



Sydney2030/Green/Global/Connected



COMPLAINTS AND FEEDBACK PROCEDURES

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OVERVIEW

The City of Sydney is committed to delivering quality customer service and to communicating effectively with our community. The City employs various mechanisms for collecting community feedback, including a community satisfaction survey.

We realise that sometimes, despite our best efforts, people may not be happy with the way we have performed a service. These guidelines provide a framework for the management of complaints and compliments to the City and the key measures we will use to assess our success.

These procedures are based on the customer satisfaction formula suggested by the NSW Ombudsman's *Effective Complaint Handling (2nd Edition - December 2010)* Guidelines and the Australian Standard AS ISO 10002:2006, *MOD Customer Satisfaction – Guidelines for complaints handling in organisations*.



AIMS & OBJECTIVES

The Complaints and Feedback Procedures aim to:

- ensure the community's right to comment is protected and promoted;
- inform the community of the external and internal procedures for handling complaints and compliments;
- ensure that feedback is handled in an appropriate, effective and systematic way allowing corrective actions to be put in place where necessary;
- increase the level of community satisfaction with the City's services.

OUR VALUES

The City of Sydney's organisational values support our customer service commitments and complaints handling processes.

Our values are:

- Integrity
- Innovation
- Collaboration
- Courage

- Quality
- Respect

The City is committed to developing a culture of customer commitment in support of its values, where every employee instinctively acts with the understanding of the impact that their daily work and actions have on their immediate customers.

SCOPE

All employees, including the Chief Executive Officer, Directors, Managers and Team Leaders, must act in accordance with this policy. Managers at all levels must promote and enforce the policy in their work areas. Service providers, representatives, contractors, and agents must make sure that their employees are aware of this policy.

Anyone who has contact with City staff, our facilities, or utilises any of our services is eligible to make a complaint. This may be a visitor, a resident, our stakeholders or any external contractor.

COMMUNICATING THESE PROCEDURES

Copies of these procedures will be made available to members of the community via the City's website, in its Customer Service Centres, Community Centres and Libraries and made available in accessible and alternate formats where requested.

FEEDBACK

The City encourages feedback and links it to improving its service. Feedback may range from letters and/or cards expressing gratitude or suggestions on improvement, through to comments or suggestions about the services provided by the City and its staff.

The City views feedback as a valuable opportunity to review policies, procedures and practices, and to make changes where necessary. Feedback (comments, compliments and suggestions) may be given directly to a member of staff or by completing the feedback form on the City's website.

There shall be responses to comments, compliments and suggestions unless we have your contact details and we need to clarify something with you. These types of feedback will be forwarded to appropriate staff for review and any actions, as required.

STAFF COMPLAINTS POLICY

The City has also developed a Staff Complaints Policy. This specific policy should be used by staff that wish make a complaint. The staff policy includes the following main points:

- definitions of the type of complaint that could be made and the supporting policies for staff to follow (such as the Harassment, Bullying and Unacceptable Behaviour Policy);
- policy principles and the City's commitment to creating a fair and productive work environment.

THE COMPLAINTS AND FEEDBACK PROCEDURES

SERVICE GUARANTEE

The City understands the importance of receiving community feedback and commits to the following principles:

- we will accept your feedback courteously with a view to improving our service;
- we will handle your feedback in accordance with these guidelines and its documented procedures;
- we will publicise how residents, businesses and members of the community can provide feedback to the City;
- we will provide a clear review mechanism for complaint handling, including referral to an external body where a complaint cannot be resolved internally;
- we will regularly report publicly on feedback received and the outcomes to ensure confidence in the City's services;
- wherever possible, complaints will be resolved quickly and without escalation;
- when complaints do escalate, they will be investigated and the outcomes used to inform prevention and education programs so that incorrect practices and disputes are reduced;
- the City regards complaints as an opportunity to improve its services and processes and complainants will be helped and supported where applicable.

TRAINING & RESOURCES

To ensure complaints are handled in the most effective manner, the City will train staff in complaint handling as part of their regular learning and development plan.

We will also ensure our Managers are able to respond to complaints to promote a culture of continuous improvement.

