

	<p><b>Council Policy</b></p> <p><b>Feedback Management</b></p>	
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**Table of Contents**

**Table of Contents..... 1**

**Policy ..... 2**

**1 Background..... 2**

**2 Scope..... 2**

**3 Objectives ..... 2**

**4 Policy Statement..... 2**

**5 Types of feedback ..... 3**

    5.1 Compliments..... 3

    5.2 General feedback ..... 3

    5.3 General complaints..... 3

    5.4 Other types of complaints ..... 4

        5.4.1 Anonymous complaints..... 4

        5.4.2 Sensitive complaints ..... 4

        5.4.3 Serious sensitive complaints..... 4

            5.4.3.1 Pecuniary interest ..... 4

            5.4.3.2 Corruption, maladministration, serious and substantial wastage ..... 4

            5.4.3.3 Criminal activity..... 4

**6 How to provide feedback ..... 5**

**7 What we need to know ..... 5**

**8 How we handle your feedback ..... 5**

**9 Complaint handling ..... 5**

    9.1.1 Tier 1 - frontline complaint handling..... 5

    9.1.2 Tier 2 - internal review ..... 6

    9.1.3 Tier 3 - escalated review..... 6

    9.2 Limitations on service or communication..... 6

    9.3 Review or appeal of limits on service or communication ..... 7

**Attachment 1 Council staff responsibilities ..... 8**

**Controlled Document Information ..... 9**

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# Policy

## 1 Background

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

We welcome your feedback including suggestions, compliments and complaints about our program delivery, services or performance.

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. It is based on the Australian Standard ISO 10002-2014 *Guidelines for complaints management in organisations* and the NSW Ombudsman's Effective Complaint Handling Guidelines for public sector agencies.

## 2 Scope

The policy applies to all Councillors, Council employees and persons carrying out work on behalf of the 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 suggestions made to Council. It does not provide for the management of requests for service.

Attachment 1 outlines the roles and responsibilities of Council staff in managing feedback.

## 3 Objectives

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

## 4 Policy Statement

We encourage feedback from customers about our processes, services and conduct of Council staff, and we follow the NSW Ombudsman's principles of feedback management:

- Visibility
- Objectivity
- Customer-focused approach
- Accessibility
- Charges
- Accountability
- Responsiveness
- Confidentiality
- Continual improvement

Our customers will:

- Be treated with respect, integrity and honesty.
- Have their feedback passed onto the responsible/nominated officer(s).
- Receive no charge for providing feedback.
- Have their feedback handled in accordance with our Customer Charter.
- Have their personal details kept secure and in accordance with our Privacy Management Plan.
- Not be adversely affected because they have made a complaint.

## 5 Types of feedback

### 5.1 Compliments

Compliments are received when we have met or exceeded the expectations of the community.

The receipt of compliments assists us in:

- Understanding what aspects of our service customers value.
- Understanding how our service impacts on our customers.
- The ability to share and reinforce examples of best practice.
- Building morale and provide recognition to our staff.

### 5.2 General feedback

General feedback includes suggestions for new services, programs or requests for information.

The receipt of general feedback assists us in understanding:

- What services our customers require.
- How our service impacts on our customers.
- What information we could provide to the community.

### 5.3 General complaints

A complaint is an expression of dissatisfaction with our services, staff or procedures. General complaints are managed in accordance with Council's three-tier Complaints Handling Model (explained in section 9 of this policy).

Requests for service (unless they are complaints related to Council's response times to a request for service) and requests for information or explanation of Council policies or procedures are not classified as complaints. Similarly, comments of a harassing nature with no identifiable purpose are not classified as complaints and will not be investigated further.

A complaint is an expression of concern about:

- 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.

A complaint is not:

- Feedback relating to a Council resolution.
- Feedback relating to the determination outcome 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 request for services – unless it is a second request where there has been no response to the first.
- A request for information or an explanation of policies or procedures.
- Making an expression of opinion – where a response or resolution is not expected (for example, a submission or feedback on a service).

## 5.4 Other types of complaints

### 5.4.1 Anonymous complaints

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 investigate the matter thoroughly without obtaining additional information.

### 5.4.2 Sensitive complaints

Complaints received naming particular employees are sent securely to the appropriate department manager for investigation to ensure, as far as practical, the privacy and confidentiality of all parties involved.

Under the principle of natural justice, named employees are entitled to be provided with details of any complaint against them which is investigated. Assistance and support will be provided to both the complainant and the employee (where required) during any investigation.

The Investigating Officer will contact the complainant where possible via telephone within five working days to discuss the matter. The complaint will be investigated and the complainant will be contacted with the outcome of the investigation, and any steps taken, resulting from the investigation.

Complaints received naming Councillors, the Mayor or Chief Executive Officer will be sent securely to the Mayor or Chief Executive Officer (as appropriate) for assessment, investigation and possible resolution.

### 5.4.3 Serious sensitive complaints

#### 5.4.3.1 Pecuniary interest

A pecuniary interest is 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.

Where a matter involving a pecuniary interest is or is likely to constitute corrupt conduct, members of the community may choose to report it to Council by way of a complaint.

