Policy G5 – Complaints

1. Policy Intent

The intent of this policy is to establish the Shire of Murray (Shire) position about complaints received and the approach to be taken in their resolution.

This Policy does not include complaints about Council Members which are dealt with under the Code of Conduct for Council Members, Committee Members and Candidates.

2. Definition

'Complaint' means for the purpose of this policy, an expression of dissatisfaction about:

- A decision of the Council or Shire staff:
  - the standard or quality of a Shire service, action or lack of action; or
  - the behaviour of Shire representatives (excluding Council Members, Committee Members and Election Candidates).
- A complaint is not:
  - a first request for action or a service;
  - a request for information or explanation of Shire policies, practice's or procedures; or
  - the lodging of an appeal in accordance with procedures prescribed by statute or regulation or Shire policy.

3. Policy Statement

The Shire wishes to ensure that it is easy for any person who feels aggrieved to make a complaint. The Shire wishes to treat complaints positively, to learn from complaints received and where possible to satisfy complainants about their experience in making a complaint.

The Shire will endeavour to ensure that:

- anyone who is dissatisfied about a Shire service or product can easily and simply make a complaint;
- complaints no matter how they are submitted are treated with equal importance;
- complaints are responded to quickly and in any event within prescribed timescales;
- complaints are addressed in a courteous, helpful, and open manner;
- appropriate assistance is given to any complainant in the making of a complaint including the completion of any pro forma or other paperwork; and
- complaints are properly monitored and where relevant the Shire learns from them in order that:
  - unacceptable conduct or behaviour does not re-occur; and
  - policies, practices and procedures are improved in order to accommodate the needs of our customers.

4. Restricting communication about complaints

The CEO may, in accordance with the *Local Government Act 199 section 5.130*, restrict communication about complaints where satisfied that:

4.1 The complainant has previously been responded to on that particular subject matter and responding would divert an unreasonable portion of resources away from other operations; or

4.2 The complaint is vexatious, misconceived, frivolous or without substance and responding to the current complaint would divert an unreasonable portion of resources away from other operations.

5. Anonymous Complaints

Anonymous complaints shall only be considered to the extent that they involve safety or security issues. If there is sufficient information provided in an anonymous complaint to act on, then the complaint will be investigated, however action will only be taken as far as it is possible to do so, and no resolution response will be provided to the complainant.

6. Allegations of Misconduct

Allegations of misconduct by a Shire Officer or contractor may be made to the CEO under the Code of Conduct for Employees. Where necessary, notification to the appropriate external agency may be made depending on the alleged misconduct.

7. Applying the Policy

If not satisfied with a Shire service or action involving Shire staff, a complainant is to be encouraged through the application of relevant procedures:

7.1 In the first instance, to raise the matter with the person most able to resolve the complaint. This may be the person named in the complaint, or their line manager.

7.2 If not satisfied with the response at the first point of contact, or if the complainant feels uncomfortable about talking to that person, contact the person's line manager. This may in some cases include the relevant Executive Manager or Director.

7.2.1 If still unsatisfied write to the CEO about the matter.

7.2.2 If not satisfied with the CEO's response, raise the concern with either the Western Australian Ombudsman or the Department of Local Government, Sport and Cultural Industries.

7.3 Where considered appropriate the CEO may authorise referral of a particular complaint to an external arbitrator or mediator for consideration.

7.4 All staff are authorised to handle complaints on behalf of the Shire in accordance with the roles and responsibilities of their positions.

Legislation

Local Government Act 1995 section 5.130 CEO may restrict communication about complaints

Related Documents

- Shire of Murray Customer Service Charter
- Code of Conduct - Council Members, Committee Members and Candidates
- Shire of Murray Code of Conduct for Employees
- Shire of Murray Public Interest Disclosure Guidelines

Policy Detail		
Responsible Directorate	Office of the CEO	
Responsible Department	Governance	
Responsible Officer	Manager Governance	
Next Policy Review / Schedule	2028 (3-yearly)	
Council Adoption	**Date / Resolution**	30 June 2011 (OCM11/099)
Amendment Record	**Date / Resolution**	22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		26 March 2026 (OCM26/018)