

THE CITY OF  
GREATER GEELONG

# COMPLAINTS HANDLING POLICY

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Manager Manager

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# Introduction

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## PURPOSE

This Policy ensures that Complaints made about the City of Greater Geelong's (**City**) services, decisions, or actions are handled fairly, transparently, and promptly, in compliance with the *Local Government Act 2020* and consistent with the standards outlined in the Victorian Ombudsman's *Councils and Complaints – A Good Practice Guide* (2nd edition, 2021).

## SCOPE

This Policy applies to:

- the quality of an action taken, decision made, or service provided by a member of Council staff or a contractor engaged by the Council; or
- the delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision, or providing a service; or
- a policy or decision made by Council or a member of Council staff or a contractor.

This Policy does not apply to:

- an initial request for service;
- complaints about allegations of fraud or corrupt conduct.
- complaints that are claims against the City for personal injury or property damage or other loss or damage and allegations of negligence. A claim can only occur when a third-party has suffered a loss or an injury, allegedly as a result of Council's negligence or wrongdoing. Information regarding requests for consideration of a claim for compensation can be accessed via the Council's website <https://www.geelongaustralia.com.au/claim/task/item/8d7012e93656941.aspx>. If the customer remains dissatisfied with the process or decision from their Claim, customers will be referred through the general Complaints Handling Process.
- complaints about individual councillors which are dealt with in accordance with the Councillor Code of Conduct available at [www.geelongaustralia.com.au](http://www.geelongaustralia.com.au) and also Part 6, Division 5 of the *Local Government Act 2020*.
- complaints about matters where there is a process of review, appeal or objection prescribed by legislation.

Where a complaint does not fall within the scope of our responsibility, we will endeavour to direct the customer to the appropriate authority or service provider for resolution.

# Definitions

The following definitions apply to this Policy:

Term	Definition
<b>City</b>	The City of Greater Geelong organisation, led by the CEO.
<b>Contractors</b>	An independent contractor under a contract for service appointed by the City.
<b>Council</b>	The City of Greater Geelong Council comprised of elected councillors and led by the Mayor.
<b>Council staff</b>	Includes employees and volunteers
<b>Complaint</b>	includes the communication, whether orally or in writing, to the Council by a person of their dissatisfaction with:  a) the quality of an action taken, decision made or service provided by a member of Council staff or a contractor engaged by the Council; or,  b) the delay by a member of Council staff or a contractor engaged by the Council in taking an action, making a decision, or providing a service; or,  c) a policy or decision made by a Council or a member of Council staff or a contractor.
<b>Complainant</b>	A person who has expressed dissatisfaction to Council, either verbally or in writing, regarding a Council action, decision, service, delay, or policy, in accordance with section 107(3) of the <i>Local Government Act 2020</i> .
<b>ELT</b>	The Executive Leadership Team of the City, as constituted from time to time.
<b>Personal Information</b>	Has the same meaning given to that term in the <i>Privacy and Data Protection Act 2014</i> .
<b>Request for Service</b>	Contact from a community member seeking Council's assistance, action, or provision of a service.

# Policy

## 1. HOW TO MAKE A COMPLAINT

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

<b>Online</b>	Submit a complaint via the online complaint form at <a href="http://www.geelongaustralia.com.au">www.geelongaustralia.com.au</a>
<b>In person</b>	Visit a customer service centres: Wurriki Nyal Civic Building– 137-149 Mercer Street, Geelong. Corio – Corio Village Shopping Centre, corner of Bacchus Marsh Road and Purnell Road. Boronggook Drysdale Library (inside the Library) – 2-8 Wyndham St, Drysdale. Complaints may also be reported to any of our customer-facing centres, such as Swim Sport and Leisure centres, and City Early Learning and Care centres.
<b>Phone</b>	03 5272 5272
<b>Mail</b>	Address letters to: Customer Service, City of Greater Geelong, PO Box 104, Geelong VIC 3220
<b>Using an interpreter</b>	Contact the Translating and Interpreting Service (TIS) on 131 450 or via <a href="https://www.tisnational.gov.au">https://www.tisnational.gov.au</a>
<b>Deaf or hearing impaired assistance</b>	Contact the National Relay Service and ask them to call 03 5272 5272 Speak and Listen users can call 1300 555 727 TTY users can call 133677 SMS relay users can message 0423 677 767 Note: The area code must be included for each call

## 2. ASSISTANCE AVAILABLE TO MAKE A COMPLAINT

2.1 The City of Greater Geelong is committed to ensuring its complaints process is accessible to everyone. Complainants can advise if they have specific communication needs or barriers, and Council staff can assist by:

- 2.1.1 using an assistance service, such as an interpreter or TTY (for free).
- 2.1.2 talking with complainants if they have trouble reading or writing.
- 2.1.3 communicating with another person acting on a complainant's behalf if you cannot make the complaint yourself.

## 3. HELPFUL INFORMATION TO INCLUDE IN A COMPLAINT

3.1 To ensure Council can assist complainants, we ask that they please provide as much information as possible, including:

- 3.1.1 Name and contact details. Complainants can complain anonymously, noting that the City may be limited in its ability to investigate and respond.
- 3.1.2 Provide relevant details, such as dates, times, location and reference numbers and any documents that support the complaint.

- 3.1.3 Detail the outcome being sought from making the Complaint, noting that the City will do what is within its authority to ensure the best outcome.
- 3.1.4 Any accessibility or other communication needs, including if the complainant wishes to be represented by another person.

#### **4. PRIVACY**

- 4.1 Council keeps personal information secure and will use that information to respond to complaints. Council may also analyse the information provided for the purpose of improving services that relate to each complaint.
- 4.2 Where Council publishes complaint data, personal information is removed.
- 4.3 When a complainant makes a complaint, they will be asked to provide:
  - 4.3.1 Their name and contact details.
  - 4.3.2 Whether they have any communication or assistance needs that can be reasonably accommodated.
  - 4.3.3 What they are complaining about including any materials that support the complaint.
  - 4.3.4 What outcome they are seeking.

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# Complaints Handling Process

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## 5. COMPLAINTS WILL BE HANDLED USING A FOUR-LEVEL APPROACH:

### 5.1 Level 1 – Frontline Responsible Officer resolution

We will attempt to resolve each complaint when an initial contact is made and provide complainants with a response. If we decide Council can't act on your Complaint, we will explain why and inform you about other options available to you.

### 5.2 Level 2 – Investigation, if required.

We aim to resolve your Complaint within 28 business days but if we need more time, we'll tell you if the investigation will take longer. We will update you regularly about progress until the investigation is completed. We will inform you of the outcome of your Complaint and explain our reasons.

### 5.3 Level 3 – Internal review

If you are dissatisfied with our decision and how we responded to your Complaint, you can request an internal review in writing. The internal review will be conducted by Council's Integrity and Review Team who has not had any prior involvement with your Complaint. The review will be independent of:

- 5.3.1 the person who took the action;
- 5.3.2 the person who made the decision; and
- 5.3.3 the person who provided the service.

We will generally inform you via a written response of the outcome of the internal review and explain our reasons within 28 business days from receipt of your written request. If that is not possible, we will notify you in writing and provide reasons for the delay.

### 5.4 Level 4 – Requesting an External Review

There are external bodies that manage different types of Complaints about the City. You can request an external review from the following organisations:

Type of Complaint	Organisation to contact for external review
<b>Actions or decisions of a Council, Council staff or contractors</b>	Victorian Ombudsman <a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a>
<b>Breach of the Local Government Act</b>	Local Government Inspectorate <a href="http://www.lgi.vic.gov.au">www.lgi.vic.gov.au</a>
<b>Breach of privacy or complaints about Freedom of Information applications</b>	Office of the Victorian Information Commission <a href="http://www.ovic.vic.gov.au">www.ovic.vic.gov.au</a>
<b>Corruption or public interest disclosures ('whistleblower') complaints</b>	Independent Broad -based Anti -Corruption Commission <a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>
<b>Discrimination</b>	Victorian Human Rights and Equal Opportunity Commission <a href="http://www.humanrights.vic.gov.au">www.humanrights.vic.gov.au</a>
<b>Council Elections</b>	Victorian Electoral Commission <a href="http://www.vec.vic.gov.au">www.vec.vic.gov.au</a>

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# Unreasonable Conduct by a Complainant

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The City expects Council staff and contractors to be respectful and responsive in all communications with members of the public. We expect the same of you when you communicate with our us.

While most complainants have legitimate concerns, a small portion of complainants behave in ways that may result in us changing the way we communicate with them.

Unreasonable behaviour can be grouped into the following categories:

- **Unreasonable persistence:** Continually raising the same issue or submitting repeated complaints after Council has already provided a response.
- **Unreasonable demands:** Demands (express or implied) which have an unreasonable impact our on organisation, staff, contractors, services, time and/or resources.
- **Unreasonable lack of cooperation:** Refusal or inability to engage constructively with Council staff and contractors, processes, or policies within the complaints system.
- **Unreasonable arguments:** Rejecting all reasonable explanations regardless of evidence, persistently focusing on minor issues to derail resolution and using circular or illogical reasoning.
- **Unreasonable behaviour:** Behaviour that a reasonable person, having regard to the circumstances, would see as unnecessary, inappropriate, or creating a risk to health and safety.

We may change the way we communicate with you, limit or restrict access to Council staff and buildings for a specific period of time if your behaviour or conduct is deemed unreasonable, raises health, safety, resource or equity issues for Council staff and contractors involved in the complaints process.

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# Implementation of this Policy

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## **MONITORING AND REPORTING**

Complaints from people who use or who are affected by our services provide us with valuable feedback about how we are performing.

We will regularly analyse our complaint data to identify trends and potential issues that deserve further attention. We will use this information as an input to how we can improve our services.

We are open and transparent about the complaints we have received, and what we have done to resolve them. This information will be reported internally regularly and contained in Council's Annual Report which is publicly available on our website.

## **ADVICE AND ASSISTANCE**

The Customer Service Manager, as the Responsible Officer, is responsible for providing guidance on the application of this Policy.

## **RECORDS**

The City must retain records associated with this Policy and its implementation in accordance with its Records Information Management Policy

## **REVIEW**

The City should review and, if necessary, amend this Policy within four years of the approval date.

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# References

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This policy has linkages to a range of legislation, Victorian Ombudsman and Council documents including:

- Local Government Act 2020
- Public Interest Disclosures Act 2012
- Privacy and Data Protection Act 2014
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Freedom of Information Act 1982
- Equal Opportunity Act 2010
- Gender Equity Act 2020
- Charter of Human Rights and Responsibilities Act 2006
- Public Interest Disclosure Procedure
- Fraud Control and Reporting Policy
- Councillor Code of Conduct
- Privacy and Health Records Council Policy
- Public Transparency Policy

## **Victorian Ombudsman Publications:**

[Councils and complaints – a good practice guide 2<sup>nd</sup> edition July 2021](#)

[Dealing with Challenging Behaviour - a good practice guide May 2018](#)

## **Other Documents**

Records Information Management Policy