

# Complaints Management Policy

## Purpose

- › To improve Riverina Water's operations through responding positively to complaints.
- › To facilitate the resolution of that complaint in accordance with Riverina Water's statutory powers and responsibilities.
- › To allow audit, monitoring and analysis to take place on complaints related data.
- › To develop community confidence and trust that Riverina Water is responsive and caring.

## Policy Statement

Riverina Water provides democratic government through its services and facilities for the benefit of our customers. Customers have the right to expect satisfactory standards of work and good conduct in service delivery.

The performance of Riverina Water, at times, may not be to the satisfaction of customers or other external stakeholders. In those circumstances, Riverina Water is committed to ensuring the opportunity is available to express dissatisfaction through an effective complaints management system and that any complaint received through the system is dealt with courteously, investigated fully and acted on within an appropriate time.

## Scope

This policy covers the following types of complaint:

- › Complaints of a general nature,
- › Complaints of corrupt conduct, maladministration, or misuse of Riverina Water resources,
- › Competitive neutrality complaints,
- › Complaints that cannot be resolved through normal Riverina Water procedures and where the customer expresses a clear desire and intention to lodge a formal complaint.
- › Unreasonable complainant conduct.

The policy does not cover:

- › Service requests,
- › Requests for information or explanation of policies or procedures of decisions of Council,
- › Reports of damaged or faulty infrastructure,
- › Reports of hazards,
- › Reports concerning neighbours or neighbouring properties,

- › Appeals against Council decisions, policies, or procedures, unless recorded as complaints about Council's decision-making process,
- › Complaints under the Code of Conduct which are subject to a separate process,
- › Privacy complaints which are subject to separate processes.

## Definitions

**Complaint** A complaint is any dissatisfaction expressed by an interested party about specific decisions, procedures, charges, staff, agents, or quality of service. The complainant defines the complaint.

<b>Formal Complaint</b>	This relates to complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a complaint in writing. Formal complaints are referred to the CEO for investigation following the Guidelines for Managing Complaints.
<b>Competitive Neutrality Complaint</b>	This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of a Council business. Competitive neutrality complaints are referred to the CEO for investigation following the Guidelines for Managing Complaints.
<b>Complaint Under Code of Conduct</b>	These complaints relate to breaches of the Code of Conduct. Code of Conduct complaints are made in writing to the CEO and are dealt with by processes set out in the Guidelines for Dealing with Complaints under the Code of Conduct.
<b>Protected Disclosure</b>	<p>This is a complaint made under the Protected Disclosures Act. It covers disclosures relating to corrupt conduct, maladministration or serious and substantial waste of public money.</p> <p>The investigation of protected disclosures follows the Guidelines for Managing Complaints but is subject to additional requirements relating to confidentiality and protection from retribution which are set out in the Protected Disclosure Internal Reporting System.</p>
<b>Privacy Complaint</b>	This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Riverina Water. The investigation of Privacy complaints is set out in the Privacy Policy.

## Principles

Riverina Water will:

- › Deal with complaints promptly in accordance with its Complaints Management Policy,
- › Seek to resolve complaints at the time they are made,
- › Publicise its complaints management processes,
- › Ensure members of the public dissatisfied with Council's conduct are aware of their right to lodge complaints,
- › Acknowledge complaints within seven working days including advice about the action taken to resolve the complaint,
- › Advise complainants of their right to complain to the Ombudsman, the ICAC or the Office of Local Government
- › Deal with protected disclosures in accordance with its Protected Disclosures Policy,
- › Ensure that only the people directly involved in the complaint, or in sorting it out, will have access to information about the complaint,
- › Record complaints to monitor trends and allow improvement in processes to reduce further complaints

## Lodging a complaint

Complaints can be made via the following methods.

- › **In person:** At our administration office at 91 Hammond Avenue during normal business hours
- › **Phone:** (02) 6922 0608
- › **Mail:** PO Box 456, Wagga Wagga NSW 2650
- › **Online:** Via the form on our website – [rwcc.nsw.gov.au](http://rwcc.nsw.gov.au)
- › **Email:** [admin@rwcc.nsw.gov.au](mailto:admin@rwcc.nsw.gov.au)

It may be necessary to request that a complaint be provided in writing to ensure accuracy and additional information to assist with a timely review and response.

