



# Complaints Handling Policy

## COMPLAINTS HANDLING POLICY

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## COMPLAINTS HANDLING POLICY

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### 1. PURPOSE

The Local Government Act 2020 (Vic) ('the 2020 Act') requires that all Council have a Complaints Handling Policy & process in place.

The Victorian Ombudsman's 'Councils and complaints – A good practice guide 2nd Edition' has been used to develop this policy and the associated procedure.

Golden Plains Shire Council encourages feedback and complaints so that we can continuously improve and learn as an organisation.

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### 2. SCOPE

Dealing with complaints is a core part of Council business. We value complaints and encourage people to contact us when they have a problem with our services, actions, decisions, and policies. We are committed to:

- Enabling members of the public to 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.
- We treat every complaint we receive on its individual merits, through clear and consistent processes.

All customers have the right to complain. This policy outlines Golden Plain's Shire Council's commitment to complaint handling. The provisions of this policy apply to all complaints from members of the public about Council staff, Council contractors and decisions made at Council meetings. This policy does not apply to complaints about individual Councillors.

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### 3. POLICY STATEMENT

Council's complaint handling system is based on the following principles:

#### 3.1 Commitment

We are committed to resolving complaints and have a culture that recognises an individual's right to complain. We value complaints and recognise them as being part of our business of serving our communities and improving service delivery.

#### 3.2 Accessibility

People with a range of needs can easily complain and staff actively assist them to navigate the complaints process.

#### 3.3 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.

#### 3.4 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 if reported on more widely.

#### 3.5 Accountability

We are accountable internally and externally for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure that our decisions are subject to appropriate review processes.

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### 3.6 Continuous Improvement

Acting on, learning from and using complaint data helps us identify problems and improve services.

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## 4. WHAT IS A COMPLAINT

### 4.1 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
- A delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service
- A policy or decision made by the Council, Council staff or a Council contractor.

### 4.2 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.
- '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.

### 4.3 The definition of complaint does not take into account:

- The merit of the complaint or issue complained about
- How the matter will be resolved or responded to

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## 5. DIFFERENTIATING BETWEEN A COMPLAINT AND A REQUEST FOR SERVICE

Council follows the below definitions to differentiate between complaint and a request for service:

- Requesting something additional or new (a service request)
- Request maintenance of a Council Asset (a service request)
- Reporting what they believe to be a failing or a shortfall (a complaint)
- Complaining about a Council's response to a service request (a complaint)

Some complaints may not fit in the above definition and may be required to be handled according to statute, such as those concerning infringements and some planning matters.

### COMPLAINT / REQUEST FOR SERVICE REQUEST EXAMPLES

Complaint	Request for Service request
My bin was out but wasn't collected this morning. Can you pick it up?	I forgot to put my bin out, can someone collect it?
You haven't sent out my rates notice.	Can you tell me when my next rates payment is due?
The Council shouldn't have approved the subdivision on Main Road	What is the process for objecting to the planning permit for the subdivision for Main Road
The Council's website doesn't have enough information about how to register my swimming pool.	Can you tell me how to register my swimming pool?
Council hasn't graded my road and it was due last month.	Can you tell me when my road is due to be graded?
A pothole I reported to Council two months ago hasn't been fixed and is getting worse.	Could Council fill in a pothole in my street?

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### 6. PROCEDURES

#### 6.1 How to make a complaint

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

- Email: [enquiries@gplains.vic.gov.au](mailto:enquiries@gplains.vic.gov.au)
- Telephone: 03 5220 7111
- Online: <https://www.goldenplains.vic.gov.au/forms/portal>
- Post: Golden Plains Shire Council  
PO Box 111  
Bannockburn VIC 3331
- In Person:
  - 2 Pope Street, Bannockburn VIC 3331
  - 19 Heales Street, Smythesdale VIC 3351

#### Accessibility

We are committed to ensuring our complaints process is accessible to everyone. Tell us if you have specific communication needs or barriers, and we can assist you by using an assistance service, such as an interpreter or TTY (for free)

- TTY: 133 677
- Speak and Listen: 1300 555 727
- Internet relay users: <https://relayservice.gov.au/> and ask for (03) 9240 1111

#### 6.2 Complaint Handling Procedure

When you complain to us, we will record and acknowledge your complaint within 7 business days. We will initially assess your complaint to decide how we will handle it. This may happen while we are talking with you.

