

## Part 2—Internal review of council actions

### 270—Procedures for review of decisions and requests for services

- (a1) A council must develop and maintain policies, practices and procedures for dealing with—
  - (a) any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and
  - (b) complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.
- (a2) The policies, practices and procedures required under subsection (a1) must be directed towards—
  - (a) dealing with the relevant requests or complaints in a timely, effective and fair way; and
  - (b) using information gained from the council's community to improve its services and operations.
- (1) Without limiting subsections (a1) and (a2), a council must establish procedures for the review of decisions of—
  - (a) the council;
  - (b) employees of the council;
  - (c) other persons acting on behalf of the council.
- (2) The procedures must address the following matters (and may address other matters):
  - (a) the manner in which an application for review may be made;
  - (b) the assignment of a suitable person to reconsider a decision under review;
  - (c) the matters that must be referred to the council itself for consideration or further consideration;
  - (ca) in the case of applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers—the provision to be made to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under this Act;
  - (d) the notification of the progress and outcome of an application for review;
  - (e) the time frames within which notifications will be made and procedures on a review will be completed.
- (3) A council is not entitled to charge a fee on an application for review.
- (4) A council, or a person assigned to consider the application, may refuse to consider an application for review if—
  - (a) the application is made by an employee of the council and relates to an issue concerning his or her employment; or
  - (b) it appears that the application is frivolous or vexatious; or

- (c) the applicant does not have a sufficient interest in the matter.
- (4a) The policies, practices and procedures established under this section must be consistent with any requirement prescribed by the regulations.
- (5) A council must ensure that copies of a document concerning the policies, practices and procedures that apply under this section are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council.
- (6) A council may amend the policies, practices or procedures established by the council under this section from time to time.
- (7) Nothing in this section prevents a person from making a complaint to the Ombudsman at any time under the *Ombudsman Act 1972*.
- (8) A council must, on an annual basis, initiate and consider a report that relates to—
  - (a) the number of applications for review made under this section; and
  - (b) the kinds of matters to which the applications relate; and
  - (c) the outcome of applications under this section; and
  - (d) such other matters as may be prescribed by the regulations.
- (9) The right of a council to recover rates is not suspended by an application for the provision of some form of relief or concession with respect to the payment of those rates (but a council may then, if appropriate in view of the outcome of the application, refund the whole or a part of any amount that has been paid).