## Complaints made to staff

The complaint handling process for employees is broken down into three levels:

### Level One – First Line Complaint Handling

- › All first line staff are responsible for receiving, recording, and ensuring the resolution of all straightforward, minor complaints as speedily as possible. They have the authority to resolve problems on the spot (within their approved delegation).
- › First line staff may refer complaints to their supervisor.
- › Complainants receive a response within five business days, and are advised if this is not possible or any other update

### Level Two – Internal Review or Investigation

- › Where the customer is still dissatisfied and/or depending on the nature of the complaint, the matter will be referred to the appropriate Director or directly to the CEO, who will review the complaint and report back to the complainant.
- › Riverina Water aims to resolve these complaints within 14 business days. If resolution cannot be reached within this time, complainants will be kept informed, provided with the name of who is responsible for resolving the complaint and given an estimated timeframe

### Level Three – Independent Review

In all cases, if a complaint cannot be resolved within Riverina Water, the complainant is offered one of the following alternatives:

- › An alternative dispute resolution procedure such as mediation;
- › Referral to an external agency such as the Independent Commission Against Corruption, the NSW Ombudsman, or the Deputy Secretary of the NSW Office of Local Government.
- › Appeal procedures or other legal remedies.

### **Complaints made to Board Members**

Complaints are sometimes made directly to Board Members rather than to staff. In order for the above processes to be followed, Board Members are requested to:

- › Ask the complainant whether they have previously made the complaint to Riverina Water staff. If not, provide the methods of lodging a complaint set out in this policy
- › Or log details of the complaint and refer it to the CEO and follow the appropriate levels of action in accordance with this policy

A report back to the respective Board Member will be made regarding action taken on the complaint.

### **Complaints concerning corrupt conduct**

These complaints should be referred to the CEO or if the complaint relates to the CEO the complaint is referred to the Chairperson and dealt with in accordance with the Guidelines for Managing Complaints. All complaints relating to allegations of corrupt conduct are to be immediately referred to ICAC in accordance with the published procedure.

### **Complaints concerning competitive neutrality**

In the event of a competitive neutrality complaint being received, the following procedures will be followed:

- › Competitive complaints must be submitted in writing,
- › The CEO will acknowledge receipt of the letter within seven days and will provide details of how it is proposed to handle the complaint,
- › The CEO will investigate the complaint, obtain any advice that is necessary and provide a full response within 21 days.

### **Anonymous complaints**

It is difficult to resolve complaints of this nature without the ability to thoroughly investigate that matter, gather evidence and seek additional information.

Anonymous complaints will be reviewed to the extent that it is possible without being able to consult with the complainant.

### **Resolving complaints**

An important part of complaint management is ensuring that if a complaint is found to be correct then some form of restitution is made to the complainant. Making restitution is a way of acknowledging that a wrong has been done and that it is regretted.

Depending on the complaint, an investigation may lead to one or more of a range of possible outcomes, including:

- › an explanation;
- › an apology;
- › mediation;
- › a change in decision, procedure or practice;
- › a correction of misleading records;
- › financial compensation, including a refund of a fee;
- › the remission of a penalty.

### **Difficult Complainants**

Most complainants act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration, and anger about their complaint. However, in a very small number of cases complainants display inappropriate and unacceptable behaviour including:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments
- unreasonable behaviours

In such cases, Riverina Water will manage unreasonable complainant conduct in accordance with its Unreasonable Complainant Contact Policy.

### **Policy Implementation**

How is this policy to be implemented – will there be training, will there be further procedure documents written etc – are there any timeframes?

### **Non Compliance**

Non-compliance with adopted policy may be considered a breach under the Code of Conduct. As such, any suspected or known non-compliance will be reported to the CEO. (Add any non-compliance information for outside the organisation as applicable)

## Complaints Management Policy 1.05

Responsible area	Customer and Communications
Approved by	Riverina Water Board - Res 23/066
Approval date	22 June 2023
Legislation or related strategy	Local Government Act 1993 Independent Commission Against Corruption Act 1989 Ombudsman Act 1974
Documents associated with this policy	Code of Conduct Guidelines for dealing with Code of Conduct Complaints (DLG) Protected Disclosures Policy Practice Note No 9 - Complaints Management in Councils (DLG) Unreasonable Complainant Conduct Policy Customer Service Charter Privacy Policy
Policy history	First adopted 24 October 2012 Reviewed 15 Oct 2014 Reviewed 26 Oct 2016 Reviewed February 2023
Review schedule	Once every Board term

Policy details may change prior to review date due to legislative or other changes, therefore this document is uncontrolled when printed.

### END OF POLICY STATEMENT