

	COUNCIL POLICY	
	Complaints Management	
	Policy Number	CP007
	Directorate	Organisational Services
	Owner	Corporate Services
	Last Approved	17 June 2026
	Review Due	17 June 2030

1. PURPOSE

This policy has been developed to ensure that complaints received by Council are managed in a fair, consistent, and timely manner. It supports Council’s commitment to providing positive customer experiences.

2. SCOPE

This policy applies to all Council employees and contractors who receive, manage, or respond to complaints from members of the public.

2.1 In Scope

This policy applies to complaints about Council’s services, actions, or decisions, including human rights and privacy.

2.2 Out of Scope

A complaint will only be considered for further action if there is a fair and reasonable purpose to do so. Following an assessment, a complaint may be declined on one or more of the following grounds:

- Complaint is trivial, frivolous, vexatious, or not in good faith
- Complainant does not have sufficient direct interest:
 - Greater than the concerns of a bystander who has no direct interest in the outcome
 - When a person’s rights or interests would be affected if the administrative action stood or continued
- Internal investigation or internal review is unnecessary or unjustifiable:
 - There is no apparent maladministration or merit in the complaint
 - The complaint is a continuation of a previous complaint (or a pattern of previous complaints) involving the same or similar issues
 - The resources required to investigate or review the complaint would be disproportionate to the seriousness of the issues and likely outcomes
 - An investigation or review is likely to be ineffective because of a lack of relevant evidence and no practical possibility of it being obtainable
 - The expectations of the complainant are unlikely to be satisfied
 - No practical outcome can be achieved (e.g. the decision or action complained of cannot be reversed and has already been addressed) or the outcome sought is not reasonably achievable.

This policy does not apply to matters managed under separate processes, such as complaints against Councillors, fraud and **corruption** matters, public interest disclosures, employee grievance processes, competitive neutrality complaints, or statutory appeal mechanisms.

Further, this policy **does not** apply to matters outside Council's jurisdiction or those that are not administrative action complaints. This includes, but is not limited to:

- Issues subject to other statutory review processes
 - Planning issues addressed under the *Planning Act 2016* (e.g., disputes about planning approvals or building development approvals)
 - Competitive neutrality issues addressed through the *Local Government Act 2009*.
- Governance or strategic decisions
 - Policy positions, strategic priorities, high-level planning decisions, and financial decisions such as budgetary allocations, financial planning or expenditure decisions.
- Matters managed under separate legislative frameworks
 - Disputes regarding Rating Category. Appeals should be directed to the Land Court
 - Appeals of Court decisions or matters before the Courts or other Tribunal
- Disputes between private parties
 - Civil neighbour disputes, such as boundary fence disputes, trespass, or airspace intrusions
- Matters for other authorities
 - Allegations of suspected harm or risk of harm to a child – these should be referred immediately to the Department of Families, Seniors, Disability Services and Child safety and/or the Queensland Police Service
 - Matters that may involve criminal offences, which should be reported to Queensland Police Service.
- Matters that fall within the jurisdiction of another level of government (State or Federal)
- Matters for which the statute of limitations on civil litigation has expired
- Matters determined by Council's insurer or disputes about insurance coverage, which are handled through the insurer's processes.

The examples provided in this policy are indicative only and not exhaustive.

3. HEAD OF POWER

This policy is established under the authority of:

- Section 268 of the *Local Government Act 2009* (Qld) – which requires each local government to adopt a process for resolving administrative action complaints made by affected persons.
- Section 306 of the *Local Government Regulation 2012* (Qld) – which outlines reporting requirements for administrative action complaints in Council's annual report.
- *Public Interest Disclosure Act 2010* (Qld) – for complaints that may constitute public interest disclosures, including those involving wrongdoing or maladministration.
- *Crime and Corruption Act 2001* (Qld) – for complaints involving suspected corrupt conduct by Council officers or elected members.
- *Human Rights Act 2019* (Qld) – to ensure complaint handling respects and protects the human rights of individuals, including the right to a fair hearing and protection of reputation.
- *Information Privacy Act 2009* (Qld) – for complaints involving the handling of personal information, including breaches of the Queensland Privacy Principles.
- *Public Sector Ethics Act 1994* (Qld) – which sets out ethical obligations for public officials in complaint handling.

This policy ensures Council meets its statutory obligations to provide a fair, transparent, and accountable complaints management process for both internal and external stakeholders and supports continuous improvement in service delivery and governance.

4. POLICY STATEMENT

Council is committed to managing complaints in a way that is accessible, respectful, and outcome focused. All complaints will be acknowledged, assessed, and resolved in accordance with principles of natural justice, procedural fairness, and relevant legislation.

4.1 Decision Authority

All complaints received by Council will be considered on their merits and addressed in accordance with relevant legislation, Council policies, and the principles of procedural fairness. Decision-making authority must align with Council’s Delegations Register and ensure independence at the internal review stage.

