

Council Policy & Procedure – Handling of Complaints By or Against the Chief Executive Officer

Objective

1. The objective of this policy is to establish clear guidelines and procedures for handling of complaints by or against the Chief Executive Officer.

Policy Statement

2. Allegations made by or against the Chief Executive Officer of the City of Albany will be independently, transparently and promptly addressed and have regard to the principles of fairness, equity and natural justice.

Scope

3. This policy applies to Council in its management of complaints by or against the Chief Executive Officer of the City of Albany.

Legislation Relating to this Policy

4. The following documents support and compliment this policy and procedure:
 - Local Government Act 1995 (WA);
 - Occupational Safety and Health Act 1994 (WA);
 - Public Interest Disclosure Act 2003 (WA);
 - Council Policy: Employee Code of Conduct (City of Albany Code of Conduct for Elected Members, Committee Members, Volunteers and Staff);
 - City Policy: Dealing with difficult customers; and
 - Chief Executive Officer's Contract of Employment.

Review Position and Date

5. This policy must be reviewed every two years after a general Local Government election, or earlier if Council considers it necessary.

Complaint Handling Procedure

6. Council will appoint a standing panel of two persons independent of Council and the City of Albany to have available to it a person to investigate and assess allegations made by or against the Chief Executive Officer.
7. The Chief Executive Officer is entitled to representation during any investigation.
8. The appointed assessor:
 - Will make enquiries into any allegations including enquiries to determine particular factual matters;
 - Reporting their findings and the reasons for those findings, in writing to Council and the Chief Executive Officer. Where possible, such report, were possible, will be given within four weeks of the allegation.
9. The appointed assessor may recommend that Council take disciplinary action against the Chief Executive Officer. Such disciplinary action may range from counselling, a formal warning letter or, in more serious cases, summary dismissal.

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Manager Governance & Risk		Executive Director Corporate Services	
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1.0	EM Business Governance	Adopted by Council OCM 11/10/2011.	11/10/2011
2.0	Manager Governance & Risk	<i>Reviewed and re-adopted by Council. Report Item CSF159, no changes made.</i>	28/04/2015
2.1	Manager Governance & Risk	<p><i>Amendment:</i> <i>Minor formatting and simplified language used:</i> <i>Review:</i></p> <ul style="list-style-type: none"> • <i>From: This policy must be reviewed on at least a biennial basis.</i> • <i>To: This policy and procedure must be reviewed every two years by Council.</i> <p><i>Appended:</i></p> <ul style="list-style-type: none"> • <i>Objective of Policy, being: The objective of this policy is to establish clear guidelines and procedures for handling of complaints by or against the Chief Executive Officer.</i> • <i>Updated from reference from Deputy CEO to Executive Director Corporate Services.</i> 	05/09/2016
2.2	Manager Governance & Risk	<i>Prepared for review.</i>	16/02/2017
3.0	Manager Governance & Risk	<i>Adoption Reference: OCM 28/03/2017 Resolution CCCS012. No changes made.</i>	10/04/2017