SOUTH GIPPSLAND SHIRE COUNCIL

COUNCIL POLICY

South Gippsland Shire Council

CUSTOMER COMPLAINT HANDLING POLICY

Policy No.	C106	Adoption Date:	Council Meeting 21 October 2026
Directorate:	Empowering Communities	Department:	Community, Customer & Visitor
Revision Date:	31 October 2030		

GOOD GOVERNANCE FRAMEWORK – OVERARCHING PRINCIPLES	
Supporting Pillar:	Pillar 1. Direction & Leadership Pillar 2. Culture & Behaviour Pillar 3. Decision Making Pillar 4. Structure, Systems & Policies Pillar 5. Communications & Community Engagement
Link to Pillar:	This Policy aims to provide Customers, Council employees, Council volunteers, Council contractors and Councillors with a clear understanding of how complaints will be processed and managed.

1. PURPOSE

1.1. The purpose of the *Customer Complaint Handling* (the Policy) is to provide a clear framework for how Council categorises, considers and responds to customer complaints.

1.2. This Policy has been developed to support community members to raise concerns and provide confidence that Council will be responsive, transparent and independent when handling complaints.

1.3. The Policy has been developed in line with the Victorian Ombudsman's *Councils and Complaints – A Good Practice Guide 2nd Edition (July 2021)*.

2. SCOPE

2.1. The Policy applies to all complaints made by members of the public - our customers - about Council services, Council employees and volunteers, Council contractors and decisions made at Council meetings.

2.2. The Policy does not apply to complaints about individual Councillors. Complaints relating to Councillors are addressed in the Councillor Code of Conduct.

3. POLICY PRINCIPLES

3.1. Council values community feedback and we encourage people to contact us when they have a problem with our services, actions, decisions, and policies. We are committed to:

3.1.1. Ensuring members of the public can easily make complaints;

3.1.2. Responding to, and acting to, resolve complaints as quickly as possible;

3.1.3. Learning from complaints to improve our services; and;

3.1.4. Assessing and treating every complaint we receive on is merits, through clear and consistent processes.

COMPLAINT TYPES

General Complaint

3.2. A complaint includes communication (verbal or written) to Council which expresses dissatisfaction about:

3.2.1. The quality of an action, decision or service provided by Council employees, volunteers or Council contractors.

3.2.2. A delay by a Council employee, volunteer or contractor in taking an action, making a decision or delivering a service.

3.2.3. A policy or decision or action made by Council, Council employee, volunteer or contractor.

Service Request

3.3. A service request is not generally considered a complaint. One way to distinguish between a service request and a general complaint is to consider if the request is:

3.3.1. Requesting something additional or new (service request).

3.3.2. Reporting what is believed to be a failing or mistake (complaint).

3.3.3. A complaint about Council's response to a service request (complaint).

3.4. Where a communication contains both a service request and a complaint, Council will appropriately record and address both aspects.

Statutory Complaints

3.5. Complaints that allege a breach of legislation need to be dealt with carefully and should in all cases be requested in writing and directed to the Manager or Executive Director of the service area.

Competitive Neutrality Complaints

3.6. A person or business may make a complaint if they consider that Council has failed to undertake competitive neutrality measures. Council's annual reporting outlines whether any competitive neutrality complaints were made to Council during the financial year.

Third-Party Complaints

3.7. A third-party complaint refers to a complaint received by Council which does not relate to Council operations. For example, a complaint made by a resident about a neighbourhood disturbance. Where possible, Council will advise the complainant how they can best resolve/direct their issue.

SPECIFIC MATTERS

3.8. Certain types of complaints are subject to different treatment than that outlined in the Policy. These types of complaints are generally treated differently as the standard reporting lines within Council do not apply.

3.9. Complaints of this nature will be acknowledged within five business days as per Council's *Customer Service Charter*, and the complainant notified of the specific process that these complaints are required to follow.

3.10. Council maintains procedures for the management of specific matters, which include relevant statutory requirements.

