



Burwood
Inc.1874

COMPLAINTS MANAGEMENT POLICY AND PROCEDURE

PO Box 240, BURWOOD NSW 1805
2 Conder Street, BURWOOD NSW 2134
Phone: 9911 9911
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

Public Document
COR-GOV-19-POL-01
Adopted by Council: 26/08/2025 (Min. No. 97/25)
Ref No: 25/19976
Version No.: 1
Ownership: Governance & Risk

Table of Contents

1.	Introduction	3
2.	Purpose	3
3.	Scope	3
4.	Responsibilities	3
5.	Principles	3
6.	Definitions	4
7.	Exceptions	5
8.	Confidentiality	6
9.	Safeguards Against Victimisation and Retribution	6
10.	Lodging a Complaint	6
11.	Assistance with Lodging a Complaint	7
12.	Service Standards	7
13.	Complaint Handling Process	7
14.	Remedies	9
15.	Special Complaints	9
16.	Unreasonable Complainant Conduct	11
17.	Monitoring	11
18.	Reporting	11
19.	Implementation	12
20.	Related Information/Glossary	12
21.	Review	12
22.	Contact	12

1. Introduction

Burwood Council (Council) endeavours to provide the highest level of customer service in its delivery of services and management of public funds. Council is committed to addressing and resolving enquiries and complaints, improving customer service delivery and increasing customer satisfaction.

The primary purpose of complaint management is to address issues and improve systems. Council is committed to being reflective, self-critical and innovative in relation to complaints management and welcomes opportunities to continuously improve programs and services.

2. Purpose

This policy is intended to ensure that Council handles complaints fairly, efficiently and effectively.

Our intention is to manage complaints in a way that:

- increases public confidence in our administrative processes and service delivery,
- enables us to respond to issues raised by people making complaints in a timely and cost-effective way, and
- provides information that can be used by us to deliver improvements to our services, employees and complaint handling.

3. Scope

The Policy applies to all Council officials, contractors and volunteers who deal with customers, members of the public, other agencies, service providers, community organisations or other members of staff.

4. Responsibilities

All employees are empowered to resolve complaints quickly and informally.

Council officials will:

- follow Council's Complaints Management Policy.

The General Manager will:

- ensure that the necessary systems, policies and procedures are in place for effective complaint management.

The Manager Customer Experience & Business Improvement will:

- report on complaint handling to the General Manager and Executive.

5. Principles

Everyone has the right to make a complaint.

Effective complaints management benefits the organisation in the following ways:

- promotes active citizenship by providing clearly communicated mechanisms for the community to have input into service delivery and improvement
- provides valuable feedback on Council's performance
- allows Council to identify areas, processes or skills that need improvement
- gives Council a second chance to serve, satisfy or clarify issues for dissatisfied customers

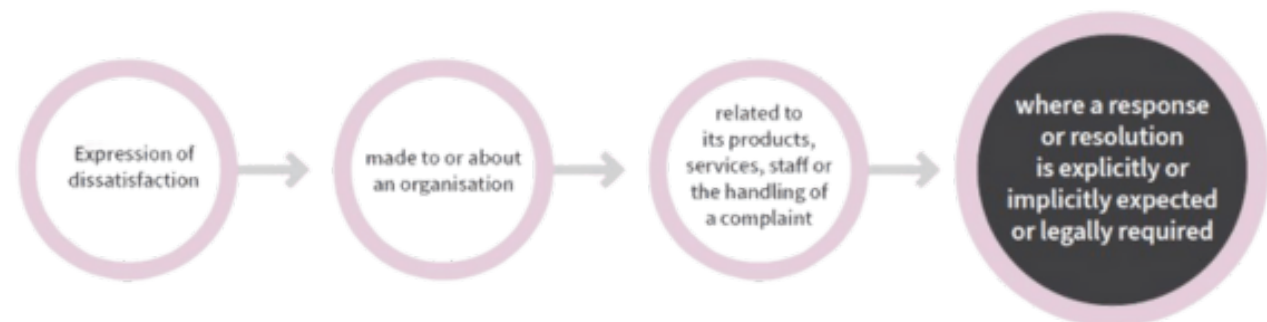
This policy is based on the 6 principles for effective complaint management suggested by the NSW Ombudsman's *Effective Complaint Handling Guidelines* and the Australian Standard 10002:2022, *Guidelines for complaint management in organisations* (AS 10002:2022).



