

# Complaint Management Policy

## Purpose

This policy is intended to ensure that the City of Sydney (the City) handles complaints fairly, efficiently and effectively.

Our complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way
- boost public confidence in our administrative process, and
- provide information that can be used by us to deliver quality improvements to our services, staff and complaint handling.

This policy provides guidance to our staff and people who wish to make a complaint based on the key principles and concepts of our complaint management system.

## Scope

This policy applies to all staff receiving or managing complaints from the public made to or about us (the City of Sydney), regarding our services, staff and/or complaint handling.

Complaints that are out of scope of this policy include:

- service requests [see definition of 'service request' below],
- requests for information [see the City's Access to information policy]
- complaints about the City's policies or procedures when the City is following its legal duties
- an appeal or objection to a standard City procedure or policy e.g. objection to a development application, comments on a Policy on Exhibition
- staff grievances
- privacy complaints
- data breaches
- statutory review complaint
- public interest disclosures made by our staff [see the City's Fraud and corruption internal reporting policy]
- code of conduct complaints [see the City's Code of conduct policy]
- responses to requests for feedback about the standard of our service provision [see the definition of 'feedback' below]
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of 'feedback'].

## Definitions

Term	Meaning
Complaint	<p>Expression of dissatisfaction made to or about us, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.</p> <p>Examples of a complaint are</p> <ul style="list-style-type: none"> <li>• Failure to achieve specified standards of service</li> <li>• Delay in responding</li> <li>• Behaviour or attitude of employees</li> <li>• A Council decision or policy and/ or</li> <li>• Withdrawal or reduction of service</li> </ul>
Complaint Management System	All policies, procedures, practices, staff, hardware and software used in the management of complaints.
Dispute	An unresolved complaint escalated either within or outside of our organisation.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, services or complaint handling where a response is not explicitly or implicitly expected or legally required.
Service request	<p>The definition of a service request includes:</p> <ul style="list-style-type: none"> <li>• requests for the provision of works or services</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</li> <li>• requests for information or explanation of policies, procedures and decisions</li> </ul>
Grievance	A clear, formal written statement by an individual staff member about another staff member or a work-related problem.
Policy	A statement of instruction that sets out how we should fulfill our vision, mission and goals.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Public interest disclosure	A report about wrongdoing made by a public official in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994

## Policy Statement

The City of Sydney is committed to delivering quality service and communicating effectively with our community.

We realise that sometimes, despite our best efforts, people may not be happy with the way we have performed a service. The following is a three-step framework for the management of complaints to the City.



## Facilitating Complaints

### People focus

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures and complaint handling.

Complaints will be acknowledged within two working days and investigated and finalised within 10 business days. Where an investigation is likely to exceed 10 business days, a progress update will be provided.

People making complaints will be:

- provided with information about our complaint handling process
- provided with multiple and 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 our decision/s and any options for redress or review.

### No detriment to people making complaints

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

### Anonymous complaints

We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

### No charge

Complaining to us is free.

**Accessibility**

We will ensure that information about how and where complaints may be made to or about us is well publicised on the City's website and imparted by City staff. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, we will communicate with them through their representative if this is their wish. 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).

**Responding to complaints****Early resolution**

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

**Responsiveness**

We will promptly acknowledge receipt of complaints within two working days.

We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely involvement in the process, and
- the possible or likely outcome of their complaint.

We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

We will also advise people as soon as possible when we are unable to meet our timeframes for responding to their complaint and the reason for our delay.

**Objectivity and fairness**

We will address each complaint with integrity and in a fair, objective and unbiased manner.

Conflicts of interests, whether actual or perceived, will be managed responsibly.

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

Internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

**Responding flexibly**

Our staff are empowered to resolve complaints promptly and with as little formality as possible.

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

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

**Confidentiality**

We will protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by the City as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

**Managing the parties responding to a complaint****Complaints involving multiple agencies**

Where a complaint involves multiple organisations, we will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their 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.

**Complaints involving multiple areas with the City**

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

We take complaints not only about the actions of our staff but also the actions of service providers. Where our services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system.

**Complaints involving multiple parties**

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

**Empowerment of staff**

All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

**Managing unreasonable conduct by people making complaints**

We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible

- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the complaints we receive.

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

Examples of unreasonable behaviour includes

- Unreasonable persistence
- Unreasonable demands
- Unreasonable absence of cooperation
- Unreasonable arguments
- Unreasonable behaviours

For further information on managing unreasonable conduct by people making complaints please see the City’s Unreasonable Conduct by Customer Policy (2020).

### **Our complaint management system**

When responding to complaints, staff should follow our complaint handling procedures 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.



### **Receipt of complaints**

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- the contact information of the person making a complaint
- issues raised by the person making a complaint and the outcome/s they want
- any other relevant information and
- any additional support the person making a complaint requires, including translation and/or accessibility requirements.

### **Acknowledgement of complaints**

We will acknowledge receipt of each complaint within two business days.

Consideration will be given to the most appropriate way for communicating with the person making a complaint (e.g. email, letter, phone call, in person meeting).

