



Customer Service Charter

Incorporating
Request for Information/Documents,
Request for Service &
Complaint Handling Policy

Adopted by Council
Updated

2012
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1 Purpose

- 1.1 The Request for Service & Complaint Handling Policy (the “Policy”) will provide a consistent and structured approach in handling enquires in relation to requests for information/documents, requests for service and complaints management.
- 1.2 The Policy will benefit the Council and the community in four important ways:
 - 1.2.1 Creating a second chance to provide service and satisfaction to dissatisfied customers.
 - 1.2.2 Identifying areas that need improvement.
 - 1.2.3 Provide an opportunity to strengthen public support of Council.
 - 1.2.4 Assist in planning and allocation of resources.
- 1.3 The Policy encourages the community to raise concerns, both positive and negative with a service they have or have not received. Council will have the opportunity to collect data to review and improve its service standards. This will ensure the expectations of the community are met and service standards can be continuously improved.

2 Scope

- 2.1 The Policy only covers complaints received in relation to Council’s products or services as per the Local Government Act 1999, refer to **Appendix 1** and should be handled in accordance with Section 8 of the Policy.
- 2.2 Other Complaints – **Refer Appendix 1**
 - 2.2.1 Council has other mechanisms in place which apply to particular types of complaints i.e.
 - (1) Breach of the Code of Conduct by a representative of Council (refer to Section 8.10)
 - (2) Insurance claim (refer to Section 8.12)
 - (3) Fraud and Corruption (refer to Section 8.13)
 - (4) Whistleblowing (refer to Section 8.13)
 - (5) Development Act 1993 (Refer to Item 8.14)
 - (6) Expiation of Offences Act 1996 (Refer to item 8.15)

These matters will be managed according to their nature and under the relevant policy/procedure. This should be communicated to the complainant as soon as practicable.



3 Definitions

- 3.1 **Generally available information** – information that can be gained through Council's website or is available at Council's Customer Service Area (i.e. programmed works, policies and information of a general nature).
- 3.2 **Request for Information** – is an application to have Council take some form of action to provide generally available information about Council services or works.
- 3.3 **Request for Documentation** – an application to have Council provide documentation regarding Council service or works which is generally available.
- 3.4 **Freedom of Information ("FOI") Request**– an application to have Council provide documentation regarding information that is not generally available. A request of this nature should be referred to Council's "Freedom of Information Officer" who will determine whether it falls under the Freedom of Information Act 1991 or the Development Act 1993.
- 3.5 **Request for Service** – is an application to have Council take some form of action to provide a Council service or works.
- 3.6 **Complaint** – is an expression of dissatisfaction with a product or service provided by Council or its representative that has failed to reach the standard stated, implied or expected. A complaint to Council may relate to a decision by Council or its employees which may affect a ratepayer, community member, organisation or business.

"The following is NOT considered a complaint:

- *A request for Council services (unless it is a second request, where there was no response to the first).*
- *A request for documents, information or explanation of policies or procedures.*
- *A request for Council to exercise a regulatory function (unless it is a second request, where there was no response to the first).*
- *The lodging of an appeal or objection in accordance with a statutory process,, standard procedure or policy (unless this is recorded as a complaint about Council's decision making. – this will be dealt with under Review of Council Decisions Policy).*
- *A submission relating to the exercise of a regulatory function (e.g. An objection to a development application or a submission on a policy)."*

*Source: Extract from Practice Note No 9
Joint publication of the NSW Ombudsman & NSW Dept of LG*

- 3.7 **Feedback** – may take the form of comments, both positive and negative, about services provided by Council without necessarily forming the basis of a complaint.
- 3.8 **Business Day** – Monday to Friday (excluding public holidays).
- 3.9 **Council** – Elected Body of the City of Prospect

- 3.10 **Employee** - any person carrying out duties or performing tasks for and on behalf of City of Prospect, whether they are paid or unpaid (except if stated otherwise).
- 3.11 **Elected Member** –a person who has been elected to Council, including the Mayor.
- 3.12 **EDRMS** –Council's Electronic Document Records Management System.
- 3.13 **CRM system** – Customer Relationship Management System.
- 3.14 **Public Interest Information** - information that tends to show:
 - 3.14.1 that an adult person, (of or above the age of 18 years), body corporate or government agency is or has been involved in:
 - (1) an illegal activity
 - (2) an irregular and unauthorised use of public money
 - (3) substantial mismanagement of public resources
 - (4) conduct that causes a substantial risk to public health or safety, or to the environment
 - (5) that a public officer is guilty of maladministration in or in relation to the performance of official functions.

