



Council Policy

Feedback Management

Version 3 - 23 October 2023

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Introduction

Purpose

Lake Macquarie City Council is committed to delivering a high standard of service to all of our customers. We actively encourage feedback and are committed to using this information to improve our services and systems.

Scope

This policy outlines how you can provide feedback to Council, how we will listen to you and the principles we use to work together towards an appropriate resolution. The policy applies to all Councillors, Council employees and persons carrying out work on behalf of Council, for example, contractors and volunteers. Council employees are responsible for encouraging feedback and assisting to lodge feedback from our customers.

The policy relates solely to the management of complaints, compliments and general feedback made to Council. Complaints that are out of scope of this policy include:

- feedback relating to a Council resolution
- feedback relating to the determination of a development application
- a matter that has already been reviewed by an external agency
- feedback relating to a particular Councillor outside their role as a Councillor
- any work-related grievance from a Council employee
- a service request (see definitions)
- a request for information or an explanation of policies or procedures
- an expression of opinion – where a response or resolution is not expected (for example, a submission or feedback on a service)
- Government Information Public Access (GIPA) Requests (see definitions)
- privacy complaints (refer to Council’s Privacy Management Plan).

Policy statement

Council 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. We encourage feedback from customers about our processes, services and conduct of Council staff.

Objectives

To provide members of the community the opportunity to provide feedback to Council and to ensure feedback is handled fairly, efficiently, effectively and in accordance with Council’s Customer Charter.

1 Definitions

Term	Definition/specific action
Anonymous complaints	A complaint made where the complainant does not want to be, or cannot be, identified.
Child abuse or harm	All forms of physical, and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, resulting in actual or potential harm to the health, survival, development or dignity of a person who is under 18 years of age. Council supports a culture of reporting and has adopted a child-focused approach

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	<p>to managing complaints of child abuse.</p> <p>In the case of allegations being made against a Council employee or representative, Council will investigate the matter in accordance with Council's Child Safe Policy and Reportable Conduct - supporting and protecting children and young people procedure. All allegations will be reviewed and assessed, and if applicable, a notification report will be made to the Office of the Children's Guardian, Police or other relevant agencies.</p>
Complaint	<p>An expression of dissatisfaction with our services, staff or procedures.</p> <p>A complaint is an expression of concern about:</p> <ul style="list-style-type: none"> • conduct • delivery of a Council service • customer service • failure to provide information • competence or conduct of staff • errors of judgement or misinterpretation of information • decisions being unfair, unreasonable or lacking in merit • poor administrative processes.
Compliment	An expression of satisfaction with our services, staff, programs or procedures.
Corruption	<p>The misuse of power or authority for personal gain.</p> <p>Council is committed to maintaining high ethical standards. It is everyone's responsibility to not only act honestly but to report any instances of possible corruption, maladministration, or serious substantial wastage.</p> <p>Such reports can be reported in accordance with the procedures outlined in this policy and will be forwarded to the Chief Executive Officer. You can also report suspected instances to the Independent Commission against Corruption (ICAC) on 1800 463 909, suspected maladministration to the NSW Ombudsman on 1800 451 524 or to the Office of Local Government Head Office on 02 4428 4100.</p>
Criminal activity	<p>Criminal activity may include suspected fraud or corruption by a Council employee or relating to Council-owned property.</p> <p>Complaints claiming or suspecting criminal activity will be directed to the Internal Ombudsman for assessment and reporting to the police where necessary.</p>
General feedback	Suggestions for new services or programs.
Government Information Public Access (GIPA) Requests	Requests made by the public or external agencies for documents held by Council. These requests are assessed under the <i>Government Information Public Access (GIPA) Act 2009</i> .
Maladministration	Action or inaction of a serious nature that is contrary to law, that is unreasonable, unjust, oppressive, or improperly discriminatory, or that is based wholly or partly on improper motives.
Pecuniary interest	<p>An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another with whom the person is associated.</p> <p>Where a matter involving a pecuniary interest constitutes or is likely to constitute</p>

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	<p>corrupt conduct, members of the community may choose to report it to Council by way of a complaint.</p> <p>Alternatively, complaints relating to pecuniary interests may be made in writing to the Office of Local Government, identifying the complainant and the person against who the complaint is made, giving particulars of the complaint, and being verified by statutory declaration.</p> <p>Council staff and Council officials will use the reporting mechanisms outlined in Council's Fraud and Corruption Prevention Internal Policy and Procedure.</p>
Public interest disclosure	A report about wrongdoing made by a public official in NSW that meets the requirements of the <i>Public Interest Disclosures Act</i> as amended from time to time.
Sensitive complaints	Complaints made that identify concerns around behaviour or actions of particular employees, Councillors, the Mayor or Chief Executive Officer.
Serious and substantial wastage	The excessive and unnecessary depletion of resources, often resulting from mismanagement or corrupt practices.
Service request	<p>A service request includes:</p> <ul style="list-style-type: none"> • requests for the provision of works or services • routine enquiries about the organisation's business • requests for the provision of services and assistance • reports of failure to comply with laws regulated by the organisation • requests for information or explanation of policies, procedures and decisions.

