

1. PURPOSE

To provide details on how to make a complaint about Council staff, Council contractors and decisions made at Council meetings, and to ensure that all complaints to Council are managed in open, transparent, fair and timely way.

2. INTRODUCTION

Dealing with complaints is a core part of Council business. We value complaints and encourage people to contact us when they have a problem with our services, actions, decisions and policies. We are committed to:

- Enabling members of the public to make complaints about Council
- Responding to complaints by taking action to resolve them as quickly as possible
- Learning from complaints to improve our services.

3. SCOPE

This policy applies to all complaints from members of the public about Council staff, contractors and decisions made at Council meetings. It does not apply to complaints about individual Councillors.

4. PRINCIPLES

4.1 What is a complaint?

A complaint includes communication (verbal and written) to Council which expresses dissatisfaction about:

- The quality of an action, decision or service provided by Council staff or a Council contractor
- A delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service
- A policy or decision made by Council, Council staff or a Council contractor.

4.2 How to make a complaint

You can make a complaint to Council by:

- Lodging a service request through our customer service request system on the Council website, stating that you wish to make a complaint
- Completing the Complaints Form available on the Council website or from Customer Service
- Contacting Council by telephone on (03) 5382 9777
- Writing to Council, email council@hrcc.vic.gov.au or post PO Box 511, Horsham Vic 3402.

When you make a complaint, we need you to:

- Provide the date, time and location/event
- Give us a description of your complaint
- Identify what you seek as an acceptable outcome to the complaint
- Provide any additional supporting information you have such as photos or earlier correspondence.

We are committed to ensuring our complaints process is accessible to everyone. Tell us if you have specific communication needs or barriers and we can assist you by:

- Using an assistance service (for free) such as:
 - TTY –call 133 677 and give them our phone number (03 5382 9777)
 - Speak and Listen (speech-to-speech) – call 1300 555 727 and give them our phone number (03 5382 9777)
 - SMS Relay – send a text to 0423 677 767 and give them our phone number (03 5382 9777)
 - Interpreting service – call us on 03 5382 9777
- Talking with you if you have trouble reading or writing
- Communicating with another person acting on your behalf if you cannot make the complaint yourself.

4.3 Our complaint process

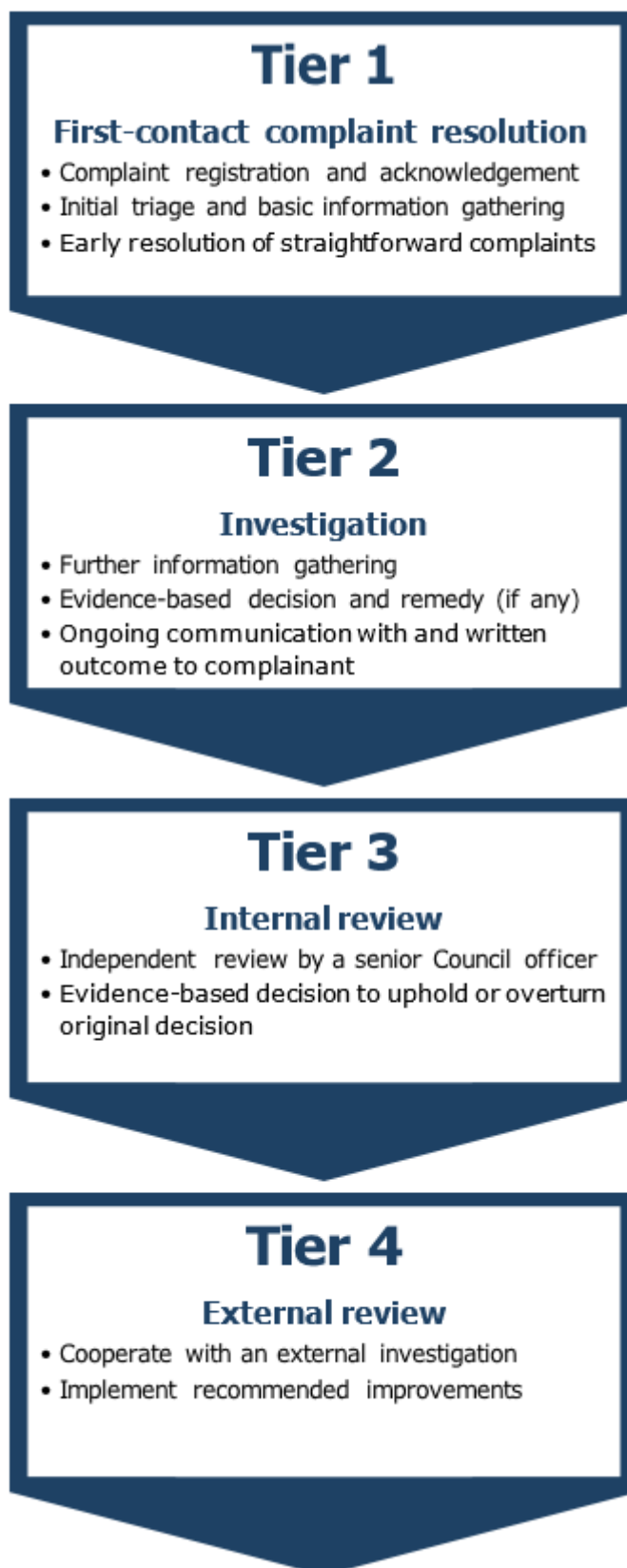
When you complain to us, we will record and acknowledge your complaint within five business days. We will initially assess your complaint to decide how we will handle it. This may happen while we are talking with you.