6. Definitions

What is a Complaint?

AS10002:2022 defines a complaint in the following terms:



Some common areas of complaint include:

- failure to achieve specified standards of service
- delay in responding
- behaviour or attitude of employees
- withdrawal or reduction of service
- content on Council's online channels (including third party comments) that is defamatory

Term	Meaning
Complaint Management System	All policies, procedures, practices, council officials, hardware and software used in the management of complaints
Council officials	Councillors, employees, administrators, council committee members, delegates of council
Dispute	An unresolved complaint escalated either within or outside of our organisation
Employee	All members of the staff of Council including permanent (whether full-time or part-time), temporary, casual staff and apprentices
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, services or

Term	Meaning
	complaint handling where a response is not explicitly or implicitly expected or legally required
Service request	A service request includes: ▪ requests for the provision of works, services or assistance ▪ routine enquiries about Council's business ▪ reports of failure by a third party to comply with laws regulated by Council ▪ requests for information or explanation of policies, procedures and decisions
Grievance	A clear formal written statement by an individual employee about another employee or a work-related problem
Policy	A statement of Council's position on an issue
Procedure	A statement of instruction that sets out how a policy will be implemented and by whom
Public interest disclosure	A report about wrongdoing made by a public official in New South Wales that meets the requirements of the <i>Public Interest Disclosures Act 2022</i>

7. Exceptions

This policy does not apply in circumstances where there is legislation covering the making of a complaint. For example:

- The making of a public interest disclosure under the *Public Interest Disclosures Act 2022*
- The making of applications for internal review of alleged breaches of privacy under the *Privacy and Personal Information Act 1998*
- The making of applications for access to information under the *Government Information (Public Access) Act 2009* (GIPA Act)

Information on the procedures above is available from Council's website, or at Council's Customer Services Centre.

What is Not Considered a Complaint?

Burwood Council will not consider the following as a complaint:

- service requests or a second request for service received within the service level timeframe
- complaints about Council's policies or procedures when Council is following its legal duties
- an appeal or objection to a standard Council procedure or policy e.g. objection to a development application, comments on a policy on public exhibition
- employee grievances
- privacy complaints
- data breaches
- statutory review complaints
- responses to requests for feedback about the standard of our service provision
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response (see definition of 'feedback')
- those considered frivolous, vexatious or not made in good faith or concerning a trivial matter
- a matter where an adequate remedy or right of appeal exists, whether or not the complainant uses the remedy or right of appeal
- a matter that is subject to an existing mediation process

- private neighbourhood disputes
- matters awaiting determination by the Council
- matters already under investigation by the Minister for Local Government, the Independent Commission Against Corruption, the NSW Ombudsman's office, a Minister of the Crown or Government Department or the NSW Police Force
- a matter before a court or tribunal
- the appointment or dismissal of any employee or an industrial or disciplinary issue
- the actions or conduct of private individuals, not contracted by Council
- a matter where the complainant declines or refuses to provide further information deemed necessary for action to be taken
- where it involves threats made against Council
- a decision, recommendation, act or omission which is more than one-year-old

Anonymous Complaints

Council encourages complainants to provide full contact information when lodging complaints.

In the event of an anonymous complaint, Council will determine whether the complaint will be considered depending upon the seriousness of the complaint, and provided there is sufficient information in the complaint to enable consideration.

An anonymous complainant cannot be provided with reasons for any decision made about their complaint.

8. Confidentiality

It is important to maintain the confidentiality of complaints and complainants. Any disclosure or use of personally identifiable information will adhere to NSW Government privacy laws and ethical obligations. Only relevant information will be used to manage a complaint or address a system issue raised in a complaint, and personal information will be shared with staff only on a need-to-know basis.

Council will take all care that reporting of complaints about Council activities will not result in the complainant experiencing any form of victimisation or retribution as a result of the complaint.

