



Policy Owner: Executive Manager Governance

Policy Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 North Sydney Council believes that in its commitment to good governance, customers have a right to complain when they are dissatisfied with the services of Council.
- 1.2 Council will ensure all complaints are dealt with in an accountable, transparent, timely and meaningful way. This Policy provides guidance to North Sydney Council staff and people who wish to make a complaint on the key principles and concepts of our complaint management system.
- 1.3 Council's complaint handling system is consistent with the NSW Ombudsman's *Complaints Management Framework (June 2015)*, the Division of Local Government's *Practice Note No. 9 'Complaints Management in Councils' (July 2009)* and the *AS/NZS 10002:2014 'Guidelines for complaint management in organizations'*.
- 1.4 Council has a zero tolerance policy towards any harm, abuse or threats directed towards staff and Councillors. Any conduct of this kind will be dealt with under this Policy and in accordance with Council's duty of care and work health and safety responsibilities.
- 1.5 The objectives of the complaint management system are to:
 - a) enable North Sydney Council to respond to issues raised by people making complaints in a timely and cost-effective way;
 - b) enable North Sydney Council to respond to child protection complaints in an appropriate manner;
 - c) boost public confidence in our administrative process; and
 - d) provide information that can be used by Council to deliver quality improvements in our services, staff and complaint handling

2. ELIGIBILITY

- 2.1 This Policy applies to all Councillors and employees of North Sydney Council as well as contractors working on behalf of Council.

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- 2.2 This Policy applies to all staff receiving or managing complaints from the public made to or about North Sydney Council regarding our services, staff and complaint handling.
- 2.3 Staff grievances, code of conduct complaints, privacy complaints and public interest disclosures are dealt with through separate mechanisms.

3. DEFINITIONS

Terms used in the Policy have the following meanings:

- 3.1 Complainant/customer - a person or organisation to whom Council provides or offers a service or who makes a complaint.
- 3.2 Complaint - a complaint is an expression of dissatisfaction made to or about North Sydney Council, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- a) staff grievances [see HR Policies]
- b) public interest disclosures made by our staff [see the Internal reporting policy]
- c) privacy complaints [see the *Privacy Management Plan*]
- d) code of conduct complaints [see the *Code of Conduct*]
- e) responses to requests for feedback about the standard of our service provision [see the definition of 'feedback' below]
- f) reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of 'feedback']
- g) service requests [see definition of 'service request' below]
- h) requests for information [see Council's *Access to Information Policy*]
- i) child protection [see Council's *Child Safe Policy and Reportable Conduct Procedure*].

A complaint is not:

- a) a request for service unless it is a second request where the complaint is a lack of action against the first request;
- b) a request for information or an explanation of policies or procedures;
- c) a request for a review of a decision in accordance with North Sydney Council's usual processes or procedures;
- d) an expression of concern - where a response or resolution is not explicitly or implicitly expected; OR

e) an expression of opinion.

3.3 Complaint management system - all policies, procedures, practices, staff, hardware and software used by North Sydney Council in the management of complaints.

3.4 Complaints Review Panel - is the group of Council employees appointed by the General Manager, who may review complaints where the complainant is dissatisfied with the initial outcome from Council.

Unless otherwise appointed by the General Manager the panel comprises: the Public Officer (Panel Chair), Manager Records and Customer Services as well as a representative from a Division not involved in the original complaint. No panel member may sit on the panel if they have involvement in the complaint.

3.4 Dispute - an unresolved complaint escalated either within or outside of North Sydney Council.

3.5 Feedback - opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about North Sydney Council, services or complaint handling where a response is not explicitly or implicitly expected or legally required.

3.6 Service request - a services request is:

- a) a request for approval;
- b) a request for action;
- c) routine inquiries about the North Sydney Council's business;
- d) a request for the provision of services and assistance;
- e) a report of failure to comply with laws regulated by the North Sydney Council; and/or
- f) a request for explanation of policies, procedures and decisions.

3.7 Grievance - a clear, formal written statement by an individual staff member about another staff member or a work related problem.

