

These guidelines outline the process for handling complaints. It was formulated to ensure all complaints are logged and monitored correctly. These guidelines have been developed by Port of Townsville Limited (POTL) as part of POTL's Complaints Handling System for people who are considering making a complaint, and for people responsible for responding to a complaint.

It is the policy of POTL that appropriate actions are taken to effectively resolve customer complaints in a timely manner and to eliminate the associated cause of the problem area. Making a complaint or an allegation is a serious matter, and all parties involved may feel anxious about the process and outcome. POTL and its employees will strive to ensure all parties fully understand what is involved so that informed decisions can be made along the way.

Any related complaint-handling system will be managed by the appropriate employee.

## 1. Purpose

This procedure requires complaints to be:

- handled within the timeframes established in this procedure;
- fully and fairly investigated;
- given respect for confidentiality where appropriate;
- address all points at issue and provide an effective response and appropriate redress; and
- conveyed to management so that services can be improved.

## 2. Objectives

It is the objective of this process to provide a framework in which complaints can be dealt with effectively, in accordance with the relevant standard. This will enable all complaints to be closed out within the specified time frames.

## 3. Who can make a Complaint?

Anybody has the right to express any complaints or grievances they may have with POTL or the services with which they are provided.

If a complainant cannot personally lodge a complaint, they may authorise a third party to do so on their behalf.

For employee complaints related to discrimination, equal employment opportunity principles or sexual/workplace harassment please refer to the Complaints Handling Procedure contained in the Employee Manual. For employee grievances related to a work problem or concern please refer to the Grievance Policy and Procedure also contained in the Employee Manual. If these are not accessible please contact the Employee Relations team.

## 4. Lodging a Complaint

Any employee can be the recipient of a complaint. The complainant should be asked to submit the complaint in writing for the attention of the Manager Corporate Affairs (MCA). If the complaint can't be made in writing the complainant should be asked to provide it verbally.

The complaint should include:

- name, address and contact details;
- an explanation of the complaint, describing what happened, how it happened and who was involved;
- any correspondence and/or relevant material;
- a suggested desired outcome being sought by the complainant; and

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- If the complaint is being lodged on behalf of another person, that person's name and their relationship to the complainant.

For overnight noise complaints, the complaint may be lodged with Port Control to enable identification of the noise source and, in some instances, rectification of the nuisance. Any complaints received by Port Control that requires actioning should be forwarded to the MCA to enable logging and assigning of tasks into Qudos.

## 5. Receipt

Upon receipt, the complaint will be recorded in Qudos by Corporate Affairs with supporting information. It is given a unique identifier code. A Corporate Affairs staff member will then assign it to the relevant Officer or Manager.

## 6. Acknowledgement

The Corporate Affairs will contact the complainant and/or forward a written reply acknowledging the complaint within three business days and detail, where relevant, any response actions planned or already undertaken.

## 7. Assessment

Each complaint will be initially assessed by the MCA in terms of criteria such as severity, safety implication, complexity, impact, and the need and possibility of immediate action.

In most cases the complaint should be resolved within 15 working days of receipt. If this is not possible, an update will be provided to the complainant as soon as possible specifying the likely time frame for resolution.

## 8. Analysis

The level of investigation will be commensurate with the seriousness, frequency of occurrence and severity of the complaint. In Qudos the complaint will be accorded a high, medium, or low priority. Each complaint will be assessed on a case-by-case basis.

Where the complaints are made directly to the Port Control, where possible a Port Security Officer (PSO) will investigate the nuisance matter ASAP in order to identify the source of the nuisance. Where the action resulting in the nuisance is easily able to be adjusted to reduce the impact, the PSO on a case-by-case basis may choose to approach the operator to instigate nuisance mitigation actions.

## 9. Investigation

A Corporate Affairs staff member will liaise with the Manager and/or key personnel for the area in question in order to initiate a response. Details of the responsive action are recorded in the Qudos database. The decision or any action taken regarding the complaint, which is relevant to the complainant, will be communicated to the complainant primarily by MCA or the investigating officer, where appropriate.

In some cases it may be that no corrective action can be taken. In these instances, Corporate Affairs is to inform the complainant that having reviewed the matter, no further action needs to be taken by POTL. The notice is to be in writing setting out the reasons why POTL believes that no further action will be taken on the matter.

