

Policy:4.10	Complaints Management
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Applies to: All staff, clients and stakeholders
Specific responsibility: All Staff

Version: 4
Date approved: 8.6.2020
Next review date: 8.6.2023

Policy context: This policy relates to	
Standards or other external requirements	Australian Service Excellence Standards (ASES) National Regulatory System Community Housing (NRSCH) Specialist Homeless Services (SHS)
Legislation or other requirements	Australian/New Zealand Standard AS/NZS 1002-2014 Guidelines for complaints management in organisations Boarding Houses Act 2012 (NSW) Children and Young Persons (Care and Protection) Act, 1998 Community Services (Complaints, Review and Monitoring) Act 1993 Health Records and Information Privacy Act 2002 (NSW) Ombudsman Act, 1974 NSW Privacy and Personal Information Protection Act 1998 (NSW)
Contractual obligations	Department of Communities and Justice (DCJ)

1. POLICY STATEMENT

Taldumande Youth Services (TYS) is committed to ensuring that any person or organisation using TYS services or affected by its operations has the right to lodge a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation will provide a complaints and appeals management procedure that:

- allows any person to make a complaint or provide feedback
- facilitates complaints by cultivating a supportive environment in which they can be made
- is simple, accessible and easy to use
- is effectively communicated and promoted to all clients and stakeholders
- is proportionate to the size of the organisation and the services it provides

- ensures complaints or appeals are fairly assessed and responded to promptly
- is procedurally fair and follows principles of natural justice
- complies with legislative requirements.

PRINCIPLES

TYS will:

- ensure that all clients, and their families, carers and advocates are encouraged and supported to raise any concerns they have about the service or organisation
- consider all complaints it receives regardless of whether or not the complainant is a client of the organisation
- treat all complainants with respect, recognising that the issue of complaint is important to the complainant
- maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution. Information will only be disclosed if required by law, or if otherwise necessary
- ensure support and advocacy is available to clients who make a complaint and require support
- resolve complaints, where possible, to the satisfaction of the complainant
- clients, families and advocates have access to the organisation's complaints management policy
- deal with all complaints in a timely manner, and aim to provide a formal response to the complainant within 10 working days of the complaint being received
- keep parties to the complaint appropriately involved and informed of progress of the complaint
- ensure that Board members, staff, volunteers and students are given information about the complaint's procedure as part of their induction and are aware of procedures for managing client feedback and complaints
- ensure all service users, stakeholders and members are aware of the complaints policy and procedures
- ensure that all complainants are aware of and understand how to escalate their complaint to external bodies
- ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue
- ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements
- review and evaluate the accessibility and effectiveness of the complaints management system and continually improve its processes

Definition

Complaint: A statement that something is unsatisfactory or unacceptable, a reason for dissatisfaction, the expression of dissatisfaction.

Complainant: is an employee, client, advocate, entity or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body.

Escalation: is the process of reporting complaints to the external bodies if the complainant is not satisfied with the outcome of their complaint.

2. PROCEDURES

Information for clients and stakeholders

2.1 TYS complaints and appeals procedure will be documented for clients, families, carers and stakeholders in a public document which is made available through our;

- Head Office
- Service programs
- TYS Website

2.2 All clients will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

2.3 The complaint procedure will contain information on the following:

- how to make a complaint or lodge an appeal
- contact person for lodging a complaint or appeal
- how the organisation will deal with the complaint or appeal, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- how the person will be informed about the outcome of their complaint or appeal
- how to make a complaint to an external body including contact details.

2.4 The information will also be made available to clients through their case worker or youth worker if they find it difficult to read English.

Training procedures

2.5 Staff will be trained on the complaint's management procedures during their induction, and as part of ongoing refresher training.

Managers and Coordinators will undergo training for complaints management and resolution to support clients throughout the complaint process and appropriately respond to complaints in an empathetic manner. This will include open communication strategies such as acknowledging the grievance without being defensive and making apologies while accepting responsibility for what occurred.

Making a complaint

2.6 A person wishing to make a complaint may do so in writing or verbally to;

- the staff member they were dealing with at the time
- the Manager/Supervisor of that staff member
- the CEO
- the Board
- the NSW Ombudsman
- Office of the Children's Guardian
- Registrar for Community Housing
- Housing Appeals Committee
- NSW Civil and Administrative Tribunal (NCAT)
- NDIS Quality and Safeguards Commission
- Tenants Advice and Advocacy Services

If the complaint is about;

- a staff member, the complaint will normally be dealt with by a Manager
- a Manager, the complaint will normally be dealt with by the CEO/Chairman of the Board
- CEO the complaint will normally be dealt with by the Chairman of the Board

2.7 Complaints may be made by:

- submitting a completed Feedback and Complaints form into the Suggestion Box located at any of our residential service programs or at reception at any of our offices. The Feedback and Complaints form is available in hard copy and online from our TYS Website. (www.taldumande.org.au)
- Written complaints may be sent to 168 Pacific Hwy, North Sydney 2068 or via email at administration@taldumande.org.au . The Senior Manager will be responsible for receiving this correspondence and directing it to the appropriate person.
- Feedback and complaints via telephone may be made on (02) 9460 3777
- Anonymous complaints may be made by sending a complaint through our Feedback and Complaints page on our Website.

Lodging an appeal

2.8 Clients or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member. An appeal should be made in writing and submitted to the CEO.

Procedure for complaints and appeals management

2.9 Any staff member may be a recipient of a complaint, and is responsible for:

1. Receiving the complaint:

- listening to the complainant, acknowledging the concern raised, and explaining the next steps to the complainant
- Depending on the type and severity of the complaint, either discussing with the complainant an agreed upon resolution (for smaller matters), or referring the complaint on to a Senior Manager for further investigation and action.

