



COMPLAINTS MANAGEMENT POLICY 2019/20

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1. INTRODUCTION

1.(1) Okhahlamba Local Municipality is committed to achieving service excellence through delivering services professionally, and in a courteous, efficient and cogent manner, which ensures predictable and affordable services to all citizens, all the time.

(2) The White Paper on Transforming Public Service Delivery developed 8 Batho Pele principles, chief amongst these is Redress. Under this principle, a client is assured that if the promised standard of service falls below the expected standard, an opportunity for redress is offered and the complaint is speeded up with a positive response.

(3) The Municipality has therefore developed a Complaints Management Policy in line with the Citizens' Complaints and Compliments Management Framework of March 2013. This Policy is guided by the following principles:

(a) Accessibility - The Department's complaints management process must be publicized and made accessible to all clients including the disabled and the illiterate. The process must be user-friendly and convenient to the customer with options such as face-to-face, telephonic or written communication.

(b) Speed - The aim of complaints management system is to resolve queries and provide feedback within the expected time as communicated to clients through the Departmental Service Standards. When a response cannot be provided within a stipulated timeframe, an explanation must be provided to clients who must be informed of the progress and outcome.

(c) Fairness - Complaints must be fairly and impartially handled without fear or favour. In a case where a complainant is dissatisfied after undergoing all the stages as listed in Section 8(2)(a) and (b) of this Policy; he or she must be referred to the relevant office as indicated under Section 8(2)(c).

(d) Confidentiality - Complainant's confidentiality must be protected in order to encourage reporting of complaints.

(e) Responsiveness - Complaints must be resolved with speed taking into account the concerns of a complainant.

(f) Review:-

(i) Each Business Unit must conduct an assessment on the implementation of Batho Pele principles to inform the Departmental Service Standards, the Charter and the Delivery Improvement Plan.

(ii) The Sub-directorate: Service Delivery must develop a 3 year Service Delivery Improvement Plan to address complaints reflected on the Departmental Complaints Register, attached in the Policy as Annexure A.

(iii) The Department must establish a Complaints Management Committee to deal with complaints and feedback. Such complaints and feedback must be incorporated into the Departmental Complaints Register.

2. DEFINITIONS

2. In this Policy, unless the context indicates otherwise:

(a) a word or expression, to which a meaning has been assigned in the Public Finance Management Act, 1999 and the National Treasury Regulations, has the same meaning;

(b) clause headings are for convenience only and will not be used in its interpretation, and the following expressions bear the meanings assigned to them and similar expressions bear corresponding meanings:-

“access” means equal availability of services;

“Batho Pele” means a policy framework to guide the introduction and implementation of new policies aimed at transforming the SA Public Service, the *White Paper on the Transformation of the Public Service, 1995*, as well as, the *White Paper on Transforming Public Service Delivery, 1997*, sets out 8 transformation priorities, which declared that the Public Service should be people-centric and that people must come first in the delivery of services in order to ensure a better life for all citizens;

“complaint” means an expression of dissatisfaction by a citizen or a group of citizens about the level of service (including issues of accessibility) or lack thereof, by a department or departments which in the opinion of a complainant requires resolution and redress;

“consultation” means the consultation of citizens about the level and quality of the public services they receive and where possible, given a choice about the services that are offered;

“courtesy” means the polite, kind, thoughtful and professional service offered to all citizens;

“HOD” means the Heads of Departments from Municipal Units;

“Director” means the Section 56 heads of Directorates;

“frontline service staff” means officials who are the first point of contact for the Department;

“MM” means the Accounting Officer of the Municipality;

“redress” means the remedy offered in instances where the promised standard of service is not delivered;

“Service Standards” means the level and quality of public service meant for citizens; and

“value for money” means public service provided economically and efficiently to give citizens the best possible value for money.

3. PURPOSE

3. The purpose of this Policy is to:

- (a) provide for a systematic process of documenting complaints within the Department
- (b) afford clients with an opportunity for redress should standards fall below expected standards;
- (c) highlight areas of improvement that lead to customer satisfaction; and
- (d) lay down a process and principles to be followed when lodging a complaint.