9. Safeguards Against Victimisation and Retribution

Allegations of victimisation and retribution as a result of lodging a complaint will be investigated, if substantiated. If a community member experiences such behaviour they should lodge a complaint with the General Manager.

10. Lodging a Complaint

When lodging a complaint, complainants should include details such as name, address and contact number, together with a brief description of the complaint.

Complaints may be lodged with Council:

- In Person
By attending Council's Customer Service Centre located at 2 Conder Street Burwood. The Customer Service Centre is open 8.30am–4.45pm Monday to Friday.
- By Telephone
Direct to Council's Customer Service Centre on (02) 9911 9911.

- In Writing

- Email: council@burwood.nsw.gov.au
- Post: PO Box 240, BURWOOD NSW 1805
- Website: <https://www.burwood.nsw.gov.au/Our-Council/Report-an-issue>

- To a Councillor

Complaints can be made to Councillors of Burwood Council. In these circumstances it will be the responsibility of the Councillor to ensure the matter is notified to the General Manager as soon as practicable after having received the complaint.

- To the Mayor

Complaints may be made to the Mayor of Burwood Council. The Mayor's office will direct the complaint to the relevant business unit manager for review.

Upon receipt of a complaint, the procedure as outlined in Section 13 of this Policy will be followed.

Where a complainant raises their complaint with the Council official who provided the service or who dealt with the issue and the complaint is of a minor nature, it should be able to be resolved immediately.

Where the complaint cannot be immediately resolved, it must be registered as a complaint in Council's document management system and referred to the business unit manager.

11. Assistance with Lodging a Complaint

Council is committed to ensuring complainants are not disadvantaged and will provide assistance to any person who wishes to make a complaint.

Should an interpreter be required, Council will provide a language aide staff member or arrange for an interpreter through the Telephone Interpreter Service (TIS).

12. Service Standards

Burwood Council aims to address and finalise all complaints within the following specified timeframes:

- record the complaint in Council's electronic document management system on the day of receipt
- acknowledge the complaint within two working days by phone or email
- finalise the response to the complainant within 10 working days of receiving the complaint
- if further information is required, then the complainant will be informed of it within 10 working days.

All actions undertaken will be recorded in Council's electronic document management system

13. Complaint Handling Process

Level 1 – Initial Complaints Handling

Where a complaint is received by Customer Service or by the Business Information team, it will be registered and referred to the responsible business unit manager.

The business unit manager is responsible for determining whether to delegate the response to the complainant to the appropriate supervisor or to retain responsibility for managing the complaint. All

complaint handling must be undertaken in accordance with the service standards set out in Section 12 of this policy.

Contractors conducting work on behalf of Burwood Council are required to report complaints regarding any aspects of their work to their Contract Administrator. All actions must be recorded by the Contract Administrator in Council's electronic document management system and copied to their Manager.

Level 2 – Escalation

If the complainant remains unsatisfied after speaking to or corresponding with the Council official who delivered the service or who dealt with the issue, or if they feel uncomfortable approaching the official, then they may request an internal review. The internal review will be conducted by the line manager of the Council official who provided the Level 1 complaint response.

A complaint that requires internal review or investigation is classified as a Level Two complaint.

If the review or investigation is going to take longer than 10 working days, the Council employee to whom the matter has been escalated must inform the person making the complaint of the new timeline and keep them updated on the progress.

The relevant Council employee must advise the person who made the complaint of the outcome in writing (email or letter) and will include:

- the outcome of the complaint and any action taken
- the reason/s for the decision
- the remedy or resolution proposed or put in place, and
- any options for review that may be available to the complainant, such as an external review or appeal

The relevant Council employee is responsible for recording the complaint review or investigation, outcome and response in Council's electronic document management system.

Level 3 – External Review

In circumstances where these internal processes are unable to resolve a complaint or satisfy the complainant, Council will recommend the complainant refer their complaint to an appropriate external agency for review. Such agencies may include the NSW Ombudsman's Office, the Independent Commission Against Corruption, the Office of Local Government or the Office of the Information and Privacy Commissioner.

