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**Compliments, Feedback and Complaints Policy**

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<b>Policy Owner:</b>	Customer & Information Services
<b>Contact Person:</b>	Customer Liaison Officer
<b>Distribution:</b>	All Employees
<b>Date of Approval:</b>	12 October 2021 (CP04-10/21)

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**POLICY OBJECTIVE**

The purpose of this policy is to provide a framework to guide the City of Wanneroo in its management and handling of compliments, feedback and complaints.

**POLICY STATEMENT**

The City of Wanneroo is committed to managing compliments, feedback and complaints in a consistent and unbiased manner, ensuring an open and responsive complaint handling process that complies with the Australian Standard Guidelines and the Ombudsman Western Australia Guidelines.

**SCOPE**

This policy applies to compliments, feedback and complaints relating to the City of Wanneroo and its services about:

- Decisions made by employees of the City;
- The conduct of employees and contractors of the City; and
- Practices, policies and procedures of the City.

**CONSULTATION WITH STAKEHOLDERS**

Key stakeholders within the City of Wanneroo have been consulted in the drafting of this policy. In addition, the documents referred to under the “Relevant Policies/Management Procedures/Documents or Delegations” Section of this policy have been considered.

**IMPLICATIONS (Financial, Human Resources)**

The City’s Customer Liaison Officer (CLO) will manage the City’s complaints handling processes and reporting, and provide an advisory service in complaint handling and resolution.

No additional financial implications apply as a result of this policy. The CLO during their course of complaint investigation, may liaise with the Chief Executive Officer, Directors, Managers, Coordinators and Service Unit employees.

## **IMPLEMENTATION**

The City of Wanneroo is committed to delivering service excellence and providing the best possible customer experience throughout every customer interaction. Should our customers be dissatisfied with the provision of services or products of the City and/or its contractors, or with the actions of employees, that they will actively seek to resolve the complaint at the first point of contact.

This policy has been introduced to ensure that all of our customers have the opportunity to provide feedback to the City. To assist with this, the City will adopt a process for compliments, feedback and complaint handling, which provides clear information about how and where to inform the City where a service or product does not meet expectations.

Compliments, feedback and complaints will be acknowledged and responded to in a timely manner, in accordance with the City's Customer Service Commitment; with objectivity and fairness ensuring that where required, the City provides an appropriate response.

In managing compliments, feedback and complaints in a consistent and accountable manner, the City will be able to identify trends and analyse feedback and complaints to implement improvements to service, process and identified inadequacies.

To achieve this, the City will:

- Adopt a customer-focused approach that encourages open feedback and a commitment to resolving complaints;
- Endeavour to ensure that anyone who is dissatisfied with a City service or product can easily and simply make a complaint and/or provide feedback;
- Designate a location to lodge complaints which is visible and easily accessible to customers;
- Acknowledge complaints;
- Investigate feedback and complaints courteously and fairly;
- Respond to complaints in a timely manner and within prescribed timelines set out in its management procedure;
- Establish a system for complaint handling that will enable it to identify trends, eliminate causes of complaints and improve operations and customer service;
- Reward and recognise employees who receive compliments for their service delivery; and
- Ensure all employees are aware of the Compliments, Feedback and Complaints Policy and Procedure.

## **COMPLIMENTS**

There are numerous instances where the City is complimented on the provision of services it provides and the employees that undertake those services. Compliments provide clear indications on what our community values about the work we do.

Listening to what the City's customers have to say:

- Indicates which aspects of City Services customers value;
- Helps to build a balanced picture of how services impact on customers;
- Provides the City with an opportunity to share compliments among its employees demonstrating good practice in the services provided; and
- Helps to boost morale and provide recognition to employees.

Employees who continually demonstrate excellent customer service may be recognised through the City's Reward and Recognition program and regular performance reviews.

All compliments will be logged into the City's Electronic Document Records Management System (EDRMS) and Customer Request Management (CRM) System so that we may thank our customers for their comments. Comments will be sent to the officer/s involved and to the appropriate Leader.

### **FEEDBACK**

As part of our ongoing commitment to customers, the City also encourages feedback as part of its commitment to providing great service. As part of our commitment to providing excellence in customer service the City will:

- Listen to comments;
- Create an environment where feedback is seen as a means to continually improve our services; and
- Ensure that employees acknowledge and respond to feedback in a timely manner.

