COMPLAINTS MANAGEMENT FRAMEWORK

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1. Introduction

This Complaints Management Framework (the Framework) forms part of Council's customer services and governance arrangements. The Framework is underpinned by the *Local Government Act 2009* Principles, in particular:

- Transparent and effective processes, and decision-making in the public interest;
- Sustainable development and management of assets and infrastructure, and delivery of effective services;
- Good governance of, and by, local government;
- Ethical and legal behaviour of Councillors and local government employees.

Council will ensure the Framework is accessible on our external and internal websites and encourages customers and employees to come forward and raise a complaint. By doing so they provide the opportunity for a decision to be reviewed, wrongdoing to be stopped and persons responsible for wrongdoing to be held accountable.

Where Council is the proper authority, as defined in the *Public Interest Disclosure Act 2010,* support and protection will be given to anyone who raises a matter of public interest or is the subject or witness of a complaint to ensure they do not suffer any reprisal action.

2. The Value of Complaints

Council recognises that effective complaint management offers many practical benefits as complaints provide information about program weaknesses, service delivery faults and the management and performance of Council employees. Good administration practices involve the regular review of Council's services, programs, policies, procedures and the lessons learnt from complaints can feed into that process.

Council will utilise complaint information to:

- Provide a suitable remedy to a complainant
- Develop and maintain good relations with our customers
- Evaluate and improve services, programs, policies and procedures
- Inform decision making about future service and program delivery
- Evaluate and improve the management of our employees and the programs, policies and procedures they work within

3. Our Commitment to Good Complaints Management

Council is committed to recognising the importance and value of listening and responding to complaints. The following table[1] sets out the nature of the commitment expected from all Council employees and the way that commitment will be implemented.

[1] Commonwealth Ombudsman, "Better Practice Guide to Complaint Handling", 2009, page 6.

Who?	Commitment	How?

Chief Executive Officer	Make complaint management a priority for the Council	• Promote a positive culture that values complaint management
		• Include complaint management standards in Council's Product and Services Catalogue and standards of service documents
		• Report on complaint management regularly such as:
		  • Quarterly reports to Council
		  • Reporting on complaints management activities in the Annual Report
		  • Complaints management training and report for managers and supervisors identifying the expected standards of complaint management such as the quality and timeliness of complaint management
		• Utilise complaint information to inform good decision making when planning and reviewing Council services and programs

General Managers	Make complaint management a priority for the Council	• Responsible and accountable for capability and cultural change as a General Manager to ensure line management staff are aware of their:
		  • complaints management responsibilities
		  • protection of disclosers, subject officers and witnesses from reprisal
		  • obligation to refer possible corrupt conduct
		  • obligations and responsibilities under the Public Interest Disclosure Act
		• As a member of the Executive Leadership Team, corporately responsible to respond to systemic or serious concerns identified by

Who?	Commitment	How?
		complaints
Councillors	Support Council's Complaint Management Framework, related policies and procedure	• Encourage residents and business owners to bring complaints to the attention of the Complaints Management Unit to ensure all complaints are: • Assigned to a member of the Complaints Management Unit who will be the contact for the complainant throughout the complaint investigation. This will allow for the complainant to build a relationship of honest communication and trust with the Complaint Management Officer and therefore raise Council's reputation within the community • Acknowledged and responded to quickly • Addressed in an equitable, fair and unbiased manner and in keeping with the principles of procedural fairness • Managed without any reprisal to the complainant, witnesses and subject officers • Managed in accordance with relevant privacy laws and ethical obligations • Reported to management and complaint data can be used to inform decisions regarding the provision of programs, services and business improvement can be informed appropriately
Managers responsible for complaint management	Establish and manage an effective, professional complaint management system	• Promote a positive culture that values complaint management • Recruit suitable staff • Provide comprehensive training to complaint management staff • Manage and support complaint management staff

Who?	Commitment	How?
		• Promote strong internal networks to enable complaint management staff to work with and be supported by other staff • Bring systemic issues and weaknesses that are identified through the complaint system to the attention of General Managers and the Chief Executive Officer • Provide regular reports to other relevant areas of Council on issues arising from complaint management work • Keep up to date with better practice, regularly review Council's complaint management system and participate in organisation wide complaint management meetings
Complaint management staff	Display exemplary practice in managing complaints	• Behave professionally when dealing with complainants • Have a sound understanding of Council's complaint management policies and procedures • Comply with internal policies and procedures • Keep informed about Council's services and programs • Maintain interest in better practice in complaint management

4. Complaints not included in the Framework

The Framework does not include the following types of complaints as Council is not the responsible authority for investigating or making a decision on the complaint:

- Complaints about Councillors:
    - Complaints of alleged or suspected corrupt conduct, misconduct, inappropriate conduct are managed by the Independent Assessor appointed by Governor in Council under section 150CV of the *Local Government Act 2009*;
    - Unsuitable meeting conduct by a Councillor is dealt with by the Chairperson of the committee or Council meeting as per Council's Meeting Procedure. It is

important that the Chairperson deal with matters of unsuitable meeting conduct locally, and as efficiently and effectively as possible so that Council can continue with their business of making effective decisions in the public interest. Council's Committee Meeting Procedure.

