

General Complaints policy

1. Purpose

This policy establishes guidelines and procedures for how the council will handle General Complaints (refer to definition).

2. Policy

The Council:

- a. Welcomes General Complaints as an important form of feedback that can be used to improve its service offering to the community
- b. Values integrity, responsible management, fairness and equity, and will continue to strive to maintain the highest standards in its dealings with its customers while meeting the needs of the community
- c. Is committed to identifying, investigating and where possible resolving General Complaints and grievances within a fair and objective procedure.
- d. In resolving ongoing General Complaints, is conscious of not over-committing resources and funds to the detriment of the community
- e. Is committed to tracking the progress of general complaint handling within the organisation and reporting on this as part of its overall performance

This Policy aims to ensure:

- a. Improved customer experience through consistent, effective management of General Complaints
 - i. Council aims to resolve complaints within five business days from receipt
 - ii. Advises customers of the progress of a complaint within five business days, when the complaint requires additional information or investigation
 - iii. Provides updates, at a minimum, each five business days until resolution or a decision is made, or alternative timelines are agreed
- b. That the complainant understands what the Council can reasonably do and what it is unable to do.
- c. That the Council's resources are not utilised on malicious, frivolous, unreasonable, persistent or vexatious General Complaints
- d. That where required the complainant is informed of the role of Elected Members in relation to decision making
- e. Resolution processes in relation to General Complaints will be equitable, transparent and accountable
- f. General Complaints will be recorded in the Council's Customer Request Management System to enable tracking and effective response. (Please note: Internal review of council service and ombudsman enquires are captured in Council's Electronic Records and Document Management System (EDRMS))
- g. That all customers are treated consistently, honestly and fairly
- h. That Council will use General Complaints received to assist with its continuous improvement across the organisation.

This policy does not apply to complaints involving the following issues:

- a. Competitive neutrality
- b. Conflicts of interest and Conduct complaints - refer to Code of Conduct for Volunteers and Code of Conduct for Council Members

- c. Access to information - refer to Freedom of Information (FOI)
- d. Decisions on development applications where the grievance relates to procedural matters or a decision to approve/refuse a development application. Such matters are managed through a formal appeal process.. Complaints relating to the impact of an approved development will be considered having regard to the requirements of this policy
- e. Matters before a Court, Tribunal, South Australia Police, a Minister of the Crown, a South Australian or Federal Government department, or the South Australian Ombudsman
- f. Complaints alleging maladministration, serious and substantial waste of public money, corrupt conduct or pecuniary interest - refer to Fraud, Corruption, misconduct and Maladministration Prevention Policy
- g. Complaints or appeals against expiation notices.

2.1. Lodging General Complaints

General Complaints or concerns may be lodged with the Council in the following ways:

- a) In writing including by letter, email (customerservice@cttg.sa.gov.au) or via Council's website www.teatreegully.sa.gov.au
- b) In person at a Council facility
- c) By telephoning Council on 8397 7444.

On receiving a complaint, Council employees will assess whether the complaint is a general complaint or a matter that can be managed through an alternative process (e.g. a request for service or an Internal Review of Council Decisions).

Council will acknowledge the receipt of all General Complaints and the customer will be notified of the appropriate timeframe within which an investigation will be undertaken and a determination made to resolve the general complaint.

Where a general complaint is lodged with an Elected Member the member should direct it, in the first instance to Council's Contact Centre via phone or email.

Where, following an appropriate written response to a complainant, the Council receives further General Complaints that detail the same or substantially similar matters to those received previously, the Council employee or Elected Member will refer the complaint to the Internal Review of Council Decision process.

2.2. Anonymous General Complaints

Where validating evidence is presented, an anonymous general complaint will be investigated and actioned. If no evidence is presented and the complainant is anonymous, the general complaint will be investigated at the discretion of management.

2.3. Confidentiality

The Council will ensure that confidentiality is maintained where appropriate and possible. Care will be taken to ensure (where possible) that the complainant does not experience any form of victimisation or retribution as a result of the general complaint.

2.4. Unreasonable General Complaints

Council will take proactive and decisive action to manage any complainant conduct that negatively and unreasonably affects Council and will support Council employees and Elected Members to do the same in accordance with this Policy.

Unreasonable complainant conduct is any behaviour by a current or former complainant that because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, Council employees, Elected Members, other service users or the complainant themselves.

