

<b>Administrative Action Complaint Policy</b>		 <b>Longreach Regional Council</b>
Policy Number:	2.8	
Policy Category:	Statutory	
Authorised by:	Res-2019-10-257	
Date approved:	24 October 2019	
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## LEGISLATION

*Local Government Act 2009*

*Local Government Regulation 2012*

## PURPOSE

This purpose of this policy is to provide a clear administrative process for the handling of administrative action complaints from receipt through to resolution, made by affected persons about a decision made by council or council officers.

## SCOPE

This policy applies to all Councillors and employees and deals with administrative action complaints as identified under section 268 of the *Local Government Act 2009* made to the local government.

### What is an administrative action complaint?

A complaint from a Community member concerning Council related to:

- i. A decision, or a failure to make a decision, including a failure to provide written statement of reasons for a decision;
- ii. An act, or 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 or 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

### ***Administrative Action Complaint*** –

A complaint from a Community Member (or anonymously) concerning Council, received in writing, by telephone or verbally regarding:

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

***Administrative Action Complaint Management*** - administrative method of handling and resolving complaints made by affected persons about:

**Affected Person** – Is a person who is apparently directly affected by an administrative action of a local government.

## **POLICY STATEMENT**

Council aims to provide a level of customer service the does not attract complaints, but acknowledges the right of persons to provide feedback, both positive and negative, on its services and/or to lodge a complaint about a decision or action taken.

Council encourages feedback to assist with improving its business and customer service processes. Therefore the complaints management system process will be readily available to and able to be understood by all persons.

Complaints are to be managed in accordance with the Administrative Action Complaint Management Directive, which sets out the process for receiving, recording, acknowledging, investigating and responding to complaints.

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 Administrative Action Complaint Management Directive;
- 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 outcomes 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 under Council's Unreasonable Customer Conduct Management Directive.

## **RELATED DOCUMENTS**

Administrative Action Complaint Management Directive  
Council's Code of Conduct  
Council's Unreasonable Customer Conduct Management Directive

Authorised by resolution as at 24 October 2019:



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Mitchell Murphy  
Chief Executive Officer