### **Assessing complaints**

After acknowledging receipt of the complaint, we will confirm whether the issues raised in the complaint are within our control. We will also consider the outcomes sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- How serious, complicated or urgent the complaint is
- Whether the complaint raises concerns about people's health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed, and
- Whether a resolution requires the involvement of other organisations.

### **Addressing complaints**

After assessing the complaint, we will consider how its best managed. We may:

- Give the person making a complaint information or an explanation
- Gather information from the person or area that the complaint is about, or
- Investigate the claims made in the complaint.

We will keep the person making the complaint up to date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and take into account any statutory requirements.

### **Providing reasons for decisions**

Following consideration of the complaint and any investigation into the issues raised, we will contact the person making the complaint and advise them:

- the outcome of the complaint and any action we took
- the reasons for our decision
- the remedy or resolutions that we have proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, we make any adverse findings about a particular individual, we 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 our findings with the person making the complaint.

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

We will keep comprehensive records about:

- How we managed the complaint
- The outcomes 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.

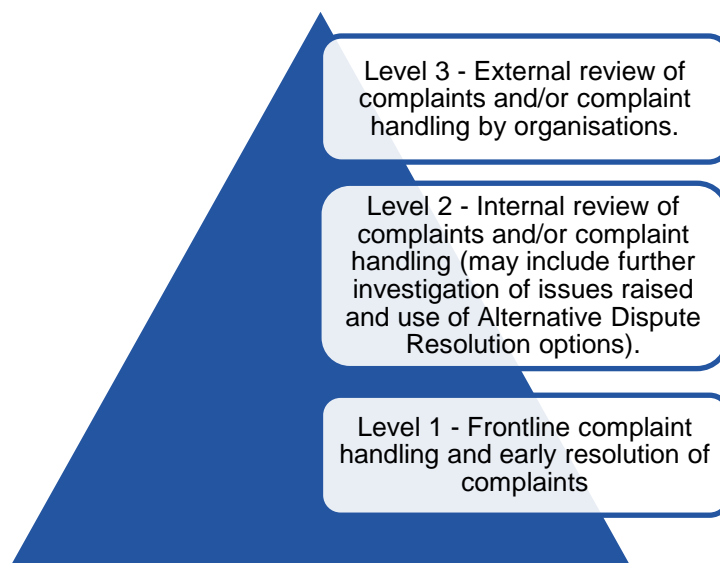
We will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

## Alternative avenues for dealing with complaints

We will inform people who make complaints to or about us about any internal or external review options available to them including:

- NSW Ombudsman
- NSW Office of Local Government
- The Information and Privacy Commission NSW
- The Independent Commission Against Corruption
- NSW Small Business Commission

## The three levels of complaint handling



We aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within the City. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decisions already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of the City's review of their complaint, they may seek an external review of our decision (by the Ombudsman for example).

## Accountability and learning

### Analysis and evaluation of complaints

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.



Regular reports will be run on:

- the number of complaints received
- the outcome of complaints, including matters resolved at the frontline
- issues arising from complaints
- systemic issues identified, and
- the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements. Both reports and their analysis will be provided to the City's CEO, Executive and senior management for review.

### **Monitoring of the complaint management system**

We will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

### **Continuous improvement**

We are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by staff
- regularly review the complaints management system and complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

### **Responsibilities**

All City Employees must act in accordance with the City's Complaint Management Policy.

The Chief Executive Officer will ensure adequate systems and processes, policies and procedures are in place to support effective complaint management.

The Manager of Customer Service will provide reports and analysis on the City's complaint handling to the Chief Executive Officer, Executive and Senior Managers.

### **Consultation**

This policy is based on the NSW Ombudsman Complaint Handling Model Policy (2015).

The policy and procedure were developed in conjunction with a wide range of business areas including, Legal, Governance, Workforce Services, Rates, Health & Building, Waste & Cleansing, City Rangers, Data & Information Management Services, Social Programs & Services and Office of the CEO.

## References

### Laws and Standards

- NSW Ombudsman Complaint Management Framework and Model Policy 2015
- Privacy and Personal Information Protection Act (1998)

### Policies and Procedures

- Unreasonable Conduct by Customer Policy (2020)
- Code of Conduct Policy (2020)
- Access to Information Policy (2021)
- Fraud and Corruption Internal reporting Policy (2020)

## Review period

This policy will be reviewed every 3 years.

## Approval Status

The Chief Executive Officer approved this policy on 18 November 2021.



Monica Barone, Chief Executive Officer

## Approval History

Stage	Date	Comment	TRIM Reference
Procedure	11 February 2015	Original was a procedure and was approved by CEO.	2014/161466
Original Policy	18 November 2021	Adapted to a policy, Complaint Management Policy aligning to Ombudsman NSW Complaints Management Policy.	2021/551113
Commence Review Date	18 February 2024		
Approval Due Date	18 November 2024		

**Ownership and approval**

<b>Responsibility</b>	<b>Role</b>
Author	Manager Customer Service
Owner	Manager Customer Service
Endorser	City of Sydney Executive
Approver	Chief Executive Officer