

## COMPLAINTS HANDLING POLICY

### Policy statement

Blue Mountains City Council will handle complaints fairly, efficiently and effectively. Council is committed to seeking and receiving feedback and complaints about its services, systems, practices, procedures and complaint handling.

This policy provides guidance on the key principles and concepts of Council's complaint management processes, for reference by staff, Councillors and members of the public who wish to make a complaint. These complaint management processes are intended to:

- enable customers to provide feedback and complaints constructively and efficiently, and to receive appropriate responses or outcomes;
- enable Council to respond to issues raised by people making complaints in a timely and cost-effective way;
- boost public confidence in Council's administrative processes; and
- provide information that can be used by Council to deliver quality improvements in services and complaint handling.

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## Scope

This policy applies to all Council officials receiving or managing complaints from the public made to or about Council regarding Council services, staff and complaint handling.

Anyone who has contact with Council staff or Council facilities or utilises any Council services is eligible to provide feedback or make a complaint. This may be a visitor, a resident, an external contractor or any other stakeholder.

## Complaint and service types

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

The following types of correspondence can be distinguished from complaints under this policy. The following are therefore not covered in this document:

Type	Reporting and requests
Service requests (also referred to as 'CSRs')	<p>A request for service made to Council, including:</p> <ul style="list-style-type: none"> <li>• requests for approval</li> <li>• requests for action</li> <li>• routine inquiries about the organisation's business</li> <li>• requests for the provision of services and assistance</li> <li>• reports of failure to comply with laws regulated by the organisation and/or</li> <li>• requests for explanation of policies, procedures and decisions.</li> </ul> <p>Requests can be made by email, letter, telephone or via <a href="#">Council's website form</a>.</p> <p>If a service request relates to a prior service request that was not responded to within Council's standard customer</p>

	service timeframe of 15 business days, this may also be taken as a complaint, depending on the circumstances.
Information requests	See Council's <a href="#">Access to Information</a> page for further information.
Staff grievances	Staff grievances can only be made by staff. Staff should refer to Council's Grievance Resolution Policy.
Public interest disclosures	Public interest disclosures apply to public officials only. Council officials should refer to Council's <a href="#">Public Interest Internal Reporting Policy</a> .
Code of Conduct complaints about staff, Councillors or other Council officials	Code of Conduct complaints are a particular subset of complaints relating to alleged breaches of Council's Code of Conduct. These will be handled in accordance with the <a href="#">Procedures for the Administration of the Code of Conduct</a> .
Privacy complaints	Privacy complaints will be assessed and investigated in accordance with the <i>Privacy and Personal Information Protection Act, Health Records Information Privacy Act</i> , and Council's <a href="#">Privacy Management Plan</a> .
Feedback about the standard of Council's service provision	Opinions, comments and expressions of interest or concern made directly or indirectly, explicitly or implicitly to or about Council, about Council services or complaint handling where a response is <b>not</b> explicitly or implicitly expected or legally required.  Feedback may be positive or negative. It can be provided by email, letter, telephone or via <a href="#">Council's website form</a> .
Reports of problems or wrongdoing merely intended to bring a problem to Council's notice with no expectation of a response	Reports of this type are treated as feedback; please see the definition of feedback above. Feedback can be given by email, letter, telephone or via <a href="#">Council's website form</a> .  As for complaints, reports of this type can be anonymous. Please see 'How to make a complaint', below.
Claims for compensation	Claims for compensation against Council should be directed to <a href="mailto:council@bmcc.nsw.gov.au">council@bmcc.nsw.gov.au</a> and a Council staff member will be in contact with you.
Complaints against a member of the public	Examples may include a complaint about a neighbour's barking dog, unauthorised building work, noise etc. Requests can be made by email, letter, telephone or via <a href="#">Council's website form</a> . This will be logged as a service request seeking Council's oversight in a regulatory or enforcement capacity.
Submissions relating to the exercise of a regulatory function	Examples may include an objection to a development application or a submission on a policy. Please address submissions as guided by the public exhibition process, or refer to further information on <a href="#">Council's website</a> .
Issues that are the responsibility of another authority or service provider	If the matter is outside the Council's jurisdiction, such as telecommunications, state or federal roads, Council will not be able to action the matter. If the matter is of particular importance, such as a matter of public safety, the matter

	may be referred by Council to the responsible agency; however, this should not be taken as a service expectation.
Correspondence on which Council is merely copied	Correspondence which is not addressed to Council but to another agency, or multiple agencies, will not be actioned by Council but will generally be only noted and filed.

