



PROCEDURE

COMPLAINTS AND FEEDBACK MANAGEMENT

July 2019

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Objectives and Purpose

These procedures have been developed to support the implementation of the Complaints and Feedback Management Policy and to assist all staff members in managing feedback, compliments and complaints.

Its aim is to ensure that:

Community members:

- are aware of the process of providing feedback, compliments and complaints to the Central Coast Council as well as the process for response and investigation; and
- are confident in our commitment to continuous improvement and responsiveness when issues do arise.

All staff:

- feel confident and supported in responding to community feedback and complaints;
- act fairly, consistently, honestly and appropriately when responding to feedback; compliments and complaints; and
- are aware of their roles and responsibilities in relation to the management of feedback, compliments and complaints.

The procedure is supported by:

- Council's CX system can be used to analyse, evaluate and audit complaints and their outcomes in order to deliver quality improvements; and
- supply a mechanism for reviewing the effectiveness and efficiency of Council's feedback and complaint management practices and outcomes.



Channels / Methods

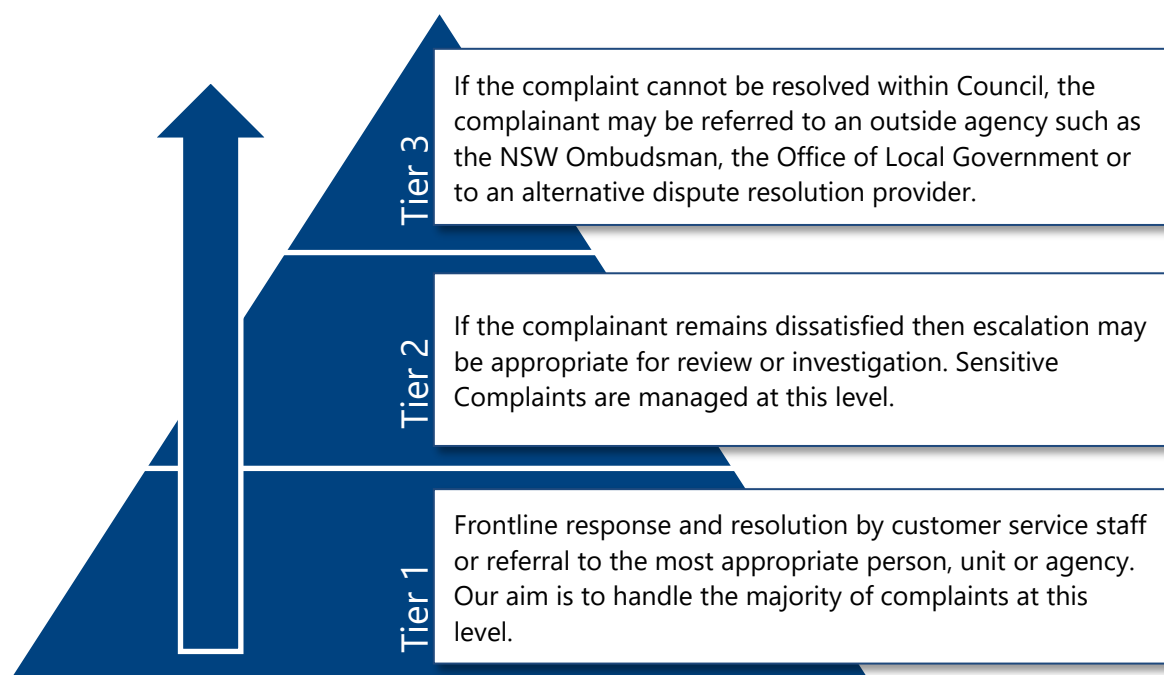
We encourage the community to provide feedback and offers multiple channels for our Community's convenience. It is recommended that only one channel is utilised to avoid duplication and maximise effectiveness of Council time and resources.