Unreasonable complainant conduct is defined as:

- a) Persisting unreasonably with a general complaint by showing an inability to accept the final decision even though it has been comprehensively considered by the Council, and even where all avenues of internal review have been exhausted
- b) Using unreasonable demands by insisting on outcomes that are unattainable
- c) Being uncooperative or deliberately obstructive by presenting a large quantity of information which is not organised, sorted, classified or summarised or by Displaying unhelpful or using unreasonable arguments
- d) Displaying confrontational behaviour, including rudeness, aggression or threats
- e) Where the general complaint is about something that is beyond the Council's jurisdiction or outside of the Council's control.

Where a complainant engages in unreasonable conduct the Council employee or Elected Member may deal with the general complaint and complainant in accordance with this Policy.

2.5. Managing malicious, frivolous, persistent and vexatious General Complaints

Following an investigation, the Council may determine a general complaint is malicious, frivolous, unreasonable, persistent or vexatious.

A determination that a general complaint is malicious, frivolous, unreasonable, persistent or vexatious must take into account:

- a) Any previous complaints of a similar nature submitted by the complainant
- b) The response and outcome to the previous General Complaints
- c) Complainant behaviour that contravenes Council's obligation to provide a safe workplace for staff
- d) The resources required to address the general complaint (to ensure that it is not an unreasonable diversion of public resources)

A decision to take no further action on the general complaint once all other avenues for review have been exhausted may be made by a General Manager or the CEO and the complainant will be informed in writing, where possible.

Where the Council determines a general complaint to be malicious, frivolous, unreasonable, persistent or vexatious it will respond in a consistent manner, taking into account the individual circumstances of each general complaint.

In certain circumstances it is appropriate and legitimate for the Council to place certain limits on the type of services that will be made available to complainants when their behaviour continues to be unacceptable. The Council may impose limits on the times and days that correspondence may be accepted from a complainant, or may request that all General Complaints and communication be provided in writing.

Where limitations on contact with a complainant are imposed, the Council will inform the complainant in writing, specifying the limits and the reasons for their imposition.

The Council is aware of the legitimate right of members of the public to access Council information under the Freedom of Information Act 1991. Any limits will not impede these statutory rights, or any other statutory rights of the complainant.

2.6. Declining to further investigate General Complaints

Council will consider placing limits on further communications with the complainant where:

- a) A thorough examination of a general complaint has occurred
- b) The complainant remains dissatisfied with the outcome of the general complaint and demands further review.

This action will only be taken as a last resort with the decision taken by a Director or CEO after all other avenues have been exhausted, and where the complainant is making unacceptable demands on the Council's complaint handling resources.

Limits could include:

- a) Declining to respond to any further communications unless they are in writing
- b) Informing the complainant that any further General Complaints will be filed by the Council with or without acknowledgement unless it includes significant new information or new issues which in the opinion of the Council warrants action
- c) Informing the complainant that the general complaint will be referred to the Ombudsman (or other external agency) for action.

2.7. Supporting Council employees and Elected Members

The Council has certain obligations under Work, Health and Safety legislation to provide a safe working environment. Council is mindful of the impact that dealing with complainants who feel aggrieved can have on Council employees and Elected Members.

Management will support Council employees and Elected Members to endeavour to minimise the impact complaints can have on their health and wellbeing.

3. Definitions

For the purposes of this policy the following definitions apply:

CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully, or an Acting Chief Executive Officer of the City of Tea Tree Gully (including their delegate)

General Complaint

Is an expression of dissatisfaction with:

- a) Council's actions, policies, procedures, processes, charges, employees, agents or services
- b) The quality of services provided or works carried out
- c) The lack of action on a request for service
- d) Delays associated with the provision of a service
- e) The conduct of Council's employees or nominated agents/representatives.

General Complaint Resolution

A general complaint is resolved when a customer is satisfied that the Council has made its best attempt to fix the problem. It is possible they may not be completely satisfied with the outcome but they are prepared to accept the outcome without escalating the complaint any further.

The Council

City of Tea Tree Gully as a local government entity, including Council employees and Elected Members.

Customer

Ratepayer, resident, visitor or business.

Frivolous

A complaint that lacks substance or merit, or is obviously untenable.

