

Feedback and Complaints Management Policy

Leadership

1.1 Our Council has the trust of the community and well informed decisions are made to ensure long term sustainability of our Shire

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Table of Contents

1. Objectives.....	3
2. Policy Statement	3
2.1 Facilitating feedback	3
2.2 Responding to complaints.....	4
2.3 Accountability and learning	5
3. Scope.....	6
4. Responsibilities.....	6
4.1 Councillors.....	6
4.2 Executive	6
4.3 Group Manager Corporate and Community.....	6
4.3 Managers.....	7
4.4 Coordinator Customer Service	7
4.5 Corporate Strategy and Governance	7
4.6 Council staff.....	7
5. Performance Measures.....	8
6. Definitions	8
7. Related Material.....	9
7.1 Related Legislation	9
7.2 Related Documents.....	9
8. Non-compliance with this Policy.....	10
9. Document Control.....	10
9.1 Version Control	10
10. Attachments.....	10



1. Objectives

The objective of this Policy is to ensure that Wingecarribee Shire Council (Council) promptly and fairly handles all forms of customer/community and staff feedback to promote customer/community confidence and best practice within Council. Feedback includes compliments, suggestions and complaints. Council's feedback management framework is intended to:

- enable Council to respond to feedback raised by customers/community in an accessible, timely and cost-effective way;
- assist Council's staff members to better manage unreasonable complainant conduct; and
- enhance public confidence in Council's administrative processes.

2. Policy Statement

Council is committed to providing excellent customer service and maintaining a healthy relationship with its customers. Acknowledging and actioning feedback provides an opportunity for Council to support its mission to become a leading, customer-focused organisation delivering outstanding results for the community and to ultimately achieve the aspirations of the community set out in [Council's Community Strategic Plan, Wingecarribee 2031](#).

2.1 Facilitating feedback

Lodgement of feedback

Council provides various channels for lodgement of feedback with Council.

Feedback can be lodged with Council either:


- via email at mail@wsc.nsw.gov.au;
- over the phone by calling Council's Customer Service Contact Centre on 02 4868 0888;
- in person at Council's Civic Centre, 68 Elizabeth Street Moss Vale NSW 2577;
- online at wsc.nsw.gov.au; or
- by post addressed to:
The General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577

Customer focus

Council is committed to seeking and receiving customer/stakeholder feedback about Council services, systems, practices and procedures. Any concerns raised in the form of complaints will be dealt with using the service standards set out in Part 2.2 of this Policy and, where appropriate, [Council's Customer Service Charter](#).

People making complaints will be:

- provided with information about Council's complaint handling process;
- provided with multiple accessible ways to make complaints;
- listened to and treated with respect by staff
- be actively involved in the complaint process where possible and appropriate; and
- provided with reasons for Council's decisions and any options for redress or review.



Council will respond to all feedback within agreed service levels, as set out in the Performance Measures section of this Policy and further detailed in Part 2.2 of this Policy.

No detriment to complainants

Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous feedback

Council will accept anonymous feedback where it raises significant issues and there is enough information to be able to investigate the issues raised.

Persons who lodge anonymous feedback should not expect a response from Council in relation to the feedback if they have not provided appropriate contact details for Council to provide a response.

Accessibility

Council will ensure that information about how and where feedback may be made to or about Council is readily available and publicly accessible in various formats, such as in hard copy and online. Council will ensure that the systems to manage feedback are easily understood, user friendly accessible to everyone, particularly those who may require additional assistance.

If a person prefers or needs another individual or organisation to assist or represent them in the making and/or resolution of a complaint, Council will communicate with them through their authorised representative upon request. Anyone may represent a person wishing to make a complaint with the consent of the complainant (for example, an advocate, family member, legal or community representative, member of Parliament or another organisation).

No charge

Lodging feedback with Council is free of charge. Any fees and charges that may arise will be instances permitted by legislation and/or in accordance with Council's Fees and Charges Policy.

Privacy and access to information


Council shall not collect, use, disclose or otherwise deal with personal information except as permitted by the *Privacy and Personal Information Protection Act 1998*, the Privacy Code of Practice for Local Government, Council's Privacy Management Plan and any other applicable law. This includes personal information provided to Council by a member of the public in the course of lodging feedback.

Information contained in a record that is held by Council is **government information** for the purposes of the *Government Information (Public Access) Act 2009* (GIPA Act). This includes both records created by Council and records provided to Council by third parties (including members of the public). Other persons may therefore be entitled to seek access to information relating to feedback held by Council under the GIPA Act. Any application or request lodged with Council under the GIPA Act shall be handled in accordance with that Act.

2.2 Responding to complaints

Early resolution

Where possible, complaints will be resolved at first contact with Council. Where it is not possible to resolve a complaint at first contact, Council will endeavour to resolve the complaint in accordance with the following service standards:

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- Where a complaint is not resolved at first contact, a complaint will be acknowledged in writing within 5 business days (provided it is not anonymous and there are sufficient contact details);
 - A response to a complaint will be provided within 20 business days of Council receiving the complaint;
 - Escalation of a complaint or a request for internal review of the outcome of the original complaint will be acknowledged within 5 business days;
 - A response to a request for internal review or escalation of the original complaint will be provided within 20 business days of Council receiving the request for internal review or date of escalation.