### **FORMAL COMPLAINT**

If a formal complaint is lodged, the City will determine complaints as quickly as possible and will keep the complainant (and if applicable, the person who is the subject of the complaint) advised of the progress, details of the resolution and reasons.

**The following will not be registered as complaints** due to the fact that each of the below is covered under a separate process or policy:

- An initial request for council services;
- A request for documents, information or explanation of policies or procedures;
- A request for the council to exercise a regulatory function;
- The lodging of an appeal or objection in accordance with a statutory process, standard procedure or policy;
- A submission relating to the exercise of a regulatory function; and
- A petition.

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The CLO and/or relevant officers from the Service Unit will investigate and may determine to take the following courses of action: -

- Take no further action and give the complainant reason/s;
- Resolve the complaint by use of other appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation;
- Discontinue the assessment in circumstances where it becomes evident that the matter would be referred to another body or person and advise the complainant accordingly.

At a minimum, the following information is to be supplied in order to effectively process the complaint:

- Name and address.
- Contact details.
- Complaint details.
- Date of occurrence of complaint.

Customer correspondence, telephone conversations or interviews which proceed in an inflammatory manner will not be acted on. Where this occurs, the City has the right to terminate conversations or interviews after warning the customer of that intention.

## **ANONYMOUS COMPLAINTS**

An anonymous customer complaint will only be investigated where reasonable and sufficient information is provided and which, in the opinion of City employee, constitutes:

- A breach of statutory provisions;
- A breach of an approval, licence or permit;
- A matter for which the City is obligated to act, prescribed in the Local Government Act 1995, Corruption Crime & Misconduct Act 2003 or under any other written law (i.e. the Public Interest Disclosure (**PID**) legislation);
- A matter which if not attended to could reasonably constitute a risk to the public health and safety of persons, animals or the environment; and
- A matter which is deemed to be capable of investigation and resolution without assistance from the complainant.

## **COMPLAINTS REGARDING EMPLOYEES OF THE CITY OF WANNEROO**

Complaints relating to employees regarding to the provision of a service or product will be referred to the CLO in the first instance. . Should a customer specifically state they are making a disclosure under the Public Interest Disclosure Act (**PID Act**), the complaint will be directly referred to the City's PID Officer (refer to The Public Interest Disclosure Act – (PID Act), information below).

## UNREASONABLE COMPLAINANT CONDUCT

Most complainants who approach the City act reasonably and responsibly in their interactions with the City, even when they are experiencing high levels of distress, frustration and anger about their complaint. However, in a very small number of cases some complainants behave in ways that are inappropriate and unacceptable – despite the City's best efforts to assist them. They can be aggressive and verbally abusive towards City employees and even Council Members. They may threaten harm and violence, bombard the City's offices with unnecessary and excessive phone calls and emails, make inappropriate demands on employees' time and the City's resources and refuse to accept the City's decisions and recommendations in relation to their complaints. When complainants demonstrate such behaviours the City considers their conduct to be 'unreasonable'.

Unreasonable complainant conduct (**UCC**) is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for the City as an organisation, the City's employees and Council Members, other service users and complainants or the complainant. To determine if complainant behaviour and conduct is considered UCC, consideration should be given to the guidelines published by the Ombudsman.

UCC can be divided into five categories of conduct:

- **Unreasonable persistence** – continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on the City as an organisation, City employees and/or Elected Members, services, time and/or resources.
- **Unreasonable demands** – are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on the City as an organisation, the City's employees and Elected Members, services, time and/or resources.
- **Unreasonable lack of cooperation** – is an unwillingness and/or inability by a complainant to cooperate with the City, City employees (or agents), complaint system and processes that results in a disproportionate and unreasonable use of the City's services, time and/or resources.
- **Unreasonable arguments** – include any arguments that are not based in reason or logic, that are incomprehensible, false, inflammatory, trivial or delirious and that disproportionately and unreasonably impact on the City as an organisation, City employees and/or Elected Members, services, time and/or resources.
- **Unreasonable behaviours** – is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated a complainant is – because it unreasonably compromises the health, safety and security of the City's employees and/or Elected Members, other service users or the Complainant.