Feedback, compliments and complaints can be submitted via the following channels:

- In person
- Email - ask@centralcoast.nsw.gov.au
- Mail
- Telephone
- Mobile and online – Report an Issue
- Facebook
- Twitter
- Online feedback form
- Councillor or Member of Parliament

Procedures and responsibilities for Complaint and Feedback Management

Central Coast Council adopts the Three Tier Complaint model.



Source: NSW Ombudsman

Tier 1: Frontline complaint handling

Every attempt is made to resolve the issue at the first point of contact. This includes actioning the complaint to the relevant staff member, unit within Council or relevant external agency when required.

Frontline staff will:

- be sympathetic, patient and courteous to the customer;
- obtain relevant information pertaining to the complaint or feedback and where possible, customer's details if investigation and response is warranted;
- register the complaint or feedback into the relevant system;
- provide a reference number where possible;
- when appropriate, offer an apology;
- if necessary, escalate the complaint (see *When to escalate the complaint*).

Managers and their delegates will:

- notify the complainant verbally or in writing that the complaint has been received (if acknowledgement has not been provided at frontline);
- fully investigate the complaint and record their investigation notes;
- respond to the complainant within 20 working days of receipt.
- final response will be reviewed and signed by the relevant Manager or equivalent; or
- advise the complainant if an extension is required;
- record investigation notes and final response in relevant electronic document management systems as per the State Records Act 1998; and
- if necessary, escalate the complaint (see *When to escalate the complaint*).

Tier 2: Internal assessment

Where resolution is not achieved within the first tier and a further review is justified, the complaint will be escalated to a more senior officer and/or specialist complaint officer for review and investigation. Sensitive Complaints are managed at this level.

Team Leader Customer Feedback (TLCF) will:

Triage complaint and action to relevant individual or position:

- Sensitive complaints about staff conduct are to be actioned to relevant Director. This includes negligent driving, inappropriate language, etc.
- Sensitive complaints about possible breaches of the Code of Conduct are to be actioned to the CEO's office.
- Sensitive complaints relating to Public Interest Disclosure are to be actioned to the Internal Ombudsman.
- Complaints regarding breaches of the Privacy Act will be actioned to the CEO's office.
- Consider reviews of complaints, collate relevant documentation and when

appropriate escalate to the relevant staff member for review.

If there are no grounds for review the customer will be advised and when applicable, directed to the relevant external agency (see *External agencies*); and

CEO's office, Internal Ombudsman, Director and their delegates will:

- notify the complainant in writing that the complaint has been received (if acknowledgement has not been provided);
- fully investigate the complaint and update Investigation Notes (template provided);
- respond to the complainant within a reasonable time of receipt as to progress of complaint.
- Complaints investigated by the Internal Ombudsman are reported/actioned to the CEO prior to final response to the complainant

Final response will be reviewed and signed by the relevant Director, Internal Ombudsman or equivalent; OR advise the complainant if the investigation will take longer than originally anticipated;

- record Investigation Notes and final response in relevant electronic document management system as per the State Records Act 1998;
- liaise with People and Culture Business Partner if action against staff member is required. – ask@centralcoast.nsw.gov.au or delegate to contact the relevant business partner for guidance; and
- if necessary, escalate the complaint (see *When to escalate the complaint*).

Tier 3: External assessment

In the event that the complaint cannot be resolved within Council, the complainant may be referred to an external agency for investigation, further advice or guidance. Examples include, NSW Ombudsman, Office of Local Government, etc.

Council may be contacted by the external agency throughout the investigation process, however Council will not respond directly to the complainant.

Other responsibilities

CEO's office is responsible for:

- approval of this policy;
- investigation of sensitive complaints pertaining to Code of Conduct breaches;
- referring complaints to the Internal Ombudsman, Director and relevant Council staff or external agency where necessary; and
- responding to complaints received from Councillors, external agencies and Members of Parliament.

Internal Ombudsman is responsible for:

- investigation of sensitive complaints pertaining to Code of Conduct breaches (at the direction of the CEO) and Public Interest Disclosure;
- annual reporting to NSW Ombudsman;
- providing guidance with unreasonable complainant conduct; and
- referring complaints to CEO, Director or external agency where necessary.

