

Complaints Policy

Policy statement

The City of Whittlesea values and encourages community feedback. Where there are complaints about services, actions, decisions, and policies Council is committed to:

- enabling members of the public to easily make complaints about the Council
- responding to complaints by taking action to resolve complaints as quickly as possible
- learning from complaints to improve our services.

Every complaint received is treated on its individual merits, through clear and consistent processes.

Councils' complaints policy applies to all complaints from members of the public about Council staff, Council contractors, decisions by Council staff and decisions made at Council meetings. This policy does not apply to complaints about individual Councillors.

Purpose

The Complaints Policy aims to:

- put in place an open and transparent customer complaint handling system
- establish timeframes for addressing complaints (where statutory timelines apply, they will override the timelines in this Policy)
- ensure Council Officers handle complaints fairly and objectively,
- set out how Council Officers record and analyse complaint data to identify where we can improve our services and
- put in place open and transparent procedures for managing unreasonable complainant conduct to ensure unreasonable complainants are dealt with fairly and objectively.

Development of a Complaints Policy is a requirement under the *Local Government Act 2020* which states that a Council must develop and maintain a complaints policy.

A robust Complaints Policy enables effective and consistent management of complaints and provides data that can be used to assist with service refinements and improvements.

Scope

This policy is applicable to all members of Council staff, volunteers, and contractors.

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Alignment to Whittlesea 2040

The Complaints Policy primarily guides Council’s work toward the following Goal as outlined in *Whittlesea 2040: A place for all: High Performing Organisation*

This Policy aims to support Key Direction 1: Driving better community outcomes, whereby our community finds it easy to interact with Council. This Policy aims to increase customer service satisfaction and ensure how community felt heard and trust that their matters are dealt with.

Overarching Governance Principles

The development of this Policy considered the *Local Government Act 2020’s* Overarching Governance Principles and the following were applied:

Lawful	<input type="checkbox"/>	Community engagement	<input type="checkbox"/>	Financially viable	<input type="checkbox"/>
Best community outcome	<input checked="" type="checkbox"/>	Innovation & improvement	<input checked="" type="checkbox"/>	Consistent with government plans	<input type="checkbox"/>
Sustainable	<input type="checkbox"/>	Collaboration with government bodies	<input type="checkbox"/>	Transparent	<input checked="" type="checkbox"/>

Best Community Outcome and Innovation and Improvement: This Policy has been developed with the intention to provide a satisfactory outcome when addressing complaints received from community. Furthermore, such matters raised can contribute to improved ways of working and service delivery, which supports better outcomes for our residents.

Transparent: This Policy has been developed to ensure transparency between Council and the complainant is clear and that all matters are addressed and informed responses are provided back to the complainant.

Gender Equality, Climate Change, Human Rights and Child Safe Compliance: All City of Whittlesea policies comply with the *Victorian Charter of Human Rights and Responsibilities, Gender Equality Act, Climate Change Act* and the *Child Safe Standards*.

Definition

A complaint includes a communication (verbal or written) to the Council which expresses dissatisfaction about:

- The quality of an action, decision or service provided by Council staff or a Council contractor

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- A delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service and/or
- A policy or decision made by the Council, Council staff or a Council contractor.

In this policy:

- ‘Council staff’ is any person employed by the Council to carry out the functions of the Council, and the Council’s CEO, this includes volunteers
- ‘Council contractor’ is any third-party engaged by the Council to carry out functions on the Council’s behalf
- ‘the Council’ means the body of elected Councillors.

A complaint is not:

- A request for service, which is contact with Council to seek either assistance, access to a new service or advise us about a matter for which Council has responsibility and/or
- Feedback, which is information provided to council on the quality of service provided by its officers or contractors.

Child safety complaints or concerns

Complaints involving suspected abuse or harm of a child or young person, concerns about a person’s behaviour towards children or young people, or any other child safety concerns will be handled according to Council’s [Child Safe Policy](#) and [Child Safe Reporting Procedure](#).

These complaints or concerns can be made by calling Council on 03 9217 2170 and asking to speak to a Child Safe Officer or by emailing childsafety@whittlesea.vic.gov.au.