- Any matter where remedy is available through a:

    - Statutory appeal process (i.e. development assessment issues that have a right to be heard in the Planning and Environment Court or declared dangerous dog that have a right to be heard by the Queensland Civil and Administrative Tribunal);
    - Dispute resolution mechanism available in an industrial instrument, such as Industrial Awards, Enterprise Bargaining Agreements and employment contracts;

- Decisions by Council made at Council meetings;

- Proceedings under the *Judicial Review Act 1991* relating to decisions made under an enactment or matters identified in section 31, when read with Schedule 2.

5. Categories of Complaints

> "Agencies now accept that complaint handling is a predictable and necessary part of program and service delivery. Errors, misunderstandings, client dissatisfaction and unexpected problems occur in all administrative systems. Complaint handling can be effective in resolving a problem before it becomes worse, providing a remedy to a client who has suffered disadvantage, and nurturing good relations between government agencies and the public[2]."

Like many other Agencies, Council provides a diverse number of services and programs to our customers and receives complaints on a daily basis. Customer complaints when they are first brought to the attention of Council, in the majority of cases the complaint will be managed as a Request for Service, as the customer will be complaining about an issue such as:

- Footpath maintenance
- Missed waste bin
- A pot hole
- A barking dog
- Overgrown parks or allotments
- Road maintenance
- Or another issue requiring Council services

[2] Commonwealth Ombudsman, "Better Practice Guide to Complaint Handling", 2009, page 1.

A request for Service will be handled in accordance with internal procedures and processes by the relevant operational staff and will be completed within agreed timeframes.

To effectively manage and resolve complaints to the complainant's satisfaction, complaints are triaged into two (2) Complaint Categories.

Customer complaints are identified in both Categories while employee complaints are contained in Category 2.

Category 1

This Category 1 includes customer complaints about the:

- Management of a Request for Service that was not resolved to the customer's satisfaction;
- Dissatisfaction of a service or program delivered by Council such as:
    - parks beautification program;
    - resources available at the library;
    - customer experience at an Art Gallery or Civic Centre event.
- Decision of a Council employee e.g. issuing a Penalty Infringement Notice (PIN) for illegally parking.

Category 1 complaints will be managed by the Council Officer responsible for delivering the service, program or making the decision which is the subject of the complaint. The Council Officer will review/investigate the complaint and to the best of their ability, try and resolve the complaint to the customer's satisfaction. Assistance will provided to Council Officers by the CMU by way of being a primary contact for the complainant.

If not resolved, the complaint will be referred to the relevant Branch Manager or General Manager of the Council Officer for their review.

If the complaint is still not resolved to the customer's satisfaction they will be advised of their review rights, such as external submission to the Ombudsman's Office, or submitting an Administrative Action Complaint, etc.

Note: The review of a Penalty Infringement Notice (PIN) which will be managed by officers in the CMU. As this is a considered service and not a requirement under legislation, in the majority of cases there is no availability for a second internal review of a PIN complaint. If a customer is dissatisfied by the review decision they are reminded of their review rights as an external submission to the Magistrates Court as advised on the back of the Infringement Notice.

TABLE 1 – CUSTOMER RELATED COMPLAINTS	
Type	**Definition**
Administrative Action Complaint	Section 268 of the *Local Government Act 2009* defines an Administrative Action Complaint as a complaint that –

TABLE 1 – CUSTOMER RELATED COMPLAINTS	
Type	**Definition**
	(a) is about an administrative action of a local government, including the following, for example – a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision; an act, or a failure to do an act; the formulation of a proposal or intention; the making of a recommendation; and (b) is made by an affected person.
Privacy Complaint	Section 164 of the *Information Privacy Act 2009* defines a privacy complaint as- A complaint by an individual about an act or practice of a relevant entity in relation to the individual's personal information that is a breach of the relevant entity's obligation under the Information Privacy Act to comply with – • the privacy principles; or • an approval under section 157 of the *Information Privacy Act 2009*.
Publication Scheme Complaint	Ministerial Guidelines made under the *Right to Information Act 2009* allow for complaints to be made when information included in a Publication Scheme is not available or able to be accessed as required by legislation.
Competitive Neutrality Complaint	Section 48 of the *Local Government Act 2009* requires Council to adopt a process for resolving competitive neutrality complaints. These are complaints that: • relates to the failure of a local government to conduct a business activity in accordance with the competitive neutrality principle; and • is made by an affected person.
Corrupt Conduct	Under the CC Act, there are two different types of corrupt conduct that both carry the obligations to notify the CCC namely "Type A" and "Type B". Under the CC Act, conduct includes: • neglect, failure and inaction • conspiracy to engage in conduct • attempt to engage in conduct. **Type A** corrupt conduct is conduct by any person that satisfies <u>all</u> three elements described below. 1. Effect of the conduct Type A corrupt conduct adversely affects, or could adversely affect,

TABLE 1 – CUSTOMER RELATED COMPLAINTS	
Type	**Definition**
	directly or indirectly, the performance of functions or the exercise of powers of— • a unit of public administration (UPA) or • an individual person holding an appointment in a UPA. 2. Result of the conduct Type A corrupt conduct results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned above in a way that— • is not honest or is not impartial or • involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly or • involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment. In relation to a breach of trust: • knowingly can be taken to mean that the subject officer knew that their actions were a breach of the trust placed in them • recklessly can be taken to mean that, while the subject officer did not necessarily know that their actions were a breach of trust, they were aware that there was a real and apparent risk that the conduct would amount to a breach of the trust and they nevertheless without justification went through with the conduct. 3. Seriousness of the conduct Type A corrupt conduct would, if proved, be— • a criminal offence or • a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were a holder of an appointment. **Type B** corrupt conduct is conduct by any person that satisfies <u>all</u> three elements described below: 1. Effect of the conduct Type B corrupt conduct impairs, or could impair, public confidence in public administration. 2. Type of conduct Type B corrupt conduct involves, or could involve, one of the following types of conduct: • collusive tendering