4. EXCLUSION

4. Complaints in this Policy exclude the following:

- (a) a complaint under investigation by a Business unit in the Department, another Government Department, Court or a Statutory Body;
- (b) in the case of internal complainants, any complaint where the official has not followed the internal means of resolving such a complaint;
- (c) any disagreement with the Department's approved policies.

5. LEGISLATIVE FRAMEWORK

5. This Policy must be read in conjunction with the following prescripts:

- (a) the Constitution of the Republic of South Africa;
- (b) the Promotion of Access to Information Act, No. 2 of 2000;
- (c) the Promotion of Administrative Justice Act, No. 3 of 2000;
- (d) the Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000;
- (e) the White Paper on the Transformation of the Public Service, 1995;
- (f) the White Paper on Transforming Public Service Delivery, 1997; and
- (g) the Public Service Regulations, 2016.

6. SCOPE OF APPLICABILITY

6. This Policy applies to all officials of the Municipality concerned with the delivery of public service and handling of related complaints.

7. COMPLAINTS MANAGEMENT PROCESS

7.(1) Complaints may be lodged through different mechanisms or platforms such as the following:

- (a) a complaints or suggestion box;
- (b) a written letter or e-mail to the Municipality and the Municipal details are attached hereto as annexure C;
- (c) social media sites managed by Communications in the Municipality;
- (d) a direct walk into the Municipality;
- (e) through a war room or ward committee;
- (f) through a Presidential Hotline; and
- (g) any other mechanism that is accessible to the complainant.

(2) In the absence of an automated or electronic system, all complaints received must be recorded on a Municipal Complaints Register by the Sub-directorate: Service Delivery and must indicate:-

- (a) the nature of a complaint,
- (b) date the complaint was logged,
- (c) progress of a complaint; and
- (d) when the complaint was resolved.

(3)(a) All Municipal building foyers must have suggestion boxes to be opened on the 15th of every month by an appointed official.

(c) All complaints received through the suggestion box including actions undertaken to address these must be recorded in a complaint form attached hereto as Annexure B and must be forwarded to Sub-directorate: Service Delivery for capturing in the Departmental Complaints Register.

8. HANDLING COMPLAINTS

8.(1) Complaints must be dealt with fairly. If a complaint needs investigating, it must ideally be looked at by the Director of the component in which the complaint arose. The procedure for investigation must be:

- (a) open, communicated to and understood by all those involved in the complaint;
- (b) unbiased – not favouring any party;
- (c) thorough – establishing the facts and checking details; and
- (d) consistent – treating people in similar circumstances in the same manner.

(2) Where the standard of service falls below the promised standard as stipulated in the Municipal service delivery charter, the Municipality must take full responsibility and offer the opportunity for redress ensuring that the issue is not repeated in the future.

(3) The handling of complaints must be done in accordance with the stages listed below although the stages may overlap or not follow the same sequence:

(a) Stage 1 – receiving of complaints

- (i) Frontline service staff must receive, record and refer the complaint to the relevant Directorate within 24 hours.
- (ii) Directorates must acknowledge all received complaints within 3 working days with a reference number and contact details of the official dealing with the complaint.
- (iii) All received complaints must be captured on the complaints form.
- (iv) All complaints received must be recorded on a complaints register by the relevant Directorate and reported to the Sub-directorate: Service Delivery on a quarterly basis.

(b) Stage 2: - responding to complaints

- (i) All received complaints must be attended to within 3 working days.
- (ii) Written complaints received through the Presidential Hotline must be attended to within 3 working days.
- (iii) Urgency of the matter must determine how the complaint must be concluded, however complaints must be, investigated and resolved within 25 working days.
- (iv) The Sub-directorate: Service Delivery must follow up and ensure that a written notice or feedback is sent, by the relevant party, where the complainant must be advised on the progress.
- (v) In case a complainant is dissatisfied with the outcome or progress made in addressing the issue, he or she may escalate the matter to the HOD or MM.