Malicious

Someone who is motivated by wrongful, vicious, or mischievous purposes.

Persistent

Someone who is refusing to give up or let go and/or is obstinate and/or insistently repetitive or continuous.

Request for Information

When the Council receives a request for information.

Request for service

When a customer requests the provision of service, or for some action to be taken to address a problem, or a request for a change to the way the Council delivers a service. If a request for service is not dealt with appropriately, it may then become a general complaint.

Review of a Council decision

When a customer seeks a review of a decision made by the Council, an employee of the Council, or persons acting on behalf of the Council. These are dealt with in Council's "Internal Review of Council Decisions Policy".

Unreasonable complainant conduct

Unreasonable conduct by complainants, which goes beyond normal situational stress associated with complainant behaviour. Unreasonable complaint conduct is discussed in greater detail within this Policy.

Vexatious

When a complaint is lodged to deliberately harass, annoy, delay or cause detriment or trouble. A complaint can also be considered vexatious where the complaint is without foundations and cannot possibly succeed, or where the complainant lacks reasonable grounds for lodging the complaint, or possesses insufficient direct interest in the issue complained about.

4. Legislative framework

4.1. Reference to legislation

There is no legislative requirement for the Council to have a policy that deals with aggrieved customers. Council recognises that this policy represents good governance practice. The Ombudsman promotes the principle of having this policy to assist Council in managing complaints received.

The following legislation applies to this policy:

Local Government Act 1999

Section 270 of this Act requires Council to establish procedures for the internal review of Council decisions and for requests for service.

Under Section 270 of this Act, the Council has the ability to refuse to consider an application for review of a decision on the grounds that the application is frivolous or vexatious, or where the applicant does not have sufficient interest in the matter.

Section 99 (1) (g) of this Act provides that the Council's Chief Executive Officer must ensure that the assets and resources of the Council are properly managed and maintained.

Section 102 of this Act delegates the authority to the Council's Chief Executive Officer to appoint, dismiss and manage employees

4.2. Other references

Council's document including:

- a) Code of Conduct for Volunteers
- b) Employee Conduct Policy
- c) Fees and Charges Register
- d) Fraud, Corruption, Misconduct and Maladministration Prevention Policy
- e) Internal Review of Council Decisions Policy
- f) Ombudsman Enquiry and Investigation Management Policy
- g) Public Interests Disclosure Policy
- h) Request for Services Policy

External document including:

- a) Code of Conduct for Council Members (gazetted 29 August 2013)
- b) Commonwealth Ombudsman (Australia) and New South Wales (2009) - [Managing unreasonable complainant conduct practice manual](#).

This policy takes into account the Unreasonable Complainant Conduct Model Policy published by the New South Wales Ombudsman.

5. Strategic Plan 2030

5.1. Strategic objectives

The following strategic objectives and aspirations in Council's Strategic Plan 2030 are the most relevant to this report:

Strategic Objective		Comments
5. Our Leadership We are trusted to make good decisions that are in the best interest of our community.		
5.1. Our service provision is sustainable and adaptable.		Complaints and general feedback give us opportunities to continually improve our services and how these are delivered
5.2. We have an innovative approach to customer service that provides a positive customer experience and adapts to changing needs.		We proactively use complaints data to adapt our services to meet the wider community needs

5.3.	Our engagement is meaningful and we keep our community informed about Council initiatives.	Proactively making information available and updating customers assists in reducing of complaints
5.4.	Our planning and decision making is evidence based, consistent and focused on outcomes for the future.	We manage complaints in a way that is fair and equitable and respond in a way that serves the wider community interest

5.2. **Organisation Plan**

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of customer care, trust, teamwork and growth. The pillar most relevant to this policy is customer care; trust, teamwork and growth.

6. **Policy Implementation**

This Policy will be implemented by the Chief Executive Officer or relevant portfolio General Manager and managed in accordance with Council's scheme of delegations.

Record number	D25/62597
Responsible Manager	Manager Customer & Communications
Other key internal stakeholders	General Manager Corporate Services Manager Corporate Governance Manager People & Capability
Last reviewed	26 May 2026
Adoption reference	Council
Resolution number	944
Previous review dates	16/02/22, 17/04/19, 17/11/16, 17/09/13, 09/10/12, 29/6/10
Legal requirement	N/A
Due date next review	2030
Delegations	Y