Agency	Nature of Complaint
NSW Ombudsman Level 24, 580 George Street, SYDNEY NSW 2000 Phone: 02 9286 1000 or 1800 451 524 https://www.ombo.nsw.gov.au/make-a-complaint	Unfair, unlawful or unreasonable conduct Unfair or flawed policies or procedures Unreasonable delays Failure to give reasons for a decision Failure to act on complaints Failure to manage conflicts of interest
The Office of Local Government Locked Bag 3015, NOWRA NSW 2541 Phone: 02 4428 4100 Email: olg@olg.nsw.gov.au	Pecuniary interest matters

Agency	Nature of Complaint
The Independent Commission Against Corruption GPO Box 500, SYDNEY NSW 2001 Phone: 02 8281 5999 or 1800 463 909 Email: icac@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 General Manager is required to report all reasonable suspicions of corrupt conduct to the ICAC.
Anti-Discrimination NSW Locked Bag 5000, Parramatta NSW 2124 Phone: 02 9268 5544 or 1800 670 812 complaintsadb@justice.nsw.gov.au	Matters in relation to discrimination, sexual harassment, vilification or victimisation
Information and Privacy Commission NSW GPO Box 7011 SYDNEY NSW 2001 Free call phone: 1800 472 679 Email: ipcinfo@ipc.nsw.gov.au	Breaches of the <i>Government Information (Public Access) Act 2009</i> (GIPA Act) Breaches of the Health Records and Information Privacy Act 2002 (HRIP Act) Breaches of the <i>Privacy and Personal Information Protection Act 1998</i> (PPIP Act)
NSW Department of Communities and Justice Community Services Enquiry, Feedback and Complaints Unit Phone: 1800 000 164 Email: complaints@facs.nsw.gov.au	Matters relating to child protection

Complaints about Council officials

All complaints about Council officials will be referred to the:

- relevant business unit manager;
- Director, if the complaint is about a business unit manager; or
- General Manager, if the complaint is about a Director.

Section 15 contains the procedures for managing complaints about the General Manager, Councillors or the Mayor.

14. Remedies

Remedies may include:

- an apology where Council has made a mistake or where a Council official's comments or behaviour have offended the complainant
- provision of the desired service
- a refund of overcharged or incorrectly charged fees or charges
- provision of more information about Council's policies and/or the decision making process, including regular progress updates
- a commitment to investigate and/or review Council procedures or practices where a complaint is justified
- recommendation to refer the complaint to an external body where Council cannot resolve the matter to the satisfaction of the complainant

15. Special Complaints

Complaints Concerning the Mayor and Councillors

Complaints concerning the Mayor and Councillors of Burwood Council will be managed in accordance with Council's Code of Conduct for Councillors and will be referred in the first instance to the General Manager.

The General Manager will assess the complaint in accordance with Council's Code of Conduct for Councillors to determine if the complaint is to be referred to Council's Conduct Review Panel. Any matter referred to the Conduct Review Panel will be managed in accordance with Council's Procedures for the Administration of the Codes of Conduct.

Complaints Concerning the General Manager

Complaints concerning the General Manager will be managed in accordance with Council's Code of Conduct for Council Staff and will be referred in the first instance to the Mayor.

The Mayor will assess the complaint in accordance with Council's Code of Conduct for Council Staff to determine if the complaint is to be referred to Council's Conduct Reviewer/Review Committee. Any matter referred to the Conduct Review Panel will be managed in accordance with Council's Procedures for the Administration of the Codes of Conduct.

Complaints Concerning Corrupt Conduct

Complaints concerning allegations of corrupt conduct (as defined by Sections 7, 8 and 9 of the *Independent Commission Against Corruption Act 1988*) will be referred immediately and directly to the General Manager.

Where there is reasonable suspicion that corrupt conduct is or may be involved, a report will be forwarded to the ICAC.

Under Section 11 of the *Independent Commission Against Corruption Act 1988*, the General Manager must report to the Independent Commission Against Corruption in circumstances where there is reasonable suspicion that corruption in any form has occurred within Council.

