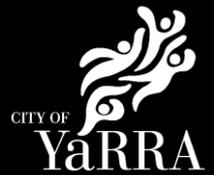


Customer Complaints Policy

December 2021



Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

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1. Purpose

Yarra City Council (Council) is committed to working for the community to deliver high quality services and positive service experiences. Council values feedback and recognises the right of customers to make a complaint.

This policy provides the framework for the handling of feedback and complaints to support transparency, consistency and accountability.

The policy aims to:

- Outline the process and timeframes for the handling of feedback and complaints
- Define what is a complaint under this policy
- Outline the roles and responsibilities of Council staff and contractors
- Outline how complaints are recorded and analyse complaint data to identify areas for improvement

1.1 Scope

The policy applies to all staff, contractors and volunteers employed or engaged by Council in the conduct of Council business.

This policy does not apply to complaints regarding decisions or processes that have separate statutory or other legislative appeals processes. For example, objections relating to a planning application or appeals relating to parking infringements.

1.2 Guiding Principles

This policy is based on the following principles:

Commitment:

We are committed to working for the Yarra community to deliver high quality services and a great customer experience. We consider feedback and complaints handling to be part of the core business of serving the community and improving service delivery.

Accessibility:

Council recognises that anyone can be affected by an action, inaction, or decision made by Council, or Council Staff. We aim to make complaining or providing feedback as easy as possible. A lack of accessibility should not be a barrier to make a complaint.

Transparency:

The complaint handling framework clearly sets out how to complain, where to complain, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and can be tracked as needed.

Objectivity & fairness:

Under the complaint handling framework, complainants and staff are treated with respect and courtesy, and complaints are judged on merit and fact.

Confidentiality:

The complaint handling framework protects the personal information of people making a complaint, and

Council Officers are informed only on a “need to know” basis.

Accountability:

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure that our decisions are subject to appropriate review processes.

Continuous improvement:

Council staff regularly analyse complaint data to find ways to improve how the Council operates and how its services are delivered.

2. What is a complaint?

A complaint is any expression of dissatisfaction made by a customer in relation to:

- The quality of an action taken, decision made, or service provided by a member of Council Staff or contractor engaged by Council
- The delay or failure by a member of Council staff in taking an action, making a decision, or providing a service
- A policy or decision made by Council or a member of Council staff or contractors

A complaint is distinct from a service request. A service request is contact with Council to:

- seek assistance
- access a new service
- seek advice
- inform/make a report about something for which the Council has responsibility.

The following are examples of complaints and service requests:

| Complaint | Service request |
|---|--|
| My rubbish bin was missed, could you please come back and collect this? | I forgot to place my rubbish bin out for collection, could you please come back and collect this? |
| I called last month about a large fallen tree branch, I've had no response and the branch has not been removed. | A large branch has fallen from a tree in my street, could you please come and remove this? |
| I reported my neighbour's dog that keeps barking at night and nothing has been done. | My neighbour's dog keeps barking very late at night and it's affecting my sleep. Can you stop this? |
| Council's website has not got enough information about hiring a skip bin and where I can place one if hired. | I'm going to be hiring a skip bin and wondered if I'll need a permit from Council to place this at the front of my property? |
| You have not sent me a rates notice. | Could I have a duplicate copy of my rates notice sent to me? |

Feedback from a customer is any suggested improvement, ideas, compliments or views expressed through a consultation. Some examples are as follows:

| Feedback |
|---|
| Thank you for the great job in getting the streets cleaned up after the Grand Final celebrations. |
| I think it would be a good idea if we had some tennis courts at |
| I would like to provide my ideas for the budget submission |

If your suggestion indicates a failing, shortfall or expresses dissatisfaction about Council's response to a service request we would consider it a complaint, rather than feedback.

2.1 Anonymous Complaints

Council recognises a customer's right to complain or provide feedback anonymously.

Council will still record and act on anonymous complaints but may not be able to provide updates to customers if contact information is not supplied.