2 Feedback

We encourage all suggestions and feedback, which are assigned to the appropriate department for consideration.

Customers will be notified their feedback has been received, however they will not receive an outcome from the department on their feedback.

3 Compliments

Compliments are used to inform Council on what we are doing well and what is important to our community. Analysing compliments helps Council understand our current performance and future service provision.

We will promptly acknowledge receipt of compliments and refer them to the appropriate department manager for the relevant staff to be recognised.

4 Complaints

4.1 Guiding principles for complaints

We are committed to providing a service that is efficient, fair and transparent when assessing a customer complaint. To do this, we are guided by the NSW Ombudsman's guiding principles.

Facilitate complaints	People focus	We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling. Any concerns raised in feedback or complaints will
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		<p>be dealt with within a reasonable timeframe.</p> <p>People making complaints will be:</p> <ul style="list-style-type: none"> provided with information about our complaint assessing 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 provided with reasons for our decision/s and any options for redress or review.
	No detriment	We will take all reasonable steps to ensure 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 assessment of the issues raised where there is enough information provided.
	Accessibility	<p>We will ensure information about how and where complaints may be made to or about us is well publicised. We will ensure our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.</p> <p>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 (for example, an advocate, family member, legal or community representative, member of Parliament or another organisation).</p>
	No charge	Lodging a complaint with us is free.
Respond to complaints	Early resolution	Where possible, complaints will be resolved at first contact.
	Responsiveness	<p>We will promptly acknowledge receipt of complaints. We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised.</p> <p>We are committed to managing people's expectations, and will inform them as soon as possible of the following:</p> <ul style="list-style-type: none"> the complaints process the expected timeframes for our actions the progress of the complaint and reasons for any delay their likely involvement in the process the possible or likely outcome of their complaint. <p>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).</p> <p>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.</p>
	Objectivity and fairness	We will address each complaint with integrity and in an equitable, objective and unbiased manner.

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		<p>The person handling the complaint will be different from any staff member whose service or conduct 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.</p>
	Responding flexibly	<p>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.</p> <p>We will assess each complaint on its merits and involve people making complaints and/or their representative in the process, as far as possible.</p>
	Confidentiality	<p>We will protect the identity of people making complaints where this is practical and appropriate.</p> <p>Personal information that identifies individuals will only be disclosed or used as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.</p>
Manage the parties to a complaint	Complaints involving multiple agencies	<p>Where a complaint involves multiple organisations, we will work with the other organisation/s, where possible, to ensure communication with the person making a complaint and/or their representative is clear and coordinated.</p> <p>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.</p> <p>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. Where our services are contracted out, we expect the contracted service providers to have an accessible and comprehensive complaint management system. In such circumstances, we will take complaints about the products, services and staff of our organisation and that of the service providers.</p>
	Complaints involving multiple parties	<p>When similar complaints are made by related parties, we will try to arrange to communicate with a single representative of the group.</p>
	Empowerment of staff	<p>All staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.</p> <p>Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.</p>
	Managing unreasonable conduct by people making complaints	<p>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:</p> <ul style="list-style-type: none"> our ability to do our work and perform our functions in the most effective and efficient way possible

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		<ul style="list-style-type: none"> the health, safety and security of our staff our ability to allocate our resources fairly across all the complaints we receive. <p>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.</p>
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4.2 Complaint management system

Complaints are managed in accordance with Council’s three-tier Complaints Handling Model.

Tier 1 - frontline complaint handling	Where possible, complaints will be resolved at the first contact. If we are unable to resolve a complaint at the first contact, the complaint will escalate to the appropriate senior officer, generally the department manager, who will nominate an appropriate officer to handle the complaint.
Tier 2 - internal review	<p>If the complainant is not satisfied with the outcome of their complaint, they may seek an internal review of the matter.</p> <p>The Feedback Management Officer is responsible for reviewing Tier 2 complaint reviews.</p>
Tier 3 - escalated review	If the complaint is still unresolved, and the complainant requests that the matter be escalated, the complaint will be referred to a Senior Council Officer for review.

4.2.1 Tier 1

When responding to complaints, staff should follow our Staff Handling Guideline for the Feedback Management 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.