## Definitions

Term	Definition
Code of Conduct	The current <i>Code of Conduct</i> as adopted by Blue Mountains City Council.
Complaint	Expression of dissatisfaction made to or about Council, its services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.  See part 1 'Scope' for a description of related complaint and service types.
Council	Blue Mountains City Council
Council official	Includes Councillors, members of staff of Council, administrators, Council committee members, and delegates of Council.
External agency	Another government agency that is not Council. In the context of this policy, refers to a potential alternative avenue for a complaint. Examples may include the NSW Police, the Independent Commission Against Corruption (ICAC), or the NSW Ombudsman.
Staff	Any Council employee – including full-time, part-time and casual employees, contractors, trainees, contingent workers and apprentices – and any volunteer working on behalf of Council.

## Policy details and information

### 1. How to make a complaint

You should send your complaints to Council through one of the contact methods at the end of this policy. Please note that **social media posts** are treated as feedback, and will therefore generally not be treated as a complaint under this policy. Furthermore, if you use external complaint or reporting services or apps, your complaint will be taken as feedback or as a customer service request, subject to information provided, and will not be treated as a complaint under this policy.

Council accepts anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. However, anonymous complaints may be unable to be fully considered or addressed if there is insufficient information, and Council will be unable to communicate on progress or outcomes.

Complaints are preferably provided in writing, and must always be respectful.

Complaints which are unreasonable, rude, threatening or otherwise disrespectful may not be actioned. Complainants who engage in unreasonable conduct will be managed in accordance with Council's [Unreasonable Complainant Conduct Policy](#) for the protection of Council staff.

If you are making a complaint, you are requested to respect due process by demonstrating appropriate confidentiality and respectfulness, particularly with respect to complaints about the conduct of other individuals. You are also asked to follow correct procedures by reporting your complaint directly to Council staff (in writing, in person or by phone) in the first instance and escalating it to elected Councillors only if it is not resolved within a reasonable timeframe.

### **What you can expect from Council**

If you make a complaint, you will be:

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

### **Remedies**

When you make a complaint, you are invited to identify what action you would like to see taken to resolve it. Council will consider your request when investigating the complaint. However, it may not always be possible or appropriate for Council to take the requested action.

Remedies that might be available include:

- provision of the requested service;
- provision of more information about Council's policies or decision making processes, and/or regular updates;
- clarification of Council's position on the matter;
- a commitment to investigate or review the complaint and/or assurance that Council will take steps to avoid the complaint matter occurring again;
- an apology by Council where Council has made a mistake or where the actions of a Council representative have caused offence;
- a refund of overcharged or incorrectly charged monies; and/or
- a recommendation to refer the complaint to an external agency (where Council cannot resolve the matter to your satisfaction).

## **2. Guiding Principles**

### **2.1 Facilitating complaints**

#### *Accessibility*

Council will ensure that information about how and where complaints may be made to or about Council is well publicised. Council will ensure that its processes to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If you prefer or need another person or organisation to assist or represent you in the making and/or resolution of your complaint, Council will communicate with you through your representative if this is your wish and if Council is satisfied that you have given your permission for your complaint to be handled in this manner. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

#### *Verbal vs written complaints*

Council strongly encourages you to make complaints in writing as this assists with transparency, accountability and ensuring that a complaint is in your own words. That said, Council can accept complaints in person or over the telephone if you are unable to provide your complaint in writing or staff may support you to make a written complaint.

Note that some complaint types may require a written form to be completed at the initial or later stage, such as a statutory declaration, or enforcement action requiring a statement of evidence.

#### *No charge*

We do not charge fees for making a complaint to Council.

#### *No detriment to people making complaints*

Council will take all reasonable steps to ensure that you are not adversely affected because a complaint has been made by you or on your behalf.

## **2.2 Responding to complaints**

#### *Early resolution*

Where possible, complaints will be resolved at first contact with Council.

