



ADMINISTRATIVE ACTION COMPLAINTS

FACT SHEET AND FREQUENTLY ASKED QUESTIONS

This fact sheet has been prepared to assist anyone who is considering lodging a complaint with Mount Isa City Council. Council is required under the *Local Government Act 2009* to respond to complaints in a fair and effective manner.

An administrative action complaint is a complaint about a decision, failure to make a decision, an act or failure to do an act, the formulation of a proposal or intention, the making of a recommendation and is made by an affected person about Mount Isa City Council or its staff (including contractors and volunteers).

What is the difference between a customer service request and an administrative action complaint?

A customer service request is when a request for Council to take action in relation to a service it provides. Examples include:

- A barking dog;
- A leaking water pipe;
- A leaking water main; or
- Overgrown allotments.

These matters may be able to be resolved quickly by submitting a request for service with our customer service team. These requests can be lodged on-line, in person, by phone or in writing.

However, if lodging a customer service request does not resolve the matter to your satisfaction, you can make an administrative action complaint.

What is not an administrative action complaint?

Administrative action complaints do not include:

- Initial requests for information or service;
- Suggestions or enquiries;
- Complaints about businesses or neighbours;
- Petitions; or
- Comments submitted during formal consultation or negotiation processes.

How do I make a complaint?

Council's preferred method is in writing by completing the Complaint Lodgement Form, which may then be submitted;

By Email complaints@mountisa.qld.gov.au

In Person 23 West Street Mount Isa QLD 4825

By Fax (07) 4747 3200

By Mail to CEO, Mount Isa City Council, PO Box 815, Mount Isa QLD 4825

Completing a Complaint Lodgement Form allows Council to better investigate and respond to your complaint and to consider a suitable remedy.

What is the complaints management process for Administrative Action Complaints?

Council has an Administrative Action Complaints Policy and Procedure which can be located on our website at www.mountisa.qld.gov.au

Stage 1 – Internal Assessment/Investigation

Complaint will be assessed. Where an investigation is conducted, a senior Council officer will talk to those involved and audit documentation. Once the investigation is completed you will receive a written notification of the outcome and advice of any remedy.

Stage 2 – Internal Review

If you are not satisfied with the outcome of Stage 1 you may request an internal review. The review will be conducted by a more senior officer than the investigating officer to ensure Council policies and procedures have been followed and that the right outcome was reached.

Stage 3 – External Review

If you are not satisfied with the outcome of the internal review at Stage 2, you can lodge your complaint with an external agency i.e. the Queensland Ombudsman, the Queensland Civil and Administrative Tribunal or any other relevant complaint entity.



What information will I need to provide?

You will need to provide the following details when you lodge a complaint:

- The nature of the complaint in as much detail as possible.
- Details of any loss or detriment you have suffered.
- If the incident has been reported to any other agency or authority.
- The remedy you are seeking.
- Any supporting information and documentation, including names and contact details of anyone else who is able to support the complaint.
- Your contact details.

Council will accept anonymous complaints. These complaints will be assessed to determine what action is appropriate and it is important to note that the fact the complaint was made anonymously may impact the assessment. Unless there is sufficient detail about the complaint, it will be difficult to fully investigate the issue. Also, no feedback is able to be provided to an anonymous complaint.

Do I have to put my complaint in writing?

No, you can lodge your complaint verbally with a customer service representative. If you have a difficult or more serious complaint, we encourage you to lodge it in writing with all details set out. This can be done by completing Council's Complaint Lodgement Form.

What happens next?

Council aims to resolve complaints as quickly and efficiently as possible. Your complaint will be recorded and you will be provided with a complaints reference number. This will occur within five working days of receipt of a complaint.

As the circumstances vary considerably between complaints, it is difficult to guarantee a set timeframe. The length of time taken will depend on how complex the matter is, however you will be kept informed of the progress of the investigation. More details of these timeframes can be found in Council's Administrative Action Complaints Policy and Procedure.

Will my identity remain confidential?

All complaints will be treated confidentially to the fullest extent possible under the law.

Can I lodge a complaint on behalf of someone else?

Yes, if the affected person gives authority for you to act on their behalf, by completing section 2 on the Complaint Lodgement Form, or providing a letter of authority, authorising Council to communicate directly with you as their agent.

What if I change my mind?

If you change your mind and wish to withdraw a complaint, you may do so at any time by advising Council in writing.

If I make a complaint, can Council refuse to investigate?

Yes, Council can refuse to investigate a complaint if:

- The complaint is deemed to be trivial, frivolous or vexatious and lacks substance or credibility.
- The complainant does not have sufficient direct interest in the administrative action or the subject of the complaint; or
- It is made using rude, aggressive, abusive or threatening language, or where the complainant is physically harassing a Council officer.
- If the complaint is substantially similar to a previous complaint made.
- The complainant is pursuing the complaint through an alternative review process, or it has already been reviewed through an alternative review process.

External Agencies

You have the right to lodge your complaint with an external complaint agency such as the Queensland Civil and Administrative Tribunal (QCAT) or the Queensland Ombudsman at any time. However, be aware that these agencies may refer the complaint back to Council to investigate in line with our complaints management policies and procedures.

<http://www.qcat.qld.gov.au>

www.ombudsman.qld.gov.au

Further information

If you require any further information or help with any part of the administrative action complaint process, please contact Council by calling (07) 4747 3200.

Further information can also be found in the Mount Isa City Council Administrative Action Complaints Policy and Administrative Action Complaints Procedure, which are located on our website.

Privacy

The Mount Isa City Council will use any personal information collected for the purposes of investigating your complaint and to remain in contact with you. Council is authorised to collect this information under the *Local Government Act 2009* and other local government legislation.