3.8 Policy - a statement of instruction that sets out how we should fulfill our vision, mission and goals.

3.9 Procedure - a statement or instruction that sets out how our policies will be implemented and by whom.

3.10 Public interest disclosure - a report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

- 3.11 Public Officer - is a member of Council's senior staff, appointed under the *Local Government Act 1993*. The functions of the Public Officer include dealing with complaints from the public concerning Council's affairs.

4. PROVISIONS

4.1 Guiding Principles



4.2 Facilitate Complaints

- 4.2.1 People focus - North Sydney Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling. Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- a) provided with information about North Sydney Council's complaint handling process;
 - b) provided with multiple and accessible ways to make complaints;
 - c) listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate; and
 - d) provided with reasons for decision/s and any options for redress or review.
- 4.2.2 No detriment to people making complaints - North Sydney Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.
- 4.2.3 Anonymous complaints - North Sydney Council accepts anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. Where inadequate/insufficient information is provided to investigate a matter, a review will not be conducted. It can be very difficult to resolve issues, or enforce legislation, without the ability to thoroughly investigate and gather evidence and information.

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- 4.2.4 Accessibility - North Sydney Council will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, North Sydney Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

- 4.2.5 No charge - Complaining to North Sydney Council is free.

4.3 Respond to Complaints

- 4.3.1 Early resolution - Where possible, complaints will be resolved at first contact with North Sydney Council. This may include the involvement of a Supervisor or Manager.

- 4.3.2 Responsiveness - North Sydney Council will promptly acknowledge receipt of complaints. North Sydney Council will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately. North Sydney Council is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- a) the complaints process;
- b) the expected time frames for actions;
- c) the progress of the complaint and reasons for any delay;
- d) their likely involvement in the process; and
- e) the possible or likely outcome of their complaint.

North Sydney Council will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

North Sydney Council will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

- 4.3.3 Objectivity and fairness - North Sydney Council will address each complaint with integrity and in an equitable, objective and unbiased manner. North Sydney Council will ensure that the person handling a complaint is different

from any staff member whose conduct or service is being complained about (except when resolved at the first point of contact).

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

- 4.3.4 Responding flexibly - North Sydney Council staff are empowered to resolve complaints promptly and with as little formality as possible. North Sydney Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

North Sydney Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

- 4.3.5 Confidentiality - North Sydney Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by North Sydney Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

4.4 **Manage the parties to a complaint**

- 4.4.1 Complaints involving multiple agencies - Where a complaint involves multiple organisations, North Sydney Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where North Sydney Council services are contracted out, it is expected that contracted service providers have an accessible and comprehensive complaint management system. North Sydney Council takes complaints not only about the actions of our staff but also the actions of service providers.

4.4.2 Complaints involving multiple parties - When similar complaints are made by related parties North Sydney Council will try to arrange to communicate with a single representative of the group.

4.4.3 Empowerment of staff - All staff managing complaints are empowered to implement the North Sydney Council complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of the complaint management system.

4.4.4 Managing unreasonable conduct by people making complaints – North Sydney Council is committed to being accessible and responsive to all people who approach with feedback or complaints. At the same time our success depends on:

- a) our ability to do our work and perform our functions in the most effective and efficient way possible;
- b) the health, safety and security of our staff; and
- c) our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with North Sydney Council, their conduct can significantly affect the progress and efficiency of our work. As a result, North Sydney Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints refer to the *Managing Unreasonable Complainant Conduct Policy*.

5. COMPLAINT MANAGEMENT SYSTEM

5.1 Introduction

When responding to complaints, staff should act in accordance with North Sydney Council's Complaint Management System Procedure as well as any other internal documents providing guidance on the management of complaints.

Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in the North Sydney Council complaint management system are set out below.

5.2 Receipt of complaints

Unless the complaint has been resolved at the outset, North Sydney Council will record the complaint and its supporting information. It will be assigned a unique identifier to the complaint file.

