



Yarra Ranges Council Complaint and Unreasonable Behaviour Policy 2026

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Approved by ELT:	4 May 2026
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Policy Owner:	Director Corporate Services

Applicable to:	All Council Employees, Customers of Yarra Ranges Council
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Acknowledgement of Country

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nation peoples as the Traditional Owners and Custodians of these lands and waterways. We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.

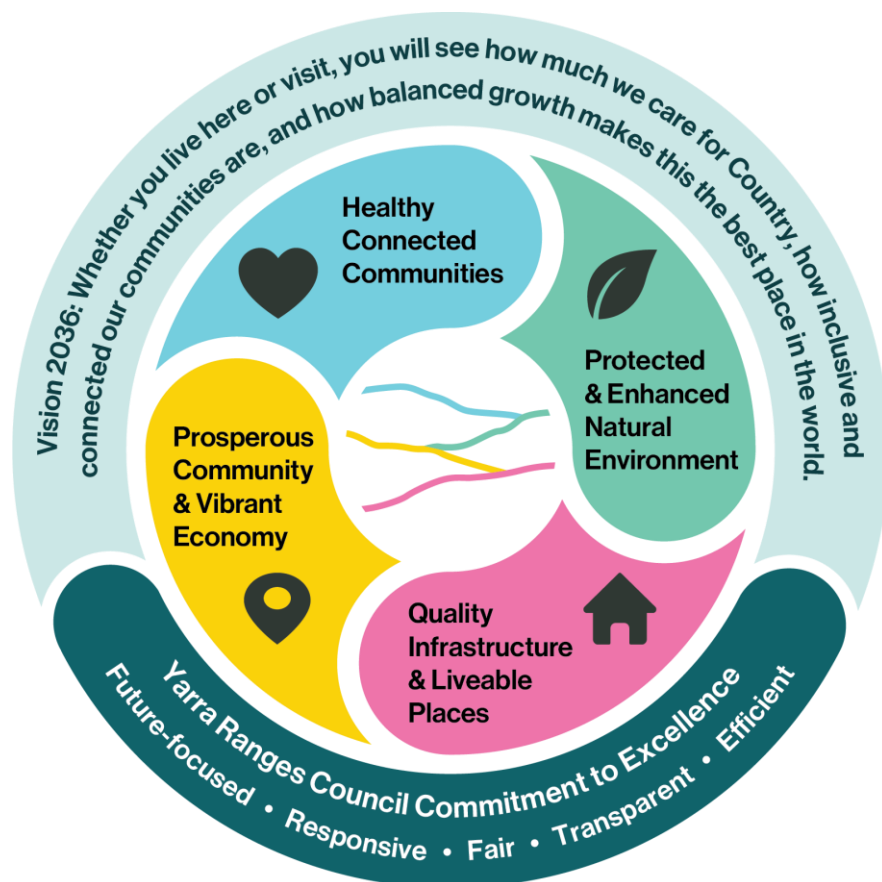
Yarra Ranges Community Vision 2036

The Yarra Ranges Community Vision 2036 has been developed to describe the communities and Council's aspirations for the future of the municipality. It's based on input from over 1,000 community members and reflects the local communities' aspirations for the municipality.

Whether you live here or visit, you will see how much we care for Country, how inclusive and connected our communities are, and how balanced growth makes this the best place in the world.

What Council Wants to Achieve

Four strategic objectives guide all activity as Council works towards delivering the Yarra Ranges Community Vision 2036. These strategic objectives have been developed in response to the communities' priorities and the big issues facing Yarra Ranges. All policies and activities completed by the organisation contribute to one or more of these objectives.



1. Purpose

This Complaint and Unreasonable Behaviour Policy (Policy) outlines how Yarra Ranges Council (Council) manages complaints from community members. Whilst we always strive to meet our community's expectations, sometimes we may not. When this happens, we want to use a consistent, fair, and equitable resolution process and work with our community to understand and improve. It also outlines Council's process to address unreasonable behaviour by community members, including deliberate attempts to disrupt Council business and operations.

2. Scope

This Policy applies/is relevant to all employees, Councillors, contractors, agents, and volunteers of Council.

The Policy relates to all complaints made by customers in relation to Council operations other than those subject to separate statutory or other legislative appeal processes.