TABLE 1 – CUSTOMER RELATED COMPLAINTS	
Type	**Definition**

	• fraud relating to an application for a licence, permit or other authority under an Act that has any of the following purposes or objects:
	  • protecting people's health or safety
	  • protecting the environment
	  • protecting or managing the use of the State's natural, cultural, mining or energy resources
	• dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets
	• evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue
	• fraudulently obtaining or retaining an appointment.
	
	3. Seriousness of the conduct
	Type B corrupt conduct would, if proved, be—
	• a criminal offence or
	• a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were a holder of an appointment.

Public Interest Disclosure	Any person including a public officer can make a public interest disclosure about: • danger to the health or safety of a person with a disability • danger to the environment caused by commission of an offence or contravention of a condition in certain environmental legislation • reprisal after making a public interest disclosure.
Human Rights Complaint	Section 63 of the *Human Rights Act 2019* defines a human rights complaint as a complaint about an alleged contravention of section 58(1) by a public entity in relation to an act or decision of a public entity. Under section 58(1) of the *Human Rights Act 2019*, a public entity must: • act and make decisions in a way that is compatible with human rights • when making a decision, give proper consideration to a human right relevant to the decision.

Category 2

Council also has a responsibility to its employees to ensure they have an effective complaint management system. Council's People and Culture Branch is responsible for managing the majority of employee type complaints detailed in Category 2.

This Category is predominately for legislative complaints which require Council to have a process in place for managing such complaints made by a customer or an employee.

Council will receive, investigate and provide an outcome decision or investigation on the following Category 2 complaints. Council will endeavour to reach resolution to the complainant's satisfaction.

TABLE 2 – EMPLOYEE RELATED COMPLAINTS	
Type	**Definition**
A Workplace Health & Safety (WH&S) Issue	An 'issue' is any matter about health and safety at the workplace that remains unresolved after discussion by parties to the issue e.g. supply of ineffective or inappropriate equipment not suitable for the task.
A workplace complaint	Examples of general employee complaints/grievances: • Under payment of wages or allowances • Classification of position – reclassification request not approved • Dissatisfaction with or request for review of recruitment process • Unsafe/uncomfortable working conditions • Fractured working relationship with another employee/ manager • Heavy/increased work load • Concerns about performance management • Inaction by manager when a grievance has been raised to them
Bullying	Bullying is repeated, unreasonable behaviour directed towards an individual or group that creates a risk to health and safety. Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten. Single incidents of unreasonable behaviour can also create a risk to health and safety and may escalate into bullying. There is no requirement that bullying be intentional. It is not bullying for a manager or supervisor to counsel a workplace participant about their performance. Reasonable performance counselling is a necessary part of ensuring that workplace participants meet Ipswich City Council's standards of work and behaviour. Also, other reasonable managerial actions such as disciplinary action, work directions and orders, and allocation of work in compliance with business needs and systems do not constitute bullying.
Corrupt Conduct	Under the CC Act, there are two different types of corrupt conduct that both carry the obligations to notify the CCC namely "Type A" and "Type B". Under the CC Act, conduct includes:

TABLE 2 – EMPLOYEE RELATED COMPLAINTS	
Type	**Definition**
	• neglect, failure and inaction • conspiracy to engage in conduct • attempt to engage in conduct. **Type A** corrupt conduct is conduct by any person that satisfies <u>all</u> three elements described below. 1. Effect of the conduct Type A corrupt conduct adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of— • a unit of public administration (UPA) or • an individual person holding an appointment in a UPA. 2. Result of the conduct Type A corrupt conduct results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned above in a way that— • is not honest or is not impartial or • involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly or • involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment. In relation to a breach of trust: • knowingly can be taken to mean that the subject officer knew that their actions were a breach of the trust placed in them • recklessly can be taken to mean that, while the subject officer did not necessarily know that their actions were a breach of trust, they were aware that there was a real and apparent risk that the conduct would amount to a breach of the trust and they nevertheless without justification went through with the conduct. 3. Seriousness of the conduct Type A corrupt conduct would, if proved, be— • a criminal offence or • a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were a holder of an appointment. **Type B** corrupt conduct is conduct by any person that satisfies <u>all</u> three elements described below:

TABLE 2 – EMPLOYEE RELATED COMPLAINTS	
Type	**Definition**

	1. Effect of the conduct
	Type B corrupt conduct impairs, or could impair, public confidence in public administration.
	
	2. Type of conduct
	Type B corrupt conduct involves, or could involve, one of the following types of conduct:
	• collusive tendering
	• fraud relating to an application for a licence, permit or other authority under an Act that has any of the following purposes or objects:
	  • protecting people's health or safety
	  • protecting the environment
	  • protecting or managing the use of the State's natural, cultural, mining or energy resources
	• dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets
	• evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue
	• fraudulently obtaining or retaining an appointment.
	