After our initial assessment, we may:

- take direct action to resolve your complaint
- refer your complaint to the relevant team or manager for investigation
- decline to deal with your complaint if you have a right to a statutory review of your complaint (such as a right of appeal to VCAT).

Where possible, we will attempt to resolve your complaint at the time you first contact us. If we decide not to take action on your complaint, we will explain why, and, where possible, inform you about other options.

If a complaint is lodged through Council which upon investigation falls under an alternative authority and is not the responsibility of Council, we will inform you of this in writing. These complaints will not be added to the complaint register or recorded as part of our statistics.

Council takes a four-tier approach to complaints handling.

- **Tier 1: First-contact complaint resolution**  
We aim for the majority of complaints to be resolved as quickly as possible, by frontline staff, if possible.
- **Tier 2: Investigation**  
If frontline staff cannot resolve the complaint, they will refer it to an officer for investigation where further information gathering will be completed.  
As part of our investigation, we will:
  - Assess the information against relevant legislation, policies and procedures
  - Refer to Council documents and records
  - Meet affected parties to consider possible solutions
  - Advise you in writing of the outcome and our reasons
- **Tier 3: Internal review**

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If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review. The internal review will be conducted by a senior Council officer who has not had any prior involvement with your complaint. We will inform you of the outcome of the internal review and explain our reasons within 30 calendar days of the date of this letter.

- **Tier 4: External review**

If you are dissatisfied with the outcome of the internal review process, referral for an external review may be appropriate. In this situation, we will refer people to the appropriate external review body. Council will contribute by participating in and cooperating with the external review process.

**How to request an external review:**

There are external bodies that can deal with different types of complaints about us. You can request an external review from the following organisation's:

Complaint	Organisation to contact for external review
Complaint Organisation to contact for external review Actions or decisions of a Council, Council staff and 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 <a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a>
Breaches of the Local Government Act	Local Government Inspectorate <a href="http://www.lgi.vic.gov.au">www.lgi.vic.gov.au</a>
Breach of privacy.  Complaint about a freedom of information application	Office of the Victorian Information Commission <a href="http://www.ovic.vic.gov.au">www.ovic.vic.gov.au</a>
Corruption or public interest disclosure ('whistleblower') complaints	Independent Broad-based Anti-corruption Commission <a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>
Discrimination	Victorian Human Rights and Equal Opportunity Commission <a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a>
Council elections	Victorian Electoral Commission <a href="http://www.vec.vic.gov.au">www.vec.vic.gov.au</a>

### 7. COMPLAINT HANDLING TIMEFRAMES

We will endeavour to resolve your complaint on the same day, however if your complaint cannot be resolved, it will be referred to the appropriate area for further investigation.

- Your complaint will be acknowledged within 7 business days.
- The timeline that Council has set for complaint resolution is 0 to 30 days
- You will be informed if the complaint will take more than the 30 days.

Once an outcome is determined, you have a further opportunity to provide feedback and details and request your complaint is escalated to a manager and subsequently request an internal review if you disagree with the decision or the way the complaint was handled.

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### 8. RESPONSIBILITIES

All Council staff, Councillors and Council contractors are responsible for contributing to our complaints process.