Complaints Concerning Child Protection

Council is committed to the safety and wellbeing of children and young people. Complaints involving children, including allegations of abuse, neglect or inappropriate conduct by Council staff, contractors or volunteers will be promptly assessed and managed by appropriately trained staff in accordance with legislative requirements. Where required, Council will report such matters to the NSW Department of Communities and Justice, NSW Police, and/or the NSW Ombudsman in accordance with mandatory reporting and reportable conduct obligations.

A complaint can also be made to the Community Services Enquiry, Feedback and Complaints Unit of the Department of Communities and Justice.

Complaints Concerning Pecuniary Interests

Complaints concerning pecuniary interest matters are required to be assessed and investigated by the Deputy Secretary of the NSW Office of Local Government.

All complaints relating to pecuniary interest matters will be forwarded to the General Manager for referral to the Deputy Secretary of the NSW Office of Local Government.

Complaints Concerning Public Interest Disclosures

All complaints made that are public interest disclosures will be managed in accordance with Council's Public Interest Disclosures Policy.

Complaints Concerning Defamation

Where a complaint relates to content on Burwood Council's online channels (including third party comments) and alleges that it is defamatory, Council will act within 7 days of the complaint being

made (e.g. by removing the material) to meet legislative obligations. The complainant should be advised of the removal as soon as possible.

16. Unreasonable Complainant Conduct

We are committed to being accessible and responsive to all people who approach us with complaints. At the same time, our success depends on:

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

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

Examples of unreasonable complainant conduct includes:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable absence of cooperation
- Unreasonable arguments
- Unreasonable behaviours

We follow the guidance of the NSW Ombudsman on what constitutes unreasonable complainant conduct and how to respond to it.

Should Council decide not to investigate a complaint, the complainant will be advised of the reason for the decision.

Malicious, Frivolous and Vexatious Complaints

Burwood Council will take no further action on the complaint if, following investigation, it is found that the complaint:

- was made maliciously to damage a person's career, reputation or livelihood
- is of trivial and superficial nature
- is not supported by any evidence and made primarily for the purpose of causing annoyance

A decision to take no further action on the complaint will be made by the General Manager and the complainant will be informed in writing of such decision.

Council management may, at its discretion, seek legal advice with respect to the implications of the suspected vexatious or malicious complaints.

17. Monitoring

All complaints will be entered into Council's electronic document management system to allow for reporting and trend analysis. This enables an assessment of whether issues are systemic or recurring, and can enable steps to be implemented to improve processes and reduce further complaints.

18. Reporting

On a monthly basis the Manager Customer Experience & Business Improvement will provide reports to the Executive on complaints received and subsequent follow-up.

19. Implementation

To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at all Council officials and the community and will include:

- presentations and information sessions for Councillors
- training on complaints handling for staff as part of induction and training programs
- specific training for Managers on how to analyse and respond to complaint types, to promote a culture of continuous improvement
- periodic information for the community using various communication channels, such as the Mayoral Column, Council's newsletters and similar channels
- use of Council website to promote policy and procedures and to lodge complaints

20. Related Information/Glossary

- *Australian Standard ISO 10002:2022, Guidelines for complaint management in organisations*
- *Burwood Council Child Safety and Wellbeing Policy*
- *Burwood Council Public Interest Disclosures Policy*
- *Burwood Council Codes of Conduct and the Procedures for Administration of the Code of Conduct*
- *Burwood Council Privacy Management Plan*
- *Burwood Council Child Safety and Wellbeing Policy*
- *Child Protection (Working with Children) Act 2012*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Children's Guardian Act 2019*
- *Civil Liability Act 2002*
- *Government Information (Public Access) Act 2009*
- *Independent Commission Against Corruption Act 1988*
- *Local Government Act 1993*
- *NSW Ombudsman's Effective Complaint Handling Guidelines (2025)*
- *Ombudsman Act 1974*
- *Privacy and Personal Information Protection Act 1998*
- *Public Interest Disclosures Act 2022*

21. Review

The Manager Customer Experience & Business Improvement will conduct a review of Council's Complaints Management Policy every two years to ensure the processes are responsive and appropriate in addressing issues raised by complainants. This review, along with any findings and recommendations, will form the basis of a report to Council.

22. Contact

Manager Customer Experience & Business Improvement – 9911 9911