After our initial assessment, we may:

- Take direct action to resolve your complaint
- Refer your complaint to the relevant team or manager for investigation
- Decline to deal with your complaint if you have a right to a statutory review of your complaint (such as a right of appeal to VCAT).

If possible, we will try to resolve your complaint at the time you first contact us. If we decide not to take action on your complaint, we will explain why and inform you about other options, where possible.

Council uses a four-tiered approach to handling complaints:



If your complaint is straightforward, early resolution of the complaint may involve arranging for Council to give you advice or explaining why we are not going to take action on your complaint.

It may not be possible to resolve your complaint when you first contact us if your complaint requires deeper consideration or investigation by a particular team, officer or across departments, or needs to follow a statutory process, or can not be resolved satisfactorily.

Complaints about individuals

- **Councillors** – Complaints about Councillors will be reported to the Chief Executive Officer and managed with reference to the Councillor Code of Conduct.
- **Council staff** – Complaints about the professional behaviour of Council staff will be dealt with through Council's human resource policies.
- **Chief Executive Officer** – Complaints about the Chief Executive Officer will be managed in accordance with the *Local Government Act 2020*, *Public Interest Disclosures Act 2012* and Council's Public Interest Disclosures procedure.
- **Volunteers**: Complaints about volunteers will be managed through the relevant volunteer co-ordinator.
- **Contractors**: When we receive a complaint about a Council contractor, we will monitor the way the contractor deals with the complaint and have clear oversight of their complaint handling process.

If we cannot resolve your complaint within three business days, we will refer it to the relevant manager to investigate. We will tell you who you can contact about the investigation.

We aim to complete investigation within 30 calendar days, and will tell you if the investigation will take longer. We will update you every 30 calendar days about progress until the investigation is completed. We will inform you of the outcome of your complaint and explain our reasons.

As part of our investigation we will:

- Assess the information against relevant legislation, policies and procedures
- Refer to Council documents and records
- Meet affected parties to consider possible solutions if required
- Advise you in writing of the outcome and our reasons
- Advise you of any available external review options.

Council staff are required to abide by the Staff Code of Conduct, Customer Commitment Charter, Mutual Respect Charter and Customer Service Standards procedure. We require our staff to be respectful and responsive in all of their communications with members of the public. We expect the same of you when you communicate with our staff.

We may change the way we communicate with you if your behaviour or conduct raises health, safety, resource or equity issues for Council staff involved in the complaints process.

Anonymous complaints

If you don't disclose your details to us, we may not be able to progress your complaint. Insufficient information can reduce our ability to clarify the nature of your complaint and investigate it thoroughly. If we find that after reasonable investigation not enough information has been provided, we will not take any further action. This decision will be made at the discretion of the relevant Director.

4.4 How to request an internal review

If you are dissatisfied with our decision and how we responded to your complaint, you can request an internal review. The internal review will be conducted by a senior Council officer who has not had any prior involvement with your complaint. We will inform you of the outcome of the internal review and explain our reasons within 30 calendar days of the date of your request.

4.5 How to request an external review

There are external bodies that can deal with different types of complaints about Council. You can request an external review from the following organisations.

Complaint	Organisation to contact for external review
Actions or decisions of Council, Council staff and contractors This includes failure to consider human rights or failure to act compatably with a human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic)	Victorian Ombudsman www.ombudsman.vic.gov.au
Breaches of the <i>Local Government Act 2020</i>	Local Government Inspectorate www.lgi.vic.gov.au
Breach of privacy Complaint about a freedom of information application	Office of the Victorian Information Commission www.ovic.vic.gov.au
Corruption or public interest disclosure (“Whistleblower”) complaints	Independent Broad-based Anti-corruption Commission www.ibac.vic.gov.au
Discrimination	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au
Council elections	Victorian Electoral Commission www.vec.vic.gov.au

4.6 How we learn from complaints

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We regularly analyse our complaint data to identify trends and potential issues that deserve further rattention. We use this information to come up with solutions about how we can improve our services.

We are open and transparent about the complaints we have received and what we have done to resolve them. We publish our complaint data, including in our Annual Report.

