



Council Policy

Complaints Management



Complaints Management

Policy scope

This policy applies to complaints, relating to the City of Fremantle's decisions, employees and services, under the City's jurisdiction.

The content in this policy complements the Council Members, Committee Members and Candidates Code of Conduct and the City's Administrative Grievance Policy for employees.

This policy does not cover:

- Initial requests for service
- Feedback where no issue resolution is needed
- Feedback from stakeholder/community engagement
- Requests for information or explanations of policies or Council decisions
- Reports of damaged infrastructure or hazards
- Reports concerning neighbours or property
- Appeals or objections not related to complaints
- Petitions
- Civil disputes between private individuals
- Complaints made on social media or letters to the editor
- Matters regarding State/Federal Government or outside City jurisdiction
- Matters dealt with by other authorities

The City will endeavour to direct complainants to the correct authority for matters outside the City's jurisdiction.

Policy statement

The City of Fremantle values customer feedback and is committed to providing prompt, fair, and equitable resolution to complaints. The City recognises that complaints and feedback provide opportunities to improve services.

1. Objectives

The objectives of this policy are to:

- Ensure complaints are managed in accordance with best practice as outlined by the Western Australian Ombudsman – Guidelines for complaint management in organisations, and the *Local Government Act 1995*.



- Ensure that complaints received by the City are managed promptly, fairly and equitably from the time of receipt through to a satisfactory resolution or final determination of the matter.
- Support a culture of continuous improvement by valuing the opportunity to identify business and service improvements.

2. Principles

2.1 Complaints are managed in a prompt, fair and equitable manner.

- **Prompt:** The City will respond to all complaints and communicate with parties involved.
- **Fair:** The City will review all complaints in an equitable, fair and unbiased manner using evidence submitted by both the complainant and respondent.
- **Equitable:** The City will be consistent and ethical in the treatment of complaints and customers involved.

2.2 Parties to complaints are treated professionally, respectfully and with confidentiality.

- **Professionalism:** The City will work to reach a solution that provides the best outcome for all parties wherever practical and actively communicate with all involved.
- **Respect:** The City will work to resolve complaints respectfully and cooperatively with all parties. The City recognises that some individuals may require additional assistance to participate equitably in the complaints process and will make reasonable efforts to provide appropriate support in accordance with the protected attributes under the *Equal Opportunity Act 1984 (WA)*.
- **Confidentiality:** Personal information will remain confidential and can only be disclosed in accordance with the Privacy and Responsible Information Sharing (*PRIS*) Act 2024 (WA) or other legislation relevant to the complaint.

2.3 Complaints and feedback are a valued mechanism to help improve the delivery of services for the community.

3. Complaints

Complaints to the City are taken seriously and will be handled in line with the principles outlined in this policy. Complaints offer the City the opportunity to consider a review of services or actions and take corrective steps where in the interests of the community. The City is committed to understanding the context of complaints and will gather all necessary information to make an informed decision.

Anonymous complaints will be accepted where sufficient information is provided, however the City will be unable to provide feedback on decisions made or action taken.

Malicious, frivolous or vexatious complaints are managed under section 8 of this policy.



4. Complaints about Elected Members

Behavioural breaches by Council Members, Committee Members and Candidates are to be dealt with under the Code of Conduct, unless otherwise prescribed (s 5.105 of the *Local Government Act 1995*).

Conduct breaches and Specified breaches by Council Members, Committee Members and Candidates are to be dealt with by the Local Government Inspector, in accordance with Part 8A of the *Local Government Act 1995*.

For information on behavioural breaches, see the City's policies webpage or contact the City's Governance team on 9432 9999 or governance@fremantle.wa.gov.au.

For information on conduct or specified breaches, see the Department of Local Government's website: [Complaints information](#)

5. Complaints about employees

Complaints about employee conduct are managed in line with administrative policies and procedures.

6. Complaints about services

Complaints about services are managed in line with this policy and the City's complaint management procedure.

7. Resolving complaints

All complaints will be addressed in a prompt, fair and equitable manner applying the principles of this policy and relevant legislation.

The City commits to acknowledging and responding to complaints in accordance with the City's Customer Service Charter.

The City has authorised Officers for managing complaints in accordance with the [Register of Delegated Authority](#) located on the City of Fremantle website.

Complaints will be managed through informal resolution, formal investigation, or escalation to the CEO as appropriate.

The City may decide not to process complaints already responded to, that are malicious, frivolous, vexatious, or where adequate remedies already exist, in accordance with part 8 of this policy.