To respond to and manage UCC incidents, the CEO may determine it is appropriate to implement a protocol whereby the complainant's access to the City will be limited and/or to adapt the way the City interacts with or delivers services to the complainant (amongst other appropriate measures) by restricting:

- **Who the complainant has contact with** – limiting a complainant to a sole contact person;
- **What the complainant can raise with the City** – restricting the subject matter of communications that the City will consider and respond to;
- **When the complainant can have contact** – limiting the complainant’s contact with the City to a particular time, day or length of time, or curbing the frequency of their contact with the City;
- **Where the complainant can make contact** – limiting the locations where the City will conduct face-to-face interviews to secured facilities or areas of the City’s offices, building and facilities; and
- **How the complainant can make contact** – limiting or modifying the forms of contact that the complainant can have with the City.

The City values its employees and customers, and safety is paramount to this commitment. Therefore, City employees have the discretion to terminate any interaction in the event that the employee reasonably perceives that they are at risk and particularly where the employee is being threatened or the conduct of the complainant/customer is aggressive and/or abusive.

Prior to the CEO determining an UCC, every reasonable effort will be made to resolve the matter through various strategies between the City and complainant. Where a decision is made to restrict or adapt the service provided to the complainant, generally in relation to a specific complaint, this would not prevent the complainant from contacting the City in regards to another service offering, as long as their conduct or behaviour does not continue to be unreasonable.

If a complainant is unsatisfied with the City’s decision regarding UCC, they can request the City to reconsider its decision by presenting any information to support their request. In the event the decision remains the same, the complainant will be referred to WA Ombudsman.

## **COMPLAINTS ABOUT AN ELECTED REPRESENTATIVE OF COUNCIL**

The City’s Council Member, Committee Member and Candidate Code of Conduct (the Code) was adopted by Council on the 20 April 2021 (CE03-04/21). The Code provides for overarching principles to guide behaviour of Council Members, Committee Members and Candidates.

Any person may make a formal complaint about a Council Member, Committee Member or Candidate for a minor or serious breach under the Council Member, Committee Member and Candidate Code of Conduct. . The Complaint must be made on the relevant prescribed form, available from the City of Wanneroo website and sent to the Complaints Officer.

## **ALLEGATIONS OF MISCONDUCT – CORRUPTION AND CRIME COMMISSION**

Allegations concerning misconduct will be dealt with independent of the City’s complaint handling process.

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In the first instance they will be referred directly to the City's People & Culture team for determination including whether there are reasonable grounds for notification to the Crime and Corruption Commission or the Police.

Further information is available from the Commissions website – [www.ccc.wa.gov.au](http://www.ccc.wa.gov.au).

#### **HE PUBLIC INTEREST DISCLOSURE ACT 2003 - (PID ACT)**

The PID Act is designed to facilitate the disclosure of suspected misconduct by public officers. This legislation specifically covers improper conduct, corruption, irregular or unauthorised use of public resources, conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment.

Before making a disclosure it is important that you are aware of the rights and responsibilities imposed on you and others under the Act. Further information is available through the City's Public Interest Disclosures Policy available on the City's website ([www.wanneroo.wa.gov.au/council/policies](http://www.wanneroo.wa.gov.au/council/policies)) and through the City's PID officers.

Enquiries regarding the City of Wanneroo and the Public Disclosure Act 2003 can be directed to: Manager Governance and Legal Services.

#### **COMPLAINTS IN REGARDS TO BREACHES OF THE LOCAL GOVERNMENT ACT 1995**

The Department of Local Government, Sport and Cultural Industries (the Department) has in place a comprehensive complaints handling system for the management of complaints received from local governments, residents and other agencies for a variety of matters such as local government administrative procedures and breaches of the *Local Government Act 1995*.

Complaints in this category will be dealt with independent of the City's complaint handling process and should be sent to the Department directly.

Generally, all complaints to the Department need to be in writing, however in some instances verbal complaints are accepted. Their procedure for managing complaints is available from their website – <https://www.dlgsc.wa.gov.au/>

#### **COMPLAINTS TO THE OMBUDSMAN AND THIRD PARTY AGENCIES**

The Western Australian Ombudsman (the Ombudsman) can investigate complaints about most Western Australian public authorities, including local governments.

Generally, the Ombudsman will investigate actions or decisions where the decision maker has:

- Acted outside their legal authority;
  - Not followed policy, or applied its policy inconsistently;
  - Did not consider all the relevant information, or considered irrelevant information;
  - Unreasonably delayed making a decision or informing the complainant of the decision;
- or

- Failed to notify the complainant of the decision or did not provide reasons for a decision.

The City may be required to provide information to the Ombudsman and the CLO will coordinate this process. All final responses to the Ombudsman will be signed by the Chief Executive Officer.

The City will register complaints that are made to other third party agencies, for example Ombudsman Western Australia, within the EDRMS and/or CRM.

