

Service 1 Unacceptable Conduct: Complaint Handling and Impact Management

1. Purpose

This policy provides a structured and transparent approach for managing unacceptable customer conduct that affects the City's ability to deliver fair and equitable services. It ensures that complaints and requests are handled appropriately while safeguarding staff and resources.

It aims to balance:

- Meeting the genuine needs of customers fairly and equitably
- Providing a safe working environment for staff, volunteers, and Elected Members
- Using City resources efficiently and effectively to fulfill statutory responsibilities and represent the community's interests.

2. Planning

Kalamunda Advancing Strategic Community Plan to 2031

{strategic-community-plan}

3. Policy Statement

The City of Kalamunda is committed to fair and responsive complaints management. We aim to address all legitimate concerns while ensuring public resources are allocated effectively and staff work in a safe and respectful environment.

However, some customer behaviours may be deemed unacceptable when they:

- Disrupt fair and efficient complaint resolution
- Pose risks to staff or community well-being
- Divert resources away from legitimate service needs

Types of unacceptable conduct may include:

- Unacceptable persistence
- Unacceptable demands
- Unacceptable lack of cooperation
- Unacceptable arguments
- Unacceptable behaviour

4. Detail

Customer Rights and Responsibilities

Community members have the right to:

- ✓ Ask questions and express concerns in a respectful manner.

✓ Lodge complaints about City services through appropriate channels.

However, these rights do not extend to conduct that is:

- Aggressive, abusive, or threatening toward staff or the public
- Disruptive to service delivery by making excessive, repetitive, or unrealistic demands
- Uncooperative or misleading, such as withholding information needed for complaint resolution

In cases of serious risk (e.g., threats, property damage, or harassment), the City may immediately escalate matters to law enforcement.

5. The Impact of Unacceptable Conduct

Unacceptable conduct has wide-reaching impacts, including:

- Disrupting service delivery and delaying legitimate complaint resolution
- Creating undue stress for staff, which can lead to burnout and reduced workplace well-being
- Diverting resources from core community services

The City prioritises staff safety under Occupational Health and Safety (OHS) legislation and provides training on handling difficult interactions while maintaining service standards.

6. Review Process for Complainants Subject to Access Restrictions

The City of Kalamunda is committed to fair and transparent management of unreasonable conduct. This review process allows complainants subject to access restrictions to request reassessment after a set period, ensuring restrictions remain proportionate and justified.

A. Initial Review Period

When access restrictions are imposed, the complainant will be informed in writing of:

- The nature and specific terms of the restriction (e.g., restricted contact to written communication only, limited access to City facilities)
- The duration of the restriction (typically a minimum of 12 months)
- The reasons for the restriction, including specific behaviours that led to this decision
- The process and timeframe for requesting a review of the restriction.

B. Requesting a Review

After the initial restriction period (or subsequent review period), the complainant may

request a review by submitting a written application to the City. The application should outline any relevant changes in circumstances or reasons why the complainant believes the restriction is no longer necessary. The City will provide guidance on how to submit this application.

C. Conducting the Review

Upon receiving a review request, the City will initiate a review process, which will include the following steps:

1. Director's Assessment:

A Director not directly involved in the original restriction decision will conduct a thorough assessment. This may include reviewing documented incidents, the complainant's recent conduct, and any other pertinent information.

2. Complainant's Input

If necessary, the Director may invite the complainant to provide additional context or information relevant to the review.

3. Evaluation Criteria

The review will evaluate whether:

- The complainant's conduct has improved or ceased to be disruptive
- The complainant has adhered to previous restrictions without incident
- The restriction is still needed to protect City resources, staff, or community members.

4. Decision and Documentation

Following the assessment, the Director will either lift, modify, or extend the restriction, based on findings. The decision will be documented, noting the rationale and any changes in restrictions.

D. Notification of Review Outcome

The City will notify the complainant in writing of the review outcome within 10 business days of the review's conclusion. The notification will include:

- The final decision (lifting, modifying, or extending the restriction)
- Reasons for the decision, based on the evaluation criteria
- Any new or ongoing terms of the restriction, if applicable
- Information on further review options, should the complainant wish to appeal or if restrictions are extended.

E. Subsequent Review Opportunities

If the restriction is extended, the complainant may submit another review request after the next specified review period (typically 12 months). This ongoing review process

ensures regular reassessment of restrictions, aligning with the City's commitment to fair and proportionate responses.

F. External Review

If, after following the City's review process, the complainant remains dissatisfied with the decision, they may pursue an external review through relevant authorities, such as the Ombudsman or the Department of Local Government.

The City will provide information on external review options as needed.

7. Community Consultation

This policy does not require community consultation.

8. Governance

This policy does not require community consultation.

9. Measures of Success

Review of the volume of complaints and inappropriate conduct over a 12-month period.

10. Definitions

City of Kalamunda Customer Service Charter

The Customer Service Charter sets standards for service and guides our commitment to ensuring customer interactions are positive, timely, and meaningful. This includes using feedback to drive service improvement and informing customers of their rights if standards are not met.

Customer Service Principles

The City is dedicated to ensuring:

- Timely responses
- Meaningful interactions
- Personalised attention
- Empowerment through information
- Collaboration to improve services.

Unacceptable persistence: Repeatedly pursuing issues that have already been fully addressed, refusing to accept final decisions, or contacting multiple departments or external agencies to seek a different outcome.

Unacceptable demands: Making excessive or unattainable demands, requesting actions outside of the City's control, or seeking inappropriate personal outcomes (e.g., termination of staff or access to sensitive information).

Unacceptable lack of cooperation: Refusing to provide necessary information, being dishonest about facts, or unwilling to consider valid alternative viewpoints.

Unacceptable arguments: Arguments that lack logic or evidence, or that are inflammatory, trivial, or false, requiring disproportionate time and resources.

Unacceptable behaviour: Any conduct that compromises the health, safety, or security of staff or others, such as aggressive, abusive, or threatening actions.

Status	Council Requirement
Related Local Law	N/A
Related Council Policies	Code of Conduct for Employees Occupational Health and Safety Policy
Relevant Delegation	CEOD-Gov 1.1 Complaint Handling
Related Internal Procedures	Customer Complaint Handling Processes and Procedure
Related Budget Schedule	N/A
Legislation	Equal Opportunity Act 1984 (WA) Local Government Act 1995 (WA) Work Health and Safety Act 2020 (WA)
Notes and Conditions	N/A
Authority	Ombudsman WA Commonwealth Ombudsman
Adopted	