3. Roles & Responsibilities of Staff

Our roles and responsibilities when managing complaints include:

| Role | Responsibilities |
|---|---|
| Frontline Staff | <ul style="list-style-type: none"> • Receives and where possible resolves complaints at the point of contact, within the scope of their roles • Complies with this policy and ensures complaints are appropriately recorded in the Customer Request Management system (CRM). • Escalates complaints according to the guidelines of this policy |
| All Staff | <ul style="list-style-type: none"> • Familiarise themselves with this policy and the complaint process • Assist members of the public to make a complaint • Treat members of the public respectfully and professionally • Complies with this policy |
| Team Leaders, Coordinators, Managers | <ul style="list-style-type: none"> • Triages complaints which require investigation to an appropriate Council Officer • Ensure staff and contractors understand this policy • Responsible for service improvement • Investigates the complaint and contacts the customer when a complaint is about staff or policies they manage or when the issue is related to service delivery and cannot be resolved by frontline staff or contractors • Complies with this policy |
| Executive | <ul style="list-style-type: none"> • Investigates the matter and contacts the customer when a complaint is about staff, they manage • Responsible for service improvement • Oversees internal reviews, where appropriate • Reviews actions or results from previous investigations which result in an internal review • Complies with this policy |
| Chief Executive Officer | <ul style="list-style-type: none"> • Promote positive behaviours and practices relating to enabling, responding to and learning from complaints |

| | |
|---|---|
| | <ul style="list-style-type: none"> • Support service improvements that arise from complaints • Manages complaints about Directors |
| Councillors | <ul style="list-style-type: none"> • Refer complaints to the Administration to be dealt with in accordance with this policy |
| Third party contractors and Volunteers | <ul style="list-style-type: none"> • Keeps the Council contract manager or contact person informed of any complaints in accordance with the contract or agreement • Manages complaints that have been referred in accordance with this policy • Ensures that their employees, or people they oversee understand this policy • Complies with this policy |

4. How to make a complaint?

Council aims to make complaints as accessible and easy as possible. Below is a list of options:

| | |
|----------------------------------|---|
| Phone | (03) 9205 5555 |
| Website | Customer complaints and feedback Yarra City Council |
| Email | info@yarracity.vic.gov.au |
| In person | At any council office or facility |
| Postal address | Yarra City Council PO Box 168 Richmond VIC 3121 |
| National Relay Service | <p>If you are deaf, hearing-impaired, or speech-impaired, we ask that you call us via the National Relay Service:</p> <ul style="list-style-type: none">• Teletype (TTY) users phone 133 677, then ask for 03 9205 5555• Speak & Listen users (speech-to-speech relay) phone 1300 555 727, then ask for 03 9205 5555• Internet relay users connect to http://relayservice.gov.au/ and then ask for 03 9205 5555 |
| Arabic / عربي | (03) 9280 3030 |
| Traditional Chinese / 廣東話 | (03) 9280 1937 |

| | |
|-------------------------------------|--|
| Phone | (03) 9205 5555 |
| Simplified Chinese / 普通话 | (03) 9280 1937 |
| Greek / ελληνικά | (03) 9280 1934 |
| Macedonian / македонски | (03) 9280 1936 |
| Italian / Italiano | (03) 9280 1931 |
| Somali / Soomaali | (03) 9280 1940 |
| Spanish / Español | (03) 9280 1935 |
| Turkish / Türk | (03) 9280 1938 |
| Vietnamese / Tiếng Việt | (03) 9280 1939 |
| All other languages | If your language is not listed, please call our interpreter service on (03) 9280 1940 . |