	3. Seriousness of the conduct
	Type B corrupt conduct would, if proved, be—
	• a criminal offence or
	a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were a holder of an appointment.

A complaint regarding the Chief Executive Officer	A complaint that involves or may involve corrupt conduct of its CEO as defined in the *Crime and Corruption Act 2001*. The following non-exhaustive list are indicators of the types of conduct which may form a reasonable basis to suspect corrupt conduct: • fraud and theft; • extortion; • unauthorised release of information; • obtaining or offering a secret commission; • nepotism.
Privacy Complaint	Section 164 of the *Information Privacy Act 2009* defines a privacy complaint as- A complaint by an individual about an act or practice of a relevant entity in relation to the individual's personal information that is a breach of the relevant entity's obligation under the Information

TABLE 2 – EMPLOYEE RELATED COMPLAINTS	
Type	**Definition**
	Privacy Act to comply with – • the privacy principles; or • an approval under section 157 of the *Information Privacy Act 2009*.
Public Interest Disclosure	A Council employee can make a public interest disclosure about: • danger to the health or safety of a person with a disability • danger to the environment caused by commission of an offence or contravention of a condition in certain environmental legislation • corrupt conduct • maladministration that adversely affects someone's interests in a substantial and specific way • a substantial misuse of public resources • a substantial and specific danger to public health or safety • reprisal after making a public interest disclosure.
Human Rights Complaint	Section 63 of the *Human Rights Act 2019* defines a human rights complaint as a complaint about an alleged contravention of section 58(1) by a public entity in relation to an act or decision of a public entity. Under section 58(1) of the *Human Rights Act 2019*, a public entity must: • act and make decisions in a way that is compatible with human rights • when making a decision, give proper consideration to a human right relevant to the decision.
Disciplinary Action	Disciplinary action may be taken in relation to; • Failure to perform responsibilities in accordance with an employee's contract of employment or the Local Government Act 2009; or • A breach of the Employee Code of Conduct; or • Failure to perform a responsibility under the Act in accordance with the local government principles; or • Action taken under the Act in a way that is not consistent with the local government principles, and which may include misconduct Types of disciplinary action include; a) dismissal; b) demotion, including a reduction in remuneration c) a deduction from salary or wages of an amount of not more than 2 penalty units, or d) a written reprimand or warning
Discrimination and Harassment	Discrimination in employment occurs when a person is treated less favourably in their employment because of a ground of discrimination.

TABLE 2 – EMPLOYEE RELATED COMPLAINTS	
Type	**Definition**
	Discrimination also includes the situation where a workplace participant harasses another person based on a ground of discrimination. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate.
Vilification	Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of Equal Employment Opportunity laws and will be dealt with accordingly.
Sexual Harassment	Sexual harassment is unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. Conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person. However, conduct will not be sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person. Sexual harassment does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment for other workplace participants can also be unlawful.

6. Complaint policies and procedures

Each type of complaint detailed in the two (2) Categories has a Policy, Procedure and Work Instruction that clearly explains, for both our customers and employees, the criteria for the complaint, investigation process, time frames, decision process, reporting on learnings and how business improvements will be managed and implemented.

7. Guiding Principles

The following principles underpin of our Complaint Management Framework and are in keeping with Australian/New Zealand Standard 10002:2014.

7.1 Enabling Complaints

People focus - Everybody has the right to complain. We will treat people making complaints with respect, and they should be actively involved in the complaints process as far as practicable and appropriate in the circumstances.

Ensuring no detriment to complainant - We will take all reasonable steps to ensure that complainants are not adversely affected because of a complaint made by them or on their behalf.

Visibility and transparency - We will publicise information about how and where to complain.

Accessibility - We will ensure that our complaint handling process is accessible and easy to use for all our customers.

No charges - We will not charge a fee to lodge a complaint.

7.2 Managing Complaints

Responsiveness - We will respond to all complaints as quickly as possible.

Objectivity and fairness - We will address all complaints in an equitable, fair and unbiased manner using evidence submitted by both the complainant and our personnel through the complaint handling process. We will uphold the principles of procedural fairness.

Equity - We will address all complaints in an equitable manner and in accordance with Council policies.

Privacy and disclosure - Personally identifiable information about any individual will be disclosed or used in compliance with all relevant privacy laws and ethical obligations when managing a complaint.

Communication -. We will provide explanations for the policies, procedures and decisions we make when communicating to complainants and employees to minimise complaints and facilitate early resolution.

Customer focus - The interests of our customers are foremost in our approach to complaint handling as the department is committed to resolving problems, improving relations and our reputation and building loyalty. We will work together with the complainant to look for a win-win solution that provides the best outcome for all parties within the resource and practical constraints the situation presents.

7.3 Accountability, Learning and Prevention

Accountability - We will ensure that our employees are aware of how to manage complaints in accordance with Council Policies, Procedures and Work Instructions.

Continuous improvement - We will:

- Be a learning organisation that regularly reviews complaint outcomes and shares in the lessons for better service delivery, conduct and decision-making;
- Collect data on complaints to identify trends for the purpose of improving service and business processes;
- Keep abreast of complaint management best practice;
- Foster a customer-focused approach;
- Provide training to employees to foster better complaint handling practices;
- Encourage innovation in complaint handling practices.