(c) Stage 3: dealing with unresolved complaints or dissatisfied complainants

- (i) The HOD or MM must investigate and review the referred unresolved complaints. At this stage a complaint may not rely on the findings of stage 2.
- (ii) The HOD or MM must advise the complainant of his or her right to refer the matter to the Mayor or the Council if still not satisfied with the response or outcome.
- (iii) Unresolved complaints must be finalised within 25 working days.

9. COMPLAINTS MANAGEMENT COMMITTEE

9.(a) A Complaints Management Committee must be appointed as per the Municipal delegations.

(b) The Complaints Management Committee must be comprised of:-

- (i) the Chairperson, appointed by the Municipal Manager
- (ii) a representative from each Directorate who must be in a position to attend regularly;
- (iii) representatives from the following Departments: Legal Services, Internal Control
- (iv) the Secretariat, which must be provided by the Sub-directorate: Corporate Services.

(c) The Committee must perform the following functions:-

- (i) oversee all complaints received by the Municipality including feedback provided;
- (ii) ensure effective and efficient management of the Municipal Complaints Register;

- (iii) provide input on complaints reports received from Communications and Complaints Management Unit;
- (iv) ensure compliance with this Policy and any other Complaints policies and guidelines;
- (d) The committee must meet quarterly to track progress on all complaints affecting operations of the Department.

10. OFFICIALS HANDLING COMPLAINTS

- 10.(a)** Officials handling complaints must be independent of the issue of the complaint.
- (b) To protect confidentiality and privacy, officials involved in complaints resolution must ensure that information is restricted only to those affected by the complaint.
- (c) When necessary, a sensitive complaint that may need to be disclosed to others, must be clarified and consent to do so be secured from a complainant.
- (d) Where conflict of interest arises for an employee involved in the receipt or management of a complaint, the relevant Supervisor must be informed and alternate arrangements be made to deal with the complaint.
- (e) Requests by complainants to remain anonymous must be respected at all times.
- (f) Action must be taken on anonymous complaints and feedback publicized through various media channels by the Office of the Municipal Manager: Communications.

11. ROLES AND RESPONSIBILITIES

- 11.(1)** The Corporate Services Department acting as Sub-Directorate for Service Delivery must:-
- (a) on a quarterly basis consolidate complaints into the Departmental Complaints Register;
 - (b) manage the Municipal Complaints Register, update it monthly and monitor progress quarterly;
 - (c) chair and provide secretariat role to the Municipal Complaints Management Committee;
 - (d) develop a 3 year Service Delivery Plan and make recommendations to Management for intervention to improve service delivery;
 - (e) refer complaints meant for other Departments and/or organizations.
- (2) Each Directorate must:-
- (a) appoint an official to manage the Directorate's complaints;
 - (b) ensure that the appointed official records complaints using the complaint form and prepares a monthly progress report;
 - (c) provide quarterly progress on all received complaints to the Sub-directorate: Service Delivery using the Departmental quarterly reporting format for inclusion in the Departmental Complaints Register;
 - (d) nominate representative to sit in the Complaints Management Committee
- (3) The frontline service staff must:-

- (a) receive, record and refer a complaint to the relevant Directorate;
- (b) follow up and ensure that a complainant receives feedback.

12. POLICY REVIEW

- 12.** The Policy must be reviewed in line with the Service Delivery Improvement Plan (SDIP).

13. IMPLEMENTATION OF THE POLICY

- 13.** The Policy will take effect from the date of approval by the Municipal Council.



