



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

Complaints Policy

Date of Approval	05 September 2023
Policy ID	PI-ORG-005 (Previously N800 Compliments and Complaints Policy)
Business Owner	Chief Executive
Next Review	05 September 2026
Version History	Amended 05 September 2023 First adopted February 2019 (Previously N800 Compliments and Complaints Policy)

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Complaints Policy

1. Relevant Legislation

- » [Local Government Official Information and Meetings Act 1987](#)
- » [Privacy Act 2020](#)
- » [Local Government Act 2002](#)
- » [Health and Safety at Work Act 2015](#)

2. Introduction

South Wairarapa District Council (SWDC) recognizes the importance of customer feedback and is committed to using this information to support improved service delivery. Customers have the right to complain about functions and actions the Council undertakes, have this heard and resolved. All complaints are taken seriously, and every effort will be made to resolve the issue. All complaints will be used as an opportunity to learn and improve our service delivery for our customers, citizens, ratepayers, and visitors.

3. Purpose

The purpose of this policy is to define what SWDC considers to be formal complaint and outline the principles and procedures that will be applied when handing a formal complaint.

4. Scope

This policy applies to all employees of SWDC including:

- » Full, part-time and casual employees
- » Contractors

5. Definitions

For the purpose of this policy, a **complaint** is defined as:

- » An expression of dissatisfaction by one or more customers, about Council's level of service.
- » Allegations against a contractor, elected member or staff member about their behaviour.
- » Action or lack of action by staff or contractors that is perceived as being negligent.
- » An action by Council that should have been done or was expected to be done but has not happened (e.g. an overdue response).
- » Dissatisfaction with Council's policies or procedures.

A complaint is **not**:

- » A request for routine services.
- » A request for readily available information.

- » Matters for which there is a defined legislative process and/or right for appeal and/or legal remedy (e.g. a resource consent decision where there is an objection process).
- » Feedback as part of a formal consultation process.

6. Guiding Principles

When handling complaints, SWDC is committed to:

- » Resolve the complaint at the first point of contact.
- » Treat complaints with priority and give a timely response.
- » Communicate in a way that is easy to understand.
- » Be fair and act with integrity.
- » Where relevant, the principles of our privacy policy will apply.
- » Learn from complaints and seek to improve our levels of service.
- » Manage complaints in accordance with the defined and agreed processes.
- » Actively manage any customer conduct that negatively and unreasonably impacts on the organization and our staff.

7. Reporting and Continuous Improvements

SWDC recognises the importance of customer feedback and aims to use complaints received as a method of monitor performance and improving levels of service.

The details of each complaint, key internal and external correspondence and outcomes will be recorded and reported to the Executive Leadership Team (ELT) on a quarterly basis.

8. Unreasonable Complaint Conduct

In a very small number of cases, the behaviour of customers can become unreasonable, vexatious, or abusive and can have a disproportionate and unreasonable impact on our staff, services, time or resources. When this happens, SWDC will take action to manage any conduct that negatively and unreasonably impacts on the organisation, its staff or ability to allocate resources fairly across all the complaints we receive. This would be assessed by the Chief Executive and reported to the relevant committee of Council.

Complaints Process

9. Making a Complaint

9.1. How do I Make a Complaint?

Complaints may be made:

- » In person, at the Council office
- » By telephone
- » By email
- » Using Anteno
- » By completing the online feedback form on the Council website.

9.2. What Happens After I make a Complaint?

9.2.1. Level 1: Formal Complaint

If an immediate resolution is not possible, a formal complaint is raised and will be directed to the relevant manager to resolve. The relevant manager will acknowledge receipt of the complaint within three working days.

The relevant manager will then investigate the complaint and respond to the customer within 10 business days. If a complaint is not able to be resolved within 10 working days, the customer must be kept informed of progress.

9.2.2. Level 2: Chief Executive Review

If a customer remains dissatisfied following the Level 1 response, the customer can request a review to be carried out. At this stage, the complaint will be referred to the Chief Executive, who will confirm or change the decision. The Chief Executive will acknowledge receipt of the complaint within 3 business days and provide a response to the customer within 10 business days. If a complaint is not able to be resolved within 10 working days, the customer must be kept informed of progress.

9.3. Special Cases

Council intends, where possible, to allow a complaint to be dealt with under this policy, however sometimes Council cannot or is not allowed to do so. If the issues raised are complex, highly sensitive, require a detailed investigation or relate to statutory and legal limitations the appropriate alternative process will be followed (e.g. a legal process). Statutory and legal limitations may include, but are not limited to:

- » An Environment Court appeal against refusal of planning permission.
- » Other cases where there is a separate right of appeal (e.g. disputes over parking tickets and resource consents).
- » A request received from the Office of the Ombudsman.

- » A complaint where the citizen or Council has commenced legal proceedings or has taken court action (but not cases where a citizen has simply threatened to start legal proceedings against Council).
- » A complaint that has already been heard by a court or tribunal.
- » A staff complaint about a personnel matter, including appointments, dismissals, pay, pensions and discipline (but not from staff as service users).
- » A complaint about the issue of an infringement notice (except administrative issues) and the recovery process thereafter.
- » Where special procedures apply by law (e.g. release of Official Information).

9.4. What if I'm not Satisfied with the Outcome?

If a customer remains dissatisfied with the outcome, or feels they have been treated unfairly by Council, the customer has the right to ask the New Zealand Ombudsman to consider their complaint.