Receipt of complaints

When we receive a complaint, we will record the complaint and its supporting information.

On receipt of a complaint, it will be assessed to determine the appropriate category.

- General complaints are lodged in our Customer Request Management system and customers will receive a unique Customer Request number upon receipt.
- Sensitive complaints will be allocated a unique reference number and customers will receive the reference number at the time of acknowledgement.

The record of the complaint will document:

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

We accept anonymous complaints where there is enough information to be able to look into the issues raised. We encourage complainants to provide their contact details, as we may not be able to look into the matter thoroughly without obtaining additional information.

Comments of a harassing nature with no identifiable purpose are not classified as complaints and will not be assessed further.

Acknowledgement of complaints

The Complaint Assessment Officer will acknowledge receipt of general complaints within five business days. Anonymous complaints will not be acknowledged due to their nature.

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

Assessment and review of complaints

The Complaint Assessment Officer will:

- look into all history relevant to the complaint
- if relevant, speak to customers/witnesses/interested parties
- tailor the approach and communication method, dependent on all factors relating to the complaint
- keep the complainant informed of the progress and estimated completion date of the complaint.

The Chief Executive Officer, Mayor or Internal Ombudsman may refer the matter for conduct review under the Code of Conduct.

Response and closure of complaint

The Complaint Assessment Officer will respond to the complainant with:

- the outcome, including any relevant reasons or actions taken
- provide any available options for review.

4.2.2 Tier 2

The purpose of a Tier 2 internal review is not to determine a different response, but to check that all involved in determining the original decision have taken all the required steps in their assessment.

A request for internal review is required to be in writing.

The Feedback Management Officer will communicate the outcome of the Tier 2 review to the customer within 10 working days.

4.2.3 Tier 3

Where possible, the officer responsible for the Tier 3 escalated review should be independent to previous assessments pertaining to the same complaint.

If the complainant is dissatisfied with the outcome of our escalated review process, they may seek a review of our decision by an external agency. This may take the form of:

- alternative dispute resolution procedures such as mediation or conciliation

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- referring the complaint to external agencies such as the NSW Ombudsman, Independent Commission Against Corruption (ICAC), Division of Local Government and the Office of the Information Commissioner, depending on the nature of the complaint.

Whilst the majority of complaints should follow the escalation process described above, it is possible for a complaint to enter the process at any one of the three tiers.

5 Limitations on service or communication

We encourage customers to lodge complaints in an appropriate manner. Council expects the behaviour of customers and the community to stay within reasonable limits. If behaviour strays beyond these limits, we are entitled to place and enforce limits on contact between Council and the person displaying inappropriate/unreasonable behaviour.

We will only apply this part of the policy in exceptional cases, where it is necessary to ensure the health, safety and wellbeing of Council staff or equity in the use of Council resources. These limits can apply to an individual customer or a group. This policy does not limit legislative access and service rights.

The Chief Executive Officer may limit service or communication with a customer if there is evidence they are an unreasonable complainant. The Chief Executive Officer will first consider whether:

1. the complaints procedure has been implemented correctly so far as practical to this point and no material element of the complaint has been overlooked or inadequately addressed
2. the behaviour of the complainant has become intimidating, threatening, offensive or so habitual or obsessive that it constitutes an unreasonable demand on Council's resources.

Depending on the circumstances, the limitations placed on a customer can vary:

- whom a customer may contact within Council
- the number of opportunities we will give to a customer to address the same or similar issues
- the number of issues we will address in any given period
- the types of issues we will address, for example, we will only address significant and serious issues
- the times and days telephone calls will be accepted by Council
- the termination of phone calls or meetings when appropriate (for example, we may terminate phone calls or meetings if the customer is abusive or threatening and continues to be after a warning or they have been instructed to correspond only with a specific staff member who is not available at that time)
- the requirement that the customer must only communicate with Council in writing
- the number of responses to complaints, correspondence, or enquiries on the same or similar issues where they do not provide new information
- that correspondence will be received, read, and recorded, but only acknowledged or otherwise responded to if they provide new information.

Limitations on the provision of information will not occur if we are under a statutory responsibility to provide the information.

The Chief Executive Officer will document the limits on service or communication and inform the customer of the reasons for taking such steps.

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5.1 Review or appeal of limits on service or communication

Requests to remove a limitation of service or communication must be made in writing to the Chief Executive Officer by the person to whom the limits apply. The Chief Executive Officer will only consider one written request per year. On completion of the review, the Chief Executive Officer will advise the person of any subsequent review dates. If the customer is dissatisfied with the review, they may contact the NSW Ombudsman's Office, depending on the circumstances, or the Office of Local Government.

