

THE CITY OF
GREATER GEELONG

COMPLAINT HANDLING POLICY

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Introduction

PURPOSE

We recognise that people have the right to complain about our actions, decisions and the services we provide.

We value complaints and commit to resolving issues quickly, fairly, efficiently and with courtesy. We promote access, equity, and transparency throughout the complaints process, while maintaining privacy.

We are also committed to being a child safe organisation and have zero tolerance for child abuse. We welcome and enable children and young people to provide feedback on our services including supporting them to make a complaint.

We are committed to upholding the Victorian Child Safe Standards and ensuring that all complaints, concerns and allegations involving children and young people under the age of 18 are responded to promptly, respectfully and in a child-focused manner. We will ensure that management of complaints involving children are handled in a child safe manner.

The purpose of this Policy is to demonstrate our commitment to receiving complaints or feedback, ensuring that complaints made about services, decisions, or actions are handled fairly, transparently, and promptly and to comply with relevant laws. To demonstrate that we are committed to best practice complaint handling, our Policy is consistent with the Victorian Ombudsman's Councils and complaints – a good practice Guide (2nd edition, 2021).

This policy is based on seven principles:

Commitment - We are committed to receiving and resolving complaints. We value complaints and recognise they are part of our core business, to serve our community and improve our services.

Transparency - We make it clear how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

Accessibility – We make it easy for people to complain and Council staff actively help them to navigate the complaints process.

Accountability - We are accountable internally and externally for our decision making and complaint handling. We provide reasons for decisions and we are open to appropriate review processes.

Objectivity and fairness - Complaints are dealt with courteously, impartially, within established timeframes and assessed on merit.

Continuous improvement - Acting on, learning from, and using complaint data helps us identify opportunities for improvement.

Privacy - Complaint information is handled according to privacy laws and other relevant legislation. We provide clear information about how we handle personal information. Complaint data is de-identified when reported on more widely.

SCOPE

This Policy applies to complaints received by members of the public about decisions, services, and Council staff and contractors.

Complaints about Council staff are conducted in accordance with City Policies, including Managing Conduct.

This Policy does not apply to:

- an initial request for service;
- feedback in the form of a compliment, criticism, comment or suggestion where a response is not sought, or is not reasonable to expect;
- complaints about allegations of fraud or corrupt conduct;
- claims against the City for personal injury or property damage or other loss or damage and allegations of negligence. A claim can only occur when a third-party has suffered a loss or an injury, allegedly as a result of Council's negligence or wrongdoing. Information regarding requests for consideration of a claim for compensation can be accessed via the Council's website [Request for consideration of claim for compensation | City of Greater Geelong](#). If a customer remains dissatisfied with the process or decision of their claim, they may lodge an Internal Review of the matter;
- complaints about individual councillors which are dealt with in accordance with the Councillor Code of Conduct available at www.geelongaustralia.com.au and also Part 6, Division 5 of the *Local Government Act 2020*; or,
- complaints about matters where there is a process of review, appeal or objection prescribed by legislation, noting that the City may consider matters in the general complaints process if a quicker or less costly resolution might prevail.

Where a complaint does not fall within the scope of our responsibility, or when there is a separate process for review, appeal or objection, we will direct the customer to the appropriate avenue to complain with other authorities or service providers.

Definitions

The following definitions apply to this Policy:

Term	Definition
Child or Young Person	A child or young person is a person under 18 years of age.
City	The City of Greater Geelong organisation, led by the CEO.
Contractors	An independent contractor under a contract for service appointed by the City, or any person engaged by or acting on behalf of the City.
Council	The City of Greater Geelong Council comprised of elected councillors and led by the Mayor.
Council staff	Includes employees, trainees and volunteers.
Complaint	Includes the communication, whether orally or in writing, to the Council by a person of their dissatisfaction with: a) the quality of an action taken, decision made or service provided by a member of Council staff or a contractor engaged by the Council; or, b) the delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision, or providing a service; or, c) a policy or decision made by a Council or a member of Council staff or a contractor.
Complainant	A person who has expressed dissatisfaction to Council, either verbally or in writing, regarding a Council action, decision, service, delay, or policy, in accordance with section 107(3) of the <i>Local Government Act 2020</i> .
ELT	The Executive Leadership Team of the City, as constituted from time to time.
Feedback	A compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.
Personal Information	Has the same meaning given to that term in the <i>Privacy and Data Protection Act 2014</i> .

