



**BYRON
SHIRE
COUNCIL**

DRAFT Policy:

Compliment and Complaint Management

Information about this document

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Further Document Information and Relationships

Related Legislation	Complaint Form (E2021/9732) Local Government Act 1993 No 30 - NSW Legislation Public Interest Disclosures Act 2022 No 14 - NSW Legislation Ombudsman Act 1974 No 68 - NSW Legislation Independent Commission Against Corruption Act 1988 No 35 - NSW Legislation Privacy and Personal Information Protection Act 1998 No 133 - NSW Legislation Government Information (Public Access) Act 2009 No 52 - NSW Legislation Anti-Discrimination Act 1977 No 48 - NSW Legislation Civil Liability Act 2002 No 22 - NSW Legislation
Related Policies	Code of Conduct for Councillors Code of Conduct for Staff

	Managing Unreasonable Customer Conduct Policy
Related Standards, Procedures, Statements, documents	Standards Australia, ' Guidelines for complaint management in organisations ', AS 10002:2022 NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 1. Respectful Treatment , 2024. NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 2. Information and Accessibility , 2024. NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 3. Communication , 2024. NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 4. Taking Ownership , 2024. NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 5. Timeliness , 2024. NSW Ombudsman, 6 Principles for Effective Complaint Management Information Sheet 6. Transparency , 2024. NSW Ombudsman, Managing Unreasonable Conduct by a Complainant , NSW Ombudsman, 2021 Risk management Policy, 2023 Complaint Management Procedure #E2025/33711

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

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1 Introduction

1.1 Objectives

This policy is intended to ensure that we manage compliments and complaints fairly, efficiently, and effectively. It recognises the value of both critical and positive feedback in helping Council deliver high-quality services to the community.

Council's Compliments and Complaints Management approach is intended to:

- a) Enable us to respond to issues raised by people making complaints in a timely and cost-effective way
- b) Recognise and celebrate positive experiences and staff performance through the receipt of compliments
- c) Boost public confidence in our administrative processes and customer service culture
- d) Provide insights that can be used by us to improve the quality of our services, programs, staff performance, and feedback handling

This policy provides guidance to our staff and members of the public on the key principles and processes involved in managing both compliments and complaints.

It is informed by the NSW Ombudsman's model complaint management policy and reflects Council's commitment to transparency, accountability, and continuous improvement.

1.2 Scope

This policy applies to all Council staff involved in receiving, managing, or responding to compliments and complaints from members of the public. It covers feedback made to or about Council in relation to our services, programs, staff, and complaint handling processes.

This policy is designed to ensure that complaints are addressed appropriately, and compliments are acknowledged and shared to support a culture of accountability, transparency, and recognition.

Matters such as Code of Conduct complaints, public interest disclosures, and internal staff grievances are managed through separate mechanisms, including Council's Code of Conduct, Internal Reporting Policy, and Grievance Policy.

1.3 Definitions

Policy acronym	Definition
Compliment	A verbal or written expression of praise or appreciation for a staff member, service, action, or outcome.

Complaint	<p>Expression of dissatisfaction made to or about Council related to its services, decisions, staff, facilities, or how a previous complaint was handled — where a response, resolution, or action is explicitly or implicitly expected, or legally required.</p> <p>A complaint covered by this Policy can be distinguished from:</p> <ul style="list-style-type: none"> • staff grievances (staff can refer to the internal staff procedure) • public interest disclosures (see Council's Internal Reporting Policy) • code of conduct complaints (see our Code of Conduct) • responses to requests for feedback about the standard of our service provision (see the definition of 'feedback' below) • reports of problems merely intended to bring a problem to our notice (see definition of 'feedback') • service requests (see definition of 'service request' below), and • requests for information (see Council's Access to Information Guide – GIPA Act 2009) • complaints related to the care, welfare, or safety of children within Sandhills Early Childhood Centre or involving Council staff outside of this setting (see our Childsafe Policy and Reporting Guidelines)
Complaint management system	All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.
Council	Refers to Byron Shire Council
Complaint Reviewer	An impartial person within Council responsible for reviewing complex or unresolved customer complaints to ensure they have been managed fairly, transparently, and in accordance with Council policies and the principles of procedural fairness. The Complaint Reviewer does not represent individual customers but works to identify systemic issues, promote service improvements, and ensure that customer concerns are acknowledged and appropriately addressed.
Dispute	An unresolved complaint escalated either within or outside of Council.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our products, services, staff or complaint handling that says or implies that a response is not expected, or a response is not legally required.