Councillor Complaints

Complaints involving an individual or group of Councillors can be made to an external integrity agency as outlined in Table 1 below, or to Council’s nominated Public Interest Disclosure coordinator via email pid@whittlesea.vic.gov.au if you reasonably believe their conduct relates to fraud and or corruption.

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Procedures and implementation

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

- Telephone: 03 9217 2170
- Online: www.whittlesea.vic.gov.au
- Email: Info@whittlesea.vic.gov.au
- Post: City of Whittlesea, Locked Bag 1 Bundoora, MDC, 3083
- In person: Council Offices, 25 Ferres Boulevard, South Morang and Whittlesea Services Hub, 66 Church Street, Whittlesea

All complainants are asked to raise their concerns directly with the Council staff member or contractor involved in the first instance to allow Council the opportunity to resolve the issue. If the complaint is not resolved, the complaint can be escalated to a senior officer. After all avenues of review at the Council level have been met and if the complainant is not satisfied with Councils response they will be advised of the external avenues for appeal.

Full details of the complaints process are outlined in the Complaints Handling Guidelines.

Where possible, Council will attempt to resolve the complaint at the first point of contact. If Council decide not to act on the complaint, an explanation why will be provided and, where possible, inform the complainant of other options.

If Council cannot resolve the complaint quickly, it will be referred to the relevant team or manager to investigate. Details of the officer responsible of the investigation will be provided.

Council aims to complete investigations within 20 business days and will advise if the investigation will take longer. Updates will be provided regularly (but no longer than 20 business days) about the progress until the investigation is completed. Council will inform the complainant of the outcome and the reasons. If the outcome is provided verbally, it will be followed by a written confirmation of the discussion.

As part of the investigation Council will:

- Assess the information against relevant legislation, policies and procedures
- Refer to Council documents and records
- Meet affected parties to consider possible solutions
- Advise the complainant in writing of the outcome and our reasons.

Council require staff to be respectful and responsive in all their communications with members of the public. Council expects the same when communicating with staff.

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Council may change the way it communicates if the complainant's behaviour raises health, safety, resource or equity issues for Council staff involved in the complaints process.

Review of an outcome or decision

If the complainant is dissatisfied with the decision and how the complainant was responded to, an internal or external review can be requested.

The internal review will be conducted by a senior Council officer with the required subject matter knowledge but who has not had any prior involvement with the complaint to date.

The complainant will be informed of the outcome of the internal review and reasons within 20 business days.

For an external review, there are external bodies that can deal with different types of complaints about Council. After all avenues of review at the Council level have been met, and if the complainant is not satisfied with Council's response, the relevant external avenue to seek further information will be provided.

Complaints can be made to the following external organisations as outlined in Table 1 below:

Table 1

Complaint	Organisation to contact for external review
<p>Actions or decisions of Council, Council staff and contractors.</p> <p>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)</p>	<p>Victorian Ombudsman www.ombudsman.vic.gov.au</p>
<p>Breaches of the Local Government Act 2020. Concerns about a councillor, council staff, a person providing advice to Council, or Council elections.</p>	<p>Local Government Inspectorate www.lgi.vic.gov.au</p>

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Breach of privacy. Complaint about a freedom of information application	Office of the Victorian Information Commission www.ovic.vic.gov.au
Corruption or public interest disclosure ('whistle-blower') complaints	Independent Broad-based Anticorruption Commission www.ibac.vic.gov.au
Management of child safety	Commission for Children and Young people via the contact option on their website: www.contact@ccyp.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

How Council learns from complaints

Complaints from the community who use or who are affected by Councils services, provide valuable feedback about how Council is performing.

Council regularly analyses complaint data to identify trends and potential issues that deserve further attention. This information allows Council to consider solutions about how services can be improved.

Private Information

Personal information is kept secure. Personal Information is used to respond to the complaint and may also be used to analyse the information provided for the purpose of improving services that relate to the complaint.

When gathering information to respond to a complaint, Council will only use it to deal with the complaint or to address systemic issues arising from the complaint.

The following information will be recorded for each complaint:

- The complainant's details
- How the complaint was received
- A description of the complaint

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- The complainant's desired outcome (if known)
- The Council Officer responsible for handling the complaint
- Any action taken, including contact with the complainant, response times and the outcome
- Any recommendations for improvement, and who is responsible for implementing them.

Where complaint data is published, personal information is removed.

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