

<b>ITEM 7.5</b>	<b>COMPLAINTS MANAGEMENT FRAMEWORK</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE &amp; RISK</b>
<b>TRIM FILE REF</b>	<b>2017/143538</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Northern Beaches Council Complaints Management Policy</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To seek approval to place on public exhibition a draft Complaints Management Policy for Northern Beaches Council.

#### SUMMARY

Council is integrating and streamlining the way in which complaints and compliments are received, responded to and reported. An overarching framework is currently being developed, and the Complaints Management Policy forms a key element of this framework.

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#### RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That:

- A. The Draft Complaints Management Policy be placed on public exhibition for a period of 28 days
  - B. The submissions received be brought back to Council for consideration for the adoption of the Policy.
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## REPORT

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### BACKGROUND

Prior to Proclamation of the Northern Beaches Council, each of the former Councils had their own Code of Conduct and Complaint Management System for dealing with conduct matters and complaints raised. The Harmonisation of Complaints Management and Code of Conduct project is a Core Services Phase 1 transition project. The aim of this project is to develop a fully integrated end to end complaint management framework for Northern Beaches Council. This includes the development of relevant policies, procedures, and codes for both complaints management and the Code of Conduct for all Council officials at Northern Beaches Council.

The harmonised solution will ensure there is an efficient and effective process for managing complaints and compliments in a consistent, timely, cost-effective, independent and unbiased manner.

Further, the solution being developed has regard to the principles contained within Australian Standard 10002: *Guidelines for Complaint Management in Organisations*; and to other relevant guidance provided by oversight bodies such as the NSW Ombudsman, and the NSW Office of Local Government.

The first elements of the harmonised approach includes the draft Complaints Management Policy.

### CONSULTATION

It is proposed that the Draft Complaints Management Policy be placed on public exhibition for a period of 28 days to invite public comment.

Consultation will include:

- Notification in the Manly Daily
- Drop in session for interested community members to attend and ask questions of staff
- Information on Council's website.

### TIMING

Following a review of all submissions received during the public exhibition period, the draft Policy will be reported to a Council meeting in October 2017.

### FINANCIAL IMPACT

A guiding principle of this transition project is that the harmonised solution will be funded from existing operational budgets.

### SOCIAL IMPACT

An effective harmonised solution builds a very strong level of community confidence that Council takes very seriously their complaints management process, Council officials abiding by the adopted Code of Conduct, and that any complaint management process is fair, impartial and thorough. It will meet community expectations that complaints will be investigated and resolved in an appropriate manner.

Further, the harmonised solution will provide the community with clear guidance and processes in regard to managing complaints and ensure that customer service standards are maintained.

### ENVIRONMENTAL IMPACT

Nil

## Northern Beaches Council Complaints Management Policy

### POLICY STATEMENT

This policy sets out the approach that Northern Beaches Council (Council) takes to ensuring that all customers are given the opportunity to make complaint about issues they may have regarding potentially inappropriate, unethical or unfair behaviours or practices committed by Council Officials – including members of the elected Council (Mayor and Councillors), or appointed Council officers (employees and contractors), and specifically in relation to the Code of Conduct.

Council will adopt this policy to be effective as at 1 December 2017 and the policy will be supported by a complaints management system, resourcing and procedures.

Council values our customers' rights to complain about our decisions and actions in regard to the way we conduct our business. We commit to treating complaints seriously and dealing with them promptly, fairly and genuinely. Complaints and compliments provide unique information about the quality of services from the perspective of our residents and customers.

Council commits to continuous improvement, views complaints and compliments as an improvement opportunity, and uses the information gained from them to assist with identifying and improving policies, systems and services.

Effective management of complaints ensures that a complainant's issues are responded to in a consistent, timely and cost-effective manner. Furthermore, a robust complaints management framework promotes transparency and builds community confidence.

All complaints (as defined in this policy) will be treated in accordance with this policy. Depending on the nature of the complaint, they may also be assessed in accordance with other relevant policies, as outlined.

Where Council is unable to resolve complaints internally, complainants will be provided information about their avenues for seeking resolution and/or appeal externally.

Complaints that fall under the assessment criteria of the Public Interest Disclosures Act 1994 (PID Act) can be made directly to Council's Disclosure Coordinator, or to one of the other Nominated Disclosures Officers (refer to Council's Public Interest Disclosures (PID) Policy for further details).

