

## POLICY MANUAL

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### Complaints Policy (June 2017)

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#### 1. OBJECTIVE

The objective of this Policy is to guide the Tamala Park Regional Council (TPRC) in its management and handling of complaints.

#### 2. POLICY STATEMENT

The TPRC is committed to providing a responsive and accountable complaints management framework.

This Policy reflects best practice as outlined by the Australian Standards – *Guidelines for Complaint Management in Organisations*, and the WA Ombudsman Guidelines on Complaint Handling.

#### 3. SCOPE

This Policy applies to all Elected Members, employees of the TPRC and consultants or contractors who are engaged to provide services to the TPRC.

#### 4. POLICY

##### What is a complaint?

A complaint is:

“an expression of dissatisfaction made to or about an organization, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required” (as defined by the *AS/NZS 10002-2014 Guidelines for Complaint Management in Organisations*).

##### Making a complaint

The TPRC will accept complaints via the complaints form located on the TPRC website.

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;
- Signature of complainant.

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#### Timeliness

All complaints submitted to the TPRC will be acknowledged within five business days.

All complaints submitted to the TPRC will be responded to within 10 business days. If the nature of the complaint requires a longer period to resolve an interim response will be provided outlining the reason for the delay, further action to be taken and the anticipated timeframe for a full response.

#### Risk

In establishing the order in which complaints will be attended to, consideration will be given to the urgency of each complaint in terms of public safety implications, seriousness, frequency of occurrence, severity and the need for immediate action.

#### Confidentiality

Complainants have the right to expect that their privacy will be respected when making a complaint or having a complaint investigated. Personal information related to the complaint will be kept confidential in accordance with the *Freedom of Information WA Act 1992*.

All complaints are treated confidentially, unless required by law or the complainant provides their permission to release information.

#### Dealing with unreasonable complainant conduct

An unreasonable complainant is defined as the following:

- A rude, angry and harassing customer;
- Aggressive customer;
- Habitual or obsessive. This includes;
  - cannot 'let go' of their complaint;
  - cannot be satisfied despite the best efforts of the Council;
  - makes unreasonable demands on the Council where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated.

The TPRC may restrict, withhold or withdraw the provision of service to unreasonable complainants by taking one of the following actions:

- Require the complainant to make an appointment to meet with employees;

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- Limit all future dealings to writing;
- Only respond to future correspondence which provides significant new information about the complaint or raises new issues which the TPRC believes warrant fresh action;
- Direct all contact to be through a specific employee or area.

The decision to restrict, withhold or withdraw contact with the TPRC will only be made by the Chief Executive Officer.

#### **Recording complaints**

All correspondence relating to a complaint must be recorded within the TPRC's business systems. Information recorded must be factual, accurate and current as per the *State Records Act 2000*.

#### **Complaints about employees**

A complaint against an employee is considered confidential under the *Freedom of Information Act 1992* and the complainant will not be advised of the outcome, unless required by law.

#### **Complaints to Elected Members**

All complaints received by Elected Members are to be forwarded to the Chief Executive Officer.

#### **Complaints about Elected Members**

The *Local Government Act 1995* provides a disciplinary framework to deal with individual misconduct by local government Elected Members.

Complaints of this nature are confidential and outcomes will not be disclosed, unless required by law.

#### **Complaint outcomes**

The TPRC 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 appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation; and
- 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.

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This Complaints Policy is authorised by the Chief Executive Officer on 15 June 2017.

Signature: 

Name: JOHN ANTHONY (TONY) ARIAS

Date: 15 June 2017