The appropriate Manager/Officer conducts the investigation based on the following:-

Complaint Type	Includes	Responsible Officer
Injury to Person	<ul style="list-style-type: none"> <li>Injury alleging negligence by POTL</li> <li>Death on POTL property</li> </ul>	Company Secretary and Legal Counsel / Chief Executive Officer
Damage to Property	<ul style="list-style-type: none"> <li>Damage to third party property</li> <li>Damage to POTL property</li> </ul>	Property Development Executive

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Complaint Type	Includes	Responsible Officer
Engineering	<ul style="list-style-type: none"> <li>Dredging</li> <li>Reclamation</li> <li>Contracts</li> <li>Roads</li> <li>Signage</li> </ul>	General Manager Infrastructure & Planning / Manager Engineering / Manager Maintenance
Environment	<ul style="list-style-type: none"> <li>Noise</li> <li>Dust</li> <li>Pollution</li> <li>Vibrations</li> <li>Visual Amenity</li> <li>Light</li> <li>Odour</li> </ul>	Manager Environment & Planning
Projects		Relevant Project Manager
Security	<ul style="list-style-type: none"> <li>Maritime Security Guard incidents</li> <li>Breaches</li> <li>Costs/Charges</li> </ul>	Manager Health, Safety and Security

Investigation of complaints involving port user operations should involve direct contact with the port user causing the nuisance, or a number of port users who are potential sources. Initial investigations are primarily to be undertaken by phone, however any notification to a port user of a complaint where they are shown to be the cause should be followed up with an email or letter identifying the complaint. An example of the letter is at **Attachment A**.

Contact with the potential source should be made within 3 days of the complaint being received. A general timeframe for response from the port user on such matters is 5 days, although this may need to be varied depending on the seriousness of the complaint or the extent of consideration on rectification actions needed.

Where investigation and rectification actions are over a longer timeframe, regular updates to the complainants should be provided to keep them information of actions being taken. This should be done at least once per week unless agreement for a different reporting timescale is reached with the complainant. Liaison with the complainant is to be undertaken by MCA unless determined that the investigating officer is better placed to liaise with the complainant.

## 10. Closing a Complaint

If the complainant accepts the proposed decision or action, then the decision or action will be carried out and recorded. The complaint can be closed. Closing of the complainant is to be notified to the complainant by Corporate Affairs, preferably in writing, outlining the actions taken to address the matter.

## 11. Complaint Escalation

### Complainant Escalation

If a complainant is dissatisfied with the response provided by an employee, POTL will:-

- inform the complainant about avenues for internal review of the complaint and decision made; and
- assist the complainant in applying for an internal review.

In the first instance the complaint will be referred to the Senior Management Group for a response.

If the complainant is still unhappy with the management response, the Chief Executive Officer will decide whether a presentation of the complaint will be made to the Board of Directors for final determination.

If, following an internal review, the complainant remains dissatisfied with POTL's response, POTL will inform the complainant about avenues for external review of the complaint and decision, which may include (depending on the circumstances) referral to:-

- the Administrative Appeals Tribunal;
- the Queensland Ombudsman;

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- the Information Commissioner;
- the Queensland Anti-Discrimination Commission;
- the Queensland Audit Office; or
- various professional registration boards.

Any complaints not managed in a timely manner will be referred to the Chief Executive Officer.

### POTL Escalation

Where complaints are ongoing or the source port user does not respond to the complaint with satisfactory mitigation steps, an escalation of the matter is warranted. Depending on the situation regarding the user history and the nature of the complaint, some of these steps may be skipped for quicker escalation of the issue.

## 12. Complaint Referral

For environmental complaints, the Department of Environment, Heritage & Protection (DEHP) or Townsville City Council (TCC) are the legislated regulators for nuisance matters. Notwithstanding the complaints handling process outlined herein, referral of the complaint to the regulatory may be an appropriate avenue for addressing the issue.

Should a complaint be referred to the regulator, it can be done by either:

- Notifying the complainant that DEHP or TCC is the regulator and they should direct their complaint to those authorities

This should only be done where the nuisance is determined as not being caused by a port user or where POTL considers investigation and action of the complaint is unable to be undertaken. Clear reasons as to why POTL is not responding to the matter needs to also be provided to the complainant.

- Direct referral of the matter to DEHP/TCC by POTL

This should occur where the source of the issue is unable to be identified by POTL within the first 48 hours of receiving the complaint or where the issue is an ongoing complaint that is either not being resolved by the port user or the complainant is not satisfied with the port user response to the issue.

## 13. Responsibility

The Complaints Handling System is a priority of the Chief Executive Officer and Senior Management Group. All complaints are reported at regular Management Group meetings.

The Chief Executive Officer will:

- ensure that a complaints-handling process and objectives are established;
- ensure that the complaints-handling process is planned, designed, implemented, maintained and continually improved;
- identify and allocate the management resources needed for an effective and efficient complaints-handling process; and,
- appoint a complaints-handling representative (MCA or MCA delegate) and clearly define his or her responsibilities and authority.

