

MUIZENBERG IMPROVEMENT DISTRICT (MID)

COMPLAINTS PROCEDURE

1. PURPOSE

The Muizenberg Improvement District (MID) is committed to providing professional, accountable and responsive services within its mandate.

This procedure provides a fair, transparent and consistent process for receiving, recording, investigating, responding to and resolving complaints relating to MID personnel, service providers, management or services delivered by or on behalf of the MID.

The purpose of the procedure is not only to resolve individual complaints, but also to identify recurring service delivery concerns and opportunities for improvement.

2. SCOPE

This procedure applies to complaints concerning:

- MID employees and personnel;
- MID management;
- contractors and service providers appointed by the MID;
- conduct or alleged misconduct while performing duties on behalf of the MID;
- negligence or alleged negligence;
- poor communication;
- failure or unreasonable delay in responding to a matter;
- the standard or quality of services provided by the MID; and
- any other matter reasonably relating to the performance of the MID within its mandate.

This procedure does not replace the City of Cape Town's own complaints or service-request processes for matters that fall directly within the City's statutory responsibilities.

Where a complaint concerns a matter outside the MID's mandate, the complainant will, where reasonably possible, be directed to the appropriate authority or service provider.

3. PRINCIPLES

All complaints will be dealt with fairly, objectively and professionally.

A complainant will be treated with courtesy, dignity and respect and will be given reasonable information regarding the manner in which the complaint will be processed.

Information relating to a complaint will be handled with appropriate confidentiality and in accordance with applicable legislation and MID policies.

No complainant should be subjected to intimidation, victimisation or unfair treatment merely because they have submitted a complaint.

Similarly, an employee, contractor or service provider who is the subject of a complaint will be treated fairly and will be given a reasonable opportunity to provide their version of events before findings are made.

The submission of a complaint does not, in itself, establish wrongdoing.

4. SUBMITTING A COMPLAINT

Complaints should preferably be submitted **in writing by email** to the MID so that an accurate record of the complaint, correspondence and response can be maintained.

The complaint should, where possible, include:

- the complainant's name and contact details;
- the date, time and location of the incident;
- a clear description of the complaint;
- the name or description of any MID employee, contractor or service provider involved, if known;
- details of any previous report or reference number;
- photographs, documents, video footage or other relevant supporting information, where available; and
- the outcome or assistance the complainant is seeking.

Where a complaint is initially received verbally, MID may request that the complaint be confirmed in writing where this is reasonably necessary to properly investigate the matter.

5. ACKNOWLEDGEMENT AND REGISTRATION

All formal complaints must be recorded in the MID Complaints Register.

Receipt of a complaint should normally be acknowledged **within one (1) working day**.

The acknowledgement should, where applicable:

- confirm receipt of the complaint;
- provide a complaint or reference number;
- identify the person responsible for dealing with the complaint;

- explain the process that will follow; and
 - provide an indication of the expected response time.
-

6. ASSESSMENT AND INVESTIGATION

The General Manager, or a person designated by the General Manager, will assess the complaint and determine the appropriate manner in which it should be dealt with.

This may include:

- obtaining further information from the complainant;
- obtaining reports or statements from MID personnel;
- requesting information from a contractor or service provider;
- reviewing operational records, incident reports or other relevant records;
- reviewing available CCTV footage where lawful, relevant and available;
- consulting relevant external stakeholders; and
- referring the matter to another authority where it falls outside the MID's mandate.

Any MID employee, contractor or service provider against whom a complaint is made must be given a reasonable opportunity to provide relevant facts and information concerning the complaint.

7. RESPONSE TIMEFRAMES

MID will endeavour to deal with complaints as efficiently as reasonably possible.

Acknowledgement

The complaint should be acknowledged within **one (1) working day** of receipt.

Initial assessment

The complaint should normally be assigned to the appropriate person or portfolio within **one (1) working day**.

Resolution

Straightforward complaints should, where reasonably possible, be addressed within **three (3) working days**.

Where a complaint requires investigation, consultation with service providers, the City of Cape Town, SAPS or another external stakeholder, a final response may take longer.

In such circumstances, the complainant must be informed that the matter remains under investigation and, where possible, be provided with an estimated timeframe for further feedback.

A matter will not be regarded as unattended merely because MID is awaiting information or action from an external stakeholder, provided reasonable progress updates are communicated to the complainant.

8. OUTCOME AND RESPONSE

Once the complaint has been considered, the complainant will receive an appropriate response.

The response should, where applicable:

- address the material issues raised;
- explain the outcome of the complaint;
- identify action already taken or proposed;
- explain where the matter falls outside the MID's authority or mandate; and
- advise the complainant of the escalation process should they remain dissatisfied.

Where appropriate, corrective or preventative action may be implemented without disclosing confidential employment, disciplinary, contractual or personal information.

If the complainant accepts the response, or no further reasonable action is required, the complaint may be recorded as closed.

9. ESCALATION PROCEDURE

MID encourages complaints to be resolved at the lowest appropriate level while maintaining the complainant's right to escalate a matter.

Level 1 – MID General Manager

Complaints concerning MID employees, contractors, service providers or service delivery should initially be submitted to and dealt with by the **MID General Manager** or designated responsible official.

Level 2 – MID Board

Where the complainant is dissatisfied with the General Manager's response, the complainant may request in writing that the complaint be escalated to the **MID Board of Directors**.

The General Manager will acknowledge the escalation and refer the matter to the appropriate Director, portfolio Director, Chairperson or Board structure for consideration.

A written response will thereafter be provided following the necessary consideration and consultation.

Complaints against the General Manager

Where a complaint relates directly to the conduct of the MID General Manager, the matter should not be investigated or determined solely by the General Manager.

Such a complaint must be referred to the **Chairperson of the MID Board**, or an appropriately designated Director, for consideration and processing.

Level 3 – City of Cape Town

Where the internal MID complaints and escalation process has been completed and the complainant remains dissatisfied, the complainant may request that the matter be escalated or referred to the appropriate **City of Cape Town department/unit responsible for City Improvement Districts**.

The complainant will be provided with confirmation of the referral where the referral is made by MID.

Once referred, the matter will be dealt with in accordance with the City's applicable processes and authority.

10. URGENT OR SERIOUS MATTERS

Nothing in this procedure prevents MID from immediately escalating a matter where the nature or seriousness of the complaint requires urgent intervention.

Allegations involving possible criminal conduct, corruption, serious misconduct, threats to safety or other matters requiring intervention by a competent authority may be referred directly to the appropriate authority.

MID's internal complaints procedure does not replace the complainant's right to report alleged criminal conduct directly to the South African Police Service or another competent authority.

11. CONFIDENTIALITY AND INFORMATION

Information received during the complaints process will be handled responsibly and with due regard to confidentiality, applicable data-protection requirements and the rights of all parties involved.

A complainant is entitled to appropriate feedback regarding their complaint but is not automatically entitled to confidential employment, disciplinary, contractual, personal or operational information relating to another person.

12. COMPLAINTS REGISTER

MID management will maintain an appropriate Complaints Register recording, where applicable:

- date received;
- complainant details;
- nature/category of complaint;
- person or service concerned;
- responsible MID official;
- actions taken;
- dates of correspondence;
- escalation, if applicable;
- outcome; and
- date closed.

The register should be reviewed periodically to identify recurring complaints, service-delivery weaknesses and opportunities for corrective or preventative action.

13. MANAGEMENT AND BOARD OVERSIGHT

The General Manager is responsible for ensuring that complaints are appropriately received, recorded, allocated, investigated and responded to.

Management should periodically report to the Board on complaints received, categories of complaints, outstanding matters, recurring issues and corrective measures implemented.

Individual personal information should not unnecessarily be included in general Board reporting.

The complaints process should also be periodically reviewed to identify root causes and determine whether operational procedures, service standards, communication or contractor performance require improvement.

14. ABUSIVE, REPETITIVE OR VEXATIOUS COMMUNICATION

MID recognises every person's right to raise a legitimate complaint and will consider complaints on their merits.

However, the complaints procedure should not be used to harass employees, repeatedly pursue a matter that has already been reasonably considered and concluded without

presenting materially new information, or subject MID personnel to threatening, abusive or discriminatory communication.

Where this occurs, the General Manager, in consultation with the Chairperson where appropriate, may determine a reasonable and proportionate method for managing further communication while ensuring that any genuinely new or substantive complaint is still appropriately considered.

15. CLOSURE OF A COMPLAINT

A complaint may be closed when:

- the matter has been resolved;
- a final response has been provided;
- the complainant has indicated satisfaction with the outcome;
- the matter has been referred to the appropriate external authority;
- no further reasonable action is available to the MID;
- insufficient information is available to investigate the complaint after reasonable attempts to obtain it; or
- the internal escalation procedure has been completed.

The outcome and date of closure must be recorded in the Complaints Register.

16. COMMITMENT

The Muizenberg Improvement District views an effective complaints process as an important part of accountable service delivery.

Complaints will therefore be used not only to address individual concerns but, where appropriate, to improve communication, operational procedures, contractor performance and the overall standard of services delivered by the MID.

Approved by: MID Board of Directors

Effective date: _____

Review date: _____

Policy owner: General Manager

Version: 1.0