Term	Definition
Request for Service	Contact from a community member seeking Council's assistance, action, or provision of a service.
Resolution	A resolution could include: • a complainant is satisfied with the outcome of their complaint; • an apology; • an explanation; • the issue that is the subject of a complaint is fixed; • fee waivers and other types of financial compensation; • the reversal of the original decision; • any further action is unnecessary and unjustifiable because reaching a mutually agreeable solution would disproportionately consume Council resources. • Council is confident that it's response to a complaint is justifiable if reviewed by an external agency.

Policy

1. HOW TO MAKE A COMPLAINT

Any member of the public can make a complaint. Complaints can be made via:

Online	Submit a complaint via the online complaint form at: <u>Submit a complaint, report an issue or give feedback City of Greater Geelong</u>
In person	Visit a customer service centre: Wurriki Nyal Civic Building 137-149 Mercer Street, Geelong. Corio Village Shopping Centre Shop 48, 83a Purnell Road, Corio. Boronggook Drysdale Library 2-8 Wyndham St, Drysdale. Complaints may also be reported to any of our customer-facing centres.
Phone	03 5272 5272
Mail	Address letters to: Customer Service City of Greater Geelong PO Box 104, Geelong VIC 3220
Using an interpreter	Contact the Translating and Interpreting Service (TIS) on 131 450 or via https://www.tisnational.gov.au
Deaf or hearing impaired assistance	Contact the National Relay Service and ask them to call 03 5272 5272 Speak and Listen users can call 1300 555 727 TTY users can call 133677 SMS relay users can message 0423 677 767 Note: The area code must be included for each call
Children or Young People	If children or young people require assistance to make a complaint, they can contact us in the way that suits them and we will assist. They may also request the assistance of a support person.

2. ASSISTANCE AVAILABLE TO MAKE A COMPLAINT

- 2.1 The City is committed to ensuring its complaints process is accessible to everyone. Complainants can advise if they have specific communication needs or barriers and Council staff can assist by:
 - 2.1.1 using an assistance service, such as an interpreter or TTY (for free);
 - 2.1.2 talking with complainants and documenting their complaint if they have trouble reading or writing and,
 - 2.1.3 communicating with another person acting on a complainant's behalf if they cannot make the complaint themselves.

3. HELPFUL INFORMATION TO INCLUDE IN A COMPLAINT

- 3.1 To ensure the City can assist complainants, we ask that they please provide as much information as possible, including:
 - 3.1.1 name and contact details. Complainants can complain anonymously, noting that the City may be limited in its ability to investigate and respond;
 - 3.1.2 provide relevant details, such as dates, times, locations and reference numbers and any documents that support the complaint;
 - 3.1.3 detail the outcome being sought from making the Complaint, noting that the City will do what is within its authority to ensure the best outcome; and,
 - 3.1.4 advising of any accessibility or other communication needs, including if a complainant wishes to be represented by another person.

4. PRIVACY

- 4.1 The City keeps personal information secure and will use that information to respond to complaints. Council may also analyse the information provided for the purpose of improving services that relate to each complaint.
- 4.2 Where the City publishes complaint data, personal information is removed.
- 4.3 When a complainant makes a complaint, they will be asked to provide:
 - 4.3.1 Their name and contact details;
 - 4.3.2 Whether they have any communication or assistance needs that can be reasonably accommodated;
 - 4.3.3 What they are complaining about including any materials that support the complaint; and,
 - 4.3.4 What outcome they are seeking.

