

N13 Complaints Process

Ideal Standard

Council provided evidence that a process for receiving and investigating competitive neutrality complaints is established.

Outline/Summary

A complaints process needs to be established to deal with competitive neutrality complaints against the business activity undergoing the reforms. For significant and roads business activities only, councils have the option of appointing the QCA as the referee for their complaints processes. The only exemption from the need for a complaints process is if the council has received accreditation from QCA. Currently no council is exempted in this way. The annual report should indicate the existence of any complaints received and the outcome of the review process for those complaints

The complaints process must be formally documented and adopted by resolution and comply with the requirements of Chapter 11 of the LGA. The main steps in processing a complaint are:

1. Acknowledge receipt of the concerns in writing, and refer the person expressing the concerns to the review officer;
2. The review officer will seek to establish the facts relating to the concerns expressed by the person. Investigation of the matter may involve meeting with the person, collecting data, and holding further meetings;
3. The review officer will develop a proposed response to the concerns and seek, within a reasonable time, the person's views on the proposed response;
4. The review officer will provide a report to the chief executive officer on the concerns, which shall include the proposed response to the person, and the person's views on the proposed response; and
5. The chief executive officer shall make a response, or shall direct the review officer to make a response to the person.

Key Steps

The preliminary procedure for affected persons to raise concerns about alleged failure of business activities to comply with the relevant competitive neutrality principles, and for clarifying and, if possible, resolving those concerns is:

1. Pass the necessary Council resolutions to implement a complaints process; and
2. Appoint a review officer or officers (either by the Council or delegating to the CEO the power to appoint review officers).

Further Information

(s.793, LGA), A manual describing how to set-up a competitive neutrality complaints handling process is available for purchase for \$44 from the Department.

QCA Documentation Standard

Council resolution, and records system. Annual Report.