8. Managing unreasonable complaints

In accordance with section 5.130 of the *Local Government Act 1995*, the CEO may make a determination for the City to no longer communicate or deal with a complainant, if the CEO is satisfied that:

1. the matter has already been responded to, and further responses would unreasonably divert resources; or



2. the complaint is vexatious, misconceived, frivolous or without substance and would unreasonably divert resources.

9. Review process

Where a complainant is dissatisfied with the way in which a complaint has been dealt with and/or the final determination of the complaint by the City, the complainant may request a secondary review. However, this will only be supported when new information is presented that was not already initially considered.

Complainants may also refer to an external agency where they are dissatisfied with the outcome. Refer to [Appendix A](#) for appropriate external agencies.

Definitions and abbreviations

Feedback – A reaction or response to a process or activity with the aim of initiating improvement in service delivery.

Complaint – An expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Malicious complaint – A complaint made for the purpose of hurting another person (their career, reputation or livelihood).

Frivolous complaint – A complaint that has no serious purpose or value. It may have little merit and be trivial; investigating would be out of proportion to the seriousness of the issue.

Vexatious complaint – A complaint that is not supported by any evidence and there is other evidence to suggest that the complaint was made primarily for the purpose of causing annoyance.

Informal complaint – a matter raised directly with the relevant City officer or service area, typically verbally or through initial contact.

Formal complaint – a matter raised through written complaint, escalation or investigation when informal resolution is unsuccessful or inappropriate.

Complainant – A person, an organisation, a representative or support person making a complaint.

Respondent – A person or officer who is named in or responding to a complaint.

CEO – Chief Executive Officer of the City of Fremantle

Act – *Local Government Act 1995*



Appendix A: External Agencies

The following table provides guidance on relevant external agencies that manage complaints and the types of matters considered.

Agency	Types of complaints handled	Examples	Contact details
Ombudsman Western Australia	Administrative actions and decisions of local governments that affect a person	Unfair decisions, unreasonable delays, failure to follow procedures, poor service	Website: www.ombudsman.wa.gov.au Phone: 1800 117 000 or (08) 9220 7555 Address: Albert Facey House, Level 2, 469 Wellington St, Perth WA 6000
Local Government Inspector	Breaches of the <i>Local Government Act 1995</i> and subsidiary legislation.	Conduct breaches by councillors, misuse of resources, statutory non-compliance.	Website: www.wa.gov.au/organisation/local-government-inspector Phone: (08) 9222 333 Email: complaints@lginspector.wa.gov.au Address: Locked Bag 14, Cloisters Square, Perth WA 6850
Corruption and Crime Commission (CCC)	Serious misconduct and corruption involving councillors or employees	Bribery, fraud, corruption, abuse of public office	Website: www.ccc.wa.gov.au Online report: www.ccc.wa.gov.au/for-the-public/report-corruption Phone: 1800 803 186 Mail: PO Box 330, Northbridge WA 6865
Public Sector Commission	Minor misconduct by local government employees (not elected members)	Bullying, minor conflicts of interest, improper staff conduct	Website: www.wa.gov.au/organisation/public-sector-commission Phone: (08) 6552 8500
Western Australian Electoral Commission (WAEC)	Local government election matters	Voting irregularities, candidate conduct, election processes	Website: www.elections.wa.gov.au Phone: (08) 9214 0400



Agency	Types of complaints handled	Examples	Contact details
WA Planning Commission / State Administrative Tribunal (SAT)	Planning and development decision complaints and appeals	Development approvals, planning scheme decisions	WAPC Website: www.wa.gov.au/organisation/wa-planning-commission SAT Website: www.sat.justice.wa.gov.au SAT Phone: 1300 306 017
Building and Energy (DMIRS)	Building standards and fencing disputes	Dividing fences, building compliance issues	Website: www.commerce.wa.gov.au/building-and-energy Phone: 1300 489 099
WorkSafe Western Australia	Workplace safety and health matters	Unsafe workplaces, injuries involving council workplaces	Website: www.worksafe.wa.gov.au Phone: 1300 307 877
Equal Opportunity Commission Western Australia	Discrimination and harassment complaints	Discrimination based on race, sex, disability, age, sexual harassment	Website: www.eoc.wa.gov.au Phone: (08) 9216 3900
Information Commissioner Western Australia	Freedom of Information (FOI) disputes Privacy complaints	Refusal or delay of access to documents	Website: www.oic.wa.gov.au Phone: (08) 6551 7888



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