



City of
Bayswater

Management Practice

Complaint Handling



Acknowledgement

Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora, boordiar's ye yay ba boordiar's boordawyn wah.

The City of Bayswater acknowledges the Traditional Custodians of the land, the Whadjuk people of the Noongar Nation, and pays its respects to elders past, present and emerging.

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1 Purpose

This management practice sets out how the City of Bayswater (the City) will:

- (a) Receive, acknowledge, resolve and respond to complaints from the community;
- (b) Ensures that all complaints are responded to in a consistent, systematic, timely and cost-effective manner across the organisation.

2 Objectives

- To provide guidance to officers that ensure complaints are managed quickly, fairly and respectfully from the time of receipt through to an outcome;
- To enable the City to improve business practices and increase customer satisfaction by the collection and recording of complaint data; and
- To ensure community confidence in how the City handles complaints by implementing processes that ensure transparency and reinforce accountability.

3 Scope

This management practice applies to:

- All City employees including volunteers and contractors performing work for the City.
- This management practice should be read in conjunction with the City of Bayswater's Complaint Management Policy [complaint-management-policy \(bayswater.wa.gov.au\)](https://www.bayswater.wa.gov.au/complaint-management-policy).
- The items listed below are outside the scope of this policy and covered by a separate process.
 - A request for City services;
 - A request for documents, information or explanation of policies or procedures;
 - A request for the City to exercise a regulatory function;
 - The lodging of an appeal or objection in accordance with a statutory process, standard procedure or policy;
 - A submission relating to the exercise of a regulatory function;
 - A petition; and
 - A complaint in regard to Council Members, Committee Members and Candidates.

4 Definitions

For the purpose of this management practice:

Complaint means: an expression of dissatisfaction with a level of service, repeated lack of promised service or response, or the conduct of any person employed by the City of Bayswater, made to the City of Bayswater.

Complainant means: the customer or entity expressing dissatisfaction.

Customer includes: residents, ratepayers, businesses and members of the public receiving advice, a service, using facilities; or engaging in a business relationship; or any other person or organisation having an interest in the functions or activities of the City of Bayswater

Employee includes: all City employees and volunteers or contractors performing work for the City of Bayswater.

Feedback means: a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.

Policy means: the City of Bayswater policy titled 'Complaint Management Policy.'

Request means: an enquiry for assistance to action, inspect, remove, replace or repair a City service.

5 Guidelines

Identifying and Recording Complaints

The details of all complaints must be recorded and stored in the City's Customer Request Management (CRM) System. It is essential that information recorded in the system is accurate and kept up-to-date. This will allow complaints to be tracked and processed effectively and enable the production of information that will allow the identification and analysis of complaint trends and issues.

Employees are required to record in the complaints management system.

- when and how the complaint was made;
- the complainant's personal details;
- what the complaint was about;
- all actions, decisions and interactions;
- how it was resolved; and
- level of customer satisfaction (customer satisfied or not satisfied with outcome).

Confidentiality

Personal information that relate to complaints is to be kept confidential. Information about a complaint is only provided to those people who need to know about it.

The personal information of the complainant and any people who are the subject of a complaint including employees or another person, should be kept confidential and only used for the purposes of addressing the complaint and any follow up actions.

In the case of a complaint against an employee, the name of the employee should not be included in the CRM record. Once a complaint about an employee is lodged, an email detailing the matter must be sent to the People and Culture Advisor responsible for their branch. The email must include the employee's name, the CRM reference number, and details of the complaint.

Acknowledging the Complaint

Prompt acknowledgement of a complaint reduces the risk of dissatisfaction later in the process. It can help the complainant understand the process and help staff manage the complainant's

expectations. Complaint response times are in accordance with the Customer Service Charter. They are:

- In person - phone or write response within ten (10) working days
- In writing - email or letter response within ten (10) working days
- Website (via website form) - respond within ten (10) working days
- Social media - respond within two (2) working days

Hierarchy of Complaints

Complaints about City employees should be directed to the People and Culture Advisor assigned to the employee's branch.

Complaints about a City service should be directed to the Branch Manager who has responsibility for that service.

Complaints about a Councillor, Committee member or Candidate should be directed to the CEO/Behaviour Complaints Officer as per the [Council Complaints Policy](#).

Investigating Complaints

Some complaints can be resolved on first contact, or with minimal further assessment or enquiries being made. Other complaints will require a more formal investigation before the matter can be resolved.