Directors and Managers are responsible for:

- ensuring staff are aware of, and comply with this policy
- investigating complaints referred to them for action; and
- responding to compliments or feedback referred to them for action.

Team Leader Customer Feedback is responsible for:

- managing the complaints and feedback process;
- manage multi-faceted or interdepartmental complaints or compliments. This may require that one unit provide a response to an alternate unit for collation of the final response; and
- providing quarterly reporting to CEO's office and Director's to drive continuous improvement of our facilities and services.

When to escalate a complaint

Tier 1: Frontline

Escalate to your supervisor/manager when:

- the customer requests to speak to your supervisor/manager after staff have made a reasonable attempt to resolve the matter;
- the customer is showing unreasonable behaviour;
- communication between the staff member and the customer is not effective; or
- you feel the query is outside of your area of expertise.

Tier 2: Internal assessment

Escalate to the Team Leader Customer Feedback when:

- the complaint is about a member of staff;
- the customer requests a review of a previous complaint; or
- the customer is showing unreasonable behaviour.

Escalate to the CEO's office when:

- the complaint is from a Member of Parliament.

Escalate to the CEO/Internal Ombudsman when:

- you receive a complaint you believe is a Public Interest Disclosure (See *Public Interest Disclosure Policy*); or

- the nature of the complaint is a clear breach of Council's *Code of Conduct*.

Tier 3: External assessment

Escalate to an external agency when:

- advised by the CEO's office or Internal Ombudsman; or
- a complaint has been investigated, reviewed and the complainant wants to escalate their complaint further.

Reviews of complaints

Complainants have the right to a single review of an outcome or decision of a complaint. A review will be conducted if:

- the complainant has additional information;
- the previous decision was manifestly unfair; or
- the previous decision was lacking procedural fairness.

Complainants can only request a review of complaints / requests submitted by themselves or nominated representative.

Team Leader Customer Feedback will assess the request for review and, if the request for a review is legitimate, will escalate the complaint to a more senior officer's office for investigation.

If the complainant is not satisfied with the outcome of the review, it is recommended they contact an external 3rd party to progress their concerns (see below – *External Agencies*).

Responses from Council

Acknowledgement

Council will acknowledge receipt of a complaint (and where possible, receipt of a compliment or feedback). This acknowledgement of receipt will be provided verbally at the time of lodgement or in writing shortly after. This acknowledgement will contain:

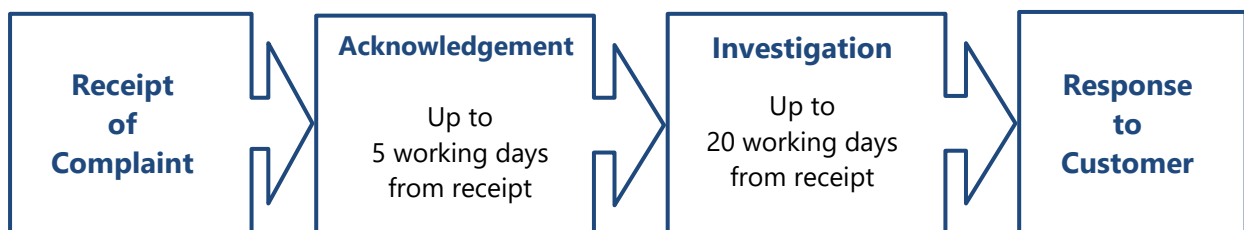
- a reference number;
- an expected time frame for resolution to be reached; and
- contact details of the relevant Council staff member.

Response

A final written response will be forwarded to the complainant. Where applicable, the response will contain:

- a summary of the complaint;
- investigation methods;
- Council decision;
- reason for this decision;
- actions required and deadlines for these actions;
- outcome; and
- contact details for review or escalation.

Service Standards



Written complaints vs. verbal complaints

The above standards apply to both written and verbal complaints. If the complaint is received verbally, that is, by phone or in person, a service request will be lodged and the customer will be given a reference number at the time of lodgement.