4 Legislative and Corporate Requirements

- 4.1 Council provides an extensive range of infrastructure and services to the community and has a range of obligations under legislation to govern these services. The provision of these services is a key component of Council's operations.
- 4.2 The Policy is to be read and implemented in conjunction with Council's other relevant policies, strategies and documents, including, (but not limited to):
 - 4.2.1 Local Government Act, 1999
 - 4.2.2 Internal Review of Council Decisions Policy
 - 4.2.3 Freedom of Information Statement
 - 4.2.4 Corporate Governance Framework
 - 4.2.5 Whistleblowers Protection Policy
 - 4.2.6 Anti-Fraud Anti-Corruption Policy
 - 4.2.7 Records Management Policy
 - 4.2.8 Privacy Policy
 - 4.2.9 Code of Conduct for Employees



4.2.10 Code of Conduct for Elected Members

4.2.11 Fees and Chargers Register

5 Policy Statement

5.1 Council seeks to promote a complaint valuing culture supported by policies and procedures incorporating the elements of quality management principles, improved accountability and better decision making.

5.2 To achieve this, Council will:-

5.2.1 Maintain a commitment at all levels within the council, which is reflected through a culture that acknowledges citizens have a right to complain about matters which affect them

5.2.2 Maintain fair treatment to both the person complaining ("the complainant"), and the section or person against whom the complaint is made

5.2.3 Allocate adequate resources for handling complaints, with sufficient levels of delegated authority to the personnel dealing with complaints

5.2.4 Publicise readily available information about complaint handling processes, which is easy to read and understand

5.2.5 Provide a process which is accessible to all, with assistance provided for complainants to lodge complaints where required

5.2.6 Provide a responsive process, where complaints are dealt with quickly, and complainants are treated with respect

5.2.7 Collect and record data, and undertake a systematic review and analysis of data

5.2.8 Identify recurring problems which need to be addressed

5.2.9 Report against documented standards

5.2.10 Ensure the complaint handling system is delivering effective outcomes

6 Application of Policy

6.1 The operations of Council are based on a range of planned actions, many of which have been the subject of community consultation processes. The annual budget is set to fund a specific range of activities and functions which includes responding to reasonable requests as well as the completion of public works. Requests for Service will be considered in this context.

- 6.1.1 A Request for Service which is part of Council's core business would become a complaint after the services have been provided if the customer's expectations have not been met.
- 6.1.2 The application of this policy will be subject to ongoing review to ensure Council continues to meet best practice service provision and complaints management.

7 Request for Information/Service

- 7.1 Where Council considers a Request for Information/Service an emphasis will be placed on:
 - 7.1.1 Health, safety and welfare requirements of employees and the community.
 - 7.1.2 Legislative responsibilities.
 - 7.1.3 Emergency Services requirements.
 - 7.1.4 Council's Strategic, Annual Business and Long Term Financial Plans.
 - 7.1.5 On-going insurance and maintenance requirements.
 - 7.1.6 Efficient and effective use and availability of Council's resources.
 - 7.1.7 Council policies, procedures and codes of practice.
 - 7.1.8 Established service standards for Council activities.
- 7.2 Employees are encouraged to handle requests for information, service and documentation in the first instance in accordance with Section 7 and **Appendices 2 & 3**.

7.3 Recording Request for Information/Documents/Service

- 7.3.1 A person can make an application for information/service in a number of ways:
 - (1) On-line – Council's website www.prospect.sa.gov.au
 - (2) Letter (City of Prospect, PO Box 171 Prospect 5082)
 - (3) Email (admin@prospect.sa.gov.au)
 - (4) Telephone (08 8269 5355)
 - (5) Fax (08 8268 5834)
 - (6) In person
 - (7) Petition to Council



7.3.2 All **requests for information** will be documented and entered into Council's EDRMS system for action as per **Appendix 2**.

7.3.3 All **requests for documents** will be assessed under the relevant Act i.e.

- (1) Freedom of Information Act, 1991
- (2) State Records Act, 1997
- (3) Copyright Act, 1968
- (4) Development Act, 1993 and Development Regulations, 2008.