The person managing the complaint will be responsible for:

2. Processing the complaint or appeal:

- registering the complaint or appeal in the TYS Complaints Register
- informing the complainant that their complaint has been received and providing them with information about the process and time frame

3. Investigating the complaint or appeal:

- examining the complaint within 24hrs of the complaint being received
- investigating the complaint and deciding how to respond
- informing the complainant by letter within 72hrs of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.

As far as possible, complaints or appeals will be investigated and resolved within 5 working days of being received. If this time frame cannot be met, the complainant will be informed of the reasons why and of the alternative time frame for resolution.

4. Resolving the complaint:

- making a decision or referring to the appropriate people for a decision within 10 working days of the complaint being received
 - informing the complainant of the outcome:

- upheld (and if so what will be done to resolve it)
- resolved (and how this has been achieved); or
- if no further action can be taken, the reasons for this.
- Informing the complainant of any options for further action if required
- if an apology is in order, ensuring that the appropriate person makes the apology and informs the complainant what the organisation intends to do to avoid further grievance

5. Reviewing the complaint:

If the complainant is not satisfied with the investigation and proposed resolution of their complaint or appeal they can seek a further review of the matter by another manager within the organisation. Making a decision is to be completed within 10 working days.

6. Referral to external procedure:

A formal external complaints procedure may follow Step 4 if the complainant is still not satisfied with the outcome. The complainant depending on the issue may be referred to the following organisations once the CEO/Board have been notified;

- Registrar for Community Housing
- Housing Appeals Committee
- NSW Ombudsman
- Office of the Children's Guardian
- NSW Civil and Administrative Tribunal (NCAT)
- NDIS Quality and Safeguards Commission
- Tenants Advice and Advocacy Services

Complaints involving specific staff members or volunteers

2.10 The Senior Manager has delegated responsibility for resolving complaints or disputes involving staff members, students or volunteers.

2.11 Internal complaints, where a staff member, student or volunteer makes a complaint concerning another staff member or volunteer, will be dealt with in accordance with internal complaints policy.

2.12 External complaints by clients or stakeholders made against a staff member, student or volunteer will be managed by the Senior Manager who will:

- notify the staff member or volunteer of the complaint and its nature
- investigate the complaint and provide the staff member or volunteer with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party
- take any other action necessary to resolve the issue.

2.13 Any disciplinary action against a staff member or volunteer arising from a complaint will be taken in accordance with the procedures contained in organisation's disciplinary procedures.

2.14 Complaints involving the CEO will be managed by the Chairman of the Board or delegated board member.

Complaints involving Board members

2.15 Complaints made against Board members will be referred to the Chair. The Chair or their delegate, will:

- notify the person about whom a complaint is being made of the complaint and its nature
- investigate the complaint and provide the member with an opportunity to respond to any issues raised
- attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party.

2.16 Where the Chair is the subject of a complaint, the complaint should be referred to other office bearer/s.

2.17 If the matter remains unresolved, the Chair or notified office bearer will raise the matter at the next Board meeting. Depending on the seriousness of the complaint, the Board may:

- deal with the matter at its meeting
- or
- refer the matter to the process outlined in the organisation's constitution.

Cooperation in external investigations

2.18 If any person makes a complaint about TYS to an external body (including police, Ombudsman) the Senior Manager and/or CEO will be responsible for liaising with the body responsible for investigating the issue. TYS will fully cooperate in any investigation which may take place, This includes participating in early resolution, conciliation, and/or reporting to the body about resolution and corrective actions if required.

Record keeping

2.19 A register of complaints and appeals will be kept in the TYS Complaints Register for a minimum of 7 years after the complaint has been made. The register will be maintained by the Senior Manager and will record the following for each complaint or appeal:

- Details of the complainant and the nature of the complaint
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action

2.20 Copies of all correspondence will be kept on the TYS Shared drive in a protected file with access limited to the Management Team. If a complaint is to be made against a person from the Management Team, that specific member is to be restricted from access to this file.

2.21 The complaints register and files are to be confidential and access is restricted to Senior Management.

2.22 A statistical summary of complaints and appeals will also be kept in spreadsheet and maintained by the Senior Manager. They will be responsible for preparing a report on all complaints every month to the CEO/Board in the Monthly Manager's Report.

Results from this report will be reviewed by the Management Team used to:

- inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities
- inform decision making by including a report on complaints and appeals as a standard item on staff and management meeting agendas

Continuous improvement of the complaints management system

2.23 The complaints management system will be reviewed and evaluated every August. This will include:

- review of all complaint and feedback policies and procedures
- client and staff feedback about the accessibility and effectiveness of the complaints management system
- implementation of a continuous improvement plan based on the review and feedback received

3 DOCUMENTATION

Documents related to this policy	
Related policies	3.6 Code of Conduct and Ethics 3.29 Discipline 3.30 Grievance 4.3 Client Rights and Responsibilities 4.6 Intake and Assessment 4.7 Client Privacy and Confidentiality 4.16 Care and Protection
Forms, record keeping or other organisational documents	Client Complaints Information Handout Complaint Management Checklist Complaint Feedback form Complaint Management Investigation Notes – Complainant Complaint Management Investigation Notes – Subject Complaint Management Investigation Notes – Witness Complaint Management – Operational Issues Complaint Management - Outcomes Complaints Register

Reviewing and approving this policy		
Frequency	Person responsible	Approval
3 years	Senior Manager	Senior Manager

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due
1	17.10.2014	Greg Soames (Senior Manager)	17.10.2016
2	16.1.2017	Greg Soames (Senior Manager)	16.1.2019
3	7.5.2018	Greg Soames (Senior Compliance Manager)	7.5.2021
4	8.6.2020	Greg Soames (Senior Compliance Manager)	8.6.2023