The record of the complaint will document:

- a) the contact information of the person making a complaint;
- b) issues raised by the person making a complaint and the outcome/s they want;
- c) any other relevant; and
- d) any additional support the person making a complaint requires.

5.3 Acknowledgement of complaints

North Sydney Council will acknowledge receipt of each complaint promptly, and preferably within five working days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

5.4 Initial assessment and addressing of complaints

5.4.1 Initial assessment - After acknowledging receipt of the complaint, North Sydney Council will confirm whether the issue/s raised in the complaint is/are within our control.

North Sydney Council will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, North Sydney Council will consider:

- a) how serious, complicated or urgent the complaint is;
- b) whether the complaint raises concerns about people's health and safety;
- c) how the person making the complaint is being affected;
- d) the risks involved if resolution of the complaint is delayed; and
- e) whether a resolution requires the involvement of other organisations.

5.4.2 Addressing complaints - After assessing the complaint, North Sydney Council will consider how to manage it. To manage a complaint we may:

- a) give the person making a complaint information or an explanation;

- b) gather information from the product, person or area that the complaint is about; or
- c) investigate the claims made in the complaint.

North Sydney Council will keep the person making the complaint up to date on progress, particularly if there are any delays. North Sydney Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and take into account any statutory requirements.

5.5 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, North Sydney Council will contact the person making the complaint and advise them:

- a) the outcome of the complaint and any action taken;
- b) the reason/s for the decision; and
- c) the remedy or resolution/s that is proposed or put in place.

If in the course of investigation, adverse findings are made about a particular individual, consideration will be given to any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing findings with the person making the complaint.

5.6 Closing the complaint, record keeping, redress and review

North Sydney Council will keep comprehensive records about:

- a) how the complaint was managed;
- b) the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations; and
- c) any outstanding actions that need to be followed up.

North Sydney Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

5.7 Alternative avenues for dealing with complaints

North Sydney Council will inform people who make complaints to or about us about any internal or external review options available to them (such as the NSW Ombudsman or Office of Local Government).

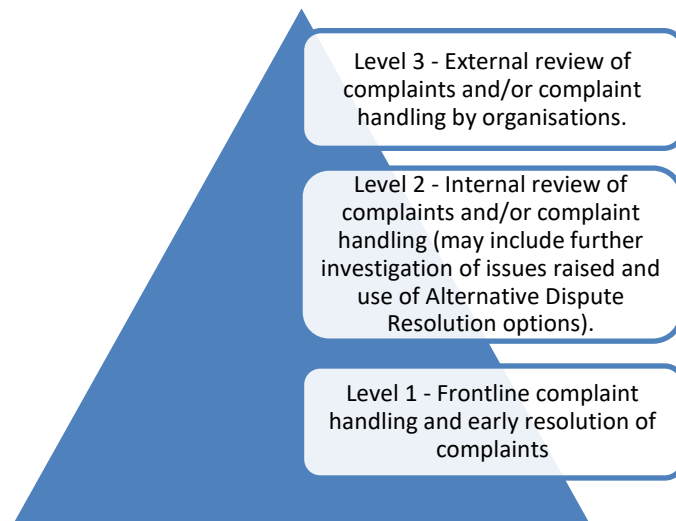
5.8 The three levels of complaint handling

North Sydney Council aims to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision. This level of complaint handling may involve the relevant Manager or Supervisor.

Where this is not possible, North Sydney Council may decide to escalate the complaint to the relevant Director or Public Officer. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of North Sydney Council’s review of their complaint, they may seek an external review of the decision (by the NSW Ombudsman for example).



5.9 Service Levels

Indicative timeframe	Action
Within 5 working days of Council registering a complaint	In circumstances where a complainant has provided contact details, the staff member responsible for handling the complaint will provide acknowledgement of receipt of the complaint to the complainant. Such acknowledgement may be by telephone or in writing, as appropriate, and details of this contact will be recorded against the complaint in Council’s electronic document management system. The staff member will attempt to reach a resolution with the complainant if possible in the contact, or ensure all appropriate details are collated to enable an investigation.