Role	Responsibilities
<i>Chief Executive Officer</i>	<ul style="list-style-type: none"> <li>Promoting positive behaviours and practices relating to enabling, responding to and learning from complaints.</li> <li>Supporting service improvements that arise from complaints.</li> <li>Reviewing and publishing complaint data.</li> </ul>
<i>Senior leaders and managers</i>	<ul style="list-style-type: none"> <li>Recruiting, training and empowering staff to resolve complaints promptly and in accordance with the Council's policies and procedures.</li> <li>Managing conflicts of interest in the complaint process.</li> <li>Reporting on and identifying improvements from complaint data.</li> <li>Supporting staff who deal with complaints.</li> </ul>
<i>All Council staff</i>	<ul style="list-style-type: none"> <li>Familiarising themselves with this policy and the Council's complaint process.</li> <li>Assisting members of the public to make a complaint.</li> <li>Treating members of the public respectfully and professionally.</li> </ul>
<i>Councillors</i>	<ul style="list-style-type: none"> <li>Familiarising themselves with this policy and the Council's complaint process.</li> <li>Referring complaints to Council staff to be dealt with in accordance with our processes.</li> </ul>
<i>Contractors</i>	<ul style="list-style-type: none"> <li>Familiarising themselves with this policy and the Council's complaint process.</li> <li>Cooperating with the Council's complaint handling processes.</li> </ul>

### 9. CONTINUOUS IMPROVEMENT

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

We regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them. We publish our complaint data including in our annual report.

### 10. PRIVACY

We keep your personal information secure. We use your information to respond to your complaint and may also analyse the information you have provided for the purpose of improving services that relate to your complaint.

Council must maintain all records relevant to administering this policy in accordance with the Privacy and Data Protection Act 2014.

### 11. RECORDS MANAGEMENT

All complaints are recorded in our *Complaint Register*. We analyse our complaint data and provide annual reports on how we can reduce complaints and improve services.

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Any queries regarding the recording of complaints should be directed to our *Privacy Officer*. Council must maintain all records relevant to administering this policy in accordance with the Public Records Act 1973.

### 12. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Terms and definitions

Term	Definition
<i>Council</i>	Golden Plains Shire Council, being a body corporate constituted as a municipal Council under the Local Government Act 2020
<i>Complaint</i>	A complaint includes a communication (verbal or written) to the Council which expresses dissatisfaction about: <ul style="list-style-type: none"> <li>• The quality of an action, decision or service provided by Council staff or a Council contractor</li> <li>• A delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service</li> <li>• A policy or decision made by the Council, Council staff or a Council contractor.</li> </ul>
<i>Council Staff</i>	Any person employed by the Council to carry out the functions of the Council, and the Council's CEO.
<i>Council Contractor</i>	Any third-party engaged by the Council to carry out functions on the Council's behalf.
<i>The Council</i>	The body of elected Councillors.

### 13. RELATED LEGISLATION AND DOCUMENTS

#### Policies and Procedures

- Customer Service Charter
- Complaint handling procedure
- Record keeping policy
- Instrument of Delegation
- Public interest disclosure procedure
- Employee code of conduct
- Council employee conflict of interest
- Infringement's policy
- Freedom of Information Procedures Policy
- Fraud and Corruption Control Policy
- Child & Family Services Complaints & Grievances Policy

#### Legislation

- Local Government Act 2020 (Vic)
- Gender Equality Act 2020 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Equal Opportunity Act 2010(Vic)
- Public Interest Disclosures Act 2012 (Vic)
- Freedom of Information Act 1982
- Information Privacy Act 2000



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- Protected Disclosure Act 2012
- Health Practitioner Regulation National Law Act 2009
- Privacy and Data Protection Act 2014
- Health Records Act 2001(Vic)
- Domestic Animals Act 1994
- Building Act 1993
- Competition and Consumer Act 2010
- Environment Protection Act 1970
- Equal Opportunity Act 2010
- Food Act 1984
- Independent Broad Based Anti-Corruption Act 2011
- Infringements Act 2006
- Planning and Environment Act 1987
- Public Health and Wellbeing Act 2008
- Public Records Act 1973
- Summary Offences Act 1988

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### 14. POLICY OWNER

Director Corporate Services is the policy owner.

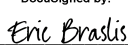
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### 15. FEEDBACK

You may provide feedback about this document by emailing [enquiries@gplains.vic.gov.au](mailto:enquiries@gplains.vic.gov.au)

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### 16. DOCUMENT INFORMATION

DOCUMENT TYPE:	Organisational Policy
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NOTES:	Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult Council's Policy page on the Golden Plains Shire Council website to ensure that the version you are using is up to date. Available at: <a href="https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies">https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies</a>