Extension of time

In some cases, an extensive investigation may be required which takes longer than the time frames listed above. In these cases the customer will be notified in writing that the investigation is still being conducted.

Unreasonable Complainant Conduct

On occasion a complaint may be received from a complainant displaying unreasonable behaviour despite Council staff trying their best to resolve the issue. An unreasonable complainant is defined by the NSW Ombudsman as displaying one or more of the following:

- Unreasonable persistence – persisting with a complaint that has been dealt with to finality and valid decisions reached;
- Unreasonable demands – insisting on outcomes that are unattainable;
- Unreasonable lack of cooperation - deliberately withholding information, acting dishonestly, etc;
- Unreasonable arguments – seeing, cause and effect links where there are clearly none, conspiracy theories unsupported by evidence; or
- Unreasonable behaviour – angry, rude, aggressive or threatening conduct.

Where any of the above occurs, Council staff are to adhere to the following process:

- Discuss the issue with their supervisor or manager.
- Submit a summary of the customer's behaviour and documented evidence to support the claim (this may include chronology of calls, incident reports, etc) to the Team Leader Customer Feedback.
- Team Leader Customer Feedback will determine whether customer's behaviour should be raised with Internal Ombudsman (as per Policy for Unreasonable Complainant Conduct) and provide relevant documentation, or provide direction on managing the complaint.

Internal Ombudsman will decide on appropriate course of action as per NSW Ombudsman guidelines. An example of possible actions are:

- Customer will be given a written caution outlining their unreasonable behaviour and possible restrictions. These may include restricted communication with Council staff, required documentation prior to continuation of investigation, limited access to Council services, etc.
- If behaviour persists, customer will be advised in writing of the relevant restriction and date for review.

On advisement of the Internal Ombudsman, Team Leader Customer Feedback will advise relevant business units of restrictions and ensure all documentation is stored in electronic document management system.

Internal Ombudsman and Team Leader Customer Feedback will review customer's behaviour at the appropriate time and provide written advice to the customer regarding the status of the imposed restrictions.

Note: If an environment is created which threatens or endangers community members, Council staff or facilities, the NSW Police will be contacted immediately.

For further information, see *Central Coast Council Policy for Unreasonable Complainant Policy* and NSW Ombudsman's *Managing Unreasonable Complainant Conduct Manual (2012) and Model Policy (2013)*

