

Customer Complaint Policy

Effective 10 August 2023





Customer Complaint Policy

Background:

Invercargill City Council (Council) is committed to delivering high quality services that satisfy the needs and expectations of our customers. Our teams aim to be helpful, respectful and responsive at all times. On the occasions where we do not meet these standards, we encourage customers to make a formal complaint. Council welcomes the opportunity to understand these formal complaints, in order to continuously improve our people, processes and services. Where a formal complaint is raised, Council will respond with courtesy, fairness, and impartiality.

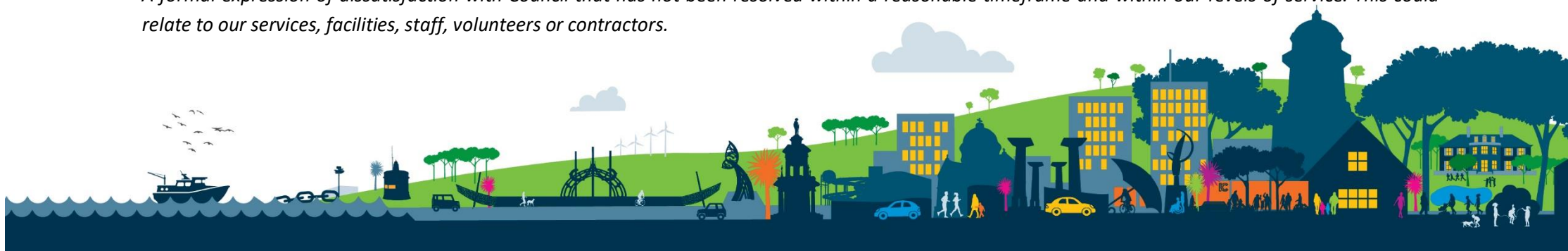
Purpose:

The purpose of this policy is to outline Council's structured approach to managing formal complaints. It explains how we will manage and resolve them in a fair, timely and objective manner with remedies and response actions that are proportionate to the issues raised.

What is a formal complaint?

All formal complaints that are received by Council will be managed according to this policy. A formal complaint is defined as:

A formal expression of dissatisfaction with Council that has not been resolved within a reasonable timeframe and within our levels of service. This could relate to our services, facilities, staff, volunteers or contractors.



Issues regarding Elected Members are managed in accordance with the Council Code of Conduct (see below), and therefore fall outside the scope of this policy.

On most occasions, the first point of contact will be a member of the Customer Services team, but it could be any Council staff member, Elected Member, volunteer or contractor that works directly with our community. This person will often be able to resolve the matter directly, preventing the need to enter the matter as a formal complaint.

If the first point of contact cannot resolve the matter, then a formal complaint can be raised. This will be tracked and escalated within a Register.

Examples of formal complaints include:

- Taking longer to do something than we said we would
- Not doing what we said we would
- Not following what we said we would do in a policy or set of rules
- Not taking decisions in the way we said we would
- Giving wrong information
- Being unhelpful, disrespectful or unresponsive

Members of the community can raise a complaint through any of our usual channels, including in person, by phone, via email, through our website or a direct message on social media.

Council staff or Elected Members who receive a complaint from a member of the community will encourage that person to contact Customer Services to have it recorded. Members of staff may also raise a complaint on behalf of a customer or customers either through the appropriate manager or by contacting the Team Leader - Customer Services directly.



Request For Service and formal complaints

At Council we often receive calls from customers to “complain” about issues such as noisy neighbours, wandering dogs, problems with the water supply, faulty traffic lights or road issues, amongst other things. Although this sounds like a complaint, at Council we initially resolve such matters with a Request for Service (RFS). This means that we send our officers to investigate and resolve the problem. Usually this is the end of the matter and this would not be considered a formal complaint, and would not be recorded in the Register.

However, if Council fails to remedy the issue, for example if we get a call to say no one ever came to fix that faulty traffic light within a reasonable timeframe and within our levels of service, then this would be entered in the Register as a formal complaint, because this would be a complaint about Council’s quality of service.

Register

Formal complaints will be recorded in a Register which will be held securely by Council. Any tier four Team Leader, Manager or higher will be able to record and view complaints. Other Council staff may be given temporary access to the Register for administration reasons or for working on specific complaints.

Any personal information recorded on the Register will be treated in confidence and in accordance with Council’s Privacy Policy and with all relevant legislation.

Scope

This policy applies to all areas of Council, its people, the services it provides and the venues it operates, except as excluded below.



Exclusions

Sometimes a member of the community may have an issue that sits outside of the scope of this policy and needs to be dealt with through different channels. These issues will not be entered into the Register as formal complaints. Examples of this include:

- Disagreement with a Council Bylaw, policy or decision
- Disagreement with matters that Council is obliged to apply by law
- Matters where a legal procedure is already underway between the individual and Council
- Emergency response matters
- Criminal allegations
- Matters that already have a formal right of appeal
- Three Waters “complaints” as defined in the Department for Internal Affairs’ Non-Financial Performance Measures Rules 2013, except where the issue also amounts to a formal complaint as defined above for the purposes of this policy. These will be recorded in our Pathway system
- Issues regarding an Elected Member, as these are dealt with under the Code of Conduct (see below)

Timeframes

Council will work to the following timeframes when managing formal complaints:

- Within two working days – Team Leader - Customer Services will acknowledge receipt
- Within five working days – relevant Complaint Liaison will make contact to confirm the details of the formal complaint and propose a solution
- Within ten working days – relevant Complaint Liaison will make contact to finalise resolution of the matter and outline continuous improvement measures

If the matter is a complex formal complaint (see below), we might not be able to meet the timeframe outlined above. Where this happens we will be sure to let you know the reason for the delay, and when you can expect a full response.