5. COMPLAINTS HANDLING APPROACH

5.1 Summary of the complaint handling approach

Level	One	Two	Three	Four
Objective	Immediate resolution	Investigate complex matters allowing adequate time to investigate.	Provide an independent review if the complainant remains dissatisfied.	Provide assurance to complainants that any decisions are evidence based, well-reasoned and able to withstand external scrutiny.
Acknowledgment	Immediately	Within five business days	Within five business days	Dependent on the agency involved.
Delay	If a resolution cannot be agreed.	Communicated prior to initial timeframe for a response or as needed.	Communicated prior to initial timeframe for a response or as needed.	Dependent on the agency involved.
Resolution	Will vary depending on the circumstance.	21 business days	21 business days	Dependent on the agency involved.

5.2 Level One – Frontline resolution

- 5.2.1 We will acknowledge each customer's concern, clarify their complaint and the outcome they seek.
- 5.2.2 We will attempt to reach a resolution when a customer first contacts us.
- 5.2.3 If we can't provide a resolution immediately, or the matter is complex, about a member of Council staff or if a customer remains dissatisfied, we will offer a Level Two investigation and provide the customer with details of how to lodge.
- 5.2.4 If the complaint relates to a matter that the City cannot assist with, we will refer the complainant to the most appropriate organisation or avenue to make a complaint.

5.3 Level Two – Investigation

- 5.3.1 When we receive a Level Two complaint, we will review the matter and send a written acknowledgement (within five working days), including a reference number, a contact person and a timeframe for when a response is expected.
- 5.3.2 We will assign the matter to the most appropriate team or manager to respond.
- 5.3.3 We will consider the accessibility requirements of complainants when investigating and take this into consideration when responding.
- 5.3.4 As part of our investigation, we will consider the information provided by the complainant, the history of previous contact with us, relevant legislation, policies and procedures, the outcome sought by the complainant and any other information relevant to the complaint.
- 5.3.5 Any delays will be advised to the complainant and an updated timeframe provided.

5.3.6 Once the matter is considered we will provide a written response to the complainant including information about internal review rights.

5.3.7 We aim to resolve Level Two complaints within 21 business days.

5.4 Level Three – Internal Review

5.4.1 We encourage complainants to request an internal review if dissatisfied with the outcome of a Level Two complaint.

5.4.2 The internal review will be conducted by a member of the Council's Integrity and Review Team who has not had any prior involvement with the complaint. The review will be independent of:

5.4.2.1 the person who took the action;

5.4.2.2 the person who made the decision; and,

5.4.2.3 the person who provided the service.

5.4.3 When we receive a request for an internal review we will send a written acknowledgement (within five working days), including a reference number, the contact person and an anticipated timeframe for when they can expect a response.

5.4.4 The internal review will consider information provided by the complainant, the history of previous contact with us, relevant legislation, policies and procedure, the outcome sought by the complainant and any other information relevant to the review.

5.4.5 Any delays will be advised to the complainant and an updated timeframe provided.

5.4.6 We will consider the accessibility requirements of the complainants when investigating and take this into consideration in how we respond.

5.4.7 We will provide a written response of the outcome and provide external review rights (including to the Victorian Ombudsman if appropriate) within 21 business days.

5.5 Level Four – External Review

5.5.1 We understand that not all complainants will be satisfied with the outcome of an internal review. We welcome reviews by external agencies and will assist in any investigations.

5.5.2 We encourage complainants to first seek an outcome from us before contacting external agencies. An external review can be requested from the following organisations:

Type of Complaint	Organisation to contact for external review
Actions or decisions of a Council, Council staff or contractors This includes failure to consider human rights or failure to act compatibly with a human right under the Charter of Human Rights and Responsibilities Act 2006 (Vic)	Victorian Ombudsman www.ombudsman.vic.gov.au
Breach of the Local Government Act	Local Government Inspectorate www.lgi.vic.gov.au
Breach of privacy or complaints about Freedom of Information applications	Office of the Victorian Information Commission www.ovic.vic.gov.au
Corruption or public interest disclosures ('whistleblower') complaints	Independent Broad -based Anti -Corruption Commission www.ibac.vic.gov.au
Discrimination	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au
Council Elections	Victorian Electoral Commission www.vec.vic.gov.au