Related resources

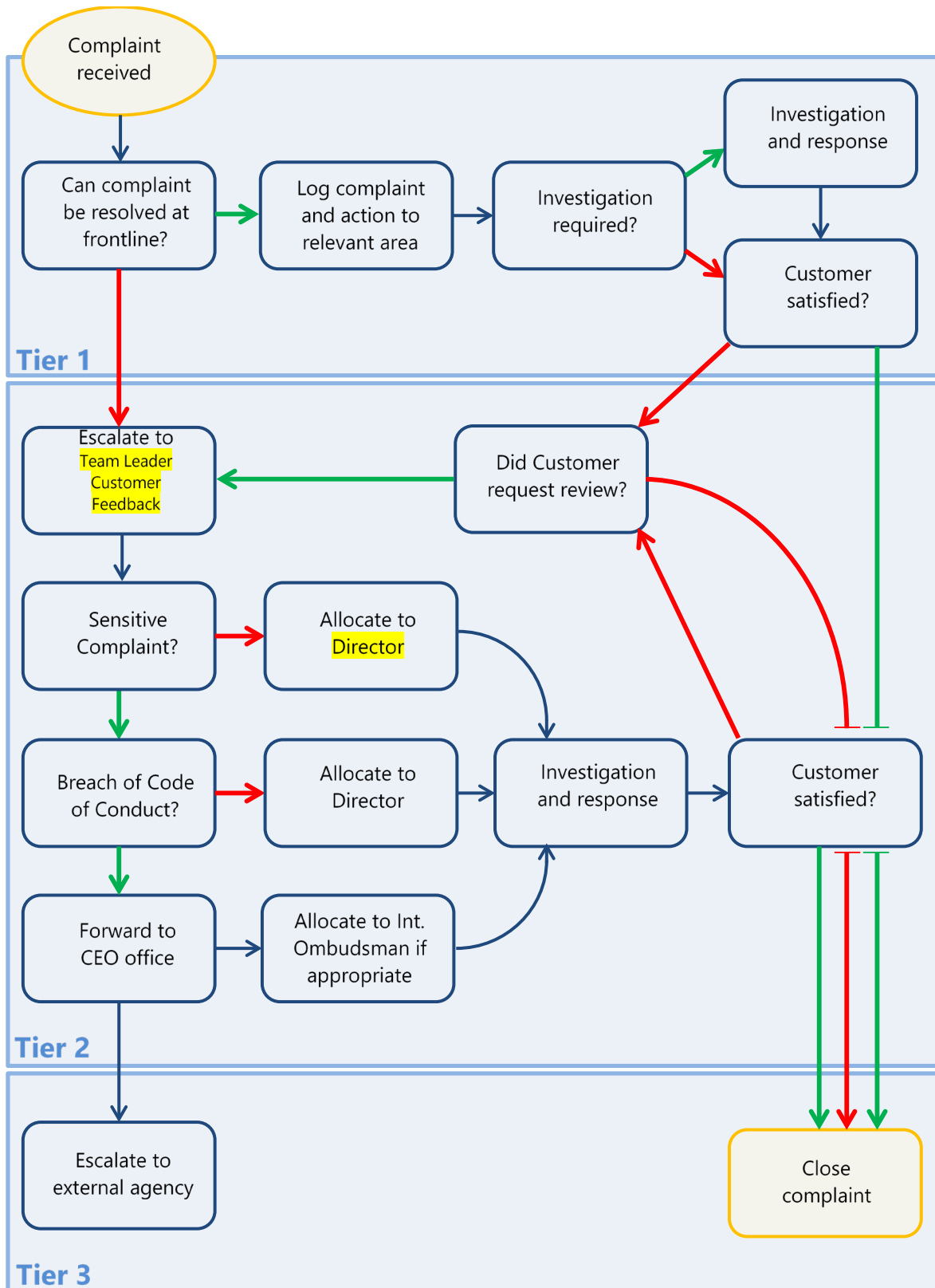
Legislation:

- a) Local Government Act 1993
- b) State Records Act 1998
- c) Government Information (Public Access) Act 2009
- d) Privacy and Personal Information Act
- e) Health Records Information Privacy Act 2002
- f) Independent Commission Against Corruption Act 1988
- g) Public Interest Disclosures Act 1994
- h) State Records Act 1998
- i) Ombudsman Act 1974

Associated Documents:

- a) Code of Conduct
- b) Unreasonable Complainant Conduct Policy

Procedure Flowchart



Procedure for management of Customer Complaints

External Agencies

NSW Ombudsman

Address: Level 24, 580 George Street, Sydney, NSW, 2000

Phone: (02) 9286 1000

Toll free: 1800 451 524

TTY: (02) 9264 8050

Fax: (02) 9283 2911

Email: nswombo@ombo.nsw.gov.au

Web: www.ombo.nsw.gov.au

NSW Office of Local Government (OLG)

Address: Locked Bag 3015, Nowra, NSW, 2541

Phone: 02 4428 4100

Fax: 02 4428 4199

TTY 02 4428 4209

Email: olg@olg.nsw.gov.au

The Independent Commission Against Corruption (ICAC)

Address: GPO Box 500, Sydney, NSW, 2001

Phone: (02) 8281 5999

Toll free: 1800 463 909

TTY: (02) 8281 5773

Fax: (02) 9264 5364

Email: icac@icac.nsw.gov.au

Web: www.icac.nsw.gov.au

NSW Information and Privacy Commission

Address: GPO Box 7011, Sydney, NSW, 2001

Toll free: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

Web: <http://www.ipc.nsw.gov.au/>