Initial Contact Officer	The Council officer who receives a complaint or compliment.
Policy	A statement of instruction that sets out how we should fulfil our vision, mission and goals.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Public interest disclosure	A report about wrong doing made by a public official in New South Wales that meets the requirements of the <i>Public Interest Disclosures Act 2022 (PID Act 2022)</i>
Service request	<p>A request from a member of the public for Council to take action or provide a service (e.g. fix a road, replace a bin). A service request is not a complaint. However, if someone is dissatisfied with how Council responded to their request — such as delays, lack of action, or the outcome — that is considered a complaint.</p> <p>These requests are not dealt with as complaints in accordance with this policy. Service requests include:</p> <ul style="list-style-type: none"> • requests for approval • requests for action • routine inquiries about Council's business • requests for the provision of services and assistance • reports of failure to comply with laws regulated by Council • requests for explanation of policies, procedures and decisions of Council • disputes concerning neighbours • reports of damaged or faulty infrastructure (eg potholes) • reports of hazards (eg fallen trees). <p>Note: To assist staff in determining the difference between a request for service and a complaint, staff can refer to the Complaint Management Procedure Reference Table (Appendix 1).</p>
Standard of Proof	Complaints will be assessed and determined on the balance of probabilities i.e. that it is more likely than not that the matters which are the subject of the complaint occurred.

2 Statement

Council expects staff at all levels to be committed to the fair, effective, and efficient management of both complaints and compliments.

All feedback—whether critical or positive—is valued as an opportunity to improve services, enhance transparency, and acknowledge excellent performance.

The following table outlines the nature of the commitment expected from staff, and how that commitment should be implemented in relation to both complaints and compliments.

Who	Commitment	How
General Manager, Directors and Managers	Promote a culture that values compliments and complaints and their effective resolution	<p>Provide adequate support and direction to key staff responsible for handling complaints.</p> <p>Regularly review reports about compliment and complaint trends and issues arising from complaints.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Encourage staff to make recommendations for system improvements.</p> <p>Recognise and reward staff for providing excellent customer service and demonstrating effective complaint handling.</p> <p>Support recommendations for product, service, staff and complaint handling improvements arising from the analysis of complaint data.</p> <p>View a complaint as an opportunity for improved service delivery.</p>
Complaint Reviewer	Establish and manage our compliment and complaint management system.	<p>Provide regular reports to the Executive Team on issues arising from complaint handling work.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with General Manager and implemented where appropriate.</p> <p>Train and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures.</p> <p>Encourage staff managing complaints to</p>

		<p>provide suggestions on ways to improve Council's complaint management system.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.</p> <p>Recognise and reward staff for providing excellent customer service and demonstrating effective complaint handling.</p>
Staff whose duties include complaint management	Demonstrate exemplary complaint management practices	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people to make a complaint, if needed. Comply with this policy and its associated procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Provide suggestions to management on ways to improve the organisation's complaints management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.</p>
All staff	Understand and comply with Council's complaint management practices.	<p>Treat all people with respect, including people who make complaints.</p> <p>Be aware of Council's complaint handling policies and procedures.</p> <p>Assist people who wish to make complaints access Council's complaints process.</p> <p>Be alert to complaints and assist staff handling complaints to resolve matters promptly.</p> <p>Provide feedback to management on issues arising from complaints.</p> <p>Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.</p>

3 Legislative and strategic context

This policy supports the objectives of Council's Community Strategic Plan and aligns with key internal policies and frameworks including the Code of Conduct, Public Interest Disclosure Policy, and Risk Management Framework. It reflects Council's commitment to transparency, ethical conduct, continuous improvement, and responsive service delivery.