Examples of service areas in which there are separate legislative or statutory appeal processes include but are not limited to:

- Complaints relating to a planning application decision.
- Complaints already reviewed by an external agency.
- Freedom of Information (FOI) requests.
- Complaints relating to a Councillor outside their role as a Councillor.
- Complaints relating to legal issues.
- Work-related grievances from Council employees (i.e., complaints relating to their employment).
- Complaints relating to infringements.
- Complaints alleging fraud, corruption, or other criminal behaviour.
- Complaints about Councillors. The definition of 'complaint' does not include complaints about Councillors. Councillor conduct is dealt with in another part of the Act (Part VI).
- Complaints, reports, or allegations concerning abuse, harm or neglect of a child or young person by a Council employee, volunteer, contractor, or Councillor.
- A request that involves introducing something new or additional—such as a change, enhancement, or action not previously in place.
- Complaints relating to outcome of a compliance investigation conducted by authorised officers.

We recognise that complaints about the above may still be valid, however these are managed outside of this Policy.

Where a complaint is outside of Council responsibility, we will assist by providing guidance to the appropriate agency, authority, or service provider.

3. Definitions

Table 1. Definitions

Act	Local Government Act 2020 https://www.legislation.vic.gov.au/in-force/acts/local-government-act-2020/003
Complaint	A complaint includes a communication (verbal or written) to the Council which expresses dissatisfaction about: - the quality of an action, decision or service provided by Council staff or a Council contractor; - a delay by Council staff or a contractor in taking an action, decision or delivering a service; or - a policy or decision made by the Council, Council staff or a Council contractor. A complaint implies an expectation of action and/ or response by the complainant.
Complainant/ Customer	A person or group that interacts with and/or utilises the services of the Council and/or makes a compliment, request for service or complaint.
Council	Yarra Ranges Council.
Councillors	Council's elected representatives (the Mayor and Councillors) or administrator(s) (as the case may be) appointed to act in this capacity.
Council contractor	Any third-party engaged by the Council to carry out functions on the Council's behalf.
Complaint handling process	The way individual complaints are dealt with by Council including the policy, procedures, practices, and technology.
Customer Liaison	Customer Liaison is a team dedicated to case managing complex or escalated enquiries and complaints.
Council officers	Any person employed by the Council to carry out the functions of the Council, and the Council's CEO.
Compliment	An expression of praise for staff, processes or services provided and the experience of the interaction.
Feedback	Feedback may take the form of positive and negative comments about a service, product, experience, or process of Council. The feedback may not require corrective action, change of services, formal decision review, or a response to the provider. Like complaints, feedback provides valuable insight into what matters to the community.

Public interest disclosure	A Public interest disclosure is a complaint of corrupt or improper conduct made against a public officer or public body.
Senior officer	Includes Department Managers, Directors, and the CEO of Council.
Unreasonable complainant conduct (UCC)	Unreasonable complainant conduct (UCC) as defined by the Victorian Ombudsman is any behaviour by a current or former complainant which because of its nature or frequency raises substantial health, safety, resource, or equity issues.
Customer management plan	A plan put in place to manage Unreasonable Complainant Conduct. The plan will be appropriate and proportionate to the type of behaviour.
Unreasonable complaint, also known as Unreasonable Behaviour	A complaint is considered unreasonable when it: • is considered frivolous or not made in good faith; • involves a matter where an adequate remedy or right of appeal already exists (regardless of whether the complainant utilises that remedy or right of appeal); • relates to a matter before a court or tribunal; • relates to the appointment or dismissal of an employee or an industrial or disciplinary issue; • relates to a matter awaiting determination to be made at a Council or Committee meeting; • is not possible to process due to insufficient information provided; or • is made in an offensive, voluminous or otherwise unreasonable manner

4. Policy Statement

This Policy will:

- protect and promote the community's right to provide feedback, a compliment or make a complaint;
- ensure that complaints are investigated and responded to in an appropriate, consistent, and effective manner;
- inform the community of the internal and external procedures for managing feedback and complaints;
- protect and promote the human rights of all people involved in complaints, and ensure that proper consideration of relevant human rights issues occurs throughout the complaint handling process;
- commit to effective management of and learning from complaints; and
- outline strategies to ensure the health, safety and wellbeing of all parties.

This Policy shows how we will:

- enable complaints to be made;

- respond to complaints we receive; and
- learn and improve from complaints.

This Policy helps us to:

- improve standards of services to our community;
- raise standards of investigation and decision making through clear processes;
- ensure a fair and equitable approach and improve internal complaint handling; and
- reduce recurring complaints.

5. Principles

We will apply the following best practice principles to every complaint.