Prevention of Ongoing Disputes - We will, to the best of our ability, implement processes that minimize the possibility of complaints escalating into ongoing disputes.

Periodic Self-Audits – We will undertake regular self-audits to ensure the Complaints Management Framework, the supporting policies, procedures, work instructions and the performance of complaints management officers to ensure:

Arrangements for enabling people to make complaints are customer focused, visible, accessible and valued and supported by management.

- Complaints are responded to promptly and handled objectively, fairly and confidentially.
- Remedies are provided where complaints are upheld and there is a system for review.
- There are clear accountabilities for complaint handling.
- Complaints are used to stimulate organisational improvements.

Complaint Investigations and Audits by External Entities – We will welcome and actively cooperate in audits of Council's Complaints Management Framework and processes initiated by external entities such as the Queensland Ombudsman Office or Office of the Information Commissioner.

Reporting on complaint trends – We will, report regularly to Council, the Chief Executive Officer, Executive Management Team on complaint trends. Where an independent external complaints intake service provider (the provider) such as FairCall, to triage complaints received to the appropriate are for action either by council or to another entity. The Provider will be responsible for preparing a regular de-identified report to the Chief Executive Officer. The report would provide information such as:

- date complaint received
- nature of matter reported
- how the complaint was triaged
- where complaint was referred for actioning
- date/s complainants were contacted to either acknowledge complaint, provide investigation updates or complaint investigation outcomes
- a periodic de-identified report to the CEO for trend identification of complaint types

- how well areas to which complaints were triaged have performed

8. The Complaints Cycle

Figure 1 below shows the four phases of the complaints process:

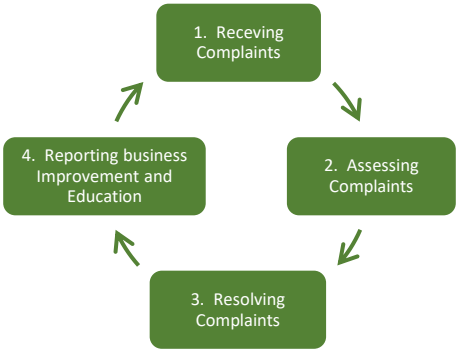


Figure 1

The objectives throughout the cycle is to provide a high standard of service to the complainant and implement business improvements through lessons learnt from past complaints investigation activities. This will be achieved by:

- Providing customers a clear path to contact Council;
- Communicating with the customer and responding promptly;
- Reporting on complaint trends, lessons learnt and monitoring benefits from business improvements as required by legislation or Council reporting frameworks;
- Continuous business improvement occurring as an outcome of the process.

9. How customer complaints may be made

9.1 Customer information and access to making a complaint

We value receiving complaints and positive feedback from our customers and employees. Feedback provides us with an opportunity to improve our services. Therefore, Council will ensure that making a complaint is a simple process for our customers and employees to follow. Our communications will give clear information about our process and about how to access us in a number of ways.

9.2 How customer complaints may be made

We will always try and resolve customer complaints prior to their escalation to a formal complaint. If this cannot be achieved, complaints can be communicated to us as follows:

In person at our Customer Service Centre, located at 143 Brisbane Street, Ipswich (top of the Ipswich City Mall).

By telephone to the Council Call Centre on 3810 6666 which will refer the caller to the relevant area of Council, or to the employee the customer has been dealing with, or to the Complaints Management Officer.

Via our Website by completing the online complaints form.

By email to cmu@ipswich.qld.gov.au

By Mail to Complaints Management Unit
Ipswich City Council
PO Box 181
IPSWICH QLD 4306

Customers are encouraged to place their complaint in writing so that all aspects of the complaint can be accurately investigated. If a customer lodges a verbal complaint we will do our best to assist them to put their complaint in writing or to write it down ourselves as faithfully as we can. Where verbal complaints are recorded in this way, the contents will be read to the customer to verify the details are accurate.

Customers can access Council through the following mediums:

- If deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service www.relayservice.gov.au
- TTY users phone 133 677 then ask for 07 3810 6666.
- Speak and Listen users phone 1300 555 727 then ask for 07 3810 6666.
- Internet relay users connect to the NRS internet-relay.nrscall.gov.au then ask for 07 3810 6666.

10. How employee complaints may be made

Council does have appropriate policies and procedures for employees to raise concerns and complaints about specific workplace issues. Matters received through these processes will be assessed to determine whether they are also a Public Interest Disclosure.

Your concern	Where to seek assistance
Bullying or Harassment at work	Consult Council's Anti-Discrimination and Equal Employment Opportunity (EEO) Policy; EEO and Workplace Harassment Grievance Procedure and EEO/Harassment Incident Report Form or talk to a Contact Officer or the People and Culture section
A Workplace Health & Safety (WH&S) Issue	Consult council's WH&S Policy, Workplace Health and Safety - Consultation and Communication Procedure - OCEO-024, Workplace Health and Safety Duties and Responsibilities Procedure - OCEO-078 and to your manager or a WH&S Officer
A workplace complaint	Consult Council's Employee Complaints Policy talk to your manager, the People and Culture section or your union delegate