COMPLIMENTS

The City will regularly monitor compliments about its services and staff to ensure best practice is celebrated and promoted. All compliments will be logged in the City's Corporate Record System.

Staff who consistently demonstrate excellent customer service will be recognised through regular performance feedback and the City's Recognition programs.

DEFINITION OF A COMPLAINT

A complaint is an expression of dissatisfaction with the council's decisions, policies, procedures, charges, employees, agents or the quality of the services it provides. A complaint may relate to a specific incident or issue involving the City or to matters of a more general nature.

Dissatisfaction can be expressed in relation to:

- Failure to achieve specified standards of service
- Delay in responding
- Behaviour or attitude of employees
- A Council decision or policy and/ or
- Withdrawal or reduction of service.

What is not a complaint for the purposes of this Procedure

- a request for works or services to be provided;
- requests for information or explanations of policy or procedure;
- reports of damaged or faulty infrastructure (e.g. road pothole etc.);
- reports of hazards (e.g. fallen tree branch);
- reports concerning neighbours or neighbouring property (e.g. noise or unauthorised building works);
- complaints about the City’s policies or procedures that are required by law to be in place;
- the lodgement of an appeal or objection in accordance with a standard procedure or policy e.g. *objection to a development application, comments on a Policy on Exhibition.*

Other types of complaints that have their own process

Type of Complaint	Examples
<p>Staff Complaints</p> <p>A Staff complaint is any type of problem or grievance about work or the work environment. A complaint may be about any act, omission, situation, or decision that the employee thinks is unfair, discriminatory, unjustified or unsafe.</p> <p>Covered by the City’s Staff Complaints Policy.</p>	<ul style="list-style-type: none"> • Internal allegation of discrimination • Disputed interpretation of an industrial award or instrument • Concerns about fairness natural justice

<p>Code of Conduct Complaints</p> <p>Related to public officials such as Council staff reporting suspected corrupt conduct, maladministration or serious and substantial waste. The City's Governance Unit receives, assesses and refers appropriately reports of wrongdoing.</p> <p>Covered by the Fraud and Corruption Internal Reporting Policy (in accordance with the Public Interest Disclosures Act 1994).</p>	<ul style="list-style-type: none"> • Unauthorised use of Council resources • Breach of confidentiality • Actions inconsistent with the City's Code of Conduct
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HOW TO LODGE A COMPLAINT

We will respond to complaints, including some anonymous complaints. It may be necessary for the City to request that a complaint be provided in writing should it proceed to the Tier 2 level of handling.

Interpreter services are provided for complainants from non-English speaking backgrounds and to people with disability where possible.

Complaints can be made:

By mail

City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email

council@cityofsydney.nsw.gov.au

In person

At any of Council's Offices during normal business hours.

By telephone

Customer Service (02) 9265 9333

On our website

www.cityofsydney.nsw.gov.au/feedback

Customers who have a hearing or speech impairment

The City of Sydney welcomes calls made through the National Relay Service (NRS). The NRS is a government sponsored initiative that allows people who are deaf or have a hearing or speech impairment to make phone calls in the same way as anyone else. This service is available 24 hours a day, 365 days a year.

National Relay Service (NRS)

Tel: 1800 555 677

Web: www.relayservice.gov.au

- **Voice/Text phone users**
To make a call dial: 133 677 (24 hours 7 days per week).
- **People who have speech/communication impairment only**

(do not have a hearing impairment)
Speak and Listen Service (SSR) on 1300 555 727

Translating and Interpreting Services (TIS National)

The City offers a Translating and Interpreting Service (TIS) and can be accessed by calling 13 14 50 (24 hours 7 days per week).

OUR COMPLAINT HANDLING MODEL

Tier 1: Frontline Complaint Handling

Registration and attempted resolution by frontline staff, or referral to an appropriate person or agency to deal with.



Tier 2: Internal Review

If a complainant is still dissatisfied, their complaint is reviewed or investigated by a more senior officer, and the results of the review reported to the complainant.

If the complainant remains dissatisfied, other options will be considered that may be available to achieve a settlement. This may include conciliation, mediation, or further direct negotiations to remedy the grievance.