#### *Responsiveness and process*

Any concerns you raise in feedback or complaints will be dealt with within a reasonable time frame. Key timeframes and complaint handling stages of complaints requiring formal review or investigation ("Level 2 complaints" – see Image 1 in section 4) are as follows:

- **Preliminary assessment and acknowledgement:** Complaints will usually be subject to a preliminary assessment within the initial 15 working day period; however, this timeframe may differ depending on the nature and complexity of your complaint. An acknowledgement letter with the outcome will subsequently be provided to you.
- **Complaint assessment:** Complaints that require further assessment or action will usually be responded to within 15 days after being referred to the staff nominated to manage the complaint. If it cannot be resolved within this time, you will be provided with a progress update.
- **Resolution:** Timeframes for resolving complaints can differ greatly depending on the nature and complexity of the complaint. Once a complaint is resolved internally, you will be informed of the outcome.

If the timeframes above are unable to be met, Council will advise you as soon as practicable and inform you of the reason for the delay.

You should be aware that complaints will not necessarily be managed in strict chronological order. Complaints that relate to health and safety, for example, may be prioritised ahead of other types of complaints. Furthermore, depending on the nature and complexity of a complaint, the matter may or may not be able to be dealt with quickly. Some complaints may be able to be assessed very quickly, while others may take 6 months or more.

While your complaint is being dealt with by investigation or making other enquiries, you will be given:

- confirmation that the assessment is still in progress, with updates about the progress or the reasons for any delay, if appropriate;
- advice of any decision by the Council not to proceed with the matter; and
- notification if your identity needs to be referred or disclosed to another agency for the purposes of investigating the matter or making enquiries, with details provided of any referral and an opportunity to talk about this beforehand.

#### *Objectivity and fairness*

Council will address each complaint with integrity and in an equitable, objective and unbiased manner. Staff will assess each complaint on its merits and involve you and/or your representative in the process as far as possible.

Council will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

#### *Confidentiality*

Council will protect your identity where this is practical and appropriate. Personal information that identifies you will only be disclosed or used by Council as permitted under any relevant confidentiality obligations, privacy laws and/or secrecy provisions.

Examples of circumstances when Council may share your information with a third party may include:

- when your consent has been obtained;
- when there are reasonable grounds for believing the use of the information will reduce a threat to the life or health of any person;
- when the use is authorised or compelled by law; or
- when the matter is more appropriately referred to an external agency, for example the Police, the ICAC, or the NSW Ombudsman.



### *Complaints that will not be investigated*

Council may decide that a complaint will not be investigated under this policy or at all in circumstances where the complaint:

- is considered frivolous, vexatious or not made in good faith;
- is considered to be an unreasonable or persistent complaint;
- is already being dealt with in accordance with Council's Unreasonable Complainant Conduct Policy;
- is a second request for service within a reasonable service level timeframe;
- involves a matter where an adequate remedy or right of appeal exists;
- is a matter that is subject to existing mediation processes;
- relates to a matter before a court or tribunal;
- relates to a matter awaiting determination by the Council;
- relates to the appointment or dismissal of an employee, or an industrial or disciplinary issue;
- where there is insufficient information available to progress an investigation;
- is, in the view of the Chief Executive Officer, excessively wasteful of Council's resources; and/or
- involves threats against Council or its staff.

Should Council decide not to investigate a complaint, you will be advised of the reason for the decision. A determination that a complaint will not be investigated can be made by the Chief Executive Officer, the Complaints Coordinator or the relevant Director.

## **2.3 Managing parties to a complaint**

### *Complaints involving multiple agencies*

Where a complaint addressed to Council involves multiple organisations, Council will work with the other organisation(s) where possible to ensure that communication with you and/or your representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Council, responsibility for communicating with you and/or your representative will also be coordinated.

Where Council services are contracted out, Council expects contractors to have an accessible and comprehensive complaint management system. Council may deal with complaints not only about the actions of Councillors and staff but also the actions of its contractors.

### *Complaints involving multiple parties*

When similar complaints are made by related parties, Council will try to arrange to communicate with a single representative of the group.



### *Empowerment of staff*

Staff managing complaints are empowered to respond to complaints as relevant to their role and responsibilities. Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of Council's complaint management processes.

### *Managing unreasonable conduct by people making complaints*

Council is committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Council's success depends on:

- Council's ability to perform its functions in the most effective and efficient way possible;
- the health, safety and security of Councillors and staff; and
- the ability to allocate resources fairly across all the complaints Council receives.

When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of Council services. As a result, Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support Councillors and staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints please see Council's [Unreasonable Complainant Conduct Policy](#).

