



Blackall-Tambo

Regional Council

General Complaints (Administrative Actions) Policy

Policy Number: Stat 40	Effective Date: 15 July 2020
Version Number: Three	Review Date: 30 June 2022
Policy Compiled by: Chief Executive Officer	
Policy Approved by: Chief Executive Officer	

SCOPE

This policy applies to all Blackall-Tambo Regional Council employees, Councillors, volunteers and contractors.

PURPOSE

This is the General Complaints (Administrative Actions) Policy (the complaints process) of the Blackall-Tambo Regional Council (the council).

The complaints process is made under the *Local Government Act 2009*, *Local Government Regulation 2012* and *Information Privacy Act 2009*.

REFERENCES/POLICIES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *The Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Complaints Management Procedure*

SCOPE OF THE COMPLAINTS PROCESS

This policy applies to all Councillors, employees, contractors and volunteers of the Blackall-Tambo Regional Council and deals with administrative action complaints as identified under section 268 of the *Local Government Act 2009* made to the local government.

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What is an administrative action complaint?

A complaint from a Community member concerning Council related to:

- i. A decision, or failure to make a decision, including a failure to provide written statement of reasons for a decision;
- ii. An act, or a failure to do an act;
- iii. The formulation of a proposal or intention;
- iv. The making of a recommendation.

What is not an administrative action complaint?

- i. Customer requests;
- ii. A suggestion or proposed service improvement;
- iii. A follow up for further request for a service that has not been completed by Council but is still in the timeframes advised to the customer;
- iv. Reports of damage or faulty infrastructure such as roads or fallen branches.

DEFINITIONS

Terms used in the complaint process have the following meanings:

An **administrative action complaint** is a complaint that has been made by a Community Member (or anonymously) concerning Council, received in writing, by telephone or verbally regarding:

- i. a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;
- ii. an act, or a failure to do an act;
- iii. the formulation of a proposal or intention;
- iv. the making or a recommendation; and
- v. is made by an affected person.

An **affected person** is a person who is apparently directly affected by an administrative action of a local government.

ALL COMPLAINTS ARE TO BE:

- Accepted by any means, whether it is by phone, in person, in writing or anonymous;
- Assessed and categorised as per the General Complaints (Administrative Actions) Procedure;
- Acknowledged and resolved in a timely manner;
- Dealt with fairly, confidentially and objectively;
- Where appropriate referred to external agencies;
- Managed in a way that observes and complies with any legislative requirements;
- Reported on from time to time;
- Tracked and monitored;
- Resolved by mediation, negotiation and informal resolution where possible.



ALL COMPLAINANTS ARE TO BE:

- Provided with a written statement of the outcome as soon as practical;
- Given a reason for the outcome;
- Advised of any internal review and/or external appeal options.

Council will use the complaint management system to deliver excellence in customer service, encourage open and honest communication and encourage continuous improvement. The process is aimed at improving the community’s confidence in council’s complaints management system and enforcing council’s reputation of being accountable, open and transparent.

UNREASONABLE CUSTOMER CONDUCT

All complaints received by Council will be treated seriously and complainants will be treated courteously. Council aims to manage all situations in a fair and equitable manner however at times customer conduct can be in the form of unreasonable persistence, unreasonable demands, or their behaviour be uncooperative, argumentative or threatening.

A decision may be made to apply restrictions on contact with a complainant where:

- The complainant has demonstrated a pattern of lodging complaints which are of a repetitive or frivolous nature;
- The complainant’s behaviour is unreasonable, argumentative or threatening; or

If specific behaviour(s) or action continues, the complainant will be warned that restrictions may be applied.

RECORD KEEPING AND RECORDING

Statistical details about complaints concerning administrative actions and human rights complaints will be provided in the council’s annual report.

Information reported will include the number of:

- administrative action complaints made to the local government
- administrative action complaints resolved by the local government under the complaint management process
- administrative action complaints not resolved by the local government under the complaint management process
- human rights complaints made to the local government
- the number of human rights complaints received
- the outcome of the complaints; and
- any other information prescribed by regulation relating to complaints
- details of any reviews of policies, programs, procedures, practices or services undertaken in relation to Council’s compatibility with human rights.



POLICY REVIEW

This policy will be reviewed when any of the following occur:

1. As required by legislation
2. Other circumstances as determined by the Chief Executive Officer

Notwithstanding the above, this policy is to be reviewed at intervals of no more than two (2) years.

VERSION CONTROL

Version 1	9 December 2014
Version 2	10 February 2015
Version 3	15 July 2020