

Policy

Customer Complaints Handling Policy

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Part A Preliminary

1 Purpose

- 1.1 The purpose of this Policy is to ensure that City of Newcastle (**CN**) handles Customer Complaints fairly, efficiently and effectively by:
 - 1.1.1 responding in a timely, consistent and cost-effective way to issues raised by members of the public making a Customer Complaint;
 - 1.1.2 boosting public confidence and perception of the quality of the services provided by CN; and
 - 1.1.3 using complaint information to generate insights and inform quality improvements in services, information, and Customer Complaint handling.

2 Principles

- 2.1 CN commits itself to the following principles in managing Customer Complaints:
 - 2.1.1 **Accountability and transparency** - The Policy provides a framework for ensuring all Customer Complaints are dealt with in a systematic and consistent manner, transparent to both the person making the Customer Complaint and CN staff.
 - 2.1.2 **Timeliness** - Providing prompt acknowledgement and resolution of Customer Complaints.
 - 2.1.3 **Prudence** - Acknowledging the need to appropriately use CN resources in the handling of Customer Complaints.
 - 2.1.4 **Objectivity** - Ensuring Customer Complaints are addressed in a fair and unbiased manner. CN will ensure that the person handling a Customer Complaint is independent from any staff member whose conduct or service is the subject of the Customer Complaint. This ensures that any conflicts of interest, whether actual or perceived, will be managed in accordance with relevant CN policies.

3 Scope

- 3.1 A **Customer Complaint** is a formal expression of dissatisfaction made to or about CN, our services, our staff, or the handling of a complaint (other than those detailed in clause 3.4), communicated by a member of the public where a response or resolution is explicitly or implicitly expected or required.

It can be expressed in relation to:

- 3.1.1 failure to achieve specified standards of service;
- 3.1.2 delay in responding;
- 3.1.3 standard or level of service provided by CN or a CN employee;
- 3.1.4 processes and procedures; and/or

- 3.1.5 withdrawal or reduction of service.
- 3.2 What is not a Customer Complaint for the purposes of this Policy:
 - 3.2.1 Service Requests (e.g. missed waste collection);
 - 3.2.2 requests for works or services to be provided (e.g. road resurfacing);
 - 3.2.3 requests for explanations of policy or procedure;
 - 3.2.4 reports of damaged or faulty infrastructure (e.g. road pothole, damaged bus shelter, etc.);
 - 3.2.5 reports of hazards (e.g. fallen tree branch);
 - 3.2.6 reports concerning neighbours or neighbouring property (e.g. noise, unauthorised building works, etc.);
 - 3.2.7 issues that are outside of CN's jurisdiction, including but not limited to State or Federal Government decisions;
 - 3.2.8 concerns about adopted CN policies;
 - 3.2.9 decisions made by the elected Council;
 - 3.2.10 the lodgment of an appeal or objection in accordance with a standard procedure or policy (e.g. objection to a Development Application, comments on a matter on Public Exhibition);
 - 3.2.11 requests to review a Penalty Notice where it is believed the penalty was not issued correctly or there are extenuating circumstances, in which case a Request for Review should be directed to Revenue NSW;
 - 3.2.12 claims for compensation (e.g. from alleged personal injury or damages) and the subsequent legal decisions; or
 - 3.2.13 feedback.
- 3.3 This Policy does not cover other categories of complaints that are:
 - 3.3.1 staff grievances;
 - 3.3.2 Public Interest Disclosures;
 - 3.3.3 complaints against Councillors; or
 - 3.3.4 Code of Conduct complaints against staff.
- 3.4 Where a complaint received by CN falls into one of the categories listed in clause 3.3, it will be dealt with in accordance with grievance procedure, Public Interest Disclosures (Internal Reporting) Policy, CN's Codes of Conduct, or in accordance with relevant legislation or other relevant CN Policy.

