

POLICY 020/2016 RAADSBELEID

SUBJECT/ONDERWERP: CUSTOMER CARE CHARTER & COMPLAINTS

REFERENCE/VERWYSING: 2.11

RESOLUTION NO/BESLUIT NR: 30.15/06/2016

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INTRODUCTION

A customer charter is an agreement, a covenant between a service provider and the customer. In this context it would be the //Khara Hais Municipality and the communities in our areas of jurisdiction. The charter spells out the nature and standards the customer can expect from us, and redress mechanisms in case we fail to live up to our agreement.

PURPOSE

- To outline our service standards.
- To place our service standards on all our service points.
- To keep us accountable to our customers.
- To keep us in sync with the 8 Batho Pele (People First) principles.
- To help us to improve daily in our interaction.

OUR SERVICE STANDARDS

- To greet and welcome customers at the customer care desk
- To treat customers with courtesy, respect and dignity.
- To advise customers which department to go to for the Designated services.
- To capture all complaints immediately on the system
- To pick up the phone before 5 Rings
- To inform the switchboard when attending meetings and or when on leave to avoid phones ringing
- To assist customer care by informing them when going out, so that customers don't go to empty office.
- To rotate lunch times to ascertain that offices are always manned.
- To place suggestion boxes at our most visited.
- To have annual or biannual Customer Satisfaction Survey.

YOUR RIGHTS AS CUSTOMER

- To be treated with dignity and respect.
- Access services
- Courtesy
- Full information/Openness and transparency
- Prompt and efficient services
- Redress and an apology for lapses in our services
- Consultation given additional service information.

YOUR OBLIGATIONS AS CUSTOMER

- Respect the dignity of our officials; they are dedicated to provide service excellence.
- Inform us if your personal details have changed
- Make arrangements in time if you are unable to fulfil your financial obligations.
- Study your municipal accounts to make sure that all details are correct.
- Pay municipal accounts on time.
- Do not temper with Electricity boxes and water metres.
- Clients are advised to carry their Identity Documents, for convenience in case needed
- Report all complaints, and unhappiness/ Dissatisfaction with our services to the office of the Speaker.
- Municipal Officials are not doing you a favour when serving it's a job.

COMPLAINTS MANUAL AND PROCEDURE AT //KHARA HAIS MUNICIPALITY

INTRODUCTION

There needs to be a good, workable relationship between communities and the //Khara Hais Municipality. This manual seeks to create such an atmosphere to cement trust between these stakeholders. The old English adage states that prevention is better than cure. This complaints manual seeks to be pro-active and preventative in nature.

1. BACKGROUND

The Municipal systems Act 32 of 2000 spells out the detailed role of both the council and communities. The act sets out the rights and responsibilities of the councils and the rights and responsibilities of communities in respect of creating a good, thriving and financial healthy municipality. A financial healthy municipality whose benefits and responsibilities are aligned with the roles and responsibilities will ensure better service role out of services.

This in essence means that there ought to be symbiotic relations between Communities and our Council. A relationship where both parties are gaining living side by side along each other.

Members of the local community have the right to participate in the decision-making processes of the municipality. They have the right to use and enjoy public facilities, and the right to access municipal services. They also have the right to submit recommendations, complaints or representations to the municipality, and to expect prompt responses from the municipality.

Members of the local community have the right to be informed of decisions of the municipal council, and to expect the council to disclose information about its business and finances. They have the right to attend meetings of the municipal council and its committees, and to demand that the council acts in a transparent and impartial way.

Members of local communities also have duties. In some instances, their rights are directly linked to their duties. For example, members of the local community have a duty to pay service fees, rates and taxes. Their right to access municipal services is linked to their duty to pay for those services. Similarly, members of the local community have a right to participate in municipal decision-making, linked to a duty to utilize the procedures and mechanisms established to enable participation.

In a bid to be compliant, institutional arrangements will be set to better regulate and coordinate the municipal function as prescribed by the Constitution, the Municipal Finance Management Act, the Municipal Systems Act, and other relevant legislation.