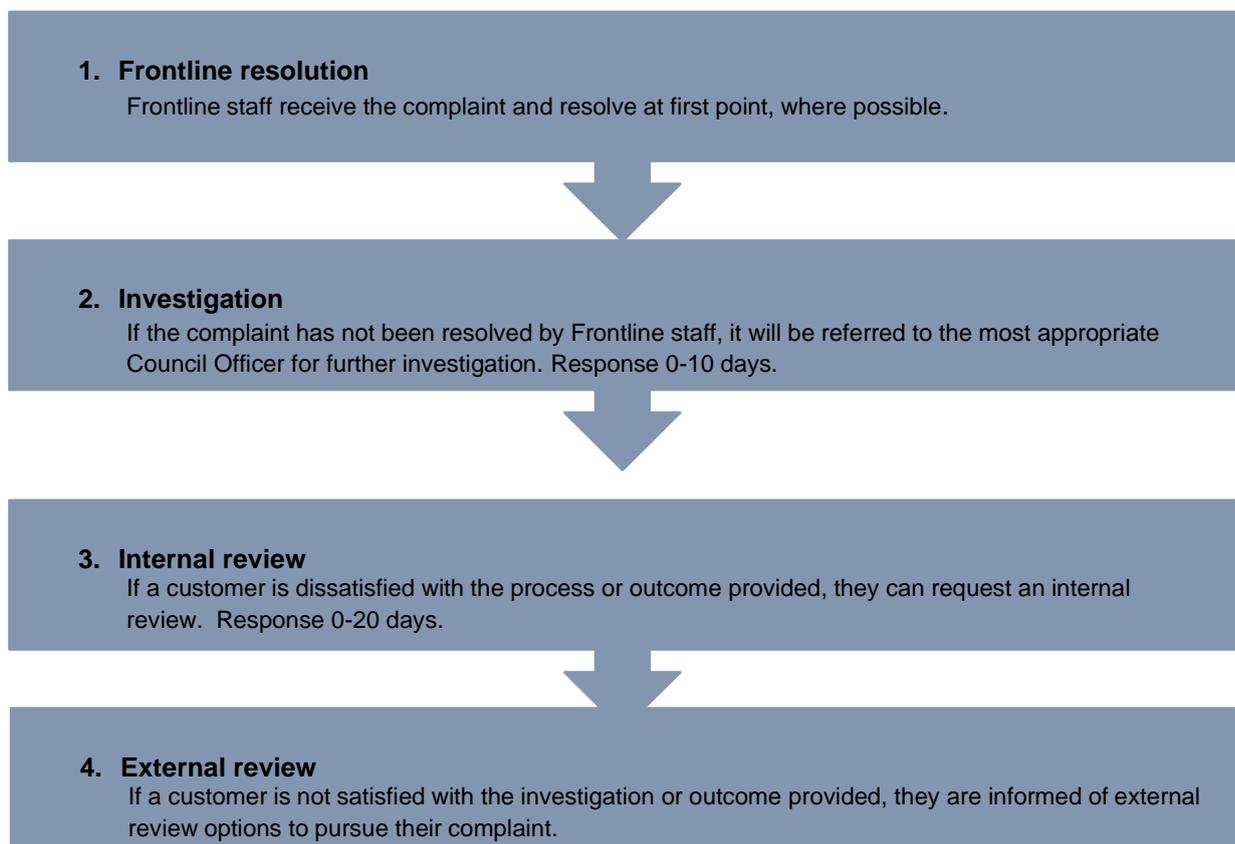
Helpful information to include in a complaint

- Full name
- Contact information, such as a mobile number, email address and/or postal address
- The Council service, action or decision you are complaining about
- Why you are dissatisfied
- All relevant details. These could include, dates, times, locations, reference numbers, supporting documents
- Your desired outcome
- Any additional communication or accessibility needs.

5. Complaint handling framework

Complaints received will follow the steps set out in the complaint handling framework to achieve resolution. We aim to provide a complete resolution to your complaint following this framework within 30 business days.

Overview



Level 1: Frontline resolution

Frontline staff who receive a complaint will assess it based on the information available, where possible they will resolve it immediately and the complaint would not require a further response. Some actions which may be taken include, but are not limited to:

- Provide an outcome to your complaint (lodge a service request in our CRM)
- Advise of an alternative process to manage your complaint, if covered under a statutory or legislative review process (i.e. parking fines)
- Refer your complaint to an appropriate Council Officer for further investigation and where possible resolution

Level 2: Investigation

When complaints are unable to be resolved immediately, they will be allocated to an appropriate Council Officer for investigation and management. At this stage you will receive a response within 10 business days with either an outcome, or a response to indicate that further time is needed, if the subject of the complaint is complex or requires more time.