Your concern	Where to seek assistance
Disciplinary action	Consult Council's Discipline Procedure and talk to your manager, the People and Culture section or your union delegate
Complaint against the Mayor and/or Councillors or former Mayor and/or Councillors	A Mayor/Councillor Complaint is any complaint about the conduct or behaviour or performance of the Mayor or a Councillor. The Councillor Code of Conduct sets out the principles and standards of behaviour expected of Councillors. Failure to comply with the standards of behaviour in the Code of Conduct, or other conduct prescribed in the Code of Conduct may give rise to a complaint against a Councillor's conduct and subsequent disciplinary action under the Act. A complaint about the conduct of a Councillor must be submitted to the Independent Assessor who will assess the complaint and determine the category of the allegation. In order of most to least serious, the categories of complaint are corrupt conduct, misconduct, inappropriate conduct and then unsuitable meeting conduct. Councillor Conduct Examples A councillor conduct complaint can be made to the Independent Assessor in the following ways: Web: the online form Phone: 1300 620 722 Email: OIAcomplaints@oia.qld.gov.au In person: Level 13, 53 Albert Street, BRISBANE QLD 4000 Post: PO Box 15031, CITY EAST QLD 4002
Human Rights Complaint	An employee can make a human rights complaint in accordance with the relevant complaints management policy/policies and procedure/procedures.
Public Interest Disclosure	Employees can make a disclosure to: • any person in a supervisory or management position • the People and Culture Branch • the Chief Executive Officer or CEO's delegate • the Ethical Standards Manager • the Chief Audit Executive • during the period of the Interim Administrator being appointed to the Ipswich City Council, the Interim Administrator or a member of the Interim Management Committee Council has engaged "FairCall", an independent external intake service, for the purposes of providing a confidential mechanisms for current and former employees to report wrongdoings/formal

Your concern	Where to seek assistance
	complaints, when they are not comfortable reporting such matters internally. Current and former employees also have the option of initially approaching council anonymously by phone to discuss their confidentiality concerns before identifying themselves. However the PID Coordinator will not be able to inform disclosers of any action taken if they make an anonymous PID. **Phone:** 1800 270 925 Australia **Email:** faircall@kpmg.com.au **Website URL:** https://www.kpmgfaircall.kpmg.com.au/ipswich **Post:** The FairCall Manager KPMG Forensic PO Box H67 Australia Square Sydney NSW 1213

11. Council's ethical responsibility to report wrong doing

Under Council's *Code of Conduct for Employees*, all employees are required to report a suspected breach of the Code of Conduct which necessarily includes an obligation to report suspected corrupt conduct, maladministration, wasting of public funds, substantial and specific danger to public health or safety, the environment or a person with a disability and reprisal action.

Councillors, the Chief Executive Officer (CEO) and General Manager's (GMs) across Council will promote an environment in which the reporting of negligent or improper behaviour is encouraged.

12. How Council will manage a complaint

Council will always endeavour to ensure a complaint is fully understood and to investigate all the circumstances and information surrounding it.

We will show empathy for the complainant, but we will not attempt to take sides, lay blame, become defensive or create false expectations. We will respond to complaints, investigate and resolve complaints as per Council policy and procedure.

We will treat complainants with respect and maintain their confidentiality. Personal information collected as part of the complaints management process will only be released or used in compliance with all relevant privacy laws and ethical obligations.

13. Unreasonable complainant conduct

There may be occasions when a complainant's conduct could be considered unreasonable. These might include:

- Frequent, lengthy, repeated or abusive telephone calls, which occupy significant employee time and resources;
- Frequent letters, emails, faxes or visits seeking resolution of issues beyond the scope of the original complaint or before the decision due date;
- seeking information, advice or resolution from a variety of employees about the same issue;
- Any contact which involves abusive or threatening language or behaviour;
- The complainant continues to contact Council after feedback has been provided regarding the complaint and all avenues of review have been exhausted.

When a complaint's conduct is unreasonable Council will consider the circumstances, including employee welfare and appropriate use of Council resources to make a decision regarding limiting the complainant's contact with Council, for example:

- Restricting the times for and/or frequency of contact;
- Designating a single employee with whom the complainant may have contact, such as a manager;
- Nominating the acceptable form of contact, for example written communication only.

Decisions regarding limiting contact with Council will be undertaken in accordance with relevant Council policies and procedures.

14. Responding to and closing a complaint

We are committed to:

- Developing good relationships with our complainants through meaningful feedback and resolution wherever possible;
- Increasing employee capabilities and business improvement, by advising the nature, outcomes and causes of complaints to all employees concerned;
- Complainants being regularly informed of the progress and ultimately the outcome of their complaint.

15. Response to Complainants

In accordance with the relevant Council complaint policy and procedure a written response will be provided to the complainant outlining the investigation findings, a statement of reasons for the decision and where appropriate, business improvement changes Council will undertake as a result of their complaint. All formal communications will be captured and registered in Objective.

16. Remedies

When a complaint is considered justified, an appropriate remedy will be determined taking into consideration the available options including any remedies that are provided in legislation; the outcome sought by the complainant and/or the degree of detriment to the complainant.

Possible remedies, alone or in combination, may include:

- Acknowledgement of an error made;
- Apology;
- Change of decision;
- Change of policy, procedures, practice or product;
- Compensation or financial assistance such as an ex-gratia payment;
- Correction of misleading or incorrect records;
- Explanation of how and why the problem occurred and what steps the department is taking or has taken to avoid it recurring;
- Provision of information or technical assistance;
- Repair/rework;
- Provision of a substitute product or service.