6. UNREASONABLE CONDUCT BY COMPLAINANTS

- 6.1 The City expects Council staff and contractors to be respectful and responsive in all interactions with members of the public and we ask that customers treat Council staff with respect.
- 6.2 While the City understand that people can be angry or frustrated when they make a complaint, in some instances complainants demand a disproportionate amount of time and resources which can affect our ability support other customers and complainants. A small number of complainants may behave in ways that can raise health or safety issues for our employees.
- 6.3 The City does not tolerate occupational violence, aggression or unreasonable behaviour directed at Council staff. Council staff have the right to operate in a safe environment free from abuse, threats, intimidation, harassment and harm. The City will act to protect employees and ensure responses are fair, consistent, proportionate and lawful.
- 6.4 Unreasonable behaviour can be grouped into the following categories:
 - 6.4.1 Unreasonable persistence - Continually raising the same issue or submitting repeated complaints after Council has already provided a response;
 - 6.4.2 Unreasonable demands - Demands (express or implied) which have an unreasonable impact on organisation, staff, contractors, services, time and/or resources;
 - 6.4.3 Unreasonable lack of cooperation - Refusal or inability to engage constructively with Council staff and contractors, processes, or policies within the complaints system;
 - 6.4.4 Unreasonable arguments - Rejecting all reasonable explanations regardless of evidence, persistently focusing on minor issues to derail resolution and using circular or illogical reasoning.
 - 6.4.5 Unreasonable behaviour - Behaviour that a reasonable person, having regard to the circumstances, would see as unnecessary, inappropriate, or that creates a risk to health and safety.
- 6.5 The City may change the way it communicates with complainants. This may include limiting or restricting access to Council staff and buildings for a specific period of time if behaviour or conduct is deemed unreasonable, raises health, safety, resource or equity issues for Council staff and contractors involved in the complaints process. We do this as a last resort and only after we have assessed the impact on both the City, Council staff, other affected parties as well as the needs of a complainant.
- 6.6 Complainants will be advised of any access limitations which are determined by a senior manager and are proportionate to the behaviours displayed and are temporary in nature. A decision to limit access can be reviewed by the Integrity and Review Team at a complainant's request.

Implementation of this Policy

TRAINING

The City provides customer service and complaint handling training to all staff and delivers further role-specific training to teams whose service functions require enhanced complaint management capabilities.

MONITORING AND REPORTING

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We will regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We will use this information to improve our services.

We are open and transparent about the complaints we have received and what we have done to resolve them. We will report the number and type of complaints details of complaints to our senior leadership team (quarterly) and on our website annually.

We will use complaint and other data to guide continuous improvement in service delivery.

ADVICE AND ASSISTANCE

The Customer Service Manager, as the Responsible Officer, is responsible for providing guidance on the application of this Policy.

RECORDS

The City must retain records associated with this Policy and its implementation in accordance with its Records Information Management Policy,

REVIEW

The City will review and, if necessary, amend this Policy within four years of the approval date.

References

This policy has linkages to a range of legislation, Victorian Ombudsman and Council documents including:

- Local Government Act 2020
- Public Interest Disclosures Act 2012
- Privacy and Data Protection Act 2014
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Freedom of Information Act 1982
- Equal Opportunity Act 2010
- Gender Equity Act 2020
- Charter of Human Rights and Responsibilities Act 2006
- Public Interest Disclosure Procedure
- Fraud Control and Reporting Policy
- Councillor Code of Conduct
- Privacy and Health Records Council Policy
- Public Transparency Policy
- Privacy Act 1988 (Cth)
- Child Safety Standards Management Policy
- Child Safety and Wellbeing Policy

Victorian Ombudsman Publications:

[Councils and complaints – a good practice guide 2nd edition April 2021](#)

[Good practice guide: Managing complex complainant behaviour.](#)

Other Documents

Records Information Management Policy