Some actions which may be taken include, but are not limited to:

- Contact complainants through their preferred channel before providing an outcome to the complaint
- Take ownership of your complaint, setting appropriate timeframes for further responses
- Reviewing the complaint against relevant procedures, policies and legislations
- Advising of any investigation and explaining in writing the outcome
- Bring affected parties together to discuss the issue and possible solutions, if appropriate.
- Provide an outcome to your complaint

Level 3: Internal review

If you are dissatisfied with the process or outcome of complaint, you can request an internal review. We ask that you include all relevant information and supporting documents in your request. A request for an internal review can be provided verbally or in writing.

Internal reviews will be assigned to a Senior Council Officer, who will be:

- Independent of the person who took the action;
- made the decision;
- and/or provided the service.

The officer will undertake a complete review of the complaint and seek expert advice where necessary.

The officer will provide an outcome in writing at the conclusion of the review. The outcome letter will contain a decision and explain Council's reasons for the decision. The outcome letter will also contain any external review avenues which may be available.

Level 4: External review

If you are not satisfied with Council's response, you may seek an external review from an independent agency.

Depending on the subject matter of the complaint there are different options available to you. The following are examples of external review options:

| Complaint | External Review Option |
|--|--|
| Actions, decisions and inactions of Council, Council Staff and/or Contractors | Victorian Ombudsman https://www.ombudsman.vic.gov.au/contact-us/ 1800 806 314 |
| Breaches of the <i>Local Government Act 2020</i> | Local Government Inspectorate https://www.lgi.vic.gov.au/ 1800 469 359 |
| Discrimination complaints | Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au 1300 292 153 |
| Council election complaints | Victorian Electoral Commission https://www.vec.vic.gov.au/contact-us 13 18 32 |
| Public Interest Disclosures (Protected Disclosures), or corruption complaints | Independent Broad-based Anti-Corruption Commission www.ibac.vic.gov.au 1300 735 135 |
| Breaches of privacy | Office of the Victorian Information Commission www.ovic.vic.gov.au 1300006 842 |

6. Types of complaints

6.1 Complaints about Contractors

Will be handled in line with the framework outlined in this policy and assigned to either the Council contract manager, or a delegated Council Officer.

6.2 Complaints about allegations of corrupt conduct

Where a complaint contains an allegation of improper or corrupt conduct, it will be handled in line with our 'Protected Disclosures Procedure' and the 'Public Interest Disclosures Act 2012'.

If the complaint of improper or corrupt conduct is about a Councillor, it must be made directly to the Independent Broad-based Anti-corruption Commission (IBAC) or the Victorian Ombudsman. It cannot be made to Council.

Further information is available here : [Protected Disclosures | Yarra City Council](#)

6.3 Complaints against Chief Executive Officer (CEO)

Complaints made against the Chief Executive Officer are to be directed to the Governance office for referral to the Mayor.

6.4 Complaints against Councillors

Councillors are required to act in accordance with the Local Government Act 2020 and the prescribed standards of conduct set out in the Local Government (Governance and Integrity) Regulations 2020. Complaints about Councillors are outside of the scope of this policy and should be made to the appropriate external body or to the Governance office for referral to the Mayor as appropriate.

7. Unreasonable Complainant Behaviour

We require our staff to be respectful and responsive in all communications with our customers. We expect the same behaviour from our customers. Most customers act reasonably and responsibly with us. However, in a very small number of cases some complainants behave in ways that are inappropriate and unacceptable, despite our best efforts to help them. They may continually contact our offices with unnecessary and excessive phone calls and emails, make inappropriate demands on our time and our resources and/or refuse to accept our decisions and recommendations in relation to their complaints. When customers behave in these types of ways we consider their conduct to be 'unreasonable'.

Unreasonable behaviour is that which because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, our staff, other service users and complainants or the complainant themselves.

Unreasonable complainant behaviour may fall into any of these five categories:

1. Unreasonable persistence
2. Unreasonable arguments
3. An unreasonable lack of cooperation
4. Unreasonable behaviour
5. Unreasonable demands

If a customer's behaviour is considered unreasonable, Council may limit or restrict the ways that a customer can interact with Council staff. These changes may be considered if a customer's conduct indicates that it is necessary to ensure the safety and wellbeing of staff and equity in the use of resources.