All remedies must be approved by a Council Officer with the appropriate level of delegation, where relevant.

17. Review Mechanisms

If a customer or employee is not satisfied with the outcome of a complaint regarding the action or decision of a Council employee, the complainant may request that the decision be reviewed. The review will be conducted by an employee of at least the same level as the original decision maker and will be independent of the original decision.

Should a customer or employee still be dissatisfied with the outcome of the review of the original decision, they will be advised of any further internal or external review mechanisms available to them e.g. lodging an Administrative Action Complaint with Council or requesting an external review via another authority such as the Ombudsman's Office or Office of the Information Commissioner. (Refer Section 26 Manage Complaints Process)

Relevant employees will be advised of the complaint investigations, outcome/s and its learnings to inform business improvement decisions.

18. Recording complaint data

Council will keep accurate records documenting the complaint management process and its investigation in Objective. These records will include:

- Correspondence sent and received;

- Evidence of the process used to consider the complaint;
- Records of meetings, telephone conversations and interviews;
- Findings from the investigation;
- Recommendations and approvals.

The complaint records will be available for internal and external review, subject to Information Privacy, Right to Information considerations and legislative obligations, e.g. *Ombudsman Act 2001*.

19. Reporting on Complaint Trends

The CEO and GMs will be provided regular reports on the effectiveness of complaints management across the organisation. Complaint Management reports will be presented to Council quarterly and to the Risk and Governance Committee. Managers and supervisors responsible for complaint management within Council will also receive regular reports on the effectiveness of their relevant Branches/Teams' complaints management.

20. Business improvement

Continuous business improvement requires analysis of complaints and trends so that business practices and behaviours can be evaluated and, through feedback to business areas, improved where necessary.

Managers and supervisors responsible for complaint management will ensure that their employees are informed of the circumstances of the complaint and its resolution to ensure services, programs and business processes are improved and rectified as necessary.

21. Employee education

This Framework applies to all Council employees. Those with particular responsibilities in complaint management will be trained in its application.

Council will provide specialist training to all employees who are dealing with customers and their queries or complaints.

22. Review of this Framework

This Framework will be reviewed and updated, if required, every two years from the date of Council approval, unless circumstances indicate it should be reviewed earlier.

23. Roles and responsibilities

Complainant

A complainant is expected to provide sufficient details for the complaint to be investigated, respond to requests for information within a reasonable time period and provide access to his or her property, if related to an investigation.

A complainant is entitled to:

- An acknowledgement of Council's receipt of the complaint;
- Be advised of the outcome of the complaint;
- Confidentiality of personal details (as detailed in this policy);
- An objective investigation or review of a complaint.

A complainant is to:

- Be truthful;
- Act with honesty and integrity;
- Cooperate with the investigation;
- Provide information in their possession in a timely manner when requested.

Complainants, witnesses and employees, subjects of a complaint

Complainants, witnesses and employees are to:

- Maintain confidentiality as directed;
- Be truthful;
- Act with honesty and integrity;
- Cooperate with the investigation;
- Provide information in their possession in a timely manner when requested.

Employees

Employees who fail to cooperate or provide information or statements in an investigation process or are later found to have been untruthful, misleading, deceptive, provided incomplete information, have been lacking in honesty or integrity, may be subject to disciplinary action in accordance with the provisions of the *Local Government Act 2009* and Council's *Code of Conduct for Employees*. The progression of these matters may also result in separate disciplinary action.

Manager, People and Culture Branch

The Manager, People and Culture Branch, manages any employee disciplinary process arising out of the complaint process. The process shall include procedural fairness where decision-making avoids bias and gives employees a fair hearing before a final decision is made. In cases where an adverse finding has been made against an employee, a formal opportunity is to be provided to:

- Respond to the findings;
- If the allegations are substantiated, advise of any mitigating circumstances; and

- Make representations on the appropriateness of any proposed disciplinary action.

Employees responsible for undertaking a complaint review

Employees responsible for undertaking a complaint review are responsible for:

- Undertaking review investigations within their field of responsibility as well as reporting the findings of a review investigation and implementing approved recommendations of an investigation;
- Supporting the discloser, witness and subject officer/s and implementing measures to protect against harassment, victimisation or any other form of reprisal by colleagues or any subject officer/s.

Councillors

Councillors will advocate on behalf of residents in accordance with this Framework, Council policies and procedures. As stated in Section 13(3)(a) of the *Local Government Act 2009* the Chief Executive Officer is responsible for managing the local go*vernment in a way that promotes:*

(i) the effective, efficient and economical management of public resources; and
(ii) excellence in service delivery; and
(iii) continual improvement;

Therefore complaints management is an operational responsibility of the Chief Executive Officer.

Councillors may receive a complaint on behalf of a constituent and forward it to the Complaints Management Unit (CMU) where it will be captured and assessed for the appropriate handling in accordance with policies and procedures. The CMU will liaise and respond directly to the complainant.

Ultimately when approached by a constituent with a complaint, the Councillor must pathway the constituent back to the CMU as their appropriate point of contact within Council. This will allow for the appropriate assessment and management of that complaint. Councillors will be advised of any complaint outcome by the CMU.