## 3. The levels of complaint handling

Council's complaint handling process consists of four key levels, as shown in the following diagram:

**Image 1: Complaint oversight levels**



This policy explains how Council manages Level 1, Level 2 and Level 3 complaints.

*The document on Council's Records Management System is the controlled version. Please check that you have the current version before using a printed copy.* **HPERM: 18/247984**

Council aims to resolve complaints at **Level 1**: the frontline. Wherever possible, staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where a complaint cannot adequately be managed at the frontline, staff may decide to escalate the complaint to a more senior officer within Council. At this point the complaint may become a **Level 2** complaint to be formally reviewed or investigated, as explained below. If the complaint is serious enough to require additional oversight, or if an internal review of the Level 2 complaint handling process is required, it may be treated as a **Level 3** complaint (see, in particular, 5.8 below).

**Level 4** complaints are managed by agencies other than Council. If you are dissatisfied with the outcome of Council’s review of your complaint, you may seek an external review of the decision. Relevant external agencies include the NSW Ombudsman, the Office of Local Government or the Information and Privacy Commissioner. Contact information for key agencies is provided in Attachment 1 to this policy.

## 4. Complaints management process

Image 2: Complaint process flow



When responding to complaints, staff should act in accordance with this policy as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The key stages in Council’s complaint management process are set out below.

### 4.1 Receipt of complaints

Unless your complaint has been resolved at the outset, staff will record the complaint and its supporting information.

The record of the complaint will document:

- your contact information;
- issues you have raised and the outcome(s) you want;
- any other relevant details; and
- any additional support you require.

## 4.2 Preliminary assessment and triage

Following receipt, Council will confirm whether the issue(s) raised in your complaint is/are within Council's control. The matter should generally be referred to the Complaints Coordinator, who will consider the following factors of the complaint:

- seriousness;
- health and safety implications;
- complexity;
- perceived or actual conflicts of interest;
- potential impacts on individuals or the Council;
- escalation requirements;
- any requirements for immediate action;
- outcomes you seek;
- Council's jurisdiction; and
- whether other agencies should be involved

This will inform how the complaint should progress, for example whether the complaint should be accepted as a Code of Conduct report, a service complaint, or referred to a different agency, such as the ICAC.

The Complaints Coordinator may then nominate another person as the most appropriate Council official to assess the complaint, for example by making a referral to the relevant Director or to Council's Human Resources Manager for further assessment. Some complaints may require additional oversight and may be managed directly by the Complaints Coordinator.

## 4.3 Acknowledgement of complaints

Council will acknowledge receipt of each complaint promptly, and preferably within 15 working days. The letter of acknowledgement will contain information relating to the initial assessment, for example, the outcome of the preliminary assessment and the title of the responsible nominee who will assess the complaint.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with you.

## 4.4 Complaint assessment and management

After your complaint has been allocated, the nominated person will be responsible for looking into the matter and assessing the complaint.

Council will also consider the outcome(s) you seek and, where there is more than one issue raised, determine whether each issue needs to be separately addressed. If you do not specify the outcome you expect, staff may seek further information from you.

When determining how your complaint will be managed, staff will consider:

- how serious, complicated or urgent your complaint is;
- whether the complaint raises concerns about people's health and safety;
- how you are being affected;

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- the risks involved if resolution of the complaint is delayed; and
- whether a resolution requires the involvement of other organisations.

After assessing the complaint, Council will consider how to manage it. To manage a complaint staff may:

- give you information or an explanation;
- gather information from the service, person or area that the complaint is about; or
- investigate the claims made in the complaint.

Council will keep you up to date on the assessment progress, particularly if there are any significant delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions Council decides to take will be tailored to each case and take into account any statutory requirements.

#### **4.5 Providing reasons for decisions**

Following consideration of the complaint and any investigation into the issues raised, Council will contact you and advise you of:

- the outcome of the complaint and any non-confidential action Council took;
- the reason(s) for the decision;
- the remedy or resolution(s) that Council has proposed or put in place; and
- any options for review that may be available to you, such as an internal review, external review or appeal.

If, in the course of investigation, there are any adverse findings about a particular individual, Council will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998*, and any applicable exemptions in or made pursuant to that Act before sharing the findings with you. Council will also consider any applicable confidentiality considerations under workplace laws or conditions including the Local Government Award and Council's Procedures for the Administration of the Code of Conduct.