Annexure A

MUNICIPAL COMPLAINTS REGISTER

Name of Directorate: _____

No	Date Recorded	Time	Method of Complaint	Nature of Complaint	Name of Complainant	Person receiving complaint	Action taken	Status



Annexure B

COMPLAINT FORM

PROCEDURE FOR HANDLING COMPLAINTS

Handling of complaints by the Municipality will be done in accordance with the following stages although the stages may overlap or not follow the same sequence:

Stage 1 – receiving of complaints

- I. Frontline service staff must receive, record and refer the complaint to the relevant Directorate within 24 hours.
- II. Directorates must acknowledge all received complaints within 3 working days with a reference number and contact details of the official dealing with the complaint.
- III. All received complaints must be captured on the complaints register.
- IV. All complaints received must be recorded on a complaints register by the relevant Directorate and reported to the Sub-directorate: Service Delivery on a quarterly basis.

Stage 2 - responding to complaints

- I. All received complaints must be attended to within 3 working days.
- II. Written complaints received through the Presidential Hotline must be attended to within 3 working days.
- III. Urgency of the matter must determine how the complaint must be concluded, however complaints must be, investigated and resolved within 25 working days.
- IV. The Sub-directorate: Service Delivery must follow up and ensure that a written notice or feedback is sent, by the relevant party, where the complainant must be advised on the progress.
- V. In case a complainant is dissatisfied with the outcome or progress made in addressing the issue, he or she may escalate the matter to the HOD or MM.

Stage 3: management of unresolved complaints or dissatisfied complainants

- I. The HOD or MM must investigate and review the referred unresolved complaints. At this stage a complaint may not rely on the findings of stage 2.
- II. The HOD or MM must advise the complainant of his or her right to refer the matter to the Mayor or the Council if still not satisfied with the response or outcome.
- III. Unresolved complaints must be finalised within 25 working days.



Complainant's Personal Details

The Municipality requires your personal information for the purpose of assessing and resolving your complaint. Your personal information will only be disclosed within the Municipality for the management of your complaint and shall not be disclosed to any other third party or used for any purpose without your consent, unless authorised or required by law.

Complainant advised of privacy (stated above)				Yes	No	
Title		Last Name			First Name	
Address					Post code	
Telephone		Work			Mobile	
Other alternative contact numbers			Preferred way of contacting the complainant			
Does the complainant have a special need (e.g. interpret or sign language)	Yes	No	If yes, please specify			

COMPLAINT DETAILS

Has the complaint been reported to the Municipality before	Yes	No
If yes, who handled the complaint and what was the nature of the complaint and did you receive feedback on your complaint		
If it's a new complaint, what is the nature of the complaint? (Provide as much details as possible)		

Rate our service: Green = Excellent, Red = Bad and Yellow = Unsure/ Maybe (put a cross on the correct box)

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Annexure C

DEPARTMENT CONTACT INFORMATION

OFFICE OF THE MUNICIPAL MANAGER: MR SIZA SIBANDE	
PHYSICAL ADDRESS	2 nd FLOOR MAIN MUNICIPAL BUILDING 259 KINGSWAY ROAD BERGVILLE 3350
TEL NO	036 448 8002
FAX NO	036 448 1986

COMMUNICATIONS UNIT: MS. SURAYA ASMAL	
PHYSICAL ADDRESS:	1 ST FLOOR MAIN MUNICIPAL BUILDING 259 KINGSWAY ROAD BERGVILLE 3350
TEL NO	036 448 8079
FAX NO	036 448 1986
E-MAIL ADDRESS	communications@okhahlamba.gov.za
RAPID RESPONSE TEAM	
WEBSITE ADDRESS	www.okhahlamba.gov.za

OFFICE OF THE HEAD OF DEPARTMENT: CORPORATE SERVICES: MS. GUGU MOHLAKOANA	
PHYSICAL ADDRESS:	2 nd FLOOR MAIN MUNICIPAL BUILDING 259 KINGSWAY ROAD BERGVILLE 3350
TEL	036 448 8004
FAX	036 448 1986
E-MAIL	Gugu.mohlakoana@okhahlamba.gov.za

PRESIDENTIAL HOTLINE:	
PHYSICAL ADDRESS:	The Presidency (Presidential Hotline), Private Bag x1000, Pretoria, 0001
CALL CENTRE	17737
E-MAIL ADDRESS	president@po.gov.za
FAX NO	086 681 0987