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 be verified by statutory declaration.

Council staff and Council officials will use the reporting mechanisms outlined in Council's Fraud and Corruption Prevention Internal Policy and Procedure.

#### 5.4.3.2 Corruption, maladministration, serious and substantial wastage

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.

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.

#### 5.4.3.3 Criminal activity

Complainants claiming or suspecting criminal activity (including suspected fraud or corruption) by a Council employee or relating to Council owned property will be directed to the Internal Ombudsman for assessment, investigation and reporting to the police where necessary.

## 6 How to provide feedback

You can provide us feedback in the following ways:

- Email us at [council@lakemac.com.au](mailto:council@lakemac.com.au).
- Visit us at [www.lakemac.com.au](http://www.lakemac.com.au).
- By telephone on 02 49210 333 between 8.00am–5.00pm.
- In person at Council's Customer Service Centre in the Administration Building, 126-128 Main Road Speers Point between 8.00am-5.00pm.
- You can write to us at PO Box 1906, Hunter Region Mail Centre NSW 2310.

## 7 What we need to know

It is important to record information about your feedback. To help us understand your feedback, please provide:

- A description of the issue or situation, including any dates, times or locations of incidents, if applicable.
- Your contact details including name, address, contact phone numbers and email address.

## 8 How we handle your feedback

We will:

- Record the details of your feedback.
- Acknowledge and attempt to resolve your complaint within a reasonable time. For a lengthy process, we will keep you informed along the way.
- Keep you up to date on the progress of your complaint and be available to discuss your feedback.
- Regularly monitor the feedback we receive and use this information to improve our delivery of services, procedures and our future planning processes.
- Ensure staff members are well trained and confident in their dealings with customers.
- Provide internal and external avenues of review if you are dissatisfied with how we deal with your complaint or its resolution.
- Keep your personal details in accordance with our Privacy Management Plan.

## 9 Complaint handling

We use a three-tier complaint-handling model and will acknowledge and respond to complaints within five working days. While most problems can be resolved quickly, there are times when detailed investigation is required. We will keep you informed of the progress if this is the case.

Where assessment and investigation of a complaint is required, the Chief Executive Officer, Mayor or Internal Ombudsman may refer the matter to a conduct reviewer who may be internal or external to Council.

### 9.1.1 Tier 1 - frontline complaint handling

Where possible, complaints will be resolved at the first contact. If we are unable to resolve a complaint in the first contact, the complaint will escalate to the appropriate senior officer, generally the department manager, who will nominate an investigating officer.

The investigating officer will contact the complainant, investigate, and will attempt resolution.

### 9.1.2 Tier 2 - internal review

If the complainant is not satisfied with the outcome of their complaint, they may seek an internal review of the matter.

The Feedback Management Officer is responsible for Reviewing Tier 2 complaint reviews. A request for internal review is required to be in writing.

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 the procedure.

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

### 9.1.3 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. Where possible, the Officer responsible for the Tier 3 escalated review should be independent to previous investigations 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.
- 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.

## 9.2 Limitations on service or communication

We encourage customers to lodge complaints in an appropriate manner. Council expects that the behaviour of customers and the community will 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 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 that he or she is a 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; and
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 could include one or more of the following:

- 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, e.g. 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, e.g. we may terminate phone calls or meetings if the customer is abusive or threatening or has been instructed to correspond only with a specific staff member who is not available at that time. Staff members may terminate calls or meetings after an initial warning to any customer who is abusive or threatening.
- 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 he or she does not provide new information.
- Correspondence will be received, read, and recorded, but only acknowledged or otherwise responded to if he or she provides 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.

### **9.3 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, he or she may contact the NSW Ombudsman's Office, depending on the circumstances, or the Office of Local Government.

## Attachment 1 Council staff responsibilities

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



## Controlled Document Information

### Authorisation Details

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<b>Authorisation:</b>	Adopted by Council - 26 August 2019		
<b>Authorisation - Council Adoption Date:</b>	26 August 2019		

### Related Document Information, Standards & References

<b>Related Legislation:</b>	NSW Division of Local Government Complaints Management in Councils Practice note 9 (2009-revised)	(Relationship/Context)
<b>Related Policies (Council &amp; Internal):</b>	Fraud and Corruption Prevention – Internal Policy and Procedure	(Relationship/Context) Contains additional guidance for Council staff and Council officials regarding reporting suspected fraud or corruption.
<b>Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:</b>	Customer Charter  Feedback Management Policy– Staff Handling Guideline - D07563828	(Relationship/Context) Sets our commitments and response times to customer correspondence.
<b>Standards COP's &amp; Other References</b>	Australian/ New Zealand Standard-Guidelines for complaints management in organisations (AS/NZS 10002:2014)  NSW Ombudsman Complaint Management Framework and Complaint Handling Model Policy	(Relationship/Context) Complaint handling standard

### Definitions

Term / Abbreviation	Definition

### Consultation (update for each version created)

<b>Key Departments, Teams, Positions, Meetings:</b>	Shared Decision Making Councillor Portfolio - Feedback Management Policy workshop, Internal Ombudsman, Head of Customer Experience, Director of Organisational Services.
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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.

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