Tier 3: Independent Review

If the complaint cannot be resolved by the City, the complainant may be referred to an outside agency such as the NSW Ombudsman, the Department of Local Government or to an alternative dispute resolution provider.

Complaints will move from one tier to the next if:

- the complaint is about the staff member's own conduct or the staff member has a real or perceived conflict of interest, and it is not appropriate that they deal with it;
- the complainant requests it;
- the complaint is outside the staff member's delegation or area of expertise;
- a public official is alleged to have committed a criminal offence, acted corruptly or engaged in other serious or controversial conduct.

When a complaint is referred to a senior staff member, the complainant will be advised of the name and contact details of that person.

RESPONSIVENESS

Complaints will be dealt with quickly, courteously, fairly and within established timelines.

Complainants will be advised of how long it will take to deal with the complaint in accordance with the City's complaint handling timelines and will be kept informed of the progress. If additional time is required to investigate and resolve the issues the complainant will be kept informed and advised of the additional time required and the reasons for the delay.

The City delivers a wide range of services and products and consequently the type of complaints we receive also varies widely. Many complaints can be resolved quickly and easily on the spot. Other complaints will have complex issues which require investigation.

We aim to resolve complaints in the following timelines:

The City will aim to resolve your complaint within 10 working days (or within 24 hours for social media complaints). If we cannot resolve your complaint within 10 working days you will be kept informed of our progress and be provided with:

- the name of the person responsible for resolving the complaint;
- the estimated length of time it may take to resolve your complaint;
- a timeframe for when you can expect to receive an update from us.

Where the City considers a complaint is justified, the next step is to determine an appropriate response. Depending on the complaint, an investigation may lead to one or more of a range of possible outcomes, including:

- an explanation;
- an apology;
- mediation;
- a change in decision;
- a change to policy, procedure or practice;
- a correction of misleading records;
- financial compensation, including a refund of a fee;
- the remission of a penalty;
- referral to an external agency for further investigation.

CONFIDENTIALITY

All personal and health information collected by the City in connection with a complaint will be handled in accordance with all applicable privacy laws and will only be used for the purpose of investigating the complaint.

ANONYMOUS COMPLAINTS

Sometimes, people are more comfortable making an anonymous complaint as confidentiality is guaranteed. The City will do its best to review anonymous complaints. However, it can be very difficult to resolve these issues, or to enforce legislation, without the ability to thoroughly investigate and gather evidence and witness information.

Action is taken on anonymous complaints as far as it is possible to do so without being able to consult with the complainant. If there is sufficient information in the complaint, the complaint will be investigated by the City.

UNREASONABLE CUSTOMER CONDUCT

While the majority of customers have legitimate concerns and genuinely seek resolution, a small proportion of customers demonstrate unreasonable concerns and unreasonable and uncooperative behaviour.

When customers behave unreasonably in their dealings with staff, their conduct can significantly affect the City's performance. Because of this, the City will take immediate action to manage customer conduct that negatively and unreasonably affects the organisation, and support staff to do the same.

The City has developed employee procedures for managing unreasonable customer conduct.

Unreasonable Customer Conduct (UCC) is any behaviour by a customer which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the Council, staff, other service users and customers or the customer himself / herself.

Strategies for managing unreasonable customers

The city may decide to deal with unreasonable customer conduct in one or more of the following ways:

Who they contact - Where a customer demonstrates unreasonable persistence or demands, it may be appropriate to restrict their access to a single staff member (a sole contact point).

This staff member will exclusively manage their complaint(s) and interactions with the City. This will ensure they are dealt with consistently and will minimise the chances for misunderstandings, contradictions and manipulation.

What they can raise with the City - Where customers continue to engage in unreasonable conduct about issues that have already been comprehensively considered and/or reviewed (at least once) by the City, restrictions may be applied to the issues/subject matter the customer can raise with the City.

When and how they can have contact - A customer's telephone, written or face-to-face contact with the City may place an unreasonable demand on time or resources because it affects the health, safety and security of staff and it may also be behaviour that is persistently rude, threatening, abusive or aggressive. As such, the City may limit when and/or how the customer can interact with the City.

