

## Section 5 – Clients Complaints Policy

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<b>5.1 Scope</b>	This policy applies to clients, customers and users of Diversitat services.
<b>5.2 Purpose</b>	<p>The purpose of this policy is to establish mechanisms for Diversitat clients to lodge a complaint. This policy is to ensure complaints are dealt with fairly and promptly and in a sensitive and courteous manner.</p> <p>Complaints are also seen to have an important role in contributing to service improvement within Diversitat.</p>

### 5.3 Definition

Complaint: Diversitat considers that a complaint means any issue of concern raised by (or involving) a person using Diversitat services, or who used Diversitat services in the past, or who has applied to use Diversitat services.

### 5.4 Principles

The Complaints Policy and Procedure is based on the following principles:

- That all Diversitat clients and customers have the right to make a complaint and have it handled in accordance with our Complaints Policy.
- The Complaints Policy should be seen by both Diversitat staff and clients to be a positive and productive mechanism and will be undertaken in good faith by both parties.
- The policy and procedures need to safeguard the privacy of all parties involved and all documents secured in such a way as to provide confidentiality.
- Staff will attempt to provide information in a language and format that the person is likely to understand.
- Staff will support people who use our services through the complaints process.
- Staff will ensure that people making a complaint are not adversely affected.

### 5.5 Informing clients about Complaints mechanism

This will be done at the time of enrolment/registration with Diversitat by way of information provided at that time informing clients and customers that:

- Diversitat welcomes complaints and comments because they help create a better service;
- Clients have the right to complain if they are unhappy about any part of our service;
- Clients are able to bring the complaint to the attention of whichever staff member that they feel most comfortable with;
- Clients have the right to decide whether they want to instigate informal or formal complaint procedures and to move from informal to formal as they see fit;

- If clients don't feel comfortable writing or speaking English, they may bring along a friend or family member to interpret or organise an interpreter.

## 5.6 Informal Complaint Procedure

It is expected that many concerns will be resolved in the first instances directly with the persons concerns through a process of discussion and local investigation.

- An informal procedure can be initiated by the complainant contacting the staff member they feel most comfortable with or in their opinion is the most appropriate person to assist in the resolution of the grievance, or the Departmental Manager of the service they are dealing with. This approach can be instigated by way of a personal interview or conversation.
- During this interview or conversation both the complainant and staff member will endeavour to work towards a mutually satisfactory resolution.
- If a resolution is agreed upon, at the conclusion of this interview or conversation, both parties should be aware of the agreed steps to be taken to resolve the conflict and the time frame for the implementation of the steps to be taken to resolve the conflict. Management should be kept informed throughout the process.
- The staff member in question will then be responsible for maintaining communication with the complainant as to the progress of the resolution and the complainant will be responsible for giving open honest feedback to the staff member.
- If the staff member feels that a satisfactory resolution can be achieved without identifying the source of the grievance the confidentiality of the complainant will be protected.
- If however the staff member feels that a satisfactory resolution is dependent upon the identification of the source of the grievance this should be done in keeping with Diversitat's Confidentiality Policy.
- If at any time the complainant is unhappy with the progress towards resolution of the grievance they are free to move from informal to formal complaint procedures.
- If after several attempts to resolve the grievance using informal procedures the grievance is still unresolved, the parties should move onto formal complaint procedures.
- The complaint should be documented with the Manager of the department or delegate. See Complaints Register for example – Appendix B)

## 5.7 Formal Complaint Procedures

Formal complaint procedures should be initiated by writing a letter outlining the nature of the grievance to the Manager of the Diversitat department concerned, or by completing a Complaint Form (Appendix A) which is then received by the relevant Manager.

Once the formal complaint has been received by the above means the following formal procedures are to be entered into immediately.

- The recipient of the complaint will acknowledge receipt of the complaint in writing, within 10 working days of receipt, and inform the complainant that formal complaint procedures will now be instigated.

- The complaint will be investigated by the recipient who will obtain all relevant information from staff and the complainant. A copy of the formal complaint should also be given to POD and/or the CEO.
- An interview will then be scheduled involving