4 Compliments

Council welcomes compliments and positive feedback from the community as an important form of engagement. Compliments play a valuable role in recognising good service, highlighting areas of excellence, and motivating our staff to continue delivering high-quality outcomes.

Compliments may relate to:

- A positive experience with a Council service or facility
- Exceptional assistance provided by a staff member or team
- A program, event, or initiative that made a positive impact.

Council is committed to:

- Providing clear and accessible ways for community members to submit compliments
- Recording compliments in a consistent manner
- Acknowledging the feedback where appropriate
- Sharing compliments with relevant staff or teams to encourage ongoing excellence and recognition
- Saving and recording compliments for recordkeeping and future reference
- Including compliments in internal reporting to identify service trends and support staff recognition.

Compliments can be submitted online via Council's website, by email, phone, in person, or in writing. Where permission is given, feedback may be used for staff recognition and internal communications. Personal information will be handled in accordance with the Privacy and Personal Information Protection Act 1998 (NSW).

5 Complaint management

Council's approach to complaint handling is guided by six core principles that reflect our commitment to fairness, accountability, and continuous improvement.

Effective complaint management requires both a proactive and person-centred approach. This means anticipating and preventing issues by seeking customer feedback, monitoring satisfaction and expectations, and improving service quality. It also means understanding and meeting individual customer needs wherever possible and ensuring accessible and convenient ways to raise concerns.



5.1 Respectful treatment

Council will:

- treat complainants with courtesy and respect
- be responsive
- train public contact staff in customer service, complaint handling and management of complex complaints and complaints from people in distress, who require additional support or have diverse needs
- take appropriate action when we receive complaints about Council staff
- ensure that people can complain without fear of detrimental action
- 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.

5.2 Information and accessibility

Council will:

- make it easy for customers to complain, and help them to lodge their complaints
- provide easy-to-access information about the complaints process in different formats and channels
- tell customers about:
 - how to complain, for example, online, email, in person or in writing
 - what information we need from customers to assess their complaints
 - what to expect from the complaints process
 - who to contact for more information
 - how complaints have helped improve our service.

5.3 Communication

Council will:

- keep complainants informed about the status of their complaint
- acknowledge that we've received their complaint, and tell the complainant:

- who to contact for more information about their complaint
 - what the next steps will be in the complaint process
 - how long we will likely need to finalise the complaint.
- use the most appropriate channel to communicate with the complainant, and:
 - update them about their complaint's progress regularly
 - tell them the outcome of their complaint and explain the reason for it (for example, tell them what action was taken and how Council reached the decision)
 - explain and apologise when things go wrong.

5.4 Taking ownership

Council will:

- make sure that staff who manage complaints are suitably trained and skilled
- allocate a complaint to one person (or one team) and give complainants their contact details
- generally, have frontline staff resolve a complaint themselves and escalate serious or complex complaints to a more appropriate officer or team
- let the complainant know if we transfer the complaint to another person or team.

5.5 Timeliness

Council will:

- do our best to deal with complaints as quickly as possible
- set and tell the complainant expected timeframes for finalising complaints
- set these timeframes to reflect the different levels of seriousness, urgency and complexity across the complaints received
- contact the complainant and, if there are unavoidable delays when dealing with a complaint, explain why.

Refer to general timeframes for complaint handling outlined in Section 8.1 – Timeframes.

5.6 Transparency

Council will:

- let complainants know that we record and analyse information from the complaints process

6 How to make a complaint

Council recognises that community members may wish to contact us in different ways. We are committed to offering choice and accessibility in how people can make a complaint.