3.11. Specific matters include complaints that involve the following;

3.11.1. about individual Councillors;

3.11.2. received by Councillors;

3.11.3. about the Chief Executive Officer;

3.11.4. about decisions made at constituted Council meetings;

3.11.5. otherwise subject to statutory review;

3.11.6. about contractors;

3.11.7. regarding a claim;

3.11.8. regarding a breach of the Information Privacy Principles;

3.11.9. regarding a breach of the Health Privacy Principles;

3.11.10. about fraud, corruption or improper conduct;

3.11.11. about named Council employees or volunteers;

3.11.12. about a named Executive Director;

3.11.13. about child safety or wellbeing concerns; and

3.11.14. by children and young people other than child safety and wellbeing complaints.

UNREASONABLE COMPLAINTS

3.12. Council understands that generally people who make complaints are disappointed and may be angry because they may have been impacted through no fault of their own. Others may feel they have been treated unfairly or disproportionately without reasonable explanation or may have been given incorrect information or advice that they relied on. Many people who make complaints engage productively with the systems, processes and people with whom they are interacting. Sometimes however a person's behaviour is or becomes unreasonable.

3.13. Council does not expect its employees, Councillors, volunteers or contractors to tolerate behaviour that is offensive, abusive, threatening, harassing or consumes disproportionate resources. Council may change the way we communicate with customers where their behaviour or conduct raises health, safety, resource or equity issues for employees involved in the complaints process.

3.14. These changes may include:

3.14.1. **Who you can contact** - in some cases it may be appropriate to restrict access to a single employee (a case manager). This employee will manage the complaint(s) and the customers' interactions. This will ensure customers are dealt with consistently and effectively and will minimise the chances for misunderstandings or contradictions.

3.14.2. What you can raise - if a customer is unreasonable and persists with issues that have already been comprehensively considered and/or reviewed in line with this policy, restrictions may be applied to the issues/matters you can raise with us.

3.14.3. When and how you can have contact - a customer's telephone, written or face-to-face contact with us may place an unreasonable demand on time or resources because it affects the health, safety and security of employees and it may also be behaviour that is persistently rude, threatening, abusive or aggressive. We may limit when or how a customer can interact with us.

3.14.4. Access to services or facilities - Council reserves the right to deny access to services or facilities offered by Council if a customers' behaviour causes unacceptable health and safety risk to other customers, Council employees or contractors.

3.15. In all cases we will advise the customer of the actions we will take and the reasons for our decisions.

MISCONDUCT OR ILLEGALITY

3.16. Some complaints will extend beyond a customer's general dissatisfaction with Council and may involve accusations of misconduct or alleged illegal activity.

3.17. Complaints claiming criminal activity by an Officer, Councillor or to Council property will be assigned to the appropriate Manager for investigation and reported to Victoria Police, where necessary. If the matter is posing a risk to the community, it will be advised that the complainant go directly to Victoria Police.

3.18. Council will follow the principles of transparency and accountability. Disclosures which reveal corrupt, improper conduct or conduct involving a risk to public safety or the environment may need to be treated as a Protected Disclosure.

COMPLAINT PROCESS

3.19. Any member of the public can make a complaint. Complaints can be made by:

- **Telephone:** Customer Service Team: (03) 5662 9200 (after hours calls will be directed to Council's after-hours service).
- **Online:** www.southgippsland.vic.gov.au via our complaints form located in the Contact Us section of Council's website.
- **Email:** council@southgippsland.vic.gov.au.
- **Mail:** South Gippsland Shire Council, Private Bag 4, Leongatha VIC 3953.
- **In Person:** South Gippsland Shire Council offices, 9 Smith Street, Leongatha.

3.20. Information to include when making a complaint:

- **Name and contact details:** while you can remain anonymous this may limit how Council responds to you.
- **Identify the action, decision, service or policy:** you wish to make a complaint about and why you are dissatisfied.

- **Give relevant details:** such as dates, times, location or reference numbers, and documents that support your complaint.
- The outcome you are seeking by making your complaint.
- Whether you have any communication needs.