Indicative timeframe	Action
Within 15 working days of Council registering a complaint	Council will attempt to address all complaints within 15 working days of receipt of the complaint except where further information is expected to be received to inform the investigation. Should this be the case, this shall be noted in Council's electronic document management system, and the staff member responsible for handling the complaint will advise the complainant of progress of the complaint.
After 15 working days of Council registering a complaint	In instances where Council is awaiting information to assist its investigation a complaint may go beyond our 15 working day timeframe. Council will endeavour to provide the complainant with as accurately as possible the timeframe to expect an informed response. If this timeframe is not met, Council will provide the complainant with a revised timeframe.

6. ACCOUNTABILITY AND LEARNING

6.1 Analysis and evaluation of complaints

North Sydney Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- a) the number of complaints received;
- b) the outcome of complaints, including matters resolved at the frontline;
- c) issues arising from complaints;
- d) systemic issues identified; and
- e) the number of requests received for internal and/or external review of North Sydney Council complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of North Sydney Council's customer service and make improvements.

At least every six months both reports and their analysis will be provided to North Sydney Council's General Manager and senior management for review. This will then be reported to Council.

6.2 Monitoring of the complaint management system

North Sydney Council will continually monitor the complaint management system to:

- a) ensure its effectiveness in responding to and resolving complaints, and
- b) identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online

listening tools and alerts.

6.3 Continuous improvement

North Sydney Council is committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- a) support the making and appropriate resolution of complaints;
- b) implement best practices in complaint handling;
- c) recognise and reward exemplary complaint handling by staff;
- d) regularly review the complaints management system and complaint data; and
- e) implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

7. RESPONSIBILITY/ACCOUNTABILITY

7.1 All staff and Councillors are required to comply with the provisions of this Policy.

6.1.1 Any member of Council staff can receive a complaint and must follow this Policy to record and handle the complaint.

6.1.2 If a Councillor receives a complaint, the Councillor should refer the matter directly to the General Manager, relevant Director or the Public Officer.

7.2 Managers and Directors are responsible for supporting staff to apply this Policy, as well as related guidelines/procedures. Managers and Directors are also responsible for ensuring compliance with the procedures identified in this Policy, ensuring that all staff members are trained to deal with complaints handling in accordance with our duty of care and work health and safety responsibilities.

7.3 Managers and Directors are responsible for investigating complaints, determining outcomes and an appropriate method(s) of redress.

7.4 Council's Solicitor is responsible for organising legal advice as required under this Policy.

7.5 The responsible Director and/or Public Officer are responsible for reviewing complaints where the complainant is not satisfied with the initial outcome.

7.6 An (Internal) Complaints Review Panel may be convened to assist with the review of complaints where the complainant is not satisfied with the initial outcome.

7.7 Council's Executive Manager Governance is responsible for presenting a report to Council with details of complaints received and acted on by each Division for the proceeding two quarters.

7.8 North Sydney Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented:

Who	Commitment	How
General Manager	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none"> • Report publicly on North Sydney Council's complaint handling. • Provide adequate support and direction to key staff responsible for handling complaints. • Regularly review reports about complaint trends and issues arising from complaints. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly. • Encourage staff to make recommendations for system improvements. • Recognise and reward good complaint handling by staff. • Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.
Executive Manager Governance	Establish and manage our complaint management system.	<ul style="list-style-type: none"> • Provide regular reports on issues arising from complaint handling work. • Ensure recommendations arising out of complaint data analysis are canvassed with leadership and implemented where appropriate. • Recruit, train and empower staff to resolve complaints promptly and in accordance with North Sydney Council's policies and procedures. • Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly. • Recognise and reward good complaint handling by staff.

Who	Commitment	How
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Assist people make a complaint, if needed. • Comply with this policy and its associated procedures. • Keep informed about best practice in complaint handling. • Provide feedback to management on issues arising from complaints. • Provide suggestions to management on ways to improve the organisation's complaints management system. • Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
All staff	Understand and comply with North Sydney Council's complaint handling practices.	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Be aware of North Sydney Council's complaint handling policies and procedures. • Assist people who wish to make complaints access the North Sydney Council's complaints process. • Be alert to complaints and assist staff handling complaints resolve matters promptly. • Provide feedback to management on issues arising from complaints. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

7.9 This Policy shall be reviewed every four years or as required based upon any changes to the NSW Ombudsman's Complaint Handling Model Policy.