For example, from time to time, a complaint may result in disciplinary action being taken against a staff member. You will not be provided with details of any disciplinary action or conduct investigation. You will, however, be informed whether or not the matter was substantiated and is being addressed.

#### **4.6 Closing the complaint, record keeping, redress and review**

Council will keep records about:

- how the complaint was managed;
- the outcome(s) of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations); and
- any outstanding actions that need to be followed up.

Staff will ensure that outcomes are properly implemented, monitored and reported to the Complaints Coordinator and/or senior management.

#### 4.7 Internal review of complaints

If you are unhappy with Council's decision about a complaint you have made to Council, the first step is to contact the Council staff member who handled your complaint to discuss your concerns. If you are still unhappy with the decision after speaking with the officer, you can request a review.

A review involves examining whether:

- the decision Council reached was reasonable and based upon the information available;
- the process used to reach the decision was fair and appropriate; and
- the decision was adequately explained to you.

Council will only review a decision once.

Review requests must:

- be in writing - in some circumstances a verbal request may be accepted, for example if you are vulnerable;
- specifically state how or why you believe Council has reached the wrong decision; and
- provide any new relevant information that is available.

Reviews are conducted by a member of staff who was not involved in making the original decision. Where possible, reviews are conducted by a member of staff more senior than the original decision maker.

The review officer will consider:

- the evidence and any related information in Council records; and
- your views and any additional information you provide.

At the completion of the review, the review officer may make a recommendation to their Director (if the review officer is not a Director), which should be then provided to the Complaints Coordinator and/or Chief Executive Officer for assessment and determination. Once the recommendation is approved you will be advised of the outcome in writing.

The outcome of the review will either be:

- to affirm the original decision; or
- to re-open the complaint and make a decision in light of new information provided.

Council will only re-open a complaint when significant new information has been provided or if an error in the original decision has been identified. A complaint may only be reviewed once - this includes complaints that have been re-opened.

#### **4.8 Alternative avenues for dealing with complaints**

Council will inform you of any internal or external review options available to you. Alternative avenues for complaints about Council may include the NSW Ombudsman, the Office of Local Government, the ICAC or the Information and Privacy Commission.

### **5. Accountability and learning**

#### **5.1 Recognising the impact of poorly managed complaints**

Complaints which are not attended to promptly and effectively at the first instance can lead to problems such as:

- loss of confidence in Council;
- customer/resident dissatisfaction;
- decreased job satisfaction and morale for staff;
- inefficient allocation of Council resources; and
- a lowering of the general opinion of visitors to the community.

Prompt management of complaints is expected from all Council officials.

#### **5.2 Recording and review of complaints**

Staff will ensure that complaints are recorded in Council's record management system. Doing so is a requirement of the *State Records Act 1998* (NSW) and will also assist Council in developing a knowledge base for future analysis and evaluation of complaints data.

Comprehensive record keeping also supports transparency and accountability by allowing complaint-management processes and outcomes to be reviewed and systemic issues to be monitored. These issues will be escalated as required.

#### **5.3 Monitoring complaint management**

Council will continually monitor its complaint management processes to:

- ensure its effectiveness in responding to and resolving complaints; and
- identify and correct deficiencies in complaints handling.

Monitoring may include the use of audits and complaint satisfaction surveys.

#### **5.4 Continuous improvement**

Council is committed to improving the effectiveness and efficiency of its complaint management processes. To this end, Council officials will:

- support the making and appropriate resolution of complaints;
- regularly review complaints management processes; and
- implement appropriate changes to Council processes.

## 6. Responsibilities

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
Chief Executive Officer	Promote a culture that values feedback, whether in the form of feedback or complaints, and to see complaints to their effective resolution	<p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly.</p> <p>Encourage staff to make recommendations for process improvements.</p> <p>Recognise and reward good complaint handling by staff.</p> <p>Support recommendations for service and complaint handling improvements.</p>
Complaints Coordinator (Governance & Civic Services Manager)	Establish and manage Council's complaint management processes	<p>Provide regular reports to the Chief Executive Officer on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint review and analysis are canvassed with the Chief Executive Officer and implemented where appropriate.</p> <p>Train and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management processes.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Recognise good complaint handling by staff.</p>



Who	Commitment	How
Executive Leadership Team	Resource staff and demonstrate effective complaints resolution	<p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Take responsibility for, and ensure oversight of, complaint matters received by or referred to their Directorate.</p> <p>Ensure that complaints are managed personally by the Director, or delegated to no less than the relevant manager/supervisor.</p> <p>Ensure that managers are resourced to manage complaints.</p> <p>Commit to timely complaint management and empower staff to do the same.</p> <p>Recognise good complaint handling by staff.</p>
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people to make a complaint, if needed.</p> <p>Comply with this policy and its associated procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Provide suggestions to management on ways to improve the organisation's complaints management processes.</p> <p>Implement complaint handling changes as directed by management.</p>
Councillors	Understand Council's complaint handling practices and refer matters to relevant Council staff	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of Council's complaint handling policies.</p> <p>Ensure that any matter is referred to Council staff as soon as practicable after receiving the complaint.</p> <p>Encourage/direct people to the appropriate channel for the matter that has been raised, for example, customer service request.</p> <p><u>Note:</u> Generally, Councillors are to refer complaints to Council's officers via the Councillor Requests email address. Councillors may also choose to speak directly with the Chief Executive Officer or Complaints Coordinator.</p>

Who	Commitment	How
All staff	Understand and comply with Council's complaint handling practices	<p>Deliver services in a manner which is professional and courteous to help reduce complaints.</p> <p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of Council's complaint handling policies and procedures.</p> <p>Assist people who wish to make complaints to access the Council's complaints process.</p> <p>Be alert to complaints and assist staff handling complaints to resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement complaint handling changes as directed by management.</p>

## Related documents

This document should be read in conjunction with:

### Legislation

- *Independent Commission Against Corruption Act 1988* (NSW)
- *Privacy and Personal Information Protection Act 1998* (NSW)
- *Public Interest Disclosures Act 1994* (NSW)

### Other documentation

- Blue Mountains City Council, *Unreasonable Complainant Conduct Policy*
- Blue Mountains City Council, *Code of Conduct and Procedures*
- Blue Mountains City Council, *Grievance Resolution Policy and Procedure*
- Blue Mountains City Council, *Public Interest Disclosures Internal Reporting Policy*

## Acknowledgement

The development of this policy has been closely informed by the following documents published by the NSW Ombudsman: *Complaint Handling Model Policy* (June 2015) and *Request for a review of a decision policy* (18 April 2018).

Wording and graphics from that model have been used both directly and by adaptation. Council would like to thank the Ombudsman for making these documents available.

### Council policy - Version control information

Adopted by Council: 28 July 2020, Min No 210

Next review due: July 2025

Previous version(s): N/A – new policy

Policy register reference: 310

Responsible service: Governance & Civic Services

**Contact position: Manager Governance & Civic Services**

## Attachment 1: Contact information for making a complaint

You can make complaints directly to Council via the following methods:

### **Katoomba Offices**

2 Civic Place  
KATOOMBA NSW 2780

### **Springwood Offices**

104 Macquarie Road  
SPRINGWOOD NSW 2777

**Post:** Locked Bag 1005, Katoomba NSW 2780

**Email:** [council@bmcc.nsw.gov.au](mailto:council@bmcc.nsw.gov.au)

**Telephone:** (02) 4780 5000 or (02) 4723 5000 (from Linden to Lapstone)

The following external agencies may also deal with complaints relating to Council. These agencies may be involved if:

- The matter is not in Council's jurisdiction
- You decide that your complaint would be more appropriately handled by an external agency or
- You decide to seek review of a complaint if you are dissatisfied with the outcome provided by Council.

### **NSW Ombudsman**

Phone: 02 9286 1000  
Toll free (outside Sydney): 1800 451 524  
Tel. typewriter (TTY): 1300 555 727 then ask for 02 9286 1000.  
Facsimile: 02 9283 2911  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)  
Address: Level 24, 580 George Street, Sydney NSW 2000

### **Office of Local Government**

Phone: 02 4428 4100  
Tel. typewriter (TTY): 02 4428 4209  
Facsimile: 02 4428 4199  
Email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)  
Web: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)  
Address: 5 O'Keefe Avenue, Nowra, NSW 2541  
Postal: Locked Bag 3015, Nowra NSW 2541

### **NSW Police (Blue Mountains LAC)**

4 Jerseywold Avenue  
SPRINGWOOD 2777  
**Phone:** 02 4751 0299  
**Fax:** 02 4751 0225

### **Information Commissioner**

Toll free: 1800 472 679  
Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)  
Web: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)  
Address: Level 17, 201 Elizabeth Street Sydney NSW 2000  
Postal: GPO Box 7011, Sydney NSW 2001

### **Independent Commission Against Corruption (ICAC)**

Phone: 02 8281 5999  
Toll free: 1800 463 909  
Tel. typewriter (TTY): 02 8281 5773  
Facsimile: 02 9264 5364  
Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)  
Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)  
Address: Level 7, 255 Elizabeth Street, Sydney NSW 2000  
Postal: GPO Box 500, Sydney NSW 2001

*The document on Council's Records Management System is the controlled version. Please check that you have the current version before using a printed copy.* **HPERM: 18/247984**

## Attachment 2: Complaints Reporting Form

# Complaints Reporting Form

The use of this form to report a complaint is optional – a complaint is not required to be submitted on this form. Please refer to Council's Complaints Handling Policy for more information.

Customer details (*You can make an anonymous report by leaving this section blank, see detail below)		
Name*:		
<i>*If this complaint is being made on another person's behalf, evidence of that person's consent must be provided</i>		
Organisation (if relevant):		Preferred contact
Telephone:		<input type="checkbox"/> Telephone
Email:		<input type="checkbox"/> Email
Postal address:		<input type="checkbox"/> Post
Details of the complaint		
Description: <ul style="list-style-type: none"> <li>• What happened?</li> <li>• Where did this happen?</li> <li>• When did this happen?</li> <li>• Is it still happening?</li> <li>• Who was involved?</li> <li>• How did you become aware of it?</li> </ul> <i>[Attach an additional page if required]</i>		
Attach any additional relevant information or indicate where supporting evidence may be found:	Supporting evidence	Attached
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

What is your desired outcome?	<input type="checkbox"/> Provision of a service <input type="checkbox"/> More information about policies or decision-making processes <input type="checkbox"/> Clarification of Council's position on the matter <input type="checkbox"/> A commitment to investigate, review <input type="checkbox"/> Assurance that Council will take steps to avoid the complaint matter occurring again <input type="checkbox"/> Apology in the event of a Council mistake or offence caused <input type="checkbox"/> Refund of overcharged or incorrectly charged monies <input type="checkbox"/> Referral of the complaint to an external agency (where a previous complaint is not resolved to your satisfaction) <input type="checkbox"/> Other: _____
	Provide details:

**Statement**

I honestly believe that the above information is correct. This information is provided in good faith.

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Signature of customer <i>(Do not sign if you want to make an anonymous report)</i>	Date
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**Anonymous reports**

If you decide to make an anonymous report, please note that:

- it may be difficult for Council to substantiate the report in the assessment process based on the information provided in the initial report alone and the matter may not be progressed for this reason;
- Council will not be able to resolve the matter in consultation with you, nor inform you of the outcome.

**Privacy notice**

The personal information that Council is collecting from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA).

**Intended Recipients:** The intended recipients of the personal information are Council officials responsible for managing complaints. Information may also be provided to other government agencies for oversight or appropriate escalation including but not limited to the NSW Ombudsman, NSW Police, the Information & Privacy Commission or the ICAC.

**Reason for collection:** Council is collecting this personal information from you in order to manage your complaint.

**Supply:** The supply of information by you is voluntary. If you do not provide Council with this information, we will be unable to effectively deal with your complaint.

**Access and Correction:** You may make an application to access or amend information held by Council.

**Storage:** Council is the agency that holds and controls the information. As above, this information may be shared with other government agencies as indicated.

**Enquiries:** Contact Complaints Coordinator via [council@bmcc.nsw.gov.au](mailto:council@bmcc.nsw.gov.au)

**How to submit this form**

<p><b>Front counter:</b> 2 Civic Place, Katoomba or 104 Macquarie Road, Springwood  <b>Post:</b> Locked Bag 1005 Katoomba NSW 2780  <b>Email:</b> <a href="mailto:council@bmcc.nsw.gov.au">council@bmcc.nsw.gov.au</a></p>	<p><b>Office use only:</b></p> <input type="checkbox"/> Allocate to Complaints Coordinator <input type="checkbox"/> Allocate to service area (for service requests) <b>Date received:</b> _____ <b>HPE RM:</b> _____
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