Where Council is waiting for further information from the complainant this will be communicated, and may cause a delay in the process.



Council roles and responsibilities

The *Team Leader – Customer Services* is responsible for the operational processes that are associated with complaint management and closure. They will oversee the Register and ensure it is kept up to date.

The *Complaint Liaison* is the designated member of staff within a service area, group or team who will be responsible for managing the complaint through to closure. Following this policy and the process outlined above, they will communicate clearly, respond within the timeframes, keep accurate records and take action as required.

Where there is or could be a conflict of interest involving a Council staff member, they will disclose this to their manager and they will be removed from the complaint process.

The complainant

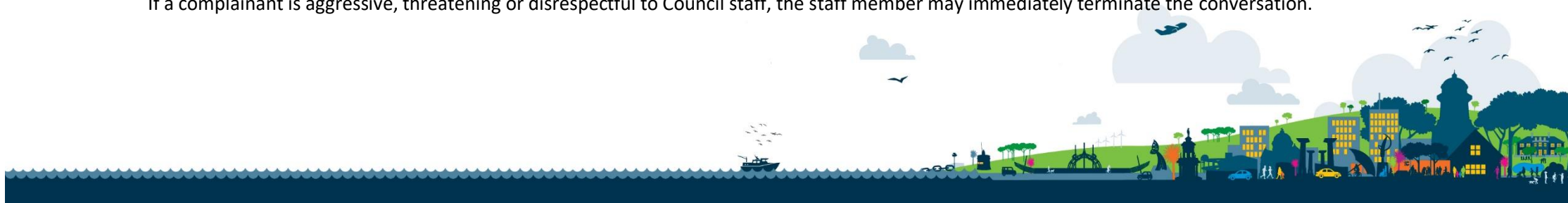
The complainant needs to provide their name and contact details, which will be treated confidentially in line with Council's privacy policy. Formal complaints that are made anonymously will still be registered but Council is unlikely to be able to resolve them fully without a contact reference.

Council understands that the circumstances leading to a formal complaint can be frustrating and distressing. However, we will be best positioned to resolve the problem if all parties communicate clearly and effectively. We recommend that complainants seek the support of friends, family and whānau if needed. Translation services are also available if required.

We will not tolerate abusive, inappropriate or unreasonable behaviour towards Council staff. Examples of unacceptable behaviour include:

- Verbal, written or physical abuse of staff
- Persistent formal complaints about the same matter, despite it having been fully explored through the formal complaint process
- Persistent formal complaints in pursuit of an unachievable outcome
- Repeated changes to aspects of the formal complaint through the process

If a complainant is aggressive, threatening or disrespectful to Council staff, the staff member may immediately terminate the conversation.



Council may refuse to investigate a formal complaint if there is evidence that it is frivolous, habitual or vexatious. Under such circumstances the Complaint Liaison shall advise and consult with the Team Leader - Customer Services and relevant Group Manager before making a decision.

If Council staff consider that the complainant's behaviour is unacceptable, they will advise them of the following in writing:

- That the process has been suspended
- Reasons for the suspension
- That the process will only be re-started when the complainant agrees to modify their behaviour

A suspension can be escalated to the Chief Executive if the complainant disagrees with it.

Resolution

The complainant will be advised of the outcome of the formal complaint process. If the complainant is not satisfied with the outcome, they have 28 working days from the date of the full written response to provide details of why they consider their formal complaint unresolved. If the complainant wishes to request this then the matter will be escalated to the Chief Executive or their designate.

If the complainant remains dissatisfied at the outcome of the formal complaint process, they retain the right to refer the matter to the Chief Ombudsman or for Judicial Review.

Complex formal complaints

Formal complaints involving more than one service area or team

Formal complaints that allege dissatisfaction of service against more than one department will be reviewed and assigned on a priority basis by the Team Leader - Customer Services. Consultation may occur between the affected departments to evaluate which will take primary responsibility for managing the formal complaint.



If a formal complaint is incorrectly assigned to a department for investigation, the receiving department may request that the Team Leader - Customer Services reassigns it to the appropriate area.

Complaints against an individual staff member

If a formal complaint is received about a staff member, the Complaint Liaison will work with the appropriate manager to resolve the issue. The People and Capability Business Partner will be consulted and involved as required and all formal complaints will be managed according to privacy and confidentiality standards.

Complaints against the Chief Executive

Any formal complaint against the Chief Executive will be referred to the Mayor, who will determine the most appropriate means of investigation and resolution. The procedures and timescales for any such formal complaint may fall outside the normal standard.

Complaints against Elected Members

Elected Members (as defined in the Council Code of Conduct) must comply with the Council Code of Conduct. This Code describes the high standards of conduct required from Councillors and other elected or appointed officials in carrying out their duties. Complaints regarding the conduct of an Elected Member will be referred to the Chief Executive and/or Mayor, who will manage such complaints in accordance with the procedures prescribed in the Code of Conduct where it is determined it is appropriate to do so.

Performance monitoring and reporting

Complaint data will be collated and monitored by Council to allow operational reporting on formal complaints trends.

A quarterly report on the number of formal complaints received and whether they have been resolved yet will be presented to the Executive Leadership Team on a quarterly basis. Regular reporting will also be included in reports made to the Risk and Assurance Committee.



Revision History:	N/A
Effective Date:	10 August 2023
Review Period:	This policy will be initially be reviewed within one (1) year, and thereafter every six (6) years unless earlier review is required due to legislative change, or is warranted by another reason requested by Council.
New Review Date:	August 2024 Local Government official Information and Meetings Act 1987
Associated Documents / References:	N/A
Supersedes:	N/A
Reference Number:	A5008730
Policy Owner:	Manager – Customer Services


Authorised By: _____

Michael Day
Chief Executive