### PRINCIPLES

Council endorses the guiding principles set out in in *Australian and New Zealand Standard (Guidelines for Complaint Management in Organisations) AS/NZS 10002:2014*. In particular, Council:

- has a strong 'top down' senior management ownership approach for complaints management;
- acknowledges that everyone has a right to make a complaint, and is responsive when liaising with complainants;
- is proactive in seeking feedback and complaints; and also makes it easy for complainants to get in touch;
- respects all complainants, and ensures they do not experience reprisal;
- is objective, unbiased and consistent in how we receive, consider and resolve complaints;
- resolves complaints in a timely and efficient manner, and is as transparent with each complainant as is reasonably practical;

- respects the privacy of complainants, particularly in relation to disclosure of their personal information; and
- has in place the necessary suite of policies, procedures, suitably qualified personnel and ancillary resources to ensure that complaints are effectively and professionally managed.

### **The Complaints Management Office**

The Complaints Management Office is Council's focal point for complaints in relation to corruption, maladministration and misconduct – whether it is made by a staff member, a member of the elected Council, a member of the public or an external entity.

This Office does not deal with complaints regarding standards of service. The purpose of this Office is to deal with complaints about staff conduct and matters of concern regarding probity of service or business process.

This Office does not seek to substitute any complaint handling or investigative function by oversight agencies, such as the NSW Ombudsman, the Office of Local Government (OLG) or the Independent Commission Against Corruption (ICAC).

This Office seeks to ensure that Council's dealings with the community are consistent with the principles set out above. The Office also seeks to identify opportunities for systemic improvements to Council's processes. This Office does not overturn operational decisions made by Council.

In accordance with this approach, this Office provides a professional complaint handling service and utilises the opportunity of investigation and complaint handling to enhance and develop best practice and education across Council.

### **SCOPE AND APPLICATION**

This policy deals with all complaints, and in particular those made in relation to potentially inappropriate, unethical or unfair behaviours or practices committed by Council Officials – particularly in relation to the Code of Conduct.

The guiding principles set out in this policy do not apply to how Council addresses general service requests and/or complaints regarding operational decisions and services delivered by Council – these are managed by the individual business units in the first instance. Similarly, staff grievances are dealt with through internal Human Resources related procedures, and Public Interest Disclosures are dealt with via the PID Policy. Further, complainants who are considered to be unreasonable in their dealings with Council can affect the overall success of the organisation, and are specifically managed by the Unreasonable Complainants Policy.

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling.

### **REFERENCES AND RELATED DOCUMENTS**

- Australian and New Zealand Standard (Guidelines for Complaint Management in Organisations) AS/NZS 10002:2014
- Code of Conduct
- Unreasonable Complainants Policy
- Protected Information Disclosure Policy

### **DEFINITIONS**

#### **Complainant**

A person who makes a complaint.

### **Complaint**

Expression of dissatisfaction made to or about Council, the probity of our services, the conduct of staff or the handling of a complaint; and where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- staff grievances
- public interest disclosures made by our staff (refer to our internal reporting policy)
- responses to requests for feedback about the standard of our service provision (refer to the definition of 'feedback' below)
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response (refer to definition of 'feedback')
- service requests (refer to definition of 'service request' below), and
- requests for information (refer to our access to information policy).

### **Complaint management system**

The systems and internal procedures supporting the implementation of the complaint management policy.

### **Dispute**

An unresolved complaint escalated either within or outside of our organisation.

### **Feedback**

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our services or complaint handling where a response is not explicitly or implicitly expected or legally required.

### **Service request**

Includes:

- requests for approval
- requests for action or service
- routine inquiries about the organisation's business
- requests for the provision of services and assistance
- reports of failure to comply with laws regulated by the organisation
- requests for explanation of policies, procedures and decisions.

### **Grievance**

A clear, formal written statement by an individual staff member about another staff member or a work related problem.

### **Policy**

A statement of Council's position on an issue defining the guiding principles used to set the organisation direction, administer its statutory requirements, address corporate risk and promote consistency of approach and administrative efficiency.

### **Procedure**

Supports the Policies of the organisation by detailing what steps are to be taken to apply or implement Policy principles.

**Public Interest Disclosure**

A report about wrong doing made by a public official in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994.

**RESPONSIBLE OFFICER**

Chief Executive Officer

**REVIEW DATE**

Three years from the date the policy is adopted.

**REVISION HISTORY**

Revision	Date	Change	HPE CM Ref
1	7 June 2017	First Internal draft	
2	17 June 2017	Draft version for EMT Review, and endorsement for Council place on public exhibition	
3	3 July 2017	Draft version incorporating feedback from CET (previously EMT)	