4.7 Your privacy

Your personal information will be managed in accordance with Council's Information Privacy policy. We will keep your personal information secure and will only use it to respond to your complaint. We will only discuss the information you have provided with staff on a need-to-know basis and will only disclose it if required under law. We may analyse the information you have provided for the purpose of improving services that relate to your complaint. Where we publish complaint data, personal information will be removed.

4.7 Service requests

If you are requesting something additional or new it is a service request, not a complaint. Service requests can be made by entering the details on Council's customer service request system. Service requests can also be received by letter, telephone, email or in person by Councilstaff.

4.8 Complaints about statutory matters

Some Council activities such as local laws including parking fines, planning and building, and land valuations are guided by State or Federal legislation and we cannot change the decision-making processes for these matters.

Local laws: Council has adopted local laws which provide for law, order and safety in the community. Local laws have specific provisions relating to an appeal process and will be managed according to those provisions. When these laws are breached, Council Officers commence procedures which may include infringement notices, fines and possibly legal action. All requests for review must be received in writing and will not be handled through the complaints resolution process. The Review of infringement Notice form is available on Council's website.

Planning and building: These services are guided by State legislation including the *Planning and Environment Act 1987* and *Building Act 1993* and must comply with requirements of this legislation. Council Officers have specific delegations and responsibilities, and decisions regarding technical matters and legislated timeframes will be managed in accordance with these Acts.

Land valuations: Objections to land valuations will not be handled through the complaints resolution process. They must follow the process as set by the relevant government authorities.

4.9 Responsibilities

All Council staff, Councillors and Council contractors are responsible for contributing to our complaints process as follows:

Chief Executive Officer

- Promoting positive behaviours and practices relating to enabling, responding to and learning from complaints
- Supporting service improvements that arise from complaints
- Reviewing and publishing complaint data.

Directors and Managers

- Recruiting, training and empowering staff to resolve complaints promptly and in accordance with Council’s policies and procedures
- Managing conflicts of interest in the complaint process
- Reporting on and identifying improvements from complaint data
- Supporting staff who deal with complaints.

All Council staff

- Familiarising themselves with this policy and Council’s complaint process
- Referring complaints to Council staff to be dealt with in accordance with our processes.

Councillors

- Familiarising themselves with this policy and Council’s complaint process
- Referring complaints to Council staff to be dealt with in accordance with our processes.

Contractors

- Familiarising themselves with this policy and Council’s complaint process
- Co-operating with Council’s complaint handling processes.

5. COMMUNICATION

This policy will be publicly available on Council’s website.

6. RESPONSIBILITY

Policy Owner: Director Corporate Services

7. DEFINITIONS

Term	Meaning
Complaint	A complaint includes communication (verbal and written) to Council which expresses dissatisfaction about: <ul style="list-style-type: none"> • The quality of an action, decision or service provided by Council staff or a Council contractor • A delay by Council staff or a Council contractor in taking an action, making a decision or delivering a service • A policy or decision made by Council, Council staff or a Council contractor.
Council contractor	Any third-party engaged by Council to carry out functions on Council’s behalf
Council staff	Any person employed by Council to carry out the functions of Council, including the Chief Executive Officer.
Service request	A service request is something additional or new. A service request can be made by entering the details on Council’s customer service request system. They can also be received by letter, telephone, email or in person by Council staff.

8. SUPPORTING DOCUMENTS

Document	Location
Complaint Resolution procedure – Procedure No P04/240	HRCC intranet, customer service
Councils and Complaints – A Good Practice Guide, 2 nd Edition (July 2021) – Victorian Ombudsman	www.ombudsman.vic.gov.au
HRCC Customer Commitment Charter	HRCC website, intranet, customer service
HRCC Customer Service Standards – Procedure No P04/040	HRCC website, intranet, customer service
HRCC Information Privacy policy – Policy No A04/039	
<i>Charter of Human Rights and Responsibilities Act 2006</i>	Internet
<i>Freedom of Information Act 1982</i>	Internet
<i>Independent Broad-Based Anti-Corruption Commission Act 2011</i>	Internet
<i>Local Government Act 2020</i>	Internet
<i>Privacy and Data Protection Act 2014</i>	Internet
<i>Protected Disclosure Act 2012</i>	Internet

9. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	6 October 2014	Council	<ul style="list-style-type: none"> New Framework 	October 2018
02	23 September 2019	Council	<ul style="list-style-type: none"> Rewritten to align with Victorian Ombudsman’s Complaints – Good Practice Guide for Public Sector Agencies (2016) 	23 September 2022
03	13 December 2021	Council	<ul style="list-style-type: none"> New requirement under <i>Local Government Act 2020</i> Updated to align with Victorian Ombudsman’s Councils and Complaints – A good practice Guide (July 2021) 	13 December 2024