### **PROCEDURAL FAIRNESS**

The City of Wanneroo will ensure that a fair and proper procedure is used when making a decision in regards to complaints and that the decision-maker is free from bias when reading or listening to the details of a complaint.

### **PRIVACY AND CONFIDENTIALITY**

Personally identifiable information concerning the complainant will not be made publicly available to the offending party except to the extent required in law and/or with the express consent of the complainant.

Appropriate security will be utilised within the City's EDRMS and CRM System. Customers seeking anonymity should note that the City of Wanneroo cannot guarantee that they will not be identified during investigation, and as such, it is the customers right to decide if they would like to proceed with the complaint.

### **REMEDY**

A complainant has a right to request a review of a process of investigation and/or decision.

### **REVIEW**

Where a complainant is dissatisfied with the way in which a complaint has been dealt with and/or the final determination of the complaint by the City, the complainant may request a secondary review. However, this should only be supported when new information is presented that was not already initially considered. If no new information is presented for review the customer will be informed of the most appropriate external body such as the Western Australia Ombudsman or the Department of Local Government, Sport and Cultural Industries.

### **REPORTING**

Monthly reporting will be developed outlining trends, outcomes and mitigation strategies.

### **ROLES AND RESPONSIBILITIES**

Coordinator Customer Relations Centre in conjunction with CLO will be responsible for overseeing this policy.



## DISPUTE RESOLUTION

All disputes in regards to this policy will be referred to the Director Corporate Strategy & Performance in the first instance.

## WHO NEEDS TO KNOW ABOUT THIS POLICY?

City of Wanneroo employees and customers.

## EVALUATION AND REVIEW PROVISIONS

A review of this policy will be conducted bi-annually at a minimum however where feedback warrants addressing specific issues that affect operations and service provision, the policy will be amended accordingly.

## DEFINITIONS

DEFINITIONS: Any definitions listed in the following table apply to this document only.	
<b>Complaint</b>	Dissatisfaction with the services or products of the City and its contractors, or with the actions of employees or Council in the provision of those services or products.  <b>A complaint is not...</b>  A request for a service to be delivered; or  A complaint against another resident.
<b>Complaints Officer</b>	<b>Means the person who is the complaints officer under section 5.120 for the local government concerned as defined in the <i>Local Government Act 1995</i>.</b>
<b>Complainant</b>	Person, organisation or its representative, making a complaint.
<b>Compliment</b>	An expression of praise, admiration, or congratulation.
<b>Feedback</b>	A reaction or response to a process or activity in the aim of initiating improvement in service delivery.
<b>Ombudsman</b>	The Ombudsman serves Parliament and Western Australians by investigating and resolving complaints about the decision making of public authorities and improving the standard of public administration.
<b>Misconduct</b>	Misconduct occurs when a public officer abuses their authority for personal gain, causes detriment to another person, or acts contrary to the public interest (Source: Corruption and Crime Commission)

## RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- AS/NZ 1002:2014 - Guidelines for complaints management in organisations;
- Local Government (Model Code of Conduct) Regulations 2021;
- Local Government Act 1995
- Freedom of Information Act 1992;
- Public Interest Disclosures Act 2003;
- Corruption, Crime and Misconduct Act 2003;
- Local Government (Model Code of Conduct) Regulations 2021
- State Records Act 2000;
- City of Wanneroo Personal Information Privacy Policy;
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- Dealing with unreasonable complainant conduct;
- Managing unreasonable complainant conduct – Practice Manual
- City of Wanneroo Customer Service Commitment;
- Council Member Committee Member and Candidate Code of Conduct
- Council Member Committee Member and Candidate Code of Conduct Management Procedure
- Reporting Serious & Minor Misconduct Management Procedure
- Public Interest Disclosure Guidelines Conducting Investigations in to formal complaints, allegations and disclosures Management Procedure

## REFERENCES

*AS/NZ 1002:2014- Guidelines for complaints management in organisations*

## RESPONSIBILITY FOR IMPLEMENTATION

Customer Relations Centre

Version	Next Review	Record No:
	March 2014	TRIM 11/81586
2	July 2016	TRIM 11/81586
3	August 2018	TRIM 11/81586v3
4 – Minor changes (CE09-05/18)	August 2018	TRIM 11/81586v4
5 - October 2018	August 2020	TRIM 11/81586v5
6 – October 2021	October 2023	HPE 11/81586v6