A complaint can be lodged through any of the following methods:

- **Online:** [Council's Online Complaint Form](#)
- **Post:** Byron Shire Council, PO Box 219, Mullumbimby NSW 2482
- **Email:** council@byron.nsw.gov.au
- **Phone:** 02 6626 7000

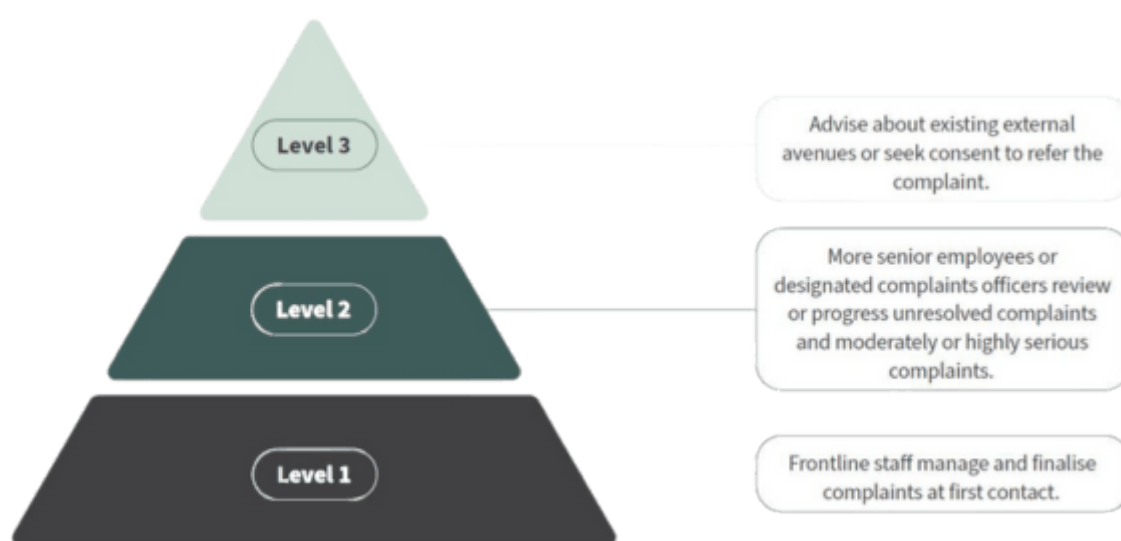
- **In person:** Council Head Office, 70 Station Street, Mullumbimby

Note:

While Council does not formally accept complaints via social media, messages sent to official Byron Shire Council social media channels (e.g. Facebook Messenger or comments on posts) are monitored during business hours. If a message is considered a complaint, the sender will be directed to submit it through Council's formal process.

Council accepts anonymous complaints where sufficient detail is provided. However, anonymous complaints may be difficult to assess or resolve if key information is missing, and Council will be unable to provide updates or outcomes to the complainant.

7 The three levels of complaint handling



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.

Where this is not possible, we may decide to escalate the complaint to a more senior officer within Council. 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).

If a complainant remains dissatisfied after Council's internal review, they may seek an external review by contacting relevant independent bodies such as the NSW Ombudsman, Independent Commission Against Corruption, Office of Local Government or other appropriate agencies. Council will provide information on these options and how to access them where applicable.

8 Complaint management process

When responding to complaints, staff must follow the Complaint Management Procedure and any other relevant internal guidelines that support effective and consistent complaint handling.

Council is committed to managing complaints in a consistent, fair, and transparent manner. Complaints will be handled using a structured six-step process as outlined in the Procedure, including the receipt, recording, assessment, resolution, and investigation of complaints, as well as the provision of timely feedback to complainants.

In managing complaints and community feedback, staff must also consider any applicable legislation, regulations, and statutory obligations.

8.1 Timeframes

The following is a general guide to the timeframes Council aims to meet when responding to complaints. These may vary depending on the nature and complexity of the issue.

- **Acknowledgement:** Immediate
The complaint will be acknowledged with confirmation of receipt, next steps, and contact details of Complaint Reviewer.
- **Initial Contact:** Within **10 business days of acknowledgement**
A Council officer will contact the complainant to discuss the matter and outline the process.
- **Progress Updates:** Within **10 business days** (if delays occur)
If additional time is needed to investigate or obtain third-party input, the complainant will be advised and provided with an updated timeframe.
- **Complaint Outcome:** As soon as practicable following investigation
Council will inform the complainant of the outcome, actions taken, and any options for further review.
- **Internal Review Request:** Must be made by complainant within **28 days** of receiving the outcome. A more senior officer will review the complaint upon request.
- **Internal Review Completion:** Within **10 business days** of receiving the request or if more time is needed, the complainant will be notified and given a revised estimate.