The following tables outline the authority levels for each complaint category:

Complaint Type	Internal Review Authority	External Referral
Operational Review	Executive Manager or Director	N/A – must request an internal investigation
Internal Investigation	Chief Executive Officer	Queensland Ombudsman
Review of Chief Executive Officer Administrative Action	Director Organisational Services or another Director	Queensland Ombudsman
Penalty Infringement Notice (PIN) Reviews	Regulatory Services Review Officer	Magistrates Court
Workplace Behaviour (Council employees)	Refer to MP026 Discipline Management Policy and / or MP098 Decisions and Responsibilities Management Policy	Fair Work Ombudsman

4.2 Human Rights Compatibility

Council will ensure that every decision made under this policy is assessed for compatibility with the human rights protected under the *Human Rights Act 2019* (Qld). This assessment will involve:

- Identifying the relevant human rights engaged by the decision.
- Considering the potential impact of the decision on those rights.
- Determining whether any limitation on a human right is reasonable and demonstrably justified in accordance with section 13 of the Act.

This approach ensures that complaint handling respects and protects individual rights, including the right to a fair hearing and protection of reputation, and supports Council’s commitment to lawful, transparent, and accountable decision-making.

5. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

“Administrative Action” is as defined in the *Local Government Act 2009*, and includes a decision, or a failure to make a decision, including a failure to provide a written statement of

reasons for a decision; an act, or a failure to do an act; the formulation of a proposal or intention; or the making of a recommendation.

“Administrative Action Complaint” is as defined in the *Local Government Act 2009*: a complaint about an administrative action of a local government made by an affected person.

“Affected person” means a person who is apparently directly affected by an administrative action of a local government.

“Complaint” means an expression of dissatisfaction with a Council service, decision, or action, whether verbal or written

“Complainant” means a person or organisation making a complaint

“Frivolous complaint” means lacking in merit, minimal importance, not having any serious purpose or value.

“Good faith” means not sincere or honest in its intentions.

“Internal Review Authority” means the officer or role within Council that is authorised to undertake an internal review of a complaint. The Internal Review Authority must be independent from the original decision-maker, senior to the officer who made the original decision, and hold the appropriate delegation to make a new, impartial decision on the matter.

“Resolution” means the outcome or response provided to address the complaint.

“Review Officer” means an officer who holds a delegation under the *State Penalties Enforcement Act 1999* to withdraw a PIN. A Review Officer must be senior to the officer who issued the PIN and must not have been involved in the original decision to issue the PIN. Review Officers are delegated with the authority to review, uphold, or withdraw PINs and must exercise this authority independently and impartially.

“Trivial complaint” means a matter of little importance or does not show that the complainant has suffered a significant injustice.

“Universal Principle” is as defined in the *Child Safe Organisations Act 2024* and means creating environments that make Aboriginal and Torres Strait Islander children feel culturally safe, which broadly means welcome, safe, valued, included and respected.

“Vexatious complaint” means made without reasonable ground/s for a wrongful purpose (e.g., to harass, annoy, cause delay or detriment).

6. ASSOCIATED DOCUMENTS

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Public Interest Disclosure Act 2010*
- *Crime and Corruption Act 2001*
- *Information Privacy Act 2009*
- *Human Rights Act 2019*
- *Right to Information Act 2009* S268S187; S306
- Administrative Action Complaint Management Organisational Procedure (eDOCS #5372644)

- Administrative Action Complaint Investigation Internal Procedure (eDOCS #3778549)
- Administrative Action Complaints Factsheet (eDOCS #4322578)
- Penalty Infringement Notice Reviews Organisational Procedure
- CP022 Competitive Neutrality Complaints Council Policy (eDOCS #1940214)
- CP006 Complaints against the Chief Executive Officer Council Policy (eDOCS #3787622)
- CP014 Fraud and Corruption Control Council Policy (eDOCS #841181)
- CP099 Information Privacy Council Policy (eDOCS #5303360)
- CP009 Investigations (Councillor Conduct) Council Policy (eDOCS #3675421)
- Public Interest Disclosure Management Organisational Procedure (eDOCS #5372651)
- MP023 Code of Conduct Management Policy (eDOCS #1969232)
- MP026 Discipline Management Policy (eDOCS #804149)
- MP098 Decisions and Responsibilities Management Policy (eDOCS #5075192)

7. REVIEW

This Policy will be reviewed on a risk-based methodology and will be reviewed at least every four years.

Version Control

Version Number	Key Changes	Approval Authority	Approval Date	Document Number
1-2	Drafted Policy circulated	N/A	N/A	2991974
3	New Policy Adopted	Council OM 08/16	17 August 2016	
4-5	Administrative Changes: Risk assessment added and change to Department & Section	Council OM 08/18	13 August 2018	
6	Introduction of related Policy for Complaints against the Chief Executive Officer	Council OM 05/19	22 May 2019	
7	Significant updates to remove procedural information (now found in Complaints Management Organisational Procedure)	Council OM 06/26	17 June 2026	