8. RELATED POLICIES/DOCUMENTS/LEGISLATION

All relevant Council policies and procedures must be taken into consideration when considering or investigating a complaint under the complaints process.

The Policy should be read in conjunction with following Council policies and documents:

- Access to Information Policy
- Code of Conduct - Councillors and Staff
- Conduct Review Committee Charter

- Compliance and Enforcement Policy
- Child Safe Policy
- Customer Service Policy
- Delegations of Authority
- Enterprise Risk Management Policy
- Internal Reporting Policy
- Managing Unreasonable Complaints Conduct Policy
- Work Health and Safety Policy (staff policy)
- Open Government Policy
- Privacy Management Plan
- Procurement Policy

The Policy should be read in conjunction with the following documents and legislation relating specifically to issues of complaint handling:

- AS/NZS 10002:2014 'Guidelines for complaint management in organisations' - October 2014
- Children and Young Persons (Care and Protection) Act 1998
- Children's Guardian Act 2019
- Children's Guardian Amendment (Child Safe Scheme) Act 2021 No 30
- Child Protection (Working with Children) Act 2022
- Complaint Management Framework, NSW Ombudsman, June 2015
- Government Information (Public Access) Act 2009
- Independent Commission Against Corruption Act 1988
- Local Government Act 1993 - Sections 429A and 478
- Managing Unreasonable Complainant Conduct Practice Manual, NSW Ombudsman, May 2012
- Practice Note No. 9 Complaints Management in Councils NSW, Division of Local Government, July 2009
- Privacy and Personal Information Protection Act 1998
- Public Interest Disclosures Act 1994
- Work Health and Safety Act 2011
- Reportable Conduct Procedure

9. ADDITIONAL INFORMATION

Complaints about Council may also be lodged with:

External Agency	Nature of Complaint
NSW Office of Local Government Locked Bag 3015 NOWRA NSW 2541 Telephone 02 4428 4100 Facsimile 02 4428 4199	Matters concerning a serious breakdown in Council's operations, if Council as a whole is not operating satisfactorily or the matter relates to pecuniary interest

External Agency	Nature of Complaint
Email olg@olg.nsw.gov.au Website www.olg.nsw.gov.au	
Office of the NSW Ombudsman Level 24, 580 George Street SYDNEY NSW 2000 Telephone 02 9286 1000 or Toll free 1800 451 524 Email nswombo@ombo.nsw.gov.au Website www.ombo.nsw.gov.au	Matters concerning maladministration
The Independent Commission Against Corruption GPO Box 500 SYDNEY NSW 2001 Telephone 02 9318 5999 or Toll free 1800 463 909 Facsimile 02 9699 8067 Email icac@icac.nsw.gov.au Website www.icac.nsw.gov.au	Matters concerning corrupt conduct, which is defined as dishonest or partial exercise of any official functions by a public official The ICAC Act requires the General Manager to report suspected cases of corrupt conduct to ICAC
Information and Privacy Commission NSW GPO Box 7011 SYDNEY NSW 2001 Telephone 1800 472 679 Email ipcinfo@ipc.nsw.gov.au Website www.ipc.nsw.gov.au	Matters concerning the release of government information <i>Breaches of the Privacy and Personal Information Act 1998</i>

Version	Date Approved	Approved by	Resolution No.	Review Date
1	23 October 2006	Council	817	2008/09
2	16 February 2009	Council	61	2012/13
3	20 November 2010	Council	776	2012/13
4	13 August 2012	Council	470	2012/13
5	18 February 2013	Council	61	2016/17
6	25 June 2018	Council	214	2020/21
7	19 November 2018	Council	424	2020/21
8	15 December 2021	General Manager	MANEX	2021/22
9	30 January 2023	Council	16	2024/25

APPENDIX A: INDIVIDUAL RIGHTS AND MUTUAL RESPONSIBILITIES OF THE PARTIES TO A COMPLAINT

Note: The term 'rights' is used to demonstrate a guarantee of the standard of service and behaviour that all parties should meet if a complaints process is to be effective. It is not used to depict a legally enforceable entitlement - although some are.