- ❑ The //Khara Hais Municipality has adopted a Terms of Reference (ToR) for Municipal Public Accounts Committee whose main aim and purpose is to ensure, through oversight and questioning of management officials, this will curb corrupt practices.
- ❑ In 2009, Council adopted a Public Participation Policy which serves as a guide on the involvement of communities in matters of the Local Government as per the Local Government: Municipal Systems Act, 2000 [Act 32 of 2000].
- ❑ The Customer Care Unit has a functional electronic system which is able to capture complaints attach to each complaint a unique reference number before directing every complaint to the affected unit or department.
- ❑ The unit also has a manual form to register complaints when doing community services and or when complaints are registered via the telephone or at the front desk.
- ❑ The system is able to reflect the date and time of when the complaint was captured on the system.
- ❑ Complaints are and can also be registered via our website.

The South African Local Government Association (SALGA) has a Petitions and Public Comments Procedure document for Municipal Councils and underpins the involvement of broader public participation. It guides us towards procedures Development in Public Participation,

Section 8, of the //Khara Hais Municipality Public Participation Policy emphasizes ward committee systems not being the only solution to public participation. The Office of the Mayor and Speaker is central to considering diversity of communities who participate at local government level.

It must be noted that //Khara Hais Municipality has a fairly friendly relationship with its citizens and has worked to avert public disputes, and violent protests seen elsewhere in the country.

This is due to the following reasons:

- Monthly meetings held by Ward Councillors.
- Effective Ward Committees.
- Publication called the resident.
- Bi-Monthly radio Program.
- The one stop services called community service day.
- Council meets the people.

The abovementioned measures are not enough to cement a better understanding between communities and //Khara Hais Municipality. There is always room for improvement.

The abovementioned measures can be added to byway of allowing for customer friendly atmosphere to interact with the office the speaker and or of the Municipal Manager. This must then be cement by centralizing customer care, so that all complaints come to and through one channel.

Section 17 of the (MSA) Municipal Systems Act, 2000 [Act 32 of 2000], deals with mechanisms, processes and procedures for community participation. Subsection 2(a) requires municipalities establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality, and must for this purpose provide for, inter alia, the receipt, processing and consideration of complaints lodged by members of the community.

//Khara Hais Municipality therefore needs a detailed process plan that regulates petitions and complaints submitted by the public to it and can be read with the SALGA Petitions Procedure.

2. PURPOSE

The guide is prepared to provide rules for:

- Lodging complaints by affected parties to the office of the Speaker.
- Inquiries into complaints received from community members, and
- Dispute resolutions mechanisms to be instituted

We will provide guarantees in the execution of the Batho Pele principles, by investigating complaints and remedying violations that may be found to exist in relation to information and support by the Municipality. It is also intended to provide guidance to complainants that may feel they are unfairly treated in the provision of basic Municipal Services.

The prevention and recurrences of improper conduct by any Municipal official in the provision of services to the public will be addressed. The remedial steps and action taken against individuals are also outlined. It further enhances the public opinion towards One-Stop Service when dealing with complaint lodging.

Who may register a complaint? A complaint may be registered by any member of the public/community who believes that his/her rights to Municipal services have been violated by the Municipality.

3. OFFICE OF THE MAYOR'S JURISDICTION

The Mayor's statutory role is mostly traditional and official. Due to its Executive responsibility, it is incumbent on it to be the hitching figure and preside over the Executive committee in Council. The municipal council or the executive committee, periodically delegates additional powers to the mayor. These therefore define the ultimate role of the mayor.

4. OFFICE OF THE SPEAKER'S JURISDICTION

The Speaker ensures compliance in the Council and its committees with the Code of Conduct set out in Schedule 1 to the Local Government: Municipal Systems Act, 2000 [Act 32 of 2000]. Section 17 determines mechanisms, processes and procedures, while subsection 2(a) requires appropriate mechanisms, processes and procedures that enable community participation.

The Speaker attends to the complaints pertaining to the following:

- Access to Municipal basic services
- Implementation of the Batho Pele principles
- Public consultation on matters of public interest
- Any matter which falls within the scope of the Act.

The Speaker therefore should act in accordance with the Municipal Systems Act, 2000 [Act 32 of 2000], the Municipal Structures Act, 2006 [Act 117 of 2006], the Constitution of the RSA, and the Bill of Rights.

5. PROCEDURE IN HANDLING AN OFFICIAL COMPLAINT

The complaints may be brought to the Speaker, Municipal Manager and ward councilors/committee members, or deposited in a Complaints/Suggestion Box provided for.

5.1 Acknowledgement of the complaint

Once a complaint is registered, an acknowledgement letter containing the following information shall be prepared by an official designated by the municipal manager.

- The date on which the complaint was received, (reference may include date and time);
- The basis of the complaint,
- The name of the contact person assigned to the complaint, the procedure that will be followed; and
- Notice that a copy of the complaint is being provided to the responsible Directorate.

5.2 Procedure for the Office of the Speaker in addressing the complaint

- (i) The Office of the Speaker (office manager) shall request that a physical or personal complaint be put in writing (where possible) on a standard Complaints Form developed by the office.
- (ii) A complaints register be maintained in the Speaker's office.
- (iii) The complaint is directed to the Municipal Manager within 24 hours. An initial response request of **48 hours** to enable the Speaker office to have full control and tracking of the complaint.
- (iv) The affected department must provide feedback to the progress within 48 hours to the Municipal Manager, and the Office of the Speaker. It is then the prerogative of the Municipal Manager to provide feedback to the complainant within 48 hours of receiving the feedback. Response time is the minimum standard, even though further investigations may follow or delay progress. In such cases, the final resolution response will be no longer than 5 working days.
- (v) Dispute resolution follows and the Office of the Speaker enters the resolution into the register to close the complaint.
- (vi) NB: The same procedure shall follow in an event of a telephone enquiry or complaint.

6. CONSIDERATION OF THE COMPLAINT BY THE OFFICE OF THE SPEAKER

The Office of the Speaker will:

- Assess the complaint, based on the content of the Complaint.
- Assess evidence submitted in support of the complaint.
- Comments on the department against whom the complaint has been made together with the recommendations of the Municipal Manager.

6.1 Inquest

When the Office of the Speaker has resolved to submit a complaint to a designated Committee, it will refer the matter to the Municipal Manager. This will happen as per normal Council standards procedure and policy. The Municipal Manager shall further detail the specifications and timeframes to conclude the investigation.

6.2 Appointment of an Investigator

The Municipal Manager shall, through recommendation from the Office of the Speaker, appoint an Investigator. The investigating officer may be appointed internally or externally by the Municipal Manager. A letter of Appointment will be provided that also details the complaint and the parameters of the investigation.

6.3 Notification of investigation

After appointment by the Municipal Manager of the investigator, the Director Corporate Services will advise the complainant and the Directorate or section whose decision is the subject of the investigation in an official letter to:

- the complainant,
- the Directorate/section/individual who is being investigated,
- the investigation officer,
- the Speaker's Office;
- the Client Services Section.

LETTERS TO BE ALWAYS COPIED TO THE COMMUNICATIONS SECTION FOR KNOWLEDGE NB ON THE SUBJECT MATTER IN THE EVENT OF AN ENQUIRY FROM THE MEDIA

6.4 The role of the investigator

The investigation officer shall act independently based on information and evidence gathered during the investigation and use its expertise in assessing the complaint.

6.5 The investigator's report

At the completion of the investigation, the investigator will submit **TWO copies** of the report to the Municipal Manager and Speaker. The investigation officer's report shall include the following information:

- Authority to investigate.
- The Purpose of the report.
- Methods used in the investigation and evidence gathered.
- Details of interviews conducted.
- Detail of the investigation.
- Findings of the investigation.

- ❑ Recommendations for appropriate action and General consideration for future.

7. **APPROPRIATE COMMITTEE**

The Speaker will confer with the Municipal Manager on the report and, if necessary, refer the matter to the appropriate committee, i.e. Executive Committee, MPAC, etc. The committee decision will be in accordance of the LG Municipal Systems Act 32 of 2000, which states that a committee may:

- 7.1 Recommend disciplinary action against the department or individual charged; or
- 7.2 Recommend no further action against the individual or department who is the subject of the discussion

8. **CONTACTS DETAILS - ALL CORRESPONDENCE CAN BE ADDRESSED TO:**

//Khara Hais Municipality
Private Bag x6003
UPINGTON
8800

8.1 **OFFICE OF THE SPEAKER**

Telephone number: 054 338 7023
Email: speaker@kharahais.gov.za

8.2 **OFFICE OF THE MUNICIPAL MANAGER**

Telephone number: 054 338 7002
Email: manager@kharahais.gov.za

9. **OTHER HELPFUL CONTACT DETAILS:**

9.1 **COMMUNICATIONS SECTION**

Telephone number: 054 338 7008
Email: communications@kharahais.gov.za

9.2 **CLIENT SERVICES SECTION**

Telephone number: 054 338 7075
Email: client@kharahais.gov.za