

BARCOO SHIRE COUNCIL POLICY
COMPLAINTS (ADMINISTRATIVE ACTIONS), CUSTOMER REQUESTS &
FEEDBACK POLICY

Policy Number: BSC-004	Version: 2
Classification: Statutory	Section: Corporate-Information Management
Date Adopted by Council: 15 July 2020	Resolution Number: 2020.07.010
Responsible Officer: Manager HR Communications and Governance	<p>Review: Note: This Policy is reviewed when any of the following occur:</p> <ol style="list-style-type: none"> 1. The related information is amended or replaced. 2. Other circumstances as determined from time to time by the Chief Executive Officer. <p>Notwithstanding the above, this Policy is to be reviewed at intervals of no more than two years.</p>
Legislation: Local Government Act 2009; Local Government Regulation 2012; Public Interest Disclosure Act 2012; Human Rights Act 2019	

OBJECTIVE

This policy establishes the process for resolving complaints by affected persons about administrative actions of Barcoo Shire Council and its employees. The policy establishes the procedures for dealing with customer requests and informal or formal feedback.

POLICY STATEMENT

The Barcoo Shire Council undertakes to make sure that complaints about administrative actions of Council or Council employees will be resolved in a fair, efficient, consistent and timely manner, strengthened by principles of natural justice and procedural fairness.

In resolving complaints Council will enhance the community's confidence in the process and promote an environment of continuous improvement within the organisation.

Barcoo Shire Council will ensure that all requests for goods or services are responded to by the relevant officer.

Barcoo Shire Council welcomes formal and informal feedback, both positive and negative and maintains records of feedback to promote continuous improvement.

DEFINITIONS

Administrative action complaints are those which arise from the actions, or lack of actions, of Council or its employees, in carrying out Council operations.

Customer requests are requests made to Council or its staff, in order that particular actions will be carried out in relation to Council operations.

Feedback is information that is received from members of the public, either formally or informally, regarding Council's staff or operations that is not in the form of a complaint or a customer request. It can be positive or negative.

A Public Interest Disclosure is a disclosure of information made by a public officer or another person to a proper authority which concerns corrupt conduct or maladministration by a public officer; this type of complaint is covered in Council's **Public Interest Disclosures Policy**.

PROCEDURE

All correspondence and notes related to a complaint will be recorded in Council's records system.

In making **administrative action complaints**, affected person/s should:

- in the first instance, and if appropriate and the complaint is straight forward, seek resolution (verbally) with the Council employee involved
- if not satisfied with the outcome of a verbal complaint, make the complaint in writing, including as much detail as possible in relation to dates and times
- identify the outcomes sought in response to his/her/their complaint
- email, post or present the complaint to the Administration Office of Council

In managing complaints, Council employees should:

- acknowledge receipt of the complaint in a professional manner, welcoming valid feedback as a way of improving Council administrative procedures
- as far as possible keep confidential the information included in a complaint, involving only those directly concerned in its resolution
- assess the complaint in terms of its seriousness, safety implications, complexity and degree of urgency
- resolve the complaint as soon as possible, preferably on first contact if the matter is straight forward
- notify their supervisor if the complaint cannot be resolved by the employee receiving the complaint
- provide the complainant with information on the complaints process and their right of appeal if they are not satisfied with the outcome
- provide the complainant with a written statement of the decision-making process, at relevant stages and the final outcome of the complaint
- provide the complainant with external avenues for escalation of the complaint if it is not resolved to their satisfaction by Council.
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Resolution of complaints may any or some of include the following:

- an explanation of the action in question
- an admission of fault
- an apology for the inconvenience or difficulty caused by the action
- amendment of a decision
- rectification, repair or replacement
- review and amendment of a policy or procedure
- provision of assistance
- reimbursement of costs incurred as a result of the action
- financial compensation including an ex-gratia payment
- waiving of a debt.

HUMAN RIGHTS CONSIDERATIONS

Regarding complaints management, in accordance with section 58 of the *Human Rights Act 2019*, It is unlawful for a public entity –

- to act or make a decision in a way that is not compatible with human rights; or
- in making a decision, to fail to give proper consideration to a human right relevant to the decision.

Additionally, in accordance with section 65 of the *Human Rights Act 2019*, a person may make a human rights complaint to the commissioner only if –

- the commissioner is satisfied the person has made a complaint to the public entity about the alleged contravention the subject of the complaint; and *Example of making a complaint for paragraph (a)*— a complaint made to the public entity under the entity’s system or procedures for complaints management
- at least 45 business days have elapsed since the complaint mentioned in the paragraph above was made; and
- the person has not received a response to the complaint or has received a response the person considers to be an inadequate response.

FEEDBACK AND CUSTOMER REQUESTS

Customer requests requiring action, will be received by Administration, recorded in the records system and forwarded to the Chief Executive Officer, or if appropriate to the responsible Council officer to address the matter. Follow up for customer requests will be the responsibility of the section manager or the Chief Executive Officer to report back to the responsible administration officer to update the customer request register. Once a month, a list of uncompleted customer requests should be created by the responsible administration officer, reviewed by the Chief Executive Officer and further be taken to Council meeting for update.

Once a request has been actioned, the responsible officer will respond to the person making the request to inform them that the request has been actioned and/or resolved. Activities taken to action or resolve a request may be disclosed but only when relevant and appropriate.

Feedback, which does not require an action will be received by Administration, recorded in the records system and forwarded to the Chief Executive Officer, or if appropriate to the responsible Council officer for noting. Follow up is not required.

This procedure does NOT apply to resolution of complaints which are:

- about competitive neutrality as defined in Chapter 3 of the Local Government Act 2009
- about official misconduct that should be directed to the Crime and Misconduct Commission
- made under the Public Interest Disclosure Act 2010
- about conduct and performance of Councillors

ASSOCIATED DOCUMENTS AND POLICIES

Barcoo Shire Council Employee Code of Conduct