



Policy CM 4 – Complaints

1. Policy Intention

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

2. Definition

For the purpose of this policy a complaint means an expression of dissatisfaction about:

- (a) A decision of the Council or Shire staff;
- (b) The standard or quality of a Shire service, action or lack of action; or
- (c) The behaviour of Shire representatives.

A complaint is not:

- (a) A first request for action or a service.
- (b) A request for information or explanation of Shire policies, practice's or procedures; or
- (c) The lodging of an appeal in accordance with procedures prescribed by statute or regulation or Shire policy.

3. Policy

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:

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

4 Particular Cases

4.1 Anonymous Complaints

Anonymous complaints shall only be considered to the extent that they involve safety or security issues. Otherwise anonymous complaints shall be disregarded.

4.2 Vexatious or Abusive Complaints

The Chief Executive Officer may decide (having regard to the nature, subject or number of complaints received) that a complainant is a vexatious or abusive and further complaint received from the person concerned or about a particular subject shall not be entertained.

4.2.1 Where a determination is made by the Chief Executive Office that a complaint is vexatious or abusive staff may be directed not to deal with the particular matter.

4.3 Allegations of Serious Misconduct

Allegations concerning criminal, corrupt or serious improper conduct will be dealt with independently of the Complaint Handling process. In the first instance they will be referred directly to the Chief Executive Officer for determination including whether there are reasonable grounds for notification to the Anti-Corruption Commission or referral to the Police. Reference is made to Policy CM 5 (Public Interest Disclosure).

4.4 Repetitive Complaints

The Chief Executive Officer may determine a complaint to be repetitive in nature and direct staff not to deal with the particular matter.

5. 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:

5.1 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 senior / manager.

5.2 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 CEO.

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

5.3 If the complaint concerns a Councillor it shall be referred in the first instance to the Chief Executive Officer for appropriate directions and/or action.

5.4 Where considered appropriate the Chief Executive Officer may authorise referral of a particular complaint to an external arbitrator or mediator for consideration.

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

Function	Corporate Management				
Policy Number	CM 4				
Responsible Officer	Chief Executive Officer				
Related Legislation / Policy	Policy CM 5 – Public Interest Disclosure				
Risk Rating	High	Review Frequency	Annually	Next Review	Oct 2023
Date Adopted	19 Oct 2022			Resolution N#	6891/10/22 Absolute Majority

Amendments		
Date	Details of Amendment	Resolution N#