

Introduction

Latrobe City Council has developed a client complaints policy to formalise Council's existing complaint management system.

This policy ensures that complaints are managed efficiently, effectively and fairly. The client complaints policy has been designed to ensure effective management of complaints from inception to satisfaction or final determination.

Council acknowledges the right of community members to make a complaint about Council without fear or retribution.

Relationship to Council Plan and Latrobe 2021

The Client Complaints Resolution Policy relates to the following Strategic Objectives contained within the Council Plan and outlines in Latrobe 2021: The Vision for Latrobe Valley.

Governance

To ensure governance and leadership through a strong commitment and adherence to democratic processes and legislative requirements.

Democratic Governance

"By representing the interests of the community and conducting its affairs openly and with integrity, reflecting the highest level of good management and governance."

- Continually reinforce the Council's commitment to the value of democratically elected local government.

Community Capacity Building:

To ensure the community through enhancing community advocacy, leadership, partnerships, inclusiveness and participation.

Advocacy and Leadership

"By maintaining an understanding of issues of local importance, Latrobe City will provide leadership in addressing such issues. Where appropriate, the City will advocate on behalf of the community and will ensure that the community is represented."

- Support research and analysis of issues of emerging community concern and develop strategies to address those issues.

What is a complaint?

A complaint is an expression of dissatisfaction with Council's level and quality of service, policies or procedures. Dissatisfaction may arise from the service provided by Council staff, councillors, contractors and systems or from the impact of a particular policy or procedure.

What is not considered to be a complaint?

A complaint does not include:

- a request for service;

- a request for information, documentation or explanation of policies or procedures or decisions of council;
- reports of damage or faulty infrastructure (eg. Uneven footpath);
- reports of hazard (fallen trees);
- reports concerning neighbours or neighbouring property (eg. Noise complaint); or
- the lodging of an appeal in accordance with a procedure or policy.

How do I make a complaint?

In most instances a complaint can be resolved by contacting Council's customer service area. However, if this conversation does not resolve the matter to your satisfaction, it is recommended that you write to Council and make an official complaint.

Complaints may be lodged with Council in the following ways:

- In person
- Telephone
- In writing
- Facsimile
- E-mail.

All complaints must contain the name, address and contact telephone numbers of the complainant together with a description of the problem.

Council has a Client Complaint Form which can be filled out. Copies of the form can be obtained from Council's Customer Service Centre or from its website at www.latrobe.vic.gov.au.

Any staff member or Councillor may receive a complaint and is required to follow the procedures set out in Council's Client Complaints Resolution Policy.

If a complaint is unable to be resolved at 'first contact', Council's Customer Service Staff may seek to coordinate an appointment, at a convenient time, so that the complaint can be discussed with the appropriate responsible officer.

Written complaints will be acknowledged in writing within three working days of receipt, identifying a set time by which Council will provide a response. All contact with complainants shall be noted on the Council's customer contact system.

Complaints that will not be investigated

The Chief Executive Officer may determine that a complaint will not be investigated where:

- the matter is considered frivolous, vexatious or not made in good faith;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses that remedy or right of appeal;
- relates to a decision of Council;
- relates to conduct before a court, coroner or tribunal;

- relates to a matter under investigation by the Minister for Local Government or any other government department including the Victorian Police Service;
- relates to the appointment or dismissal of any employee or an industrial or disciplinary issue;
- relates to a matter awaiting determination by the Council;
- relates to the actions or conduct of private individual.
- there is insufficient information available; or
- the complainant declines or refuses to provide further information or where there are threats made against Council or council staff.

Where the Chief Executive Officer determines that a complaint will not be investigated, the complainant will be advised accordingly in writing.

Complaint Monitoring

Council will monitor customer complaints and trends. This information will be reviewed on an ongoing basis and used to identify areas for improvement in Council's service delivery and activity.

What if I am unhappy with the outcome of the initial complaint?

If a complaint can not be resolved, then the complainant has the right to request an Internal Review. This will then entail an investigation by either Council's General Manager Governance, a General Manager or the appropriate division or a delegated Senior Officer. The complainant will be notified in writing of the outcome of the Internal Review.

If the complaint still remains unresolved then the complainant may wish to escalate a complaint further to an appropriate body.

Local Government Victoria (LGV)

Part of the Department of Planning and Community Development (DPCD), it supports and advises the Minister for Local Government in regards to the administration of the Local Government Act 1989. LGV may make inquiries into possible breaches of the Local Government Act and may assign an Inspector of Municipal Administration to investigate a matter if it is considered that there is sufficient evidence of a substantive breach. Complaints about possible breaches of the Local Government Act may be directed in writing to Local Government Victoria or to the Minister for Local Government.

www.localgovernmentvictoria.vic.gov.au

Victorian Ombudsman

The Ombudsman seeks to provide a speedy, inexpensive, non-adversarial way for people to receive a fair hearing of their grievances with government administrations. The Ombudsman can help when your complaint is about an administrative action taken by any council employee,

but not those of a councillor when acting in the role of a councillor or of a council acting as a decision making body.

www.victorianombudsman.vic.gov.au

Equal Opportunity Commission Victoria

The Commission's role is to ensure the basic right of all people to fair treatment no matter what their circumstances or background. Decisions made by Council may not use gender, marital status, pregnancy, parental status, breastfeeding, age, race, impairment, religion, political beliefs, trade union activity, or sexual preference as the basis for disadvantaging you or treating you differently from the rest of the community.

www.equalopportunitycommission.vic.gov.au

Victorian Civil and Administrative Tribunal (VCAT)

VCAT deals with disputes between people and government in areas like:

- Planning and environment
- Land valuation
- Licences to carry on business
- State taxation
- Many other government decisions.

www.vcat.vic.gov.au

What if I am complaining about a Councillor?

A complaint about a Councillor must be made in writing and addressed to the Mayor who will be required to undertake an investigation.

A complaint about the Mayor must be made in writing to the Chief Executive Officer who will be required to undertake action as deemed appropriate.

A complaint about a Councillor may result in a decision by Council to refer the complaint to a Councillor Conduct Committee.

What if I am complaining regarding a decision or action of the Chief Executive Officer?

A complaint about the Chief Executive Officer must be made in writing and addressed to the Mayor for investigation and action as deemed appropriate.

Where do I send my complaint?

Please address all correspondence to:

Chief Executive Officer
Latrobe City Council
PO Box 264 Morwell 3840