



# Council Procedure

## Complaints Handling Process

Department/Unit	People, Communications & Governance	First Implemented	16 March 2016	Review Date	June 2028
Origin	Coordinator Communications, Governance & Risk	Reviewed	April 2024	Version	4
Authorising Officer	Endorsement by Council	Effective From	25 June 2024	TRIM Reference	E512

### How To Make a Complaint

Any member of the public can make a complaint. Complaints can be made [to Mansfield Shire Council](#) by:



**Phone:**  
(03) 5775 8555



Mansfield Shire Council  
Private Bag 1000  
MANSFIELD VIC 3724



Email:  
[council@mansfield.vic.gov.au](mailto:council@mansfield.vic.gov.au)  
or go to our website:  
[www.mansfield.vic.gov.au](http://www.mansfield.vic.gov.au)  
(click on the "submit a request or complaint" button)



In person at  
Mansfield Shire Council  
33 Highett Street  
MANSFIELD VIC 3722

Council requests that the complainant provide Council with the following information:

- **Their** name and contact details. You can complain anonymously, but this may limit how Council responds to you,
- **Identification of** the action, decision, service or policy **that the complaint is** about, and why you are dissatisfied,
- provide relevant details, such as dates, times, location or reference numbers, and documents that support your complaint, and
- the outcome you are seeking from making your complaint.

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## Complaint Resolution Process

### Level 1 – Frontline Staff

Frontline staff and subject matter experts receive the complaint and resolve it within the scope of their authority. Staff are empowered to resolve complaints wherever possible at first contact with this process:

- Frontline staff will receive complaints in a positive, receptive and professional manner.
- Upon receipt of the complaint, the frontline staff must ensure that the complaint is registered in full detail on Council's customer request management system (CRMS). Supporting documentation will be registered in Council's records management system.
- Frontline staff will assess the complaint to determine:
  - a) how it should be dealt with, and
  - b) who is the appropriate actioning officer/ subject matter expert.

If further investigation is not required the appropriate actioning officer or subject matter expert will, within five (5) business days, contact the complainant to acknowledge the complaint has been received and provide a response.

If Council is not the appropriate organisation to respond, the complainant will be advised and referred to another organisation that can assist.

### Level 2 – Investigation

If frontline staff cannot resolve the complaint, they will refer it to a more senior Council officer responsible within the appropriate work area for investigation and response following this process:

- If frontline staff cannot resolve the complaint in the first instance, it will be assigned to a senior officer (for example coordinator or manager) for investigation. This additional level of complaint handling provides customers with the confidence that their complaint has been considered by a different person, holding a higher level of delegated authority.
- The senior Council officer handling the complaint will, within five (5) business days, contact the complainant to:
  - acknowledge the complaint has been received.
  - confirm the accuracy of the complaint and seek further detail if required, and
  - explain what will happen next (as per this policy) and the timeframe for response.
- Council will aim to resolve all complaints within 28 days.
- If it takes longer than 28 days to resolve a complaint, the senior Council officer will contact the complainant prior to this time and explain the reasons for the delay and provide an updated timeframe for response.
- Complaints that are not resolved within 28 days will be escalated to the relevant manager, executive manager, or general manager to ensure that a resolution is promptly achieved.

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The frontline staff or subject matter expert will action the complaint as soon as possible, and/or within ten (10) business days

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 If further investigation is required, the frontline staff/subject matter expert will contact the customer in writing or by telephone within five (5) business days from receiving the complaint to: ¶  
 acknowledge the complaint has been received ¶  
 confirm the accuracy of the complaint and seek further detail if required, and ¶  
 explain what will happen next (as per this policy) and the timeframe for response . ¶

Deleted: and advise the complainant within ten (10) business days who the contact person is and how long it will take to respond to the complaint.

- The senior Council officer responsible for handling the complaint will write (letter or email) to the complainant to advise them of the outcome. The outcome correspondence will contain reasons for the decision made and the contact information for the responsible officer.
- The senior Council officer handling the complaint may contact the complainant by telephone to discuss the outcome of their complaint either prior to or after sending the outcome correspondence.

### Level 3 – Internal Review

If the complainant is not satisfied that the investigation process resolved the complaint or managed their matter correctly, they can request an internal review using the following process:

- The complainant may request an internal review of their complaint if they are not satisfied that the complaint has been resolved or managed correctly. This request must be made in writing.
- Complaints received for internal review will be coordinated by Coordinator Communications, Governance and Risk, who may elect to respond to the matter in one or more of the following ways:
  - respond directly;
  - instruct another Council officer to deal with the complaint;
  - request further information;
  - refer the matter to the relevant general manager for review;
  - seek independent external advice from a suitably qualified person/s; and/or
  - for more complex matters, refer a request to an internal review panel.
- The Coordinator Communications, Governance and Risk or nominee will contact the customer within five (5) business days to explain the process and timelines.
- A written outcome letter will be provided to the complainant at the conclusion of an internal review.

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### Level 4 – External Review

If the complainant is not satisfied that the internal review process resolved their complaint or managed the matter correctly, they will be informed of the external avenues which they may pursue their complaint.

There are external bodies that can deal with different types of complaints about Council.

You can request an external review from the following organisations.

Complaint	Organisation to Contact for External Review
<p><b>Actions or decisions of a Council, Council staff and contractors.</b></p> <p>This includes failure to consider human rights or failure to act compatibly with a</p>	<p>Victorian Ombudsman www.ombudsman.vic.gov.au</p>

Complaint	Organisation to Contact for External Review
human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic)	
<b>Breaches of the Local Government Act</b>	Local Government Inspectorate www.lgi.vic.gov.au
<b>Breach of Privacy</b> Complaint about a freedom of information application	Office of the Victorian Information Commission www.ovic.vic.gov.au
<b>Corruption or public interest disclosure ('whistleblower') complaints</b>	Independent Broad-based Anti-Corruption Commission www.ibac.vic.gov.au
<b>Discrimination</b>	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au
<b>Council Elections</b>	Victorian Electoral Commission www.vec.vic.gov.au

Specific Types of Complaints

Type of Complaint	Specific Handling Procedure
Allegations of improper conduct by Council staff (including the Chief Executive Officer) including under the Public Interest Disclosures Act 2012	If a complaint involves allegations of improper conduct, the complaint will be forwarded to <a href="#">Public Interest Disclosures Officer</a> for investigation and action. Information about making a complaint under the <a href="#">Public Interest Disclosure Act 2012</a> is available on Council's website.
Allegations or suspicions of misconduct or reportable conduct by Council staff (including Chief Executive Officer), relating to the safety of children and young people, as defined by the Child Wellbeing and Safety Act 2005	<a href="#">Council has a zero tolerance of child abuse, and all allegations and safety concerns will be treated seriously and consistently with policies, procedures and the law.</a> <a href="#">How Council handles the protection of children's rights in accordance with the Victorian Child Safe Standards can be read in the Mansfield Shire Council Child Safe Policy.</a>

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**Deleted:** If a complaint involves allegations of misconduct or reportable conduct, the complaint will be forwarded to the Chief Executive Officer for investigation and action. ¶  
Complaints about the Chief Executive Officer will be forwarded to the Mayor for investigation and action. ¶  
Information about making a complaint under the Reportable Conduct Scheme is available on Council's website. Disclosures should be made directly to: Council's manager governance and/or manager people and culture.¶

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