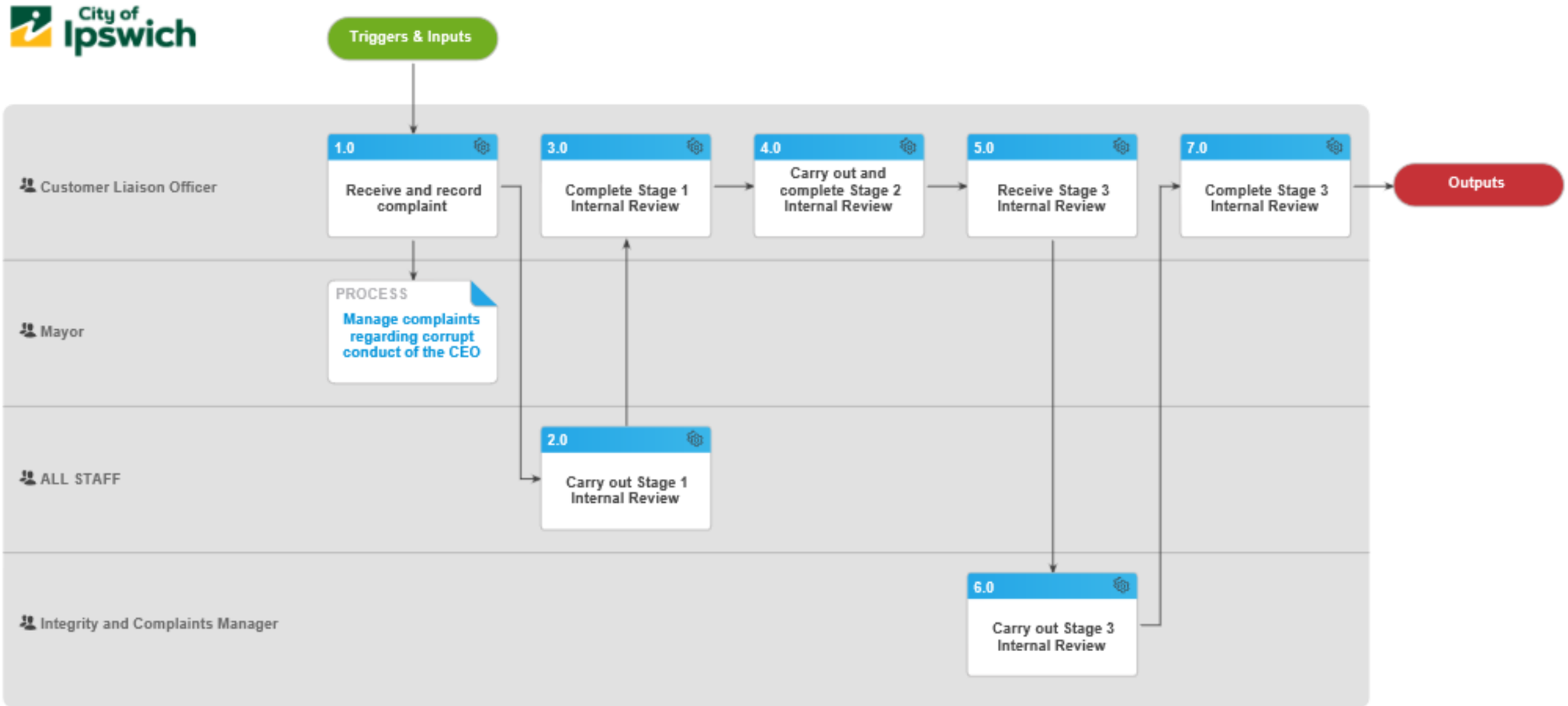
If a Councillor is acting on behalf of a constituent under the *Information Privacy Act 2009*, they will secure a written authority from that constituent and present it to the CMU.

In the event a complainant has exhausted their review rights within Council, a Councillor may remind the constituent of their external reviews rights but is unable to facilitate or suggest that Council undertake another internal review.

24. Regulatory Authority

Local Government Act 2009
Local Government Regulation 2012
Right to Information Act
Information Privacy Act
Crime and Corruption Act 2001
Public Interest Disclosure Act 2010
Human Rights Act 2019
Councillor Code of Conduct
Employee Code of Conduct
Ministerial Guidelines
AS ISO 10002-20006

25. Definitions

Term	Definition
Complaint	An expression of dissatisfaction by a customer regarding the unsatisfactory delivery of a product or service offered by Council, or the unsatisfactory decision or conduct of Council employees, contractors and volunteers.
Complainant	An individual or group that makes a complaint about perceived failings or issues that affect them.
Council	Means Ipswich City Council, being a body corporate constituted as a municipal Council under the Local Government.
Councillors	Means the individuals holding the office of a member of Ipswich City Council and includes the Mayor.
Council Employee	Means the Chief Executive Officer and employees of Council appointed by the Chief Executive Officer and as described in the Employee Code of Conduct.
CMU	Complaints Management Unit
IMU	Information Management Unit
PIN	Penalty Infringement Notice
Supervisor	Means a council employee employed in a role primarily based on authority over a worker or in charge of a workplace. Also a Manager or Team Leader in this instance.
Unreasonable Complainant Conduct	Behaviour by a current or former complainant which, because of its nature and frequency, raises substantial health, safety, resource or equity issues".

26. Manage Complaints Process