The Management team will:

- ensure the complaints-handling process is implemented;
- liaise with the MCA;
- assist MCA and other personnel if faced with abusive port users or complainants;
- ensure the promotion of awareness of the complaints-handling process and of the need for a customer focus;
- ensure that complaints-handling data is available for management review;
- ensure there is a process for rapid and effective notification to senior management of any significant complaints;
- report on actions and decisions with respect to complaints handling; and,
- ensure that action is taken to correct a problem, prevent it happening in the future, and that the event is recorded.

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The MCA will:

- oversee the complaints database which is located in the Qudos system;
- liaise with complainants during and at the close out of all complaints;
- ensure that data is available for review at Management Group meetings;
- ensure that information about the complaints handling process is communicated to employees, customers, complainants, and other interested parties;
- periodically review the complaints handling process;
- monitor, analyse and report on complaints and compliance with the policy and process;
- report to senior management on the complaints-handling process and recommendations for improvement; and,
- maintain the effective and efficient operation of the complaints-handling process.

All personnel in contact with customers and complainants should:

- be trained in customer service and complaints handling;
- comply with any complaints-handling reporting requirements determined by POTL;
- treat customers in a courteous manner and promptly respond to their complaints or direct them to the appropriate individual;
- show good interpersonal and communication skills; and,
- be aware of what procedures to follow and what information to give to complainants.

## 14. Maintenance and Improvement

All complaints will be classified and then analysed to identify systematic, recurring and single incident problems and trends, and to help eliminate the underlying causes of complaints.

Regular actions will be taken to determine the levels of satisfaction of complainants with the complaints-handling process. This will take the form of feedback from annual customer, community and employee surveys.

## 15. Continual Improvement

POTL will continually improve the effectiveness and efficiency of the complaints-handling process. POTL will explore, identify and apply best practices in complaints handling, foster a customer-focused approach within the organisation, encourage innovation in complaints-handling development, and recognise exemplary complaints-handling behaviour.

## 16. Process Review

A review of the complaints process will be undertaken every three (3) years, or as appropriate. It will be reviewed in order to:

- ensure its continuing suitability, adequacy, effectiveness and efficiency;
- identify and address instances of nonconformity with health, safety, environmental, customer, regulatory and other legal requirements;
- identify and correct process deficiencies;
- assess opportunities for improvement; and,
- to evaluate potential changes to the complaints-handling policy and process.

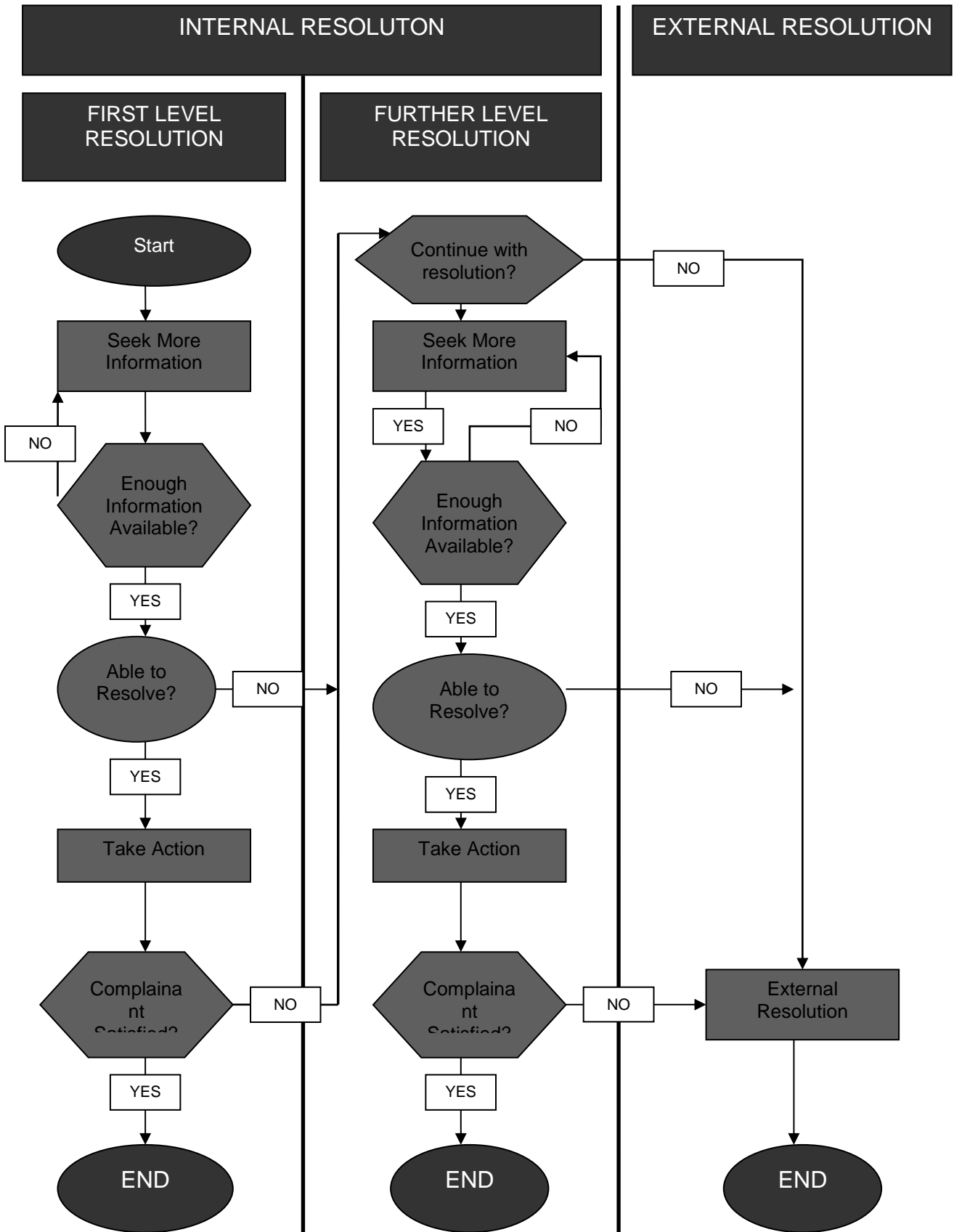
The review may also be triggered following an internal audit of the complaints-handling process.