MONITORING & REPORTING ON TRENDS

All complaints are entered into the City’s corporate system to allow us to report and analyse trends. Specifically we will be looking to see whether issues are systemic or recurring to allow us to improve our processes and reduce future complaints.

The City collects data regarding complaints and analyses it to guide business improvement. Recurring or system-wide problems are identified and the action or service of the City that has been the source of the complaints is addressed. This may be through corrective and preventative actions and innovative improvements.

ACCOUNTABILITY

The City’s complaint handling system is open to scrutiny by clients, the public, staff, the NSW Ombudsman and any other reviewing body.

There are periodic audits of the complaints handling system and appropriate action plans formulated to address any deficiencies.

REFERRAL TO EXTERNAL AGENCIES

There are a number of accountability/complaint bodies established by the NSW Government that receive and investigate complaints:

The **Division of Local Government** can investigate pecuniary interest matters, political donations disclosure matters, councillor misbehaviour and protected disclosures relating to serious and substantial waste. The Division also deals with complaints that indicate a serious breakdown in council operations or serious flaws in council processes.

The **NSW Ombudsman** has jurisdiction to investigate complaints alleging maladministration by councils, Councillors and council staff.

The **Independent Commission Against Corruption (ICAC)** has jurisdiction to investigate complaints alleging corrupt conduct by councils, Councillors and council staff.

The **Information and Privacy Commission** can investigate and review council determinations made under NSW Privacy legislation. You can make a complaint to the Information Commission about the way council acts (or fails to act) when exercising its functions under the GIPA Act.

The **NSW Small Business Commissioner** is an independent statutory officer. The role of the Office of the Small Business Commissioner in helping small businesses is laid out in the Small Business Commissioner Act, 2013. The Office offers a service to help small business talk to Councils about their problems, and work towards a solution through negotiation, communication and mediation, rather than litigation.

STATUTORY OBLIGATIONS TO REFER TO EXTERNAL AGENCIES

The City has a statutory obligation to refer certain matters to external agencies.

Duty to refer corrupt conduct to ICAC - under section 11 of the Independent Commission against Corruption Act 1988, the CEO must report to ICAC a matter where there is a reasonable suspicion that corruption has occurred.

Obligation to refer pecuniary interest matters to the Office of Local Government - the Pecuniary Interest Guidelines, issued by the Office of Local Government in June 2006,

make it clear that the CEO has an obligation to refer allegation of breaches of the pecuniary interest provisions of the Local Government Act to the department.

Obligation to refer political donations matters to the Office of Local Government - under section 328B of the Local Government Act 1993, where a CEO reasonably suspects that a councillor has not complied with the provisions of the code of conduct relating to the disclosure of political donations or the manner of dealing with any perceived conflict of interest in relation to political donations, the CEO is to refer the matter to the Director-General of the Division of Local Government.

Obligation to refer allegations of child abuse - under section 25C of the Ombudsman Amendment (Child Protection and Community Services) Act 1998, the CEO is required to notify the NSW Ombudsman within 30 days of being made aware of a disclosure or allegation of child abuse or a conviction against a current employee.

The Ombudsman advises that child abuse means:

- assault (including sexual assault) of a child;
- ill treatment or neglect of a child; or
- exposing or subjecting a child to behaviour that psychologically harms the child.

COUNCILS' STATUTORY COMPLAINT HANDLING OBLIGATIONS

COMPLAINTS UNDER THE CODE OF CONDUCT

The City has a Code of Conduct applicable to Councillors, staff and delegates of Council.

Complaints relating to alleged breaches of the code of conduct by a Councillor, member of staff or delegate of the City must be dealt with in accordance with the procedures prescribed under the Code of Conduct.

All City staff receive training in relation to their obligations and responsibilities under the Code of Conduct.

COMPLAINTS ABOUT PRIVACY BREACHES

The City of Sydney is a public sector agency for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA). Under that Act, a person may seek an internal review by a council of the following conduct:

- a breach of any information protection principles applying to the council;
- a breach of the Privacy Code of Practice for Local Government;
- disclosure of personal information held on a public register in a manner inconsistent with that permitted under the Privacy Code of Practice for Local Government;
- a breach of a health privacy principle under the Health Records and Information Privacy Act 2002 (HRIPA) that applies to the council;
- a breach of a health privacy code of practice that applies to the council.

