

# TEMORA SHIRE COUNCIL



TEMORA

*The Friendly Shire*

## COMPLAINTS/DISCLOSURE REPORTING PROCEDURE

**ACTIVE**

## Review Details

### **ABOUT THIS RELEASE**

**DOCUMENT NAME:** Complaints/Disclosure Reporting Procedure  
**CODE NUMBER:** G5  
**AUTHOR:** Temora Shire Council  
**ENDORSEMENT DATE:** November 2011

### **REVIEW**

Revision Date	Revision Description		Date approved by Council	General Managers Endorsement
November 2011	<i>New requirement of Public Interest Disclosures Act Amendment 2011</i>	1	17.11.2011	GCL
30 August 2017	Changes to terminology	2	N/A	GCL
November 2018	Review	3	15 November 2018	GCL

### **PLANNED REVIEW**

Planned Review Date	Revision Description		Review by
October 2021	General Review		GCL

**GOAL:** The goal of this code is to ultimately improve customer service in all areas through response to feedback and provide a mechanism for the reporting of corrupt conduct.

**GENERAL:** Temora Shire Council welcomes feedback, whether complaints or compliments as a way of improving services to and safety of the community.

- All staff are prepared to receive complaints in person, in writing or by telephone. They will listen courteously, record faithfully and initiate appropriate action immediately.
- All complaints will be recorded on a request database and examined so that action can be taken to avoid the problem occurring again, and ensure we provide service that meets or exceeds local community needs.
- If we are unable to resolve a complaint, the complainant will be referred to an appropriate authority or advised of the reason for not complying.
- Council will support fully the investigations of ICAC, the state ombudsman, Office of Local Government and other specialist agencies.
- Council will ensure through the *Public Interest Disclosures Act 1994* (The Act) that complainants reporting corrupt conduct are protected.

**PROCEDURE:**

**HOW TO LODGE COMPLAINTS:**

Complaints can be lodged in person, by telephone, by e-mail or by written correspondence. It is preferred, and in some cases essential that the complainant gives their name and contact details.

**RESPONDING TO COMPLAINTS:**

**Verbal Complaints:** The process for verbal complaints will be:

1. Receive complaint and register in Content Manager. If the complaint contains a specific request this should be registered in Customer Request Module (CRM).
2. Register in Content Manager database.
3. Refer to relevant officer.

**Written Complaints:** The process for written complaints will be:

1. Receive complaint and register in Customer Request Module (CRM).
2. Acknowledge receipt of letter.
3. Register in Content Manager database.
4. Refer to relevant officer.
5. Advise complainant of actions taken.

**Urgent Complaint:** The process for urgent complaints where a dangerous situation currently exists will be:

1. Receive complaint and register in Content Manager. If the complaint contains a specific request this should be registered in Customer Request Module (CRM).
2. Ensure relevant officer is made immediately aware.
3. Register in Content Manager database.
4. Follow up to ensure action is taken.

**Serious Complaint:** (Refer *Public Interest Disclosures Section*)  
When a complainant wishes to make a serious complaint involving corrupt conduct, maladministration, serious & substantial waste, government information contravention or local government pecuniary interest contravention:

1. Receive complaint and insist on the matter being put in writing and register in Content Manager.
2. The General Manager will report the matter to the Independent Commission Against Corruption (ICAC) *and the Commissioner of Police.*
3. *Acknowledge receipt of the disclosure and send a copy of the policy to the complainant within 45 days.*
4. Advise the Office of Local Government of pecuniary interest complaint and refer the matter for information to the Internal Audit Committee.
5. Advise complainant in writing of result of investigation.

**Competitor Complaint:** For complaints regarding improper or inappropriate practices by Council, the procedure shall be:

1. Receive complaint and insist on written statement and register in Content Manager database.
2. Refer the matter to General Manager.
3. The General Manager will report the matter to the Australian Competition Council, if warranted.
4. Advise complainant of result of investigation.

## RESPONSIBILITIES:

### STAFF

It is the responsibilities of staff to ensure:

1. All complaints and requests are registered on the computerised database.
2. Prioritise the complaint to ensure that urgent matters, that is, matters that place community at risk are afforded a high priority.
3. Appropriate actions are taken to redress the problem and minimise the possibility of reoccurrence.
4. All normal complaints are referred to the appropriate officer within 24 hours.
5. All complaints are registered on the database at the time of receipt.

6. For field staff, a written summary to be received by office staff with 24 hours.
7. Internal complaints should be maintained as confidential.

## **PUBLIC INTEREST DISCLOSURES**

Complainants are advised that the *Public Interest Disclosures Act 1994* (The Act) provides a mechanism to encourage and facilitate the disclosure, in the public interest of corrupt conduct, maladministration serious and substantial waste in the public sector by –

- a) enhancing and augmenting established procedures for making disclosures concerning such matters and
- b) protecting persons from reprisals that might otherwise be inflicted on them because of these disclosures and
- c) providing for these disclosures to be properly investigated (Sect 3)

The protection against reprisals provides (Sect 20) that a person who takes detrimental action against another person that is substantially in reprisal for the other person making a protected disclosure is guilty of an offence (50 penalty points and 12 months imprisonment), detrimental action may include injury, damage or loss, intimidation or harassment, discrimination, disadvantage or adverse treatment in relation to employment, dismissal from or prejudice in employment or disciplinary proceedings.

*Amendments to the Public Interest Disclosures Act 1994 required that the following actions be taken.*

1. *The Public Officer will be responsible for receiving disclosures on behalf of Temora Shire Council.*
2. *All staff of the Council will be provided with a copy of the policy and re-issued after each amendment.*
3. *Temora Shire Council will report to the Ombudsman each 6 months (30 June & 31 December) any statistical information relating to the Act (Section 6C1A)*