

## 1. Purpose and Intent

Frankston City Council is driven by the privilege of serving our community. This policy is a formal expression of Council's commitment to providing an open, transparent, consistent, and easy process for our customers when they wish to make a comment, formalise a complaint, or share a compliment. It clarifies the roles and responsibilities of Council officers, volunteers and contractors to ensure fair and objective management of customer feedback and complaints.

Council recognises that feedback from our customers provides the opportunity to listen, learn, and adapt as we constantly improve our services.

## 2. Scope

This Policy applies to complaints about Council officers, contractors and volunteers who deliver services on behalf of Council. A complaint may relate to an action taken or a decision made, or a delay or failure to take action or make a decision.

This Policy does NOT cover the following types of complaints, which are subject to separate processes:

- complaints about Councillors which relate to a breach of one of the standards of conduct – these are dealt with under the Councillor Code of Conduct.
- complaints about Councillors which involve a breach of the Local Government Act – these should be referred to the Local Government Inspectorate for assessment and appropriate action.
- complaints which involve allegations of criminal conduct – these should be referred to the police for investigation.
- complaints which involve allegations of corrupt conduct – these are subject to a special procedure which is set out in the Public Interest Disclosure Policy.
- complaints which involve a potential privacy breach – these should be immediately referred to Council's Privacy Officer for assessment and appropriate action, in accordance with Council's Privacy Policy.

### 3. Definitions

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| <b>CEO</b>                      | means Frankston City Council’s Chief Executive Officer.  |
| <b>Council</b>                  | means Frankston City Council.  |
| <b>Customer Complaint</b>       | <p>means a complaint that is an expression of dissatisfaction with:</p> <ul style="list-style-type: none"> <li>• The quality of an action taken, decision made or service provided by Council or its representatives, that fails to reach the standard stated, implied or expected; and/or</li> <li>• A delay or failure in providing a service, taking an action, or making a decision by Council or its representatives.</li> </ul> <p>It excludes requests for service.</p> |
| <b>Customer Feedback</b>        | <p>describes opinions and complaints provided by Council’s customers.</p> <p>It excludes requests for service.</p>   |
| <b>Customer Compliment</b>      | positive feedback about Council decisions, actions, behaviours, or services provided by its officers, contractors, or volunteers.  |
| <b>Feedback Handling System</b> | means the way in which feedback is responded to by Council – including the relevant processes, system, roles and responsibilities, evaluation and improvement processes.   |
| <b>Request for Service</b>      | <p>means contact with Council to seek assistance, access to a new service, advice or to inform/request a service or obtain information.</p> <p>A request for service does not imply or require dissatisfaction.</p> <p>A request for service is not deemed a complaint and it is not feedback.</p>   |

### 4. Authorisation

This Policy is managed by the Community Relations Department, and is approved by Frankston City’s Mayor and Council’s Chief Executive Officer (CEO):

Cr Kris Bolam JP

Mr Phil Cantillon

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Mayor, Frankston City

CEO, Frankston City Council

in accordance with a resolution made by Frankston City Council at its meeting of 20 September 2021

## 5. Policy

Council's complaint handling process will generally follow the steps set out below-

### 5.1 Frontline Resolution

- 5.1.1 Customer facing officers receive the complaint, assess it and resolve it immediately, if possible.
- 5.1.2 The customer facing officer who receives the complaint will ensure that it is documented in the appropriate system, to ensure it can be actioned in accordance with Council's complaint handling protocol.

### 5.2 Investigation

- 5.2.1 If customer facing officers cannot resolve the complaint, they will refer it to an officer in the relevant department for investigation.
- 5.2.2 The officer handling the complaint will advise the customer who the contact person is, and that person will advise of the next steps.
- 5.2.3 Complaint handling staff will aim to resolve all complaints within 28 days. If it takes longer than 28 days to resolve a complaint, the officer will contact the customer prior to or at this time to explain the reasons for the delay.
- 5.2.4 Complaints that are not resolved within 28 days may be escalated to an experienced officer who was not involved in the original decision, to expedite a resolution.

### 5.3 Independent Internal Review

- 5.3.1 If the customer is not satisfied with the process or outcome of the frontline resolution or investigation, they can request that an independent internal review be undertaken, independent of the officer who took the action, the officer who made the decision and the officer who provided the service. An independent internal review can only be undertaken if it has been authorised by the CEO.
- 5.3.2 A request for an independent internal review will be referred to the CEO for consideration. The CEO will decide whether to accept or refuse a request for an independent internal review within 14 days of the receipt of the original written request.
- 5.3.3 An independent internal review, if authorised, will be referred to an independent reviewer. An independent reviewer may be an internal officer who was not involved in the original decision or review, or a suitably experienced or qualified person from an external agency.
- 5.3.4 The independent reviewer will undertake a fair and impartial review of the matter, and provide the outcome of their review and recommendations to the CEO for consideration.
- 5.3.5 At the conclusion of an independent internal review, the CEO will notify the customer in writing of the outcome of the independent internal review.

### 5.4 Access to external Review

If the customer is not satisfied with the process or outcome of the Independent Internal Review, Council will inform them of any available external review options, including the Victorian Ombudsman.

## 5.5 Complaints relating to privacy

Council is required to follow statutory processes set out in relevant privacy laws when responding to privacy complaints. Privacy complaints are complaints regarding the handling of information about individuals, including customers and staff.

Privacy breaches may require an immediate response, such as in the case of data security breaches where action needs to be taken to stop further disclosure of information.

All privacy complaints must be immediately referred to Governance and Information for assessment and response. Council's privacy officer can be contacted at [privacy.officer@frankston.vic.gov.au](mailto:privacy.officer@frankston.vic.gov.au).