If these timeframes cannot be met, Council will provide the complainant with an update on progress of the complaint or internal review and the reason for the delay.

Objectivity, fairness and conflicts of interest

Council will address complaints with integrity and in an equitable, objective and unbiased manner.

Where a complaint relates to the conduct of, or a service provided by, a particular member of Council staff, Council will ensure (as far as reasonably practicable) that the member of Council staff whose conduct or service is the subject of the complaint does not handle the complaint. If the complaint is ambiguous or unclear as to the member of Council staff's identity, Council shall take reasonable steps to ensure that either:

- (a) the member of Council staff is identified; or
- (b) that any members of Council staff who could reasonably be expected to be the subject of the complaint do not handle the complaint.

In particular, internal reviews of complaints will be conducted by a person other than the original decision-maker.

Conflicts of interest, whether actual, potential or perceived, will be managed in accordance with Council's Code of Conduct and any other applicable policies, General Manager practice notes and procedures.

2.3 Accountability and learning

Analysis and evaluation of feedback

Council will ensure that feedback is recorded so that information can easily be retrieved for reporting and analysis. For this purpose, a Compliments and Complaints Register shall be kept and maintained by Council's Corporate Strategy and Governance team.

Monitoring of the feedback management framework

Council will continually monitor the feedback management framework to ensure its effectiveness in responding to and resolving complaints, and to identify and correct deficiencies in the operation of the framework.

Continuous improvement

Council is committed to improving its feedback management framework. To this end, Council will:

- support the lodgement of feedback and appropriate resolution of complaints;
- implement best practices in feedback handling;
- recognise and reward exemplary performance by Council staff;
- regularly review its feedback management framework and relevant statistical data; and
- implement appropriate feedback management framework changes arising out of the analysis of statistical data; and

- continually monitor the implementation of the framework.

3. Scope

This Policy applies to all Councillors and Council Officers, and relates to the management of compliments, suggestions or complaints made to or about the Council regarding our services, staff and complaint handling. This Policy applies only to feedback and complaints within the meaning provided by this Policy.

When dealing with feedback, Council shall consider whether the feedback relates to a function that Council is lawfully able to exercise or, more generally, whether the subject matter of the feedback falls within an area of Council's responsibility.

Council shall not deal with any feedback which relates to subject matter that Council is not lawfully authorised to deal with or that otherwise falls outside Council's area of responsibility.

Council's Feedback and Complaints Policy forms part of Council's broader complaints management framework which includes:

- Managing Unreasonable Conduct by Complainants Policy
- Code of Conduct and Procedures for the Administration of Code of Conduct
- Public Interest Disclosure Policy
- Council's independent Internal Ombudsman service.

4. Responsibilities

Responsibilities for the implementation of this Policy are shared as follows.

4.1 Councillors

Councillors shall:

- comply with this Policy, related procedures and relevant legislation; and
- lead the community in their understanding of this Policy, related procedures and relevant legislation; and
- review regular reports on the nature and themes of feedback to consider in their decision making.


4.2 Executive

The Executive shall promote a culture that values all feedback provided to Council and, where required, ensure the effective resolution of complaints. The Executive shall do so by:

- leading staff in their understanding of this Policy, related procedures and relevant legislation;
- publicly reporting on Council's handling of compliments and complaints;
- reviewing reports on compliment and complaint handling on a quarterly basis, including trends and issues arising in relation to compliment and complaint handling;
- ensuring decisions to alter or restrict a complainant's access to Council's services are made by a Director, subject to a complainant's right of appeal to the General Manager; and
- supporting recommendations for service, staff and feedback handling improvements arising from an analysis of key data relating to compliment and complaint handling.

4.3 Group Manager Corporate and Community

The Manager Governance and Corporate Performance shall:

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- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy;
 - ensure the timely review of this Policy; and
 - investigate alleged non-compliance with this Policy.

4.3 Managers

Managers shall:

- provide guidance to Council staff within their respective branches as to the content and implementation of this Policy, seeking guidance from the policy owner as required;
- provide adequate support and direction to members of Council staff who are responsible for handling feedback;
- encourage members of Council staff to be alert to feedback and assist those who are responsible for handling feedback to take appropriate action;
- ensure that feedback is dealt with in a timely manner and in accordance the service standards set out in this Policy;
- encourage members of Council staff to make recommendations for improvements to Council's feedback management framework; and
- recognise and reward good feedback handling by members of Council staff or take appropriate action in response to poor feedback handling.

4.4 Coordinator Customer Service

The Coordinator Customer Service shall, in consultation with the Corporate Strategy and Governance team and in addition to their general obligations as Council staff:

- remain informed about best practice in feedback handling based on guidance from the NSW Ombudsman and other relevant bodies; and
- train and empower members of Council staff to competently handle feedback in accordance with relevant Council policies, General Manager practice notes and procedures.