9 Unreasonable conduct by people making complaints

Council is committed to being accessible, inclusive, and responsive to all customers who seek assistance or lodge a complaint. We aim to ensure that everyone is treated with respect and that all complaints are addressed fairly and professionally.

At the same time, the effectiveness of staff in resolving issues and responding to complaints relies on the:

- ability of staff to carry out their duties in the most effective and efficient way possible
- health, safety, wellbeing, and security of staff
- fair allocation of Council resources across all requests and complaints received.

When customers behave unreasonably in their interactions with Council, this conduct can significantly affect staff and the overall effectiveness of Council's complaint handling process. Unreasonable conduct may include, but is not limited to:

- aggressive or abusive behaviour
- unreasonable demands or persistence
- excessive communication that is disproportionate to the issue
- refusal to accept valid decisions or outcomes

Complainants can refer to NSW Ombudsman's Office manual for more information on what is considered by the Ombudsman to be unreasonable conduct - [Managing unreasonable conduct by a complainant](#).

Council will take proactive steps to manage any customer conduct that negatively or unreasonably affects staff, Councillors or other customers or members of the public. These steps may include limiting or modifying the ways a customer can interact with Council, and ensuring staff are equipped and supported to respond appropriately.

Council's approach to managing this type of behaviour is outlined in the Managing Unreasonable Customer Conduct Policy, which is informed by the NSW Ombudsman's *Managing Unreasonable Complainant Conduct* framework. Staff will be supported to implement this policy in a fair, consistent, and transparent manner.

10 Accountability and learning

10.1 Analysis and evaluation of compliments and complaints

Statistical information regarding customer compliments and complaints and trends will be reviewed by the Executive Team quarterly.

10.2 Monitoring of the complaint management system

Council will continually monitor our complaint management system to:

- a) ensure its effectiveness in responding to and resolving complaints
- b) identify and correct deficiencies in the operation of the system
- c) use tools such as audits, complaint satisfaction surveys, online listening tools and alerts
- d) provide regular internal reports to the Executive Team
- e) promote transparency by reporting on complaint volumes, resolution rates, systemic issues identified, and actions taken to improve services.

10.3 Continuous improvement

Council is committed to improving the effectiveness and efficiency of its Compliments and Complaints Management System. To this end, Council will:

- a) support the making and appropriate resolution of complaints
- b) encourage and acknowledge the submission of compliments and positive feedback
- c) implement best practices in handling both complaints and compliments
- d) recognise and reward exemplary service and complaint handling by staff
- e) regularly review both complaint and compliment data to identify trends, service strengths, and areas for improvement
- f) implement appropriate system changes arising from the analysis of feedback data and continual monitoring of the system.

10.4 Privacy and confidentiality

Council is committed to protecting the privacy and confidentiality of all individuals in accordance with the *Privacy and Personal Information Protection Act 1998 (NSW)*.

Personal information collected in the complaints and compliments process will be used solely for the purpose of managing and resolving the matter and will be securely stored and managed in line with Council's Records Management Policy. All complaint information will be treated confidentially and accessed only by authorised staff directly involved in the complaint handling process or as otherwise required by law, for example where legally required, relevant information may be shared with external agencies.

10.5 Natural Justice and Procedural Fairness

Council is committed to managing complaints in accordance with the principles of natural justice (procedural fairness), ensuring complaints are handled impartially, transparently, and without bias. Where a complaint or outcomes from a complaint investigation may adversely affect an individual, they will be given the opportunity to respond before a final decision is made.

Complaint investigations will be guided by the NSW Ombudsman's *Effective Complaint Handling Guidelines*.

11 Accessibility of this policy

This Policy will be made publicly available on Council's website and staff intranet.