3.21. We are committed to ensuring our complaints process is accessible to everyone. Please tell us if you have specific communication needs or barriers, and we will endeavour to assist you. Services available to assist include:

3.21.1. Using an assistance service such as an interpreter or TTY (Teletype) or RTT (Real Time Text).

3.21.2. Talking with you if you have trouble reading or writing.

3.21.3. Communicating with another person acting on your behalf if you cannot make the complaint yourself.

3.22. When a complaint is submitted to Council, the customer will be provided with a request number. Council aims to record and acknowledge your complaint within five business days. The complaint will be assessed and triaged and more information may be requested to best respond and action your complaint.

3.23. After this initial assessment, Council may:

3.23.1. Take direct action to resolve your complaint; or

3.23.2. Refer your complaint to the relevant team or Manager for investigation; or

3.23.3. Decline to deal with your complaint if you have a right to statutory review of your complaint through the relevant external body.

3.24. Council takes a four-tiered approach to complaint handling as follows:

3.24.1. **Frontline resolution:** Where possible, Council will attempt to resolve the complaint at the time you make your first contact.

3.24.2. **Investigation, if required:** If Council cannot resolve your complaint quickly it will be referred to the relevant team or Manager to investigate, and a contact name will be provided. Council aim to complete investigations within 28 calendar days and will inform of any delays beyond this. Council will inform you of the outcome and provide an explanation for this outcome.

3.24.3. **Internal review:** If you are dissatisfied with the decision and how it has been responded to, a request for an internal review can be made. The internal review will be conducted within 28 calendar days from receipt of the internal review request. The review will be conducted by a Council officer who has not had any prior involvement in your complaint.

3.24.4. **External review:** If the complaint is still unable to be resolved, you can seek support from an external body to resolve the complaint. You can request an external review from the following organisations.

Complaint	External Review Contacts
Actions or decisions of a Council, Council employees, volunteers and contractors.	Victorian Ombudsman www.ombudsman.vic.gov.au

Complaint	External Review Contacts
This includes failure to consider human rights or failure to act compatibly with a human right under the Charter of Human Rights and Responsibilities Act 2006 (Vic)	
Breaches of the Local Government Act 2020	Local Government Inspectorate www.lgi.vic.gov.au
Breach of Privacy Complaint about 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

WHAT WE DO WITH COMPLAINT INFORMATION AND DATA

3.25. Complaints from people who use or are affected by Council services provide valuable data and insights.

3.26. Council regularly analyses and reviews complaint data to identify trends, training needs and potential issues that require further attention. Information is often used to develop solutions that improve service delivery.

3.27. Council is open and transparent about complaints received, and the actions taken to resolve them. Our complaint data is published in Council's Annual Report which is available on our website.

3.28. Council keeps personal information secure. Council use personal information to respond to the complaint and to improve services that relate to the complaint.

3.29. Where Council publishes complaint data, personal information is removed.

3.30. Anonymity - Council understands that community members may have a valid reason for not wanting to disclose their identity. Council accepts and will respond to anonymous complaints - provided enough information to respond is provided. If the complaint does not provide enough information to respond directly council will record and analyse the complaint for service improvement.

4. RISK ASSESSMENT

This Policy mitigates Council's risks as described below:

People

4.1. The Policy aims to provide Council employees, volunteers, Councillors and Customers with a clear understanding of how complaints will be handled and processed. It provides clear expectations for people.

Reputational

4.2. The Policy provides Council with a framework to conduct Complaint Handling with an open, transparent and consistent approach.

Financial

4.3. The Policy mitigates risk of inconsistent or incorrect handling of complaints which could result in legal action and associated costs.

Governance

4.4. The Policy outlines and refers to relevant legislation that intersects with the Customer Complaint Handling process. This Policy was informed by the *Victorian Ombudsman's Councils and Complaints – a Good Practice Guide (July 2021*).

Business Continuity

4.5. Noncompliance with the Policy risks Council not handling complaints consistently, in an open and transparent manner, and not treating everyone involved fairly and objectively. There is also the risk of missing an opportunity for continuous improvement.