In order for North Sydney Council to ensure that all complaints are dealt with fairly, efficiently and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

1. Individual Rights

1.1 Complainants have the right:

- to make a complaint and to express their opinions in ways that are reasonable, lawful and appropriate;
- to a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case;
- to a fair hearing;
- to be informed in at least general terms about the actions taken and outcome of their complaint;
- to be given reasons that explain decisions affecting them;
- to be treated with courtesy and respect; and
- to communicate valid concerns and views without fear of reprisal or other unreasonable response.

1.2 Staff have the right:

- to determine whether, and if so how, a complaint will be dealt with;
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances;
- to expect honesty, cooperation and reasonable assistance from complainants;
- to expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a complaint;
- to be treated with courtesy and respect;
- to a safe and healthy working environment; and
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.

1.3 Subjects of a complaint have the right:

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them;
- to be treated with courtesy and respect by staff of North Sydney Council;

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- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated;
 - to be informed about the substance of any proposed adverse comment or decision;
 - to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made; and
 - to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them.

2. Mutual Responsibilities

2.1 Complainants are responsible for:

- clearly identifying to the best of their ability the issues of complaint, or asking for help from North Sydney Council to assist them in doing so;
- providing to the best of their ability North Sydney Council with all the relevant information available to them at the time of making the complaint;
- being honest in all communications with North Sydney Council;
- informing North Sydney Council of any other action they have taken in relation to their complaint;
- cooperating with the staff who are assigned to assess/investigate/resolve/determine or otherwise deal with their complaint; and
- treating staff of North Sydney Council with courtesy and respect.

If complainants do not meet their responsibilities, North Sydney Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

North Sydney Council has a zero tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant. In certain cases legal action may also be considered.

2.2 Staff are responsible for:

- providing reasonable assistance to complainants who need help to make a complaint and, where appropriate, during the complaint process;
- dealing with all complaints, complainants and people or organisations the subject of the complaint professionally, fairly and impartially;
- giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant;

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- giving people or organisations the subject of the complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made;
 - informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to answer or address;
 - keeping complainants informed of the actions taken and the outcome of their complaints;
 - giving complainants reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decisions that affect them;
 - treating complainants and any people the subject of complaint with courtesy and respect at all times and in all circumstances;
 - taking all reasonable and practical steps to ensure that complainants are not subjected to any detrimental action in reprisal for making their complaint; and
 - giving adequate warning of the consequences of unacceptable behaviour.

If North Sydney Council fails to comply with these responsibilities, complainants may complain to the General Manager.

2.3 Subjects of a complaint are responsible for:

- cooperating with North Sydney Council staff who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction;
- providing all relevant information in their possession to North Sydney Council or its authorised staff when required to do so by a properly authorised direction or notice;
- being honest in all communications with North Sydney Council and its staff;
- treating the staff of North Sydney Council with courtesy and respect at all times and in all circumstances; and
- refraining from taking any detrimental action against the complainant in reprisal for them making the complaint.

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws and/or Codes of Conduct.

3. North Sydney Council is responsible for:

- having an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording and reviewing complaints;
- ensuring that all complaints are dealt with professionally, fairly and impartially;
- ensuring that staff treat all parties to a complaint with courtesy and respect;
- ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence;

- finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances;
- implementing reasonable and appropriate policies/procedures/practices to ensure that complainants are not subjected to any detrimental action in reprisal for making a complaint; and
- giving adequate consideration to any privacy implications that may arise in the handling of complaints and the conduct of investigations.

If North Sydney Council fails to comply with these responsibilities, complainants may complain to the General Manager.