4.5 Corporate Strategy and Governance

The Corporate Strategy and Governance team shall, in addition to their general obligations as Council staff:

- keep and maintain a Compliments and Complaints Register;
- provide quarterly reports on compliment and complaint handling to the General Manager including statistical information and any issues arising out of compliment and complaint handling activities;
- ensure that compliment and complaint recommendations arising out of data analysis are canvassed with the General Manager and implemented where appropriate;
- promote the transparency of Council's feedback management framework by ensuring that information regarding this framework is readily accessible to members of the public; and
- provide guidance to members of Council staff in relation to their obligations under this Policy and related procedures.

4.6 Council staff

Council staff shall:

- comply with this Policy, related procedures and relevant legislation;
- assist members of the public who wish to lodge feedback with the Council;

- manage feedback in accordance with this Policy, related procedures and relevant legislation; and
- make suggestions or recommendations for improvements to Council’s feedback management framework and Council’s services.

5. Performance Measures

The success of this Policy will be measured by:

- the number of compliments and complaints that are addressed within the timeframes set out by this Policy;
- the number of complaints escalated to external review; and
- reporting of feedback is actively considered in Executive and Council decision making.

6. Definitions

In this Policy:

complaint an expression of dissatisfaction made to or about Council, Council’s services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

For the purposes of this Policy and related procedures, a complaint does not include:


- Code of Conduct complaints;
- public interest disclosures made by Council staff;
- reports of problems or wrongdoing merely intended to bring a problem to Council’s attention with no expectation of a response;
- requests for information, whether a general enquiry or a request or application for access to government information under the *Government Information (Public Access) Act 2009*;
- responses to requests for feedback about the standard of Council’s service provision, such as Council’s Community Satisfaction Surveys;
- submissions on development applications, public exhibition items or other matters for which Council invites submissions from members of the public;
- service requests; and
- grievances.

Any of the above should be handled in accordance with any relevant legislation or other Council policy, General Manager practice note, procedure or standard operational practice as applicable, but should not be handled in accordance with this Policy or related procedures.

compliment an expression of praise or regard for service received or performance delivered by Council or its staff, excluding a routine expression of thanks.

feedback compliments, suggestions and complaints.

feedback management framework includes all policies, procedures, practices, staff, hardware and software used by Council in the management of feedback.



grievance	any work-related disagreement, complaint or matter which someone thinks is unfair or unjustified and which is causing that person concern or distress.
public interest disclosure	a disclosure satisfying the applicable requirements of Part 2 of the <i>Public Interest Disclosures Act 1994</i> .
service request	any request for Council to perform a service, including: <ul style="list-style-type: none"> ○ requests for approvals; ○ requests for action (including but not limited to requests to maintain Council assets); ○ enquiries about Council’s business or scope of activities; ○ requests for the provision of services and assistance; ○ requests that Council exercise any function it is authorised to exercise under the <i>Local Government Act 1993</i> or any other law (including reports alleging a failure to comply with any law regulated by Council); and ○ requests for explanations of policies, procedures and decisions.
unreasonable complainant conduct	any behaviour by a complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the people involved in the complaint process. ¹

7. Related Material

7.1 Related Legislation

The following legislative materials are related to this Policy:

- *Government Information (Public Access) Act 2009*;
- *Local Government Act 1993*;
- *Privacy and Personal Information Protection Act 1998*; and
- *Work Health and Safety Act 2011*

7.2 Related Documents

The following documents are related to this Policy:

- Code of Conduct;
- Customer Service Charter;
- Feedback and Complaints Management Procedure;
- Customer Service Strategy 2016-2020;
- NSW Ombudsman Complaint Handling Model Policy;
- NSW Ombudsman Complaint Management Framework;
- NSW Ombudsman Effective Complaint Handling Guidelines;
- NSW Ombudsman Managing Unreasonable Conduct by a Complainant: A Manual for Frontline Staff, Supervisors and Senior Managers;
- Privacy Code of Practice for Local Government;

¹ NSW Ombudsman, *Managing unreasonable conduct by a complainant: A manual for frontline staff, supervisors and senior managers*, 2020, p. 5.

- Privacy Management Plan; and
- Procedures for the Administration of the Code of Conduct.

8. Non-compliance with this Policy

Non-compliance with this Policy should be reported to the Group Manager Corporate and Community who will investigate and determine the appropriate course of action.

9. Document Control

9.1 Version Control

Version	Adoption Date	Notes
1.0	09 May 2007	Initial adoption of document
1.8	31 January 2014	Parts of policy transferred to Complaints Handling Procedure
2.0 (this version)	17 August 2022	Substantial amendments to reflect policy statements in the NSW Ombudsman model policy on complaint handling concerning facilitation of complaints and responding to complaints; incorporates the broader term “feedback” which includes complaint, compliment and suggestion handling; details various channels to lodge feedback and covers accountability and learning.

10. Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL

17 August 2022