- **Accessibility:** We will make it easy for anyone in our community to lodge a complaint including people of all genders, ages, abilities, cultural backgrounds, religions and people who are indigenous and/or LGBTIQA+. Our employees will actively assist everyone to navigate the complaint process.
- **Commitment:** We take all complaints seriously. Council is committed to resolving complaints and view them as a valuable source of feedback that will help us to improve our services.
- **Accountability:** When a complaint is lodged, we will advise who will be taking ownership for investigating the complaint.
- **Consistency:** We will ensure that all complaints are investigated, followed up and responded to. We will follow through on any agreed actions and provide explanations and reasons for decisions.
- **Objective and fair:** Our people value our customers. Complaints are handled with professionalism, empathy and impartiality.
- **Transparency:** We make it clear how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.
- **Privacy:** We are committed to fulfilling our obligations under the Information Privacy Act 2000, Health Records Act 2001, and Information Privacy Principles. We provide clear information about how we handle personal information. Complaint data is de-identified if reported more widely. Please refer to our Information Privacy Policy for further information. Complainants are entitled to access information necessary to resolve their complaint meaningfully but are not entitled to information that breaches the privacy obligations Council owes to any other person.
- **Continuous improvement:** Acting on, learning from, and using complaint data helps us identify problems and improve services.
- **Child Focused Complaints Processes:** Council complies with the Victorian Child Wellbeing and Safety Act (2015) and Victorian Child Safe Standards. Council is committed to ensuring “Processes for complaints and concerns are child focused” (Standard 6- 2020). These processes include supporting children/young people to speak up and report inappropriate

behaviour (related to abuse, harm, or neglect), by Council staff, volunteers, contractors, and Councillors.

6. Roles and Responsibilities

Table 2. Roles and Responsibilities

Chief Executive Officer	- Promotes positive practices in enabling, responding to, and learning from complaints. - Supports service improvements that arise from complaints.
Senior Officers	Recruit, train, and empower staff to resolve complaints promptly and in line with Council policies and procedures.
All Council staff	- Familiarise themselves with this policy and the Council's complaint process. - Assist members of the public in making a complaint. - Treat members of the public with respect and professionalism.
Customer Liaison	- Act as a central point of contact for complainants. - Facilitate responses that are helpful, timely, and accountable through the implementation of this policy.
Councillors	- Familiarise themselves with this policy and the Council's complaint process. - Refer complaints to Council staff to be dealt with in accordance with our processes.
Council Contractors and Volunteers	- Familiarise themselves with this policy and the Council's complaint process. - Cooperate with Council's complaint handling procedures. - Ensure that their employees or those they oversee understand and follow this policy.
Director Corporate Services	- Inform complainants of the requirements outlined in the relevant Customer Management Plan, including the rationale for any actions taken. - Authorise the placement of complainants on a Customer Management Plan.
Customer Insights Coordinator	- Recommend the implementation of a Customer Management Plan in response to instances of unreasonable complainant conduct. - Implement urgent interim Customer Management Plans for up to 7 days where there is an immediate risk to staff, contractors, volunteers, or Councillors.

7. How to make a complaint, provide feedback or compliments

Complaints, feedback, and compliments can be made via:

Telephone:	1300 368 333
Online:	www.yarraranges.vic.gov.au live chat https://www.facebook.com/ycouncil/ , messenger
Email:	mail@yarraranges.vic.gov.au
SMS:	61480043223 - no photos or documents, SMS only.
In person:	At our Community Link sites or to any Council Officer
Post:	PO Box 105, Lilydale 3140
Councillor:	https://www.yarraranges.vic.gov.au/Our-Council/Councillors-executive-team/Councillors , Councillors may refer your complaint to Customer Liaison for investigation and response.

7.1 Accessibility

We will accept complaints, feedback and compliments by telephone, email, letter, via our website and in person.

We will provide support to members of the public to make complaints, if needed e.g., we can lodge a complaint on your behalf over the phone.

We will accept complaints from authorised representatives if you are unable to make a complaint yourself.

We accept and act on anonymous complaints, provided we have received enough information to do so.

We will provide information in various formats including online, print or in person.

We will ensure that all members of the public, irrespective of age, ability, Indigenous, or diverse cultural backgrounds and faiths, and/or sexual/gender identity can make complaints, in a way that is inclusive, safe and supported, e.g. we can lodge a complaint on your behalf over the phone.

We use the National Relay Service, communication boards and other aids to communicate with people with hearing or speech disabilities.

We offer free access to a translator and/or interpreter service.