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## 17. Process Checklist

Process	Timeline
<input type="checkbox"/> Complaint made to any employee who then requests that the complaint be made in writing with details as mentioned above included.	1 day
<input type="checkbox"/> MCA receives written and/or verbal complaint and contacts the complainant to acknowledge receipt of the complaint.	3 days
<input type="checkbox"/> Corporate Affairs logs the complaint in the database.	1 day
<input type="checkbox"/> Corporate Affairs assigns the complaint to the relevant manager who will in turn deal with the issues in the complaint.	1 day
<input type="checkbox"/> The relevant manager/employee must investigate the complaint and prepare a response to the complainant (provided to Corporate Affairs).	15 days.
<input type="checkbox"/> Port user contacted by investigating officer notifying of the issue and requesting information on the cause of the nuisance and mitigation actions to be taken.	5 days
<input type="checkbox"/> Complainant updated by Corporate Affairs on progress of investigation and rectification if likely to take an extended period to resolve	Weekly
<input type="checkbox"/> The manager then sends Corporate Affairs a copy of the response, or instructs Corporate Affairs to formulate a response on their behalf.	
<input type="checkbox"/> Response is sent to the complainant by Corporate Affairs.	
<input type="checkbox"/> If there is no further action required the complaint is then closed out with the relevant date of closure included and the complainant is notified.	
<input type="checkbox"/> If further action is required, the MCA monitors the complaint until the action has been taken and the complaint is then closed out.	
<input type="checkbox"/> A list of all current complaints will be presented to management in the regular management meetings.	

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**Attachment A: Template complaint notification to Port User**

<<date>>

Attention: ##

##  
##  
##

Email: ##

Dear ##

**RE: [noise, dust etc] COMPLAINT**

As discussed between XX and YY on even date [delete if no phone call has occurred], Port of Townsville Limited has received a complaint alleging that activities by your company are causing XXXXX impacts on the nearby residential community.

The complaint alleges that [insert full details of the complaint]. Based on POTL's initial investigation, the complaint appears substantiated and therefore warrants further investigation.

In order to fully investigate and resolve this complaint, POTL requests you provide relevant information regarding your operations at xxx site, including but not limited to the following information:

- a) details as to activities occurring on site at time xxxxx that may have contributed to the amenity impact;
- b) precautions and preventative measures that are utilised to minimise the impact of [Noise, dust etc] generating activities, in line with commitments made in your operational EMP;
- c) recent changes and/or problems that may have occurred (including increased activity on the site);
- d) outline of any ## monitoring undertaken on site;
- e) details of what further actions you have, or plan to take, to reduce the amenity impact resulting in this complaint;
- f) management practices relating to the use of ## on site (I don't understand this one?); and
- g) a contact name and number for a person at your company to provide to the complainant if they wish to discuss the issue directly with you.

POTL takes its responsibilities to manage the relationship with our near neighbours seriously and to ensure port user operations do not adversely affect the neighbouring residents. To enable a timely resolution of this matter, you are requested to provide the above information by xxxx.

If you have any queries, or wish to discuss this matter further, please do not hesitate to contact me on ##.

Yours faithfully

###  
###

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