6 Council staff responsibilities

Position	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none"> • Ensure staff awareness and compliance with the policy • Regularly review reports about complaint trends and issues arising from complaints and support recommendations for improvement • Assess sensitive and serious complaints or nominate a Complaint Assessment Officer to do so • Ensure integrity of the assessment of the complaint • Encourage staff to make recommendations for improvements.
Department Managers	<ul style="list-style-type: none"> • Ensure staff awareness and compliance with the policy • Assist and support staff to manage feedback at first contact • Recognise staff who have received compliments for service • Assess complaints or nominate a Complaint Assessment Officer to do so • Ensure integrity of the assessment of the complaint • Consider feedback to improve quality and best practice.
Feedback Management Officer (FMO)	<ul style="list-style-type: none"> • Facilitate Council's Feedback Management Policy • Ensure all Council employees receive training in the policy • Assist and support Council employees in relation to administering the policy • Review Tier 2 (Internal Review) complaints • Provide regular reports to the Chief Executive Officer, Executive and department managers on complaints received.
Internal Ombudsman	<ul style="list-style-type: none"> • Manage and assess serious sensitive complaints.
Records Services Coordinator	<ul style="list-style-type: none"> • Accept sensitive complaints • Create a record for the appropriate manager • Provide monthly reports on sensitive and serious sensitive complaints for the Chief Executive Officer.
Complaint Assessment Officer	<ul style="list-style-type: none"> • Assess the complaint in-line with the policy's principles.
Frontline Staff	<ul style="list-style-type: none"> • Assist customers to lodge feedback and advise them of the feedback management process • Be aware of the policy • Accept and record feedback • Attempt to resolve minor complaints before they escalate • Treat all people with respect.

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Review and evaluation

We will continually monitor our feedback management system to:

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

Monitoring may include the use of audits and satisfaction surveys.

This policy will be reviewed every four years.

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Controlled Document Information

Authorisation Details

Folder No:	F2005/02232	TRIM Record No:	D10995413
Audience:	External - This Policy applies to all staff and customers of Council		
Department:	Customer Experience	Officer:	Head of Customer Experience - Jasmyne Munro
Key focus area(s):	Shared Decision Making		
Review Timeframe: Max < 4 years	4 years	Next Scheduled Review Date:	23 October 2027
Authorisation:	Adopted by Council - 23 October 2023		
Authorisation - Council Adoption Date:	23 October 2023		

Related Document Information, Standards & References

Related Legislation:	NSW Division of Local Government Complaints Management in Councils Practice note 9 (2009-revised)	(Relationship/Context)
Related Policies:	<p>Fraud and Corruption Prevention – Internal Policy</p> <p>Public Interest Disclosures Reporting Policy</p> <p>Child Safe Policy</p> <p>Business Ethics Policy</p>	<p>(Relationship/Context)</p> <p>Contains additional guidance for Council staff and Council officials regarding reporting suspected fraud or corruption.</p> <p>Contains guidance about protections for public officials who report certain types of wrongdoing in the workplace.</p> <p>Contains additional guidance for the community and staff on Council's reporting and investigation procedures in relation to child harm/abuse.</p> <p>Provides guidance to contractors and suppliers on expectations when doing business with Council.</p>
Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:	<p>Customer Charter</p> <p>Feedback Management Policy– Staff Handling Guideline - D07563828</p> <p>Reportable Conduct - supporting and protecting children and young people Procedure</p>	<p>(Relationship/Context)</p> <p>Sets our commitments and response times to customer correspondence.</p>
Standards, COP's & Other References	<p>Australian/ New Zealand Standard-Guidelines for complaints management in organisations (AS/NZS 10002:2014)</p> <p>NSW Ombudsman Complaint Management Framework and Complaint Handling Model Policy</p>	<p>(Relationship/Context)</p> <p>Complaint handling standard</p>

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Definitions

Term / Abbreviation	Definition
Nil	

Consultation (update for each version created)

Key Departments, Teams, Positions, Meetings:	Customer Experience Business Support Officer, Executive Manager Integrity and Risk, Content Specialist, Senior Leadership Network
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Version History

Version No	Date Changed	Modified By	Details and Comments
1	June 2017	J Munro	Creation of new Policy to incorporate all forms of feedback received and to align the way we handle feedback received to Council's Customer Charter.
2	May 2019	T Hamilton	Updated to provide a clearer definition of what is a complaint, including examples of what is and isn't a complaint, and updated Officer role titles.
3	June 2023	T Hamilton	Updated to include components of Child Safe Policy, aligned to the NSW Ombudsman's guidelines, changed format to make it clearer and added a definitions/specific actions table.