- (a) To resolve a complaint early:
- have a clear understanding of the key issues and outcome being sought;
 - have sufficient information and delegation to make a sound decision; and
 - be able to provide a prompt, fair and reasonable response to the complainant.
- (b) If the complaint cannot be resolved early, an investigation may be required. The investigation plan should include:
- key complaint issues, questions to be answered and information to be collected;
 - the estimated timeframe for completion;
 - the outcome sought and any steps needed to manage expectations;
 - potential outcomes and remedies; and
 - any special considerations (for example, if the person has asked for their identity to be withheld from others or if there is sensitive information).

The scope of your investigation should be proportionate considering factors such as complexity, seriousness and any statutory requirements.

Keep the customer informed at all points in the investigation and record both verbal and written communications in the customer request management system.

Finalising Complaints

Employees should not finalise a complaint until an outcome has been communicated to the complainant. A complainant does not have to be satisfied with the resolution for a complaint to be closed.

Employees should include advice to complainants regarding internal and external review options - especially if the outcome is not fully favourable to the complainant.

The complainant should be invited to contact the City again if they have questions or are dissatisfied with the outcome of their complaint.

Employees must update the customer request management system (CRM) with information that states:

- if a resolution was achieved or not;
- the level of complainant satisfaction regarding the process outcome. i.e was the complainant satisfied or not satisfied with the outcome; and
- complete and close the request in the CRM system.

6 Review Process

A complainant has a right to request a review of the processes undertaken and the decision made regarding their complaint. This can include a request to investigate the actions involved in the complaint handling process.

Where a complainant is dissatisfied with the way in which a complaint has been dealt with and/or the final determination of the complaint by the City, the complainant may request a secondary review. However, this will only be supported when new information is presented that was not already initially considered. If no new information is presented for review, the complainant will be informed of the most appropriate external body to escalate the matter. These include the Western Australia Ombudsman or the Department of Local Government.

An investigation of a complaint would occur as per the Ombudsman of Western Australia Investigation of Complaints six step process chart, and includes compliance with the procedural and evidentiary requirements. Guidance regarding this can be accessed via the [Ombudsman of Western Australia's website](#).

7 Dealing with Unreasonable Complainant Conduct

- A complainant's conduct may be considered unreasonable if it involves:
 - (a) Unreasonable persistence;
 - (b) Unreasonable demands;
 - (c) Unreasonable lack of cooperation;
 - (d) Unreasonable arguments; or
 - (e) Unreasonable behaviour.
- In these circumstances, special measures to deal with this conduct may be required. The Ombudsman of Western Australia Managing Unreasonable Complaint Conduct Practice Manual will inform these measures.
- When a complainant engages in unreasonable conduct, the Chief Executive Officer, or their delegate, will decide how to manage the communication with the complainant. The complainant will be informed of the decision.

Options for Dealing with Unreasonable Complainant Conduct

Employees and customers are expected to meet the standards of courtesy and behaviour detailed in the City's [City of Bayswater Customer Service Charter](#).

Correspondence to the City containing personal abuse, inflammatory statements or material clearly intended to intimidate will be returned to the sender and not acted upon.

Where such comments or statements are made in telephone conversations, these may be terminated at the discretion of City's employees after warning callers of that intention.

As stated in the City's Complaint Management Policy, the Chief Executive Officer (CEO) may determine it is appropriate to limit a complainant's access to the City and adapt the way the City interacts with or provides services to the complainant. Employees wanting the CEO to consider action be taken against a complainant must provide written documentation supporting their request to their Director. For more guidance regarding this please see the Ombudsman Western Australian guidelines [Ombudsman of Western Australia's website](#).

8 Reviews

- A complainant has a right to request a review of the processes undertaken and the decision made regarding their complaint. This can include a request to investigate the actions involved in the complaint handling process.
- Where a complainant is dissatisfied with how the City dealt with their complaint, and/or the final determination of the complaint by the City, the complainant may request a secondary review.
- An investigation of a complaint would occur as per the Ombudsman of Western Australia Investigation of Complaints six-step process chart, and includes compliance with the procedural and evidentiary requirements.

9 Relevant Documents

The following internal documents enable, require or affect the content and application of this management practice:

- City of Bayswater Customer Service Charter
- City of Bayswater Code of Conduct
- Councillor Complaint Policy
- Ombudsman of Western Australia; Guidelines on Effective Complaint Handling; the Investigation of Complaints; and the Managing Unreasonable Complaint Conduct Practice Manual
- Elected Member Request for Information Policy; and
- Respond to CHD enquiries.

10 Relevant Legislation

- *Local Government (Rules of Conduct) Regulations 2007*;
- *Local Government Act 1995*;

- *Freedom of Information Act 1992;*
- *Public Interest Disclosures Act 2003;*
- *Crime, Corruption and Misconduct Act 2003; and*
- *State Records Act 2000.*

11 Approval

Approved by:



on 8 September 2023

Jeremy Edwards

Chief Executive Officer

Next review due: 1 July 2025