## 5.6 Complaints about Councillors

The Councillor Code of Conduct 2021 sets out a process for dealing with a complaint alleging that a Councillor has breached one of the standards of conduct set out in the Code. The Dispute Resolution Procedure and Internal Arbitration Process set out in the Code can only be initiated by the Council (by formal Council resolution); a Councillor or a group of Councillors.

A complaint about a Councillor which involves an alleged breach of the Local Government Act 2020 (ie. misuse of position, conflict of interest, disclosure of confidential information, or an electoral offence) may be made directly to the Local Government Inspectorate.

## 5.7 Complaints received by Councillors

When a Councillor receives a complaint from a member of the community, they will refer it to the relevant department manager via the Councillor Request process. The manager will respond to the complaint in accordance with Complaints Handling Flowchart. Updates will be provided to the customer and the Councillor as appropriate, in accordance with the Councillor Request process.

## 5.8 Complaints involving allegations of corrupt conduct

Where a complaint involves allegations of corrupt conduct, it must be handled in accordance with the Public Interest Disclosure Act 2012 and the procedures outlined in Council's Public Interest Disclosure Policy.

The Public Interest Disclosure Act is intended to enable anyone to make a disclosure about improper conduct within the public sector without fear of reprisal. It aims to ensure openness and accountability by encouraging people to make disclosures and protecting them when they do.

A public interest disclosure can be received by:

- Stopline - Frankston City Council's hotline (An independent disclosure management service run by Stopline); or
- Council's Public Interest Disclosure Coordinator; or
- Council's Deputy Public Interest Disclosure Coordinator; or
- The Independent Broad-based Anti-Corruption Commission (IBAC).

Note that a disclosure about a Councillor must be made directly to the IBAC.

Contact details for the people and bodies which can receive a public interest disclosure are available in the Public Interest Disclosure Policy and on Council's website.

## 5.9 Complaints about contractors

Council recognises that we retain a level of responsibility for services carried out by contractors on our behalf. Any complaints received about Council contractors will be handled according to the above points and/or any relevant contractual requirements.

## 5.10 Customer Feedback

Customer feedback is an important way for Council to celebrate and share its successes. Customers will always be asked for consent before their feedback is shared outside the internal feedback process outlined in this policy. When Council receives a compliment either verbally or in writing this process will be followed:

- 5.10.1 The customer is acknowledged and thanked for their feedback.
- 5.10.2 The customer is asked if there is any request or restriction on sharing the feedback.
- 5.10.3 Record of the feedback is documented appropriately to evidence good practice.
- 5.10.4 The feedback is shared with the relevant department manager and or staff member.
- 5.10.5 Feedback is centrally reviewed by Council monthly to inform service delivery.

## 6. Roles and responsibilities

### Customer Facing Officers

Customer facing officers are the first point of contact for the customer. This is not limited to Customer Service Officers; it includes all officers, volunteers and contractors who have contact with customers.

Customer facing officers are responsible for clarifying each complaint received, and either resolving the complaint or ensuring it is entered into the correct system to be actioned.

### Team Leaders and Coordinators

Team Leaders and Coordinators play a role in supporting customer facing officers to achieve a resolution in the first instance. They may also provide support to Managers during the investigation stage.

### Managers and Directors

Managers and Directors are responsible for complaints that have not been resolved at the front line. They are responsible for complaint investigation and managing the process, including communicating expected resolution timeframes to the customer and keeping them informed of the investigation. Managers and Directors will inform the customer of their right to escalate the complaint further for Independent Internal Review if they are not satisfied with the outcome.

Managers are responsible for ensuring that the relevant officer(s) are acknowledged for customer feedback, including notifying the relevant Director(s) and the CEO, and ensuring that acknowledgments are placed on the relevant officer personnel file.

### Independent Internal Review officer

Appointed by the CEO, Council's independent internal review officer is responsible for conducting an independent internal review at the request of the CEO, when a customer is not satisfied with the outcome of an investigation by the relevant department. At the conclusion of the review, the independent internal review officer will make recommendations to the CEO.

### CEO

The CEO is responsible for deciding whether to accept or refuse a request for an independent internal review. If the CEO authorises an independent internal review, the CEO will appoint an independent internal review officer to undertake the review. At the conclusion of the review, the CEO will notify the customer in writing of the outcome and any actions to rectify or remedy the situation.

The CEO will also acknowledge customer feedback, as appropriate.

### Coordinator Communications

The Coordinator Communications is responsible for ensuring that comments and opinions on social media are captured in accordance with Council's Communications Policy.

## 7. Policy non-compliance

Non-compliance with this Policy has the potential to undermine public confidence in the Council.

## 8. Related documents

- Local Government Act 2020
- Public Interest Disclosure Act 2012
- Independent Broad-based Anti-corruption Commission Act 2011
- Privacy and Data Protection Act 2014
- Health Records Act 2001
- Privacy Act 1988
- Privacy Policy
- Unreasonable customer conduct Policy
- Charter of Human Rights and Responsibilities Act 2006
- Victorian Ombudsman Councils and Complaints - A Good Practice Guide
- Councillor Code of Conduct 2021
- Public Interest Disclosure Policy
- Communications Policy
- Staff Code of Conduct

## 9. Implementation of the Policy

This Policy will be published on Council's website and intranet so that it can be referred to by the community and employees of Council, including contractors and agency and/or labour hire staff engaged by Council, Audit and Risk Committee Members, Delegated Committee Members, Community Asset Committee Members and Councillors.

## 10. Document History

| Date approved     | Change Type | Version | Next Review Date |
|-------------------|-------------|---------|------------------|
| 20 September 2021 |             | 2.1     | 2024             |