Part B Our Commitment to Handling Customer Complaints

4 Making a Customer Complaint

Lodging a Customer Complaint

- 4.1 CN request that a person making a Customer Complaint do so in writing to ensure we have all the relevant information and facts.
- 4.2 Customer Complaints can be made in writing via our specific Customer Complaints form, which can be found on our website. If a person has difficulty making a Customer Complaint in writing, they should speak to our Customer Service Centre on 4974 2000.
- 4.3 CN understand that in some circumstances other channels for lodging a Customer Complaint may be preferred or required, in which case we can also accept Customer Complaints via the following channels:

Post: PO Box 489 NEWCASTLE NSW 2300

Telephone: 02 4974 2000

In person: at the City Administration Centre

- 4.4 If a person prefers or needs another person or organisation to assist in lodging the complaint or represent them in the making and of their Customer Complaint, CN will communicate with them through their representative if requested. Anyone may represent a person making a Customer Complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

Anonymous Complaints

- 4.5 CN is unable to validate a complaint or seek further information to investigate a complaint when the source is unknown. Anonymous complaints, therefore, will be treated as feedback only.

Acknowledgment

- 4.6 CN will assess and prioritise Customer Complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, it will be escalated immediately.
- 4.7 CN will acknowledge receipt of each complaint in writing within three working days.

5 Initial assessment and addressing complaints

Initial assessment

- 5.1 CN will first confirm if the submission meets the criteria of a Customer Complaint under this policy. Customer Complaints will then be assessed as to seriousness, complexity and urgency.

Managing complaints

- 5.2 To manage the complaint, CN may:
 - 5.2.1 give the person making a complaint information or an explanation; and/or
 - 5.2.2 gather information from the person or area that the complaint is about.
- 5.3 CN will keep the person making the complaint informed on progress if the investigation will require more time than indicated under 5.4.

Responding to Customer Complaints

- 5.4 Following consideration of the Customer Complaint and any investigation into the issues raised, CN will contact the person making the Customer Complaint using the most appropriate medium within 15 working days and advise them of:
 - 5.4.1 the outcome of the Customer Complaint and any action taken;
 - 5.4.2 the reason/s for the decision;
 - 5.4.3 the remedy or resolution/s that CN propose to put in place, where relevant; and
 - 5.4.4 options for review.

6 Privacy

- 6.1 Personal information that identifies the person making the Customer Complaint will be managed in accordance with CN's Privacy Management Plan and relevant legislation.
- 6.2 CN will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

7 Review options

- 7.1 Where the person making a Customer Complaint is dissatisfied with the outcome of CN's decision about their Customer Complaint (Level 1 Complaint); they may seek:
 - 7.1.1 an internal review (Level 2 Complaint) - this will be conducted by a more senior staff member independent of the original decision. Where there are no senior staff members independent of the decision, the Public Officer will conduct the review; or
 - 7.1.2 an external review (Level 3 Complaint) - CN will advise the person making the Customer Complaint of appropriate options available for an external review of our response directly with the agencies listed at **Annexure C**.

8 Unreasonable complainant conduct

- 8.1 CN is committed to the safety and wellbeing of our staff.
- 8.2 When members of the public behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, CN will take proactive action under the Unreasonable Complainant Conduct Policy and Procedure.

Part C Roles and responsibilities

9 Manager Customer Experience

- 9.1 The Manager Customer Experience has the responsibility and authority to ensure the acknowledgement and initial assessment of complaints is conducted as per this Policy.

10 Service Unit Managers

- 10.1 Service Unit Managers are responsible for ensuring Customer Complaints are managed appropriately and responded to within the timeframes established in this Policy.

11 Directors

- 11.1 Directors may conduct an internal review of a complaint (Level 2 Complaint) under section 7 of this Policy, so long as they were not involved in the original decision.

12 Public Officer

- 12.1 The Public Officer may conduct an internal review of a complaint (Level 2 Complaint) under Section 7 of this Policy, where the relevant senior manager was involved in the original decision.