5. IMPLEMENTATION STATEMENT

Human Rights Charter

5.1. This Policy has considered the Charter of *Human Rights and Responsibilities Act 2006*.

Gender Equality

5.2. This Policy has considered the *Gender Equality Act 2020* in its development.

Roles and Responsibilities

5.3. Council is committed to providing a high-quality service to its community members. All Council employees, Councillors and Council contractors are responsible for understanding and contributing to our complaints process and abiding by Council's *Employee Code of Conduct (CE20)*.

Role	Responsibilities
Chief Executive Officer	• Promoting positive behaviours and practices Victorian Ombudsman's Councils and Complaints – A Good Practice Guide (2021) relating to enabling, responding to and learning from complaints. • Reviewing and publishing complaint data.
Senior Leaders and Managers	• Recruiting, training and empowering staff to resolve complaints promptly and in accordance with the Council's policies and procedures. • Managing conflicts of interest in the complaint process. • Reporting on and identifying improvements from complaint data and feedback. • Supporting staff who deal with complaints.
All Council Employees	• Familiarising themselves with this Policy and the Council's complaint process. • Assisting members of the public to make a complaint.

	• Treating members of the public respectfully and professionally.
Councillors	• Familiarising themselves with this Policy and the Council's complaint process. • Referring complaints to Council through correct channels, to be dealt with in accordance with our processes.
Contractors	• Familiarising themselves with this Policy and the Council's complaint process. • Cooperating with the Council's complaint handling processes.
Community Members	• Community Members have a responsibility to conduct themselves in an appropriate manner with courtesy and respect to Council staff and Councillors who are dealing with their enquiry.

6. MONITORING, EVALUATION AND REVIEW

6.1. This Policy will be reviewed and adopted by Council on a four-year cycle.

6.2. Policies may be reviewed earlier than a four-year cycle if legislative provisions, Industry or organisation requirements change.

7. REFERENCE DOCUMENTS

Legislative Provisions	Charter of Human Rights and Responsibilities Act 2006 Freedom of Information Act 1982 Gender Equality Act 2020 Independent Broad-based Anti-corruption Commission Act 2011 Local Government Act 1989 Local Government Act 2020 Occupational Health and Safety Act 2004 Protected Disclosure Act 2012 Privacy and Data Protection Act 2014
Council Supporting Documents	Model Code of Conduct Employee Code of Conduct (CE20) Customer Service Charter
Related External Documents (*optional*)	Victorian Ombudsman's Councils and Complaints – a Good Practice Guide (July 2021)

8. DEFINITIONS

Complaint	A formal expression of dissatisfaction with a specific action or service by Council, including the failure to comply with the Customer Service Charter, policies or applicable legislation.
Complainant	Person or entity affected by the action or inaction of Council.
Feedback	Positive or negative reactions or comments about a product, service or experience.
First Point of Contact	Person or department serving as the focal point of information for the community.
Frontline Staff	Contact person who the complainant deals with to express their complaint.

Reasonable	A complaint (or complainant) would not be reasonable if its nature is overly frequent, and/or raises substantial health, safety, equity or resource issues for Council, Council Staff or any community members.
Council Operations	Refers to all Council services, activities, processes, policies, buildings, employees and contractors.
Protected Disclosure	A specific class of Compliant (governed by the Protected Disclosure Act 2012) that requires a high level of confidentiality and protection of the complainant.
Request for Service	Refers to a request by a customer for a particular Council service.
Third Party	Refers to any person, activity or object not connected in any way with Council.

9. REVISION HISTORY

Approved By	Approval Date	Sections Modified	CM9 Ref#
ELT Meeting	*ELT Meeting 22 February 2018*	*New Policy*	*D2146618*
ELT Meeting	*ELT Meeting 23 December 2021*	*Review*	*D12233821*
Council Meeting	*21 October 2026*	*Major review - Transitioned from Internal CEO Policy (CE73) to Council Policy (C107)*	*D7528326*

10. ATTACHMENT SUMMARY

Nil