

G.3 Community Complaints Policy

Introduction

The Shire recognises that from time to time, members of the community may not be satisfied with Shire services, processes or decisions and that there needs to be a clear and accountable process available for people to lodge and receive a response to their complaint.

It is also recognised that complaints can be an important tool to ensure accountability and promote continuous improvement.

Application

This policy applies to employees, volunteers and contractors of the Shire of Toodyay.

Policy Intent

To establish an effective complaints handling system that will provide a framework and basis for all complaints relating to Shire services, processes or decisions to be resolved in a consistent, fair, and structured manner.

1. Definitions

- (a) A **complaint** is an expression of dissatisfaction about the standard of service provided, or an action or inaction by the Shire of Toodyay, its employees, volunteers and contractors.
- (b) A **complaint is not:**
 - A first request for action or service (eg reporting a nuisance dog, request for footpath or pothole repair).
 - A request for information or explanation of Council decisions, practices or procedures.
 - A request for action or service that is outside the Shire's jurisdiction or is provided by other agencies.
- (c) A complaint is considered **anonymous** when the complainant declines to provide their name and/or contact details.
- (d) A complaint is considered **malicious** when its intent is to negatively affect another person's career, reputation, or livelihood.
- (e) A **vexatious** or **frivolous** complaint is where there is no evidence to support the complaint and/or there is evidence that the complaint is intended to cause inconvenience, harassment or financial burden.
- (f) A **volunteer** is a person who contributes time, effort and talent for the benefit of the Shire of Toodyay without financial gain.
- (g) A **contractor** is a person, business or organisation contracted to provide products and/or services to the Shire for financial consideration.

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2. Principles for handling complaints

- (a) **Customer focus** – complaints are managed in accordance with the Shire of Toodyay Customer Service Charter.
- (b) **Accessible** – the process for making complaint and investigating it is easy for complainants to understand.
- (c) **Responsive** – complaints are acknowledged, addressed according to urgency and the complainant is kept informed.
- (d) **Objective and Fair** – complaints are dealt with in an equitable, objective and unbiased manner. Unreasonable complainants do not become a burden
- (e) **Confidentiality** – personal information related to complaints remains confidential.
- (f) **Continuous Improvement** – complaints are used as a source of improvement.

3. Lodgement of complaints

- (a) Complaints can be made:
 - In writing, via fax, or email. Emails should be sent to records@toodyay.wa.gov.au.
 - In person, by completing a Customer Service Charter – Feedback Form available on the Shire’s website <https://www.toodyay.wa.gov.au/resident-services/forms-applications-and-fact-sheets.aspx> (Select “Other”)
 - By telephone. Complainants should be encouraged to lodge their complaint in writing. If they insist on lodging the complaint verbally, the complainant must provide their name and contact details along with details of the complaint which are to be recorded by a Shire officer.
- (b) All complaints will be registered by the officer receiving the complaint at the first point of contact.
- (c) Where complaints are made directly to Councillors, the complainant should be encouraged to contact the Shire office. However, Councillors may lodge a complaint on behalf of the complainant.
- (d) Frontline staff are responsible for receiving, registering and resolving minor complaints in an efficient and effective manner. The majority of complaints can be resolved immediately by acknowledging the customer’s dissatisfaction, apologising where appropriate, and taking corrective action.

4. Complaints that will not be considered

- (a) The complaint is anonymous unless the matter could be in breach of statutory provisions or the Shire of Toodyay’s Code of Conduct.
- (b) The complaint contains offensive language or is discriminatory in nature.
- (c) The complaint is malicious, vexatious or frivolous.
- (d) Notwithstanding parts (a) to (c) of this clause, all complaints received will be acknowledged.

5. Investigation and referral

- (a) Where the complaint cannot be resolved at the initial contact, the complaint will be referred to the appropriate officer for investigation.
- (b) The complaint will be referred to the relevant Manager when:
 - The complaint is outside the authority or expertise of the receiving officer;
 - The officer is unable to reach a resolution;
 - The customer remains dissatisfied;
 - The nature of the complaint warrants authority at a higher level.
- (c) The complaint will be escalated to the Shire of Toodyay Complaints Officer where the Manager is unable to reach a resolution.
- (d) The complaint may be referred to an external agency when determined by the Shire's Complaints Officer.

6. Unresolved complaints

- (a) The Shire of Toodyay recognises that not all complaints may be resolved within the above process and that complainants may not receive the outcome they seek.
- (b) If a customer is dissatisfied with the complaint resolution provided, other avenues for resolution include:
 - Making a request to have the matter considered at a more senior level.
 - The Ombudsman of Western Australia is an independent officer of Parliament who investigates complaints about state government departments, most statutory authorities and local governments. The Ombudsman can be contacted at:
Level 2, Albert Facey House
469 Wellington Street
Perth WA 6000
Ph: (08) 9220 7555
 - Other legal advice or remedy.
- (c) Complainants are encouraged to allow the Shire of Toodyay to investigate complaints prior to referral to an external agency.

Reference Information

Related Documents Shire of Toodyay Code of Conduct
Shire of Toodyay Customer Service Charter
Guidelines on Complaint Handling – Ombudsman Western Australia

Related Legislation *Local Government Act 1995 (WA)*
Local Government (Rules of Conduct) Regulations 1996

Associated Forms and Attachments Customer Service Charter – Feedback Form

Version Control Information	Version No.	Issue Date	Nature of amendment	Developed By	Approved By
	V0	16/04/2021	Original	CEO	Council

Document Control Information

Document Theme	Governance
Document Category	
Document Title	Community Complaints Policy
Document ID	G.3
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
Date of approval	27 April 2021 (Res No. 85/04/21)
Approving authority	Council
Access restrictions	
Date Published	30 April 2021
Date of last review	
Date of next review	2023
Archived antecedent documents and previous versions	