We will ensure that our expectations are clear, and complainants understand what Council can and cannot do in relation to complaints. When managing unreasonable complainant behaviour, we will make sure that our complaint handling processes have been followed correctly and that we provide clear reasons for limiting or restricting interactions with Council Staff.

Some possible steps include but are not limited to:

- Limiting how a complainant may contact Council (e.g. communications only in writing)
- Assigning a case officer, responsible for handling all communications from the customer
- Complaints only being responded to if new information is provided

8. Outcomes

The outcome of complaints under the complaint handling framework will be communicated with complainants and where necessary outcomes will be used to improve Council services.

If we have made an error or mistake, we will take steps to address the situation and offer our genuine apology to our customer.

9. Discretion to refuse complaints

Council have the discretion to refuse complaints which are subject to statutory review.

Examples of service areas in which there are separate statutory or other legislative appeal processes include, but are not limited to complaints relating to:

- A planning application or decision
- A parking infringement
- A Freedom of Information request for review
- Allegations of fraud, corruption or other criminal behaviour.

A Council Officer will explain the relevant statutory rules and provide contact information for the Office or Department undertaking the review or appeal.

10. Recording Complaints and Performance Reporting

All complaints requiring investigation will be recorded in Council's CRM.

The data will be regularly analysed and compiled for improvement and reporting purposes.

11. Privacy

When investigating and responding to complaints we will ensure:

- Council officers are informed only on a "need to know" basis.
- Information is used to deal with the complaint or address systematic issues arising from the complaint
- Only disclose complaint data to the public in a de-identified format

12. Definitions

| | |
|---|---|
| Complaint | <p>A complaint is any expression of dissatisfaction made by a customer in relation to:</p> <ul style="list-style-type: none">• The quality of an action taken, decision made, or service provided by a member of Council Staff or contractor engaged by Council• The delay or failure by a member of Council staff in taking an action, making a decision, or providing a service• A policy or decision made by Council or a member of Council staff or contractors |
| Complainant/Customer | Is any individual or business affected by the action or inaction of Council |
| Feedback | Feedback from a customer is any suggested improvement, ideas, compliments or views expressed through a consultation. |
| Internal Review | <p>A review completed by a Senior Council Officer who is:</p> <ul style="list-style-type: none">• Independent of the person who took the action;• made the decision;• and/or provided the service. |
| Service Request | <p>A service request is contact with Council to:</p> <ul style="list-style-type: none">• seek assistance• access a new service• seek advice• inform/make a report about something for which the Council has responsibility. |
| Unreasonable Complainant Behaviour | <p>Unreasonable complainant behaviour is any behaviour by a complainant that raises concerns about the health and safety of Council staff, or equity in the use of Council's resources. It can be identified as any of the following five categories:</p> <ol style="list-style-type: none">1. Unreasonable persistence2. Unreasonable arguments3. An unreasonable lack of cooperation4. Unreasonable behaviour5. Unreasonable demands |

| | |
|-------------------------------------|---|
| Complaint | <p>A complaint is any expression of dissatisfaction made by a customer in relation to:</p> <ul style="list-style-type: none"> • The quality of an action taken, decision made, or service provided by a member of Council Staff or contractor engaged by Council • The delay or failure by a member of Council staff in taking an action, making a decision, or providing a service • A policy or decision made by Council or a member of Council staff or contractors |
| Contractor | Is a third party who carries out services on behalf of Council |
| Frontline Staff | Staff and their teams who have direct contact with customers |
| Complaint Handling Framework | The process used to manage complaints under this policy |

13. Related Documents

- Local Government Act 2020
- Victorian Ombudsman: A Good Practice Guide (2nd edition) 2021
- Public Interest Disclosures Act 2012
- Privacy and Data Protection Act 2014
- Charter of Human Rights and Responsibilities Act 2006
- Victorian Ombudsman: Councils and complaints - A Good Practice Guide 2015

Council Documents:

- Councillor Code of Conduct
- Protected Disclosures Procedure