8. Our Complaint Process

Council will always try to resolve a complaint at the time of first contact. If a decision is made not to act on a complaint, we will explain why, and, where possible, inform you about other options.

In line with the Victorian Ombudsman's recommendation and best practice, Council has adopted a 4-tiered approach to managing complaints. This approach provides a pathway for a complaint with each tier representing an escalation point.

We suggest reaching out to Council about your complaint first as many third-party organisations require this prior to undertaking an investigation.

Tier 1: First-contact complaint resolution

The aim of Tier 1 is to resolve most complaints at initial contact. These complaints are resolved by identifying quick and mutually acceptable solutions. It is important that we understand the complaint and any specific needs of the complainant, then identify the ability and approach to find a workable solution. If a solution cannot be immediately found, then the Council officer will explain what will happen next and why.

First contact resolution may include:

- raising a request for action – e.g. your missed bin being collected
- providing advice or information to you

It may not be possible to resolve your complaint when you first contact us. Your complaint may require further investigation by a team, Council officer or may need to follow a statutory process.

If we cannot immediately resolve your complaint, we will refer it to the relevant team or manager to investigate. We will then provide details of who you can contact about the investigation.

Tier 2: Investigation

If a complaint becomes escalated or complex and requires further investigation, it moves to Tier 2. This is managed by our Customer Liaison Team.

Under Tier 2, additional information is gathered, and an evidence-based decision is made. Customer Liaison will work alongside our subject matter experts, contractors and team managers during the investigation.

As part of our investigation, we will:

- assess the information in your complaint against relevant legislation, policies, and procedures;
- refer to Council documents and records;
- speak with or meet affected parties to consider possible solutions; and
- advise you verbally or in writing of the outcome and our reasons.

We aim to complete investigations within 15 business days and will let you know if we need more time. We will update you on the progress until the investigation is completed. We will inform you of the outcome of your complaint and explain the reasons why.

Tier 3: Internal Review

If you believe Council officers have made the wrong decision in a complaint investigation, you can request an internal review. This review moves the complaint to Tier 3.

The Customer Liaison team will review the request and clarify the scope of your complaint. The complaint is then referred to a member of an independent panel for review. The panel member will investigate to consider whether the complaint should have been dealt with differently. The panel member must not have had any prior involvement with the complaint and will make an evidence-based decision to uphold or overturn the original decision.

We will inform you of the internal review outcome and explain our reasons within 15 business days of receiving the internal review request. We will let you know if we need more time.

This review is the final step in our internal complaints process. Once it has been completed, we will consider the matter closed and refer you to Tier 4. We will not revisit the same issue again.

To request an internal review please advise:

- why you believe the initial decision is incorrect; and
- supply any additional information or evidence (including images) that you believe will be important to the review.

Tier 4: External Review

If you remain dissatisfied with a decision made or processes followed via Tier 3 complaint, we will provide you with information on how to seek an external review.

If we are confident that your complaint has been handled appropriately and all reasonable options for resolution have been exhausted, we may also refer you to an external body for further review.

Tier 4 complaints are escalated to an oversight body such as the Victorian Ombudsman or the Local Government Inspectorate, or to a tribunal or court. Council will contribute to Tier 4 complaints by participating in, and cooperating with, the external review process.

How to request an external review

There are external bodies that can deal with different types of complaints about Councils. You can request an external review from the following organisations:

Complaint	Organisation to contact for external review
Actions or decisions of a Council, Council staff and contractors. This includes failure to consider human rights or failure to act compatibly with a human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic)	Victorian Ombudsman www.ombudsman.vic.gov.au
Breaches of the Local Government Act	Local Government Inspectorate www.lgi.vic.gov.au
Breach of privacy. Complaint about a Freedom of Information application	Office of the Victorian Information Commission www.ovic.vic.gov.au
Corruption or public interest disclosure ('whistleblower') complaints	Independent Broad-based Anti- Corruption Commission www.ibac.vic.gov.au
Discrimination	Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au
Council elections	Victorian Electoral Commission www.vec.vic.gov.au
Breach of Child Wellbeing and Safety Act (2005) Reportable Conduct Complaints reports or allegations concerning abuse, harm or neglect of a	Commission for Children and Young People www.ccyp.vic.gov.au

child or young person by a Council employee, volunteer, contractor, or Councillor	
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9. How we learn from complaints

Complaints from our customers provide us with valuable feedback about how we are performing. We regularly analyse our complaint and customer satisfaction survey data to understand trends and potential issues that deserve further attention. We use this information to identify solutions about how we can improve our services. This enables us to uphold our commitment to being accountable, helpful, and responsive to our customers.

