation • no centralised repository of related information • inability to make informed changes to business processes based on complaint data • inability to effectively communicate with customers regarding delays or changes in service • legislative non-compliance 	<ul style="list-style-type: none"> • Creation of Complaints Management Unit (CMU) to be centralised unit for complaints management within Council • Better practice for recording and reporting on all complaints and provision of advice to business to drive performance improvements • Better practice in monitoring of timeframes and resolutions received for complaints 	M	M
Objective system may not be able to be configured as per ICC requirements resulting in inability to produce suitable and sufficient reporting to support the monitoring of the Complaints Management Process	Increase functionality in Objective (through the purchase or creation of other modules) to allow for effective reporting. This includes the creation of metadata fields that are relevant to capturing complaints management data.	H	M

The project's budget has been monitored throughout the period. Actuals and commitments reflect training costs when engaging the Office of the Information Commissioner in PID Awareness and Managing Organisational Risk.

FY Budget	FY Actuals & Commitments to Date	FY Forecast	FY Variance
\$0	\$17 627	\$50 000	\$50 000

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial/resource implications.

RISK MANAGEMENT IMPLICATIONS

The greatest risk to the organisation is the lack of awareness by staff of their responsibilities under Council's Complaint Management Framework, the Public Record Act, and RTI and IP Acts. All outside staff have attended Public Records Act, RTI Act and IP Act Training delivered by the TP#6 Project Lead. Internal staff have undertaken Office of the Information Commissioner RTI and IP Training and Queensland State Archives Records Challenge Training online via E-Hub. Training in Records, RTI and IP Act obligations and responsibilities is now a component of induction training and will be incorporated into annual refresher training for all staff.

Council has an obligation under the RTI and IP Acts to work towards open proactive disclosure, administrative access and information sharing (the "push model"). The Section will engage a consultant in early 2020 to develop a 12 month project plan using the recent organisational 'scorecard' developed by the Office of the Information Commission (OIC). The aim of the project plan will be to improve the organisation's implementation of the "push model" and hopefully increase our scorecard results for the next OIC assessment. The project plan will be delivered by the Section as BAU.

LEGAL/POLICY BASIS

The following table outlines the relevant legislation and the administrative functions and services provided by the Branch:

Relevant Legislation	Integrity and Governance Team Administrative Functions and Services Provided
<i>Local Government Act 2009</i> and <i>Local Government Regulation 2012</i>	Management complaint types: <ul style="list-style-type: none"> • Administrative Action Complaints and Internal Reviews • Privacy Complaints • Publication Scheme Complaints • Ombudsman Review of Complaint Management • Ombudsman Direct Referral of Complaints • Office of Information Commission (OIC) Complaint Reviews

Relevant Legislation	Integrity and Governance Team Administrative Functions and Services Provided
	<ul style="list-style-type: none"> Operational i.e. General Department complaints referred to relevant Council Depart./Branch for resolution
<i>Right to Information Act 2006</i>	Management of Right to Information Applications for: <ul style="list-style-type: none"> access to information that is not administratively available internal review of a reviewable decision
<i>Information Privacy Act 2006</i>	Management of Information Privacy Applications: <ul style="list-style-type: none"> for personal information to amend personal information or to investigate complaints of privacy breaches internal review of a reviewable decision

COMMUNITY and OTHER CONSULTATION

This report did not require community engagement.

CONCLUSION

The Integrity and Governance Section has performed its responsibilities and obligations in relation to maintaining Council's compliance with the *Local Government Act, Local Government Regulation, Right to Information Act and Information Privacy Act* for the previous Quarter.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Complaints for the quarter
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Angela Harms

CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Andrew Knight

GENERAL MANAGER - CORPORATE SERVICES

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