

# 1116 Administrative Action Complaints

## Statutory Policy

### PURPOSE

- 1) Council is committed to delivering high quality customer service, whilst acting fairly, ethically, responsibly, and lawfully.
- 2) Council welcomes complaints as a form of feedback and will respond to complaints appropriately and use them as a means to improve our services, systems, procedures and policies.

### SCOPE

- 3) This Policy and supporting procedure applies to all administrative action complaints received by Council.

### DEFINITIONS

Term	Definition
<b>Administrative Action</b>	Is (a) a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision; (b) an act, or a failure to do an act; (c) the formulation of a proposal or intention; (d) the making of a recommendation
<b>Administrative Action Complaint</b>	As defined in section 268(2) of the Local Government Act 2009: An administrative action complaint is a complaint that – (a) is about an administrative action of a local government, and (b) is made by the affected person
<b>Affected Person</b>	Is a person who is apparently directly affected by an administrative action of a local government.
<b>Affected Person's Agent</b>	Means either a professional advisor e.g. Solicitor or Accountant, or other person acting with authorisation on behalf of the affected person.
<b>Complaint</b>	The Australian Standard AS/NZS 10002:2014 defines a complaint as an expression of dissatisfaction made to or about an organisation related to its products, services, or staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.
<b>Employee</b>	Any person employed by Council regardless of their employment status, and also includes contractors whilst undertaking duties or performing services on behalf of Council.
<b>Level of Service</b>	Means the current capacity of Council to provide services as determined by the funding allocations in the annual budget at the level Council has determined the ratepayers of the region have the capacity to fund.
<b>Natural Justice</b>	Means giving someone who might be adversely affected by a decision a fair hearing prior to a decision being made. Also known as <i>procedural fairness</i> .
<b>Request for Service</b>	Means a request for Council to take action to satisfy the needs of a customer or ratepayer. This may be of a physical nature, such as a request to fill a pothole. A Request for Service is not considered a complaint.
<b>Review</b>	Means to undertake a repeated examination of a past event or decision.

### POLICY

- 4) This Policy, together with the related procedures, fulfils Council's statutory obligations for dealing with administrative action complaints in accordance with s.268 of the *Local Government Act 2009*.

### OBJECTIVES

- 5) The objective of this Policy is to outline Council's commitment to an efficient and effective complaints management system that:
  - Is customer focused;
  - Is consistent, fair and equitable;
  - Values customer feedback; and
  - Facilitates continuous feedback.

## PRINCIPLES

- 6) Complaint management is an essential part of quality customer service and good corporate governance. Council views complaints as a form of feedback from its customers and the community and will consider the learnings and outcomes as an opportunity to identify issues and take action to improve systems, decision-making, service delivery and customer experiences.

## POLICY STATEMENT

- 7) Council recognises every person's right to complain and is committed to resolving all complaints received. Having a consistent, fair and equitable approach to the way Council manages complaints will help to ensure a positive outcome for all parties. Efficient and effective complaints management increases customer satisfaction and community confidence in Council. Therefore, Council is committed to:
- Creating a positive complaint management environment by encouraging feedback and viewing complaints as an opportunity for continuous improvement;
  - Providing a clear and simple process outlining how complaints will be managed, who will be involved in the process, their roles and responsibilities;
  - Ensuring employees are empowered to address the majority of complaints at the frontline or first point of contact with Council;
  - Providing options for internal review and escalation relative to the seriousness of the complaint and previous contact with Council; and
  - Maintaining a complaints management system that provides a practicable and systematic approach for receiving, recording, analysing and reporting complaints information.

## ROLES AND RESPONSIBILITIES

- 8) Roles and responsibilities will be as defined in the Administrative Action Complaints Procedures.

## APPLICABLE LEGISLATION AND REGULATION

*Human Rights Act 2019*

*Information Privacy Act 2009*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Ombudsmans Act 2001*

*Public Interest Disclosure Act 2010*

## RELATED DOCUMENTS

Councillor Code of Conduct

Employee Code of Conduct

Administrative Action Complaints Procedures

Australian Standard AS/NZS 10002.2014 – Guidelines for complaint management

## RESPONSIBLE OFFICER

Chief Executive Officer

## APPROVAL DATE

28 April 2021

## REVIEW DATE

April 2025 (Standard four year term)

## REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	15/11/2011	New
2	General	20/04/2016	Revised
3	General	19/07/2017	Revised
4	General	27/06/2018	Revised
5	General	28/04/2021	Revised