We are open and transparent about the complaints we have received, and what we have done to resolve them. Councils complaint data is published in our Annual Report along with the Victorian Ombudsman's Investigation report into how Council manage complaints.

10. Your Privacy

We keep your personal information secure. We use your information to respond to your complaint and may also analyse the information you have provided for the purpose of improving services that relate to your complaint. Where we publish complaint data, personal information is removed. The *Privacy and Data Protection Act 2014* and the *Health Records Act 2001* outline our obligations in relation to how we collect, store, use and access the information we hold about you. All information collected is held securely and used solely by Council for a specific and/or related purpose. Council may disclose the information collected to other organisations if required or as permitted by legislation.

When you make a complaint to us, we ask you to provide and will record:

- your name and contact details;
- whether you have any communication or assistance needs that can be accommodated; and
- what you are complaining about.

11. Unreasonable Customer Conduct

We are committed to providing a safe and healthy workplace for all Council employees, contractors, volunteers and Councillors. We expect our officers to treat people with courtesy and respect, and we expect the same in return. We do not tolerate occupational violence and aggression or behaviour which consumes disproportionate time or resources. This includes deliberate efforts to disrupt Council business/operations, including Council meetings and, unreasonable, offensive, or defamatory arguments.

The following information sets out how we deal with challenging behaviour in a way that is fair and balances the interest of complainants, Council officers, our organisation, and the community.

We may also decline to take on complaints are deemed to be vexatious, trivial, or not submitted in good faith.

We recognise that people who demonstrate challenging behaviour often have a legitimate grievance, and our officers will continue to deal with complaints on their merits. In line with the best practice outlined by the Victorian Ombudsman, we will manage challenging behaviour in the following way:

- Prevent where possible
- Respond to challenging behaviour by listening, acknowledge concerns and refocus the conversation on to facts relating to the complaint.
- Manage behaviour that is, or becomes, unreasonable. This may include a written warning or the redirection of your correspondence within Council.
- Limit access as a last resort

Council officers who have determined a complainant's behaviour is unreasonable should refer the matter to a relevant Senior Officer or to the Customer Insights Coordinator.

11.1 Unreasonable behaviour as defined by the Victorian Ombudsman

Behaviour	Examples
Unreasonable persistence	• Bombarding with calls, visits or information when not warranted. • Contacting different officers seeking a different response. • Reframing an old complaint so it looks like there are new issues. • Refusing to accept the decision after the complaint has been thoroughly investigated, the outcome has been explained and any questions answered. • Questioning the skills or competence of the complaint handler.
Unreasonable Demands	• Insisting on an immediate response or priority that is not warranted. • Insisting a response to every point, no matter how minor. • Demanding information they are not entitled to e.g., staff contact details. • Insisting that the head of our organisation, or a Senior officer, handle the complaint in preference to the officer responsible. • Instructing Council officers how to investigate a complaint.
Unreasonable lack of cooperation	• Sending voluminous amounts of information • Providing little or no information about the complaint. • Presenting fragmented information. • Refusing to comply with reasonable requests for information.
Unreasonable arguments	• Insisting on the importance of minor issues. • Making unsubstantiated allegations e.g., bias or corruption.

	• Insisting on cause and effect' without evidence. I.e., insisting that one thing makes something else happen.
Unreasonable behaviour	• Verbal abuse. • Aggressive behaviour. • Harassment. • Making threats.

The Senior Officer and/or the Customer Insights Coordinator will review the particulars of the behaviour and determine whether it should be dealt with as unreasonable complainant conduct. If the conduct is deemed unreasonable, the relevant Senior Officer will determine whether the complaint will be further investigated and will advise the complainant accordingly.

11.2 Customer Management Plans

In instances of unreasonable complainant conduct, a Senior Officer or Customer Insights Coordinator may recommend the implementation of a Customer Management Plan (CMP). These strategies can be applied to an individual customer or a group.

The Policy will consider human rights and does not limit legislative access or service rights but seeks to guide the management of future contact between Council and the person(s) displaying unreasonable complainant conduct.

The Customer Insights Coordinator, under the supervision of the Director Corporate Services, will oversee documentation of all instances of a Customer Management Plan (CMP) being imposed. The Director Corporate Services will inform complainants in writing of the requirements under the relevant Customer Management Plan (CMP) and the reasons for taking such steps.

