

Complaint Management Policy

Responsible Manager	Chief Executive Officer
Head of power	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i> <i>Public Service Act 2008</i> <i>Industrial Relations Act 1999</i> <i>Anti-Discrimination Act 1991</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Human Rights and Equal Opportunity Act 1986 (Cth)</i> <i>Human Rights Act 2019</i> <i>Public Sector Ethics Act 1994</i> <i>Crime and Corruption Act 2001</i> <i>Queensland Competition Authority Act 1997</i>
Authorised by	Council
Authorised on	20 September 2022
Implemented from	October 2022
Last reviewed	July 2022
Review history	2018, 2019, 2021, 2022
To be reviewed on	1 July 2023
Corporate Plan	<i>TSIRC Corporate Plan 2020–2025</i> Outcome 4: We are a transparent, open and engaging council. Outcome 8: We manage Council affairs responsibly for the benefit of our communities

1. Purpose

Council is strongly committed to ensuring that the local government principles are reflected in its handling of complaints.

2. Application

- (a) This Complaint Management Policy and Council's Complaint Management Procedure (SPO 9 PR 1) apply to:
- i. all external complaints (from contractors, members of public, etc.) received by Council, including anonymous complaints; and
 - ii. all internal complaints dealing with matters other than personal work-related grievances (being grievances personal to the complainant about matters arising in the work environment) received by Council.

This Complaint Management Policy and Council's Complaint Management Procedure (SPO 9 PR 1) do not apply to internal 'grievances', being any type of problem, concern, or complaint relating to an employee's work or the work environment. Grievances are dealt with under Council's Grievance and Investigation Management Procedure (PO2- PR21).

- (b) Council will apply Council's Public Interest Disclosure Policy and Management Program to:
- i. assess whether a complaint is a public interest disclosure under the *Public Interest Disclosure Act 2010* (Qld); and
 - ii. manage any complaint that Council considers to be a public interest disclosure.
- (c) The Complaint Management Policy and Procedure apply for the purpose of:
- i. section 268 of the *Local Government Act 2009* (Qld) and section 306 of the *Local Government Regulation 2012* (Qld) (administrative action complaints); and
 - ii. section 48 of the *Local Government Act 2009* (Qld) and sections 44 and 45 of the *Local Government Regulation 2012* (Qld) (competitive neutrality complaints).
- (d) Where the Office of the Independent Assessor refers a complaint about suspected inappropriate conduct to Council for investigation, Council shall investigate the complaint in accordance with Council's Investigations Policy.
- (e) This Policy applies to all local government employees, Councillors, contractors and agents of Council.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* (Qld), *Local Government Regulation 2012* (Qld), *Public Sector Ethics Act 1994* (Qld), *Public Interest Disclosure Act 2010* (Qld), *Human Rights Act 2019* (Qld) and *Crime and Corruption Act 2001* (Qld).

4. Policy Statement

- (a) Council acknowledges that people have a right to make complaints about its actions.

- (b) Council shall maintain open and transparent internal and external complaints management processes enabling continuous review of the conduct of Council, its employees, Councillors, contractors and agents.
- (c) Council is committed to encouraging the internal reporting of wrongdoing.
- (d) Council shall ensure that people are given help to make their complaint
- (e) Council shall ensure that people are not disadvantaged or treated unfairly after they make a complaint, and that Council provides appropriate protection and support to people who make public interest disclosures, and others related to a complaint.
- (f) Council shall respond quickly and efficiently to complaints in a fair and objective way, and deal with each complaint in accordance with the principles of natural justice.
- (g) Council, local government employees, Councillors, contractors and agents of Council shall conduct itself/ themselves strictly in accordance with the Local Government Principles set out in section 4(2) of the *Local Government Act 2009* (Qld) and the Ethics Principles set out in section 4(2) of the *Public Sector Ethics Act 1994* (Qld), namely: -
 - i. transparent and effective processes, and decision-making in the public interest; and
 - ii. sustainable development and management of assets and infrastructure, and delivery of effective services; and
 - iii. democratic representation, social inclusion and meaningful community engagement; and
 - iv. good governance of, and by, local government; and
 - v. ethical and legal behaviour of Councillors and local government employees; and
 - vi. integrity and impartiality;
 - vii. promoting the public good;
 - viii. commitment to the system of government; and
 - ix. accountability and transparency.
- (h) A failure of a local government employee, Councillor, contractor or agent to conduct oneself strictly in accordance with the Local Government Principles and Ethics Principles shall be thoroughly investigated by Council and if proven, met with appropriate disciplinary action as available under Council Policy, Procedure and/or Regulation, including but not limited to mandatory reporting to regulatory bodies (e.g. the Queensland Crime and Corruption Commission, the Office of the Independent Assessor or the Chief Executive Officer of the Department of Local Government, Community Recovery and Resilience). A person who provides false or misleading information or makes false or misleading allegations may face disciplinary action.

Manager Responsible for Review:

Chief Executive Officer

Adoption:

James William

Due for Revision: 1 July 2023

Chief Executive Officer