Requests will be documented and entered into Council's EDRMS system for action as per **Appendix 2**.

7.3.4 All **requests for service** will be documented and entered into Council's CRM system for consideration/action as per **Appendix 3**.

- (1) CRM activity statistics are reported to Council on a monthly basis.
- (2) Requests for service will be audited on a regular basis with the intent to identify trends and improve Council's service where required. Refer Section 9.
- (3) All rejected requests for service may be reconsidered at a future date, such as in conjunction with the preparation of the Annual Business Plan and associated budget.

7.4 Processing a Request for Service

7.4.1 Most requests for service will already align with established procedures. This may be explained to an applicant at the time of enquiry. Employees are provided with a level of authority to advise applicants of the likelihood, associated timeframes and possible costs associated with a Request for Service.

7.4.2 Where further evaluation and consideration is necessary before committing Council resources to undertake the service, the applicant will be notified accordingly.

7.4.3 Where the request cannot be fulfilled in a reasonable timeframe, the applicant will be advised and will be provided with an explanation.

7.4.4 Where an applicant may not be satisfied with the Council's decision the applicant will be directed to Council's Complaint Handling section of the Policy.

7.5 Request for Service “Response in Full (RIF)” – Infrastructure, Assets and Infrastructure

- 7.5.1 Due to the wide range and complexity of issues which are undertaken by the Department of Infrastructure, Infrastructure & Environment (DIA&E), requests for information and/or service (if the service cannot be provided for whatever reason) are dealt with by the RIF procedure.
- 7.5.2 The timeframe for processing a request for information and/or service is the same timeframe which is listed for processing “General Complaints” refer to **Appendix 4**.

7.6 Timeframes for Response to a Request for Service

- 7.6.1 Timeframes will vary depending upon the request, i.e.
- (1) Routine requests will be subject to service response standards.
 - (2) May coincide with scheduled works, fire ban days and planned maintenance that includes, but not limited to, tree pruning, slashing, road maintenance, drainage etc.
 - (3) Where requests for “new” services are received, these will be considered by Council as part of the budget process and public consultation if required.
- 7.6.2 Council will respond to all Requests for Service within the timeframe allocated within the CRM system.

8 Complaints

- 8.1 Complaints received by Council will be treated equally in accordance with good administrative practice, i.e.

- 8.1.1 Every customer has the opportunity to make a complaint.
- 8.1.2 An unbiased assessment is undertaken.
- 8.1.3 Decisions are based on accurate evidence.
- 8.1.4 Decisions about the complaint are communicated to the complainant.

8.2 Receiving Complaints

- 8.2.1 A customer may register a complaint verbally or in writing. Customers making a verbal complaint will always be encouraged to place their complaint in writing to ensure an appropriate investigation, where one is required, is undertaken.
- 8.2.2 Council staff will assist a customer complete a complaint form should they be unwilling or unable to do so, for whatever reason.



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- 8.2.3 All complaints must contain the complainants name and address.
 - 8.2.4 All complaints must be documented on Council's "Request for Information / Complaints" Form(**Refer to Appendix 5**), entered into Council's EDRMS system and workflowed as per **Appendix 4** for investigation.
 - 8.2.5 A Council Officer may contact the complainant to ascertain further information to enable a thorough investigation of the complaint.
- 8.3 Complaints "Response in Full (RIF)" – Infrastructure, Assets and Infrastructure (IA&E)**
- 8.3.1 Complaints received by IA&E will be handled in accordance with the RIF procedure.
 - 8.3.2 The timeframe for processing a complaint is listed in **Appendix 4**.
- 8.4 Assignment of Complaint**
- 8.4.1 Assignment of the complaint will include determining who will investigate and at what level the complaint should be dealt with in the first instance.
 - 8.4.2 Wherever possible complaints will be handled independently of the original decision-maker or officer involved in the matter that is the subject of the complaint.
- 8.5 Timeframes for Complaint Resolution**
- 8.5.1 Where practicable, complaints will be resolved when first reported to Council. Complaints may be escalated dependent on the complexity and seriousness of the complaint.
 - 8.5.2 When a complaint cannot be resolved immediately, the complainant will be advised of the process to be undertaken. Council will formally respond within fifteen (15) business days, acknowledging receipt of a written complaint and, where practicable, resolving it within that timeframe. Where a resolution is not possible in that time, the complainant will be kept regularly informed of progress, either by letter, email or personal contact. Refer to **Appendix 4**.
- 8.6 Resolution of Complaint**
- 8.6.1 The principles of natural justice will be observed at all times. Processes will be fair, equitable and reasonable. All parties will have access to relevant information and have the ability to respond where relevant.
- 8.7 Internal Review of Council Decisions Policy**
- 8.7.1 Complaints regarding a decision about a policy, procedure, service or fee require a formal application to be lodged. All attempts to resolve such a complaint will be exhausted prior to this process commencing. The formal complaint will be handled in accordance with Council's Internal Review of Council Decisions Policy and in accordance with Section 270 of the Local Government Act, 1999.