The Customer Insights Coordinator may implement an urgent interim Customer Management Plan (CMP) for up to 7-days in cases where we identify an immediate risk to staff, contractors, volunteers and/or Councillors to allow time to seek a formal Customer Management Plan (CMP).

11.3 Plans available

Depending on the circumstances, the CMP may include, but is not limited to, one or more of the following:

- limiting how the complainant may contact Council (e.g., requiring all correspondence to be in writing and prohibiting contact via phone, in-person visits, or social media)
- assigning a specific Council officer who will handle all communications with the complainant;
- Limiting or banning access to certain Council facilities or events, including Council meetings;
- limiting contact and responses on the same or similar issues where the complainant does not provide significant or substantial new information (this may also include Council declining to respond to or acknowledge ongoing correspondence from a complainant);
- limiting the number of issues, we will address in any given period;
- limiting the types of issues Council will address (e.g., we will only address significant or serious-risk issues);

- limiting the times and days that contact will be accepted; and/or provided
- in extreme circumstances, Council may refer the matter to Victoria Police
- in extreme circumstances, Council will prioritise the health, safety and wellbeing of staff over continued access to services. Decisions will be made on a case-by-case basis and may include partial or full restrictions on access to Council services where necessary.

When a Customer Management Plan (CMP) with limitations is implemented, further contact will be registered but only responded to if the complainant provides new information that we deem requires attention.

Limitations on the provision of information will not occur if Council officers are required to provide information under a statutory responsibility to provide such information.

11.4 Review of Customer Management Plans

We will review all Customer Management Plans that limit access to our services prior to their expiry to determine if an extension is merited. The duration of a Customer Management Plan (CMP) is determined at Council's discretion, for a period of up to 12 months, and will be communicated to the complainant when the Customer Management Plan conditions are provided.

If we believe the Customer Management Plan needs to be extended past its original duration, Council will notify you in writing and explain the reasons for the extension.

Should a customer be dissatisfied with the implementation or extension of a Customer Management Plan, the customer may request a review. If the complainant is dissatisfied with the review, they may contact the Victorian Ombudsman's Office.

12. Related Documents

There are ranges of supporting materials which are referred to within this policy. These include:

- Victorian Ombudsman - Good practice guide: Complaint handling for Victorian public sector organisations – 2nd edition April 2025

<https://assets.ombudsman.vic.gov.au/assets/Best-Practice-Guides/VO-Good-practice-guide-Complaint-handling-for-Victorian-public-sector-organisations.pdf>

- Victorian Ombudsman - Good practice guide: Managing complex complainant behavior - February 2022

https://assets.ombudsman.vic.gov.au/assets/Final_08.02.22_VO_GUIDE_Managing-Complex-Complainant-Behaviour_Feb-2022.pdf

- Victorian Ombudsman - Good Practice Guide Managing Complaints Involving Human Rights – May 2017

<https://assets.ombudsman.vic.gov.au/assets/Best-Practice-Guides/Good-Practice-Guide-Managing-Complaints-Involving-Human-Rights.pdf>

- Victorian Ombudsman - Councils and complaints - a good practice guide 2nd edition – July 2021

https://assets.ombudsman.vic.gov.au/assets/VO-Guide_Councils-and-Complaints_A-good-practice-guide_2nd-edition_Apr-2023.pdf

- Equal Opportunity Act 2010

<https://content.legislation.vic.gov.au/sites/default/files/2022-12/10-16aa030%20authorised.pdf>

- Charter of Human Rights and Responsibilities Act 2006

<https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006/015>

- Australian Government - National Office of Child Safety

<https://www.childsafety.gov.au/system/files/2024-04/complaint-handling-guide.PDF>

- Social Media at Yarra Ranges Council

<https://www.yarraranges.vic.gov.au/Site-Footer/Sub-Footer-Links/Social-Media>

- Councillor Code of Conduct – Yarra Ranges Council – April 2025

<https://www.yarraranges.vic.gov.au/Our-Council/Corporate-documents/Policies-strategies/Councillor-code-of-conduct>

12. Monitoring and Evaluation

The monitoring and evaluation of this Policy will be overseen by Manager Customer & Communications. The Coordinator Customer Insights will conduct annual reviews, reporting the findings to Manager Customer & Communications. These reviews will assess if administrative changes are required.

13. Policy Review

This Policy will be reviewed every two years. From time to time, circumstances may require minor administrative amendments to be made to this document. Where such an amendment does not materially alter the intent of the document, this may be made administratively with the approval of the Manager Customer & Communications without the need to be approved by Council.

14. Revision History

Version	Date	Summary of revisions