Annexure A - Definitions

CEO means Chief Executive Officer of City of Newcastle and includes their delegate or authorised representative.

References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

City of Newcastle (CN) means Newcastle City Council.

Complainant means the person initiating the Complaint.

Council means the elected Council.

Customer Complaint means a formal expression of dissatisfaction made to or about CN, CN's services, CN's staff, or the handling of a complaint (other than those detailed in clause 3.4), communicated by a member of the public where a response or resolution is explicitly or implicitly expected or required.

Feedback means opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about CN, CN's services or complaint handling, where a response is not explicitly or implicitly expected or legally required.

Level 1 Complaint means the first instance of a Customer Complaint received and handled by CN.

Level 2 Complaint means an internal review by CN of a Level 1 Complaint and / or complaint handling where the complainant is dissatisfied with the outcome.

Level 3 Complaint means an external review of a complaint and / or complaint handling by an independent agency where the complainant is dissatisfied with the outcome of CN's review of their complaint.

Review is an impartial review of a decision about a complaint by an employee who was not the original decision-maker.

Service Request means a request initiated by a customer for an action to be undertaken OR information to be provided by CN.

Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of this Policy.

Annexure B - Policy Authorisations

Function	Position Number / Title
Nil.	

Annexure C - External agency contact details

Customers are welcome to seek advice or lodge complaints with external agencies. Find below some relevant contact details:

Office of Local Government

Street Address

5 O'Keeffe Avenue
NOWRA NSW 2541

Postal Address

Locked Bag 3015
NOWRA NSW 2541

P 02 4428 4100

TTY 02 4428 4209

E olg@olg.nsw.gov.au

W www.olg.nsw.gov.au

NSW Ombudsman

Level 24, 580 George Street
SYDNEY NSW 2000

P 02 9286 1000

E nswombo@ombo.nsw.gov.au

W www.ombo.nsw.gov.au

Independent Commission Against Corruption

Level 7, 255 Elizabeth Street
SYDNEY NSW 2000

P 02 8281 5999

F 02 9264 5364

TTY 02 8281 5773

E icac@icac.nsw.gov.au

W www.icac.nsw.gov.au

Document Control

Policy title	Customer Complaints Handling Policy
Policy owner	Manager Customer Experience
Policy expert/writer	Customer Insight and Improvement Manager
Associated Procedure title (if applicable)	Customer Complaints Handling Procedure
Procedure owner (if applicable)	Manager Customer Experience
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Keywords	Customer, complaints, handling, public officer, dissatisfaction
Details of previous versions	<p>This Policy supersedes:</p> <p>Version 1 - Complaints Handling Policy (2010) - ECM: 3431101</p> <p>Version 2 - Complaints Handling Policy (2012) - ECM: 3548140</p> <p>Version 3 - Customer Complaints Handling Policy (2016) - ECM: 4995145</p>
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	NIL

Relevant legislation/codes (reference specific sections)	<p>This Policy supports CN's compliance with the following legislation:</p> <p><i>Local Government Act 1993</i></p> <p><i>Government Information Public Access Act 2009</i></p>
Other related policies/ documents/ strategies	<p>Code of Conduct for Staff</p> <p>Public Interest Disclosures (Internal Reporting) Policy</p> <p>Effective Complaint Handling Guidelines - NSW Ombudsman (2017)</p> <p>Complaint Management Framework and Complaint Handling Model Policy - NSW Ombudsman (2015)</p> <p>Managing Unreasonable Complainant Conduct Model Policy - NSW Ombudsman (2021)</p> <p>Practice Note No.9 - Complaints Management in Councils - Division of Local Government (July 2009)</p> <p>AS/NZS10002:2014 - Guidelines for complaint management in organisations</p> <p>Personal and Privacy Information Protection Act 1998 (NSW)</p>
Related forms	Complaint Form available on CN website
Required on website	Yes
Authorisations	Functions authorised under this Policy at Annexure B