The City will conduct internal reviews in response to allegations of breaches in accordance with the PPIPA and HRIPA, and with strict adherence to the process/checklist prescribed by the Privacy Commissioner. The Privacy Commissioner will oversight internal reviews conducted by the City and can resolve complaints about the City's response to allegations.

The City has a Privacy Management Plan that includes detailed information about how the City will respond to an allegation that there has been a breach of PPIPA or HRIPA.

COMPETITIVE NEUTRALITY COMPLAINTS

Competitive neutrality seeks to ensure that competition between public and private businesses happens on a fair basis. Competitive neutrality requires that public sector business activities that are in competition with the private sector should not have competitive advantages or disadvantages simply by virtue of their government ownership or control.

Under the principles of national competition policy, all levels of government must establish an effective system to deal with complaints relating to competitive neutrality in respect of their business. Complaints regarding competitive neutrality must be referred to the Director Legal & Governance.

COUNCILS' STATUTORY OBLIGATIONS TO PROVIDE ACCESS

Councils have specific statutory obligations to provide access, these obligations are described below:

REQUESTING ACCESS TO DOCUMENTS

Members of the public have the right to request access to certain information held by the City identified in the *Government Information (Public Access) Act 2009*. While there is a presumption of disclosure by the City in providing Council information, the City may decide not to provide access if there is an overriding public interest against the disclosure. This is generally when the information would reveal an individual's personal information.

Further information can be found on the Access to Information page of the City's website.

THE RIGHT TO ATTEND COUNCIL MEETINGS

Members of the public have a right under section 10 of the Local Government Act 1993, to attend Council meetings and Committee meetings (unless the meeting has been closed to the public under section 10A).

The right of members of the public to attend Council and Committee meetings does not confer a right to address the meeting; however, Council allows public participation in certain meetings and has rules that guide the exercise of this discretion. Further information can be found on the Meetings page of the City's website.

EXTERNAL AGENCIES

NSW Ombudsman

Level 24,580 George Street, SYDNEY NSW 2000

Phone: 02 9286 1000 or 1800 451 524

Fax: 02 9283 2911

Email: nswombo@ombo.nsw.gov.au

NSW Department of Local Government

Locked Bag 3015, NOWRA NSW 2541

Phone: 02 4428 4100

Fax: 02 4428 4199

Email: dlg@dlg.nsw.gov.au

The Independent Commission Against Corruption

GPO Box 500, SYDNEY NSW 2001

Phone: 02 8281 5999 or 1800 463 909

Fax: 02 9264 5364

Email: icac@icac.nsw.gov.au

The Information and Privacy Commission NSW

GPO Box 7011, Sydney NSW 2001

Phone: 1800 472 679

FAX: (02) 8114 3756

Email: ipcinfo@ipc.nsw.gov.au

The Office of the Small Business Commissioner NSW

GPO Box 5477, SYDNEY NSW 2001

Phone: 1300 795 534 or (02) 8222 4800

Fax: 1300 795 644

E-mail: we.assist@smallbusiness.nsw.gov.au

REFERENCES

Laws and standards	<ul style="list-style-type: none"> • Government Information (Public Access) Act 2009 • Local Government Act 1993 • Privacy and Personal Information Protection Act 1998 • Health Records Information Privacy Act 2002 • Independent Commission Against Corruption Act 1988 • Public Interest Disclosures Act 1994 • Ombudsman Act 1974
Policies and procedures	<ul style="list-style-type: none"> • Unreasonable Customer Conduct Procedures • Staff Complaints Policy • Privacy Management Plan • Fraud and Corruption Internal Reporting Policy • Occupational Health and Safety Policy • Code of Conduct • Equal Employment Opportunity (EEO) and Anti-Discrimination Policy.

APPROVAL

The Chief Executive Officer approved this policy on 11/2/15

P. M. Barone

REVIEW

Review period	Next review date	TRIM reference
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The Manager Customer Service will review this policy every two years

January, 2018

2014/161466

Document Owner

Manager, Customer Service