8.8 Ombudsman SA

- 8.8.1 While Council prefers to work with its customers to resolve complaints quickly and effectively, a complainant will always retain the right to seek other forms of resolution, such as contacting Ombudsman SA, or taking legal action at anytime. As a general rule Ombudsman SA encourages a complaint to be addressed and resolved by Council in the first instance, unless this is not appropriate in the circumstances.

8.9 Other Forms of Mediation

- 8.9.1 Council may seek to use alternate dispute resolution processes in some instances and it may be appropriate to consider mediation, conciliation or independent evaluation. Costs associated with the appointment and work of a mediation, conciliator or third party will be typically shared equally between Council and the complainant.

8.10 Complaints Involving Representatives of Council

- 8.10.1 The following policies will be referred to when dealing with complaints regarding representatives of Council:

- (1) Code of Conduct for Employees
- (2) Code of Conduct for Elected Members
- (3) Whistleblowers Protection Policy
- (4) Anti-Fraud and Anti-Corruption Policy

- 8.10.2 Complaints will be handled differently dependent upon the complaint and the specific details surrounding the complaint.

- (1) Complaints against an **employee** will be referred to the CEO in the first instance and then to the employee's manager for investigation. The complaint will be dealt with in accordance with Council's Code of Conduct for Employees.
- (2) Complaints against the **CEO** will be referred to the Mayor in the first instance and will be addressed in accordance with Council's Code of Conduct for Employees.
- (3) Complaints against an **elected member** will be referred to the CEO in the first instance and will be addressed in accordance with Council's Code of Conduct for Elected Members.
- (4) Council, at times, will be limited in its response to complaints based on its **legislative authority**. Where a complaint exceeds Council's authority, the complainant may be referred to an external agency such as the Local Government Association, lawyers or Ombudsman SA. In these circumstances Council will assist the complainant to understand Council's role by providing the complainant with the details of the



relevant authority and direct them to the respective legislative requirements.

- (5) Any complaints which disclose “**public interest information**” that a customer believes, on reasonable grounds, is or may be true, are to be handled in accordance with Council’s Whistleblowers Protection Policy.

8.11 Anonymous Complaints

- 8.11.1 Where Council receives an anonymous complaint, the complaint will be investigated as per the requirements of this policy. However given the lack of specific details associated with these complaints, Council may not be able to adequately investigate or follow up with the complainant the outcome. Customers making any form of complaint, including verbal complaints will always be encouraged to make their complaint in writing.
- 8.11.2 Complaints may provide an appropriate disclosure of “**public interest information**” under the Whistleblowers Protection Act, 1993 in order to be afforded the protection of this Act and Council’s Whistleblowers Protection Policy.

8.12 Insurance Claims

- 8.12.1 Once an insurance claim has been made against Council, the claim will be referred to Council’s insurers who will manage all ongoing correspondence regarding the claim.

8.13 Fraud and Corruption

- 8.13.1 Any complaints relating to allegations of Fraud and Corruption will be managed in accordance with Council’s Anti Fraud and Anti Corruption Policy and Whistleblowers Protection Policy.

8.14 Council’s Development Assessment Panel (CDAP)

- 8.14.1 Complaints associated with Council’s Development Assessment Panel will be dealt with in accordance with the legislative requirements of the Development Act 1993, CDAP Code of Conduct and CDAP Complaints Handling Policy and are therefore **not** covered by this Policy.

8.15 Expiation Offences

- 8.15.1 Complaints associated with expiation offences will be dealt with in accordance with the legislative requirements of the Expiation of Offences Act 1996 Act and are therefore **not** covered by this Policy.

8.16 Unreasonable Complaints

- 8.16.1 Occasionally the conduct of a complainant may be unreasonable. This may take the form of unreasonable persistence, demands, lack of cooperation, arguments, or behaviour. Staff will handle unreasonable complaints and complainants under Council’s Unreasonable Complainant Policy.

9 Service Improvement

- 9.1 The quality of Council's services is an important measure of Council's effectiveness. Learning from complaints, requests for information and requests for services is an effective way of developing the Council and increasing trust from the community.
- 9.2 In addition to making changes to policies, procedures and practices when identified, Council will review and evaluate the information provided to identify systems issues and improvements.
- 9.3 Where appropriate, customers will be provided with an explanation of changes made as a result of any investigation.

10 Confidentiality

- 10.1 The identity of customers making a complaint, request for information or request for service will be made known to those employees who need to know about the issue.
- 10.2 All written correspondence may become public record where they form part of a report to Council.
- 10.3 It is the responsibility of the customer to notify Council in writing should they wish their correspondence to remain confidential.
- 10.4 All requests for information, requests for service and complaints lodged with Council are subject to the *Freedom of Information Act 1991* and confidentiality cannot be guaranteed under the provisions of that legislation.
- 10.5 Section 10 does not apply in relation to complaints made under Council's Whistleblower Protection Policy or Anti-Fraud and Anti-Corruption Policy.

11 Review of Policy

- 11.1 The Chief Executive Officer and Executive Management Team are responsible for the implementation and monitoring of the Policy and associated processes. However, responsibilities addressing a specific request for information, request for service or complaint may be delegated to specific employees or external agencies.
- 11.2 The Policy will be reviewed in line with Council's Corporate Governance Framework.
- 11.3 While the application of this policy will be subject to ongoing review to ensure Council continues to meet best practice service provision and complaints management, the Policy will be reviewed in line with Council's Corporate Governance Framework.

12 Access to the Policy



- 12.1 The Policy is available for public inspection on Council's website www.prospect.sa.gov.au and from Customer Service at the Civic Centre, 128 Prospect Road, Prospect SA 5082.

13 Further Information

- 13.1 For further information about this policy please contact:

Director Corporate Services

City of Prospect

128 Prospect Road

Prospect SA 5082

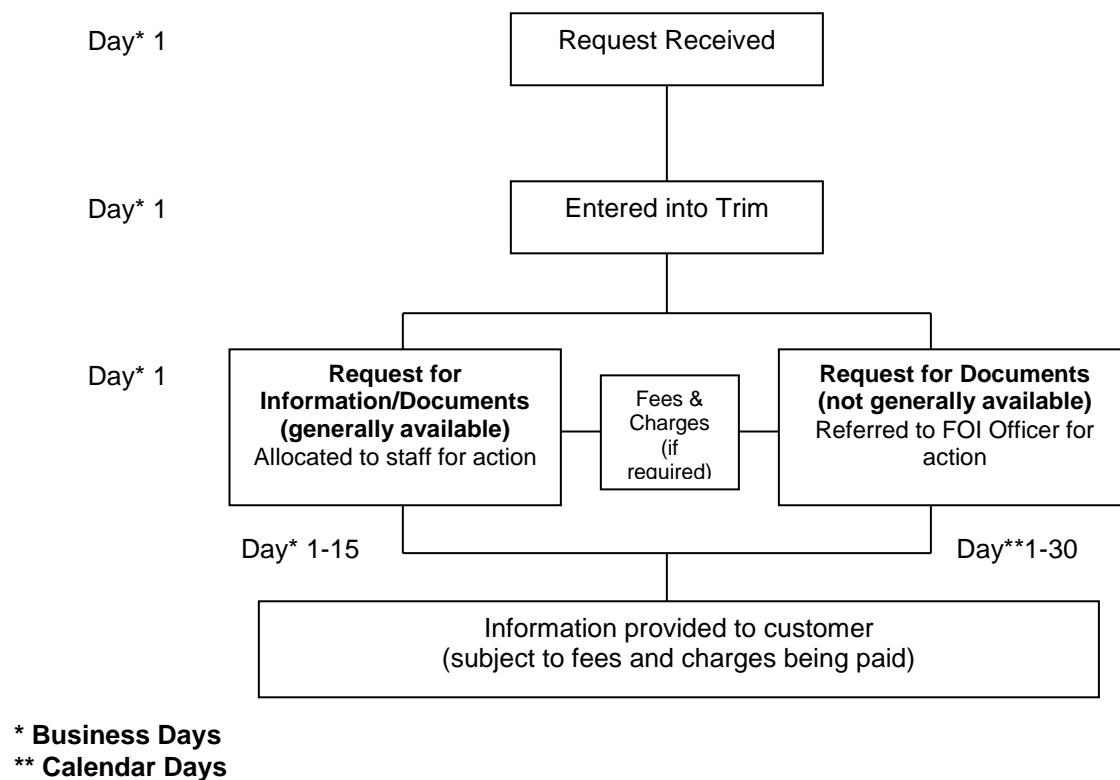
Ph 8269 5355

Email admin@prospect.sa.gov.au

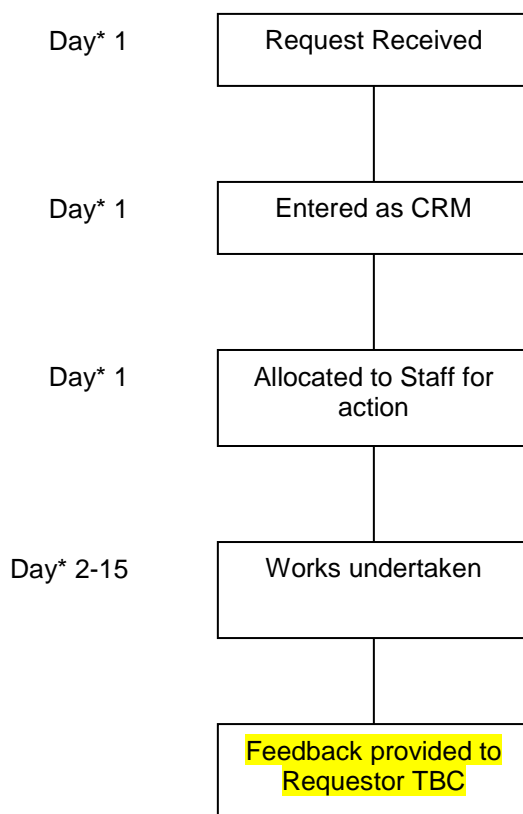
APPENDIX 1 – FRAMEWORK

GENERAL COUNCIL SERVICE	EXPIATION NOTICES	STAFF AND ELECTED MEMBERS	DEVELOPMENT	INSURANCE CLAIM	WHISTLEBLOWER / FRAUD & CORRUPTION
REQUEST FOR INFORMATION/DOCUMENTATION Refer RIF PROCESS Refer Internal RIF Procedure	REQUEST FOR INFORMATION/DOCUMENTATION AS PER EXPIATION ACT DOG & CAT MANAGEMENT ACT Refer Internal Expiation Notice Procedure	REQUEST FOR INFORMATION/DOCUMENTATION INFORMATION MANAGEMENT FOI Refer Internal FOI Procedure	REQUEST FOR INFORMATION/DOCUMENTATION AS PER DEVELOPMENT ACT Refer Internal Development Assessment Procedure	REQUEST FOR INFORMATION/DOCUMENTATION Refer to LGA Insurance Schemes	REQUEST FOR INFORMATION/DOCUMENTATION Not Applicable – Refer Policy
GENERAL (COUNCIL SERVICE) COMPLAINTS	EXPIATION NOTICE COMPLAINTS	CODE OF CONDUCT COMPLAINTS	DEVELOPMENT COMPLAINTS	INSURANCE CLAIM COMPLAINTS	WHISTLEBLOWER FRAUD & CORRUPTION
COVERED BY THIS POLICY REFER APPENDIX 4	COVERED BY 1. THE EXPIATION ACT 2. REVIEW OF COUNCIL DECISION POLICY REFER APPENDIX 4 3. ULTIMATELY CAPTURED BY THIS POLICY	CODE OF CONDUCT ISSUES 1. Staff Member/EMT/Other Serious 2. Mayor/Elected Member 3. CEO REFER APPENDIX 4	COVERED BY THE DAP COMPLAINTS POLICY	REFERRED TO INSURANCE PROVIDER	Refer to the Anti-Fraud Anti-Corruption Policy and Whistleblowers Protection Policy

APPENDIX 2 – REQUEST FOR INFORMATION/DOCUMENTS

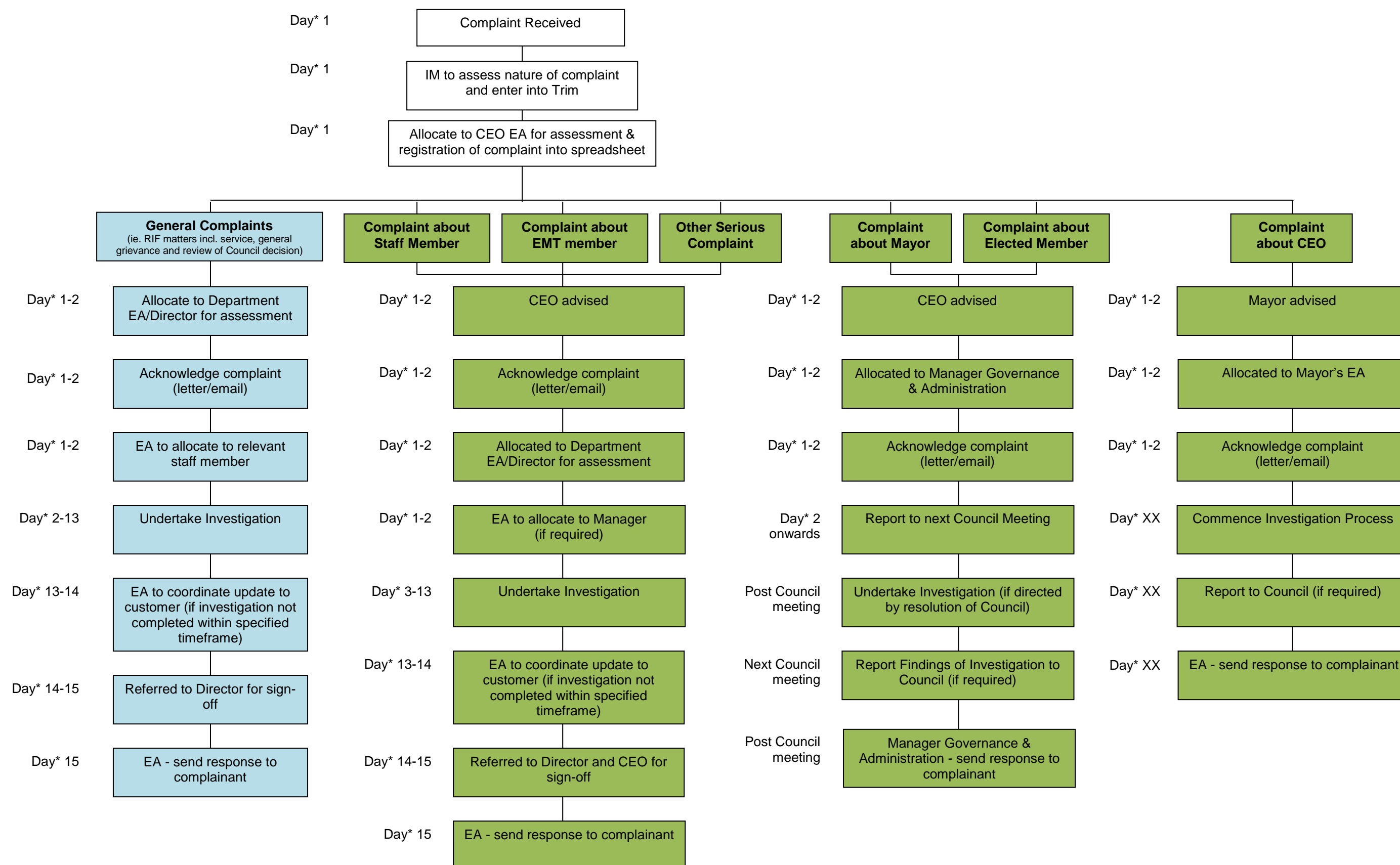


APPENDIX 3 – REQUEST FOR SERVICE



*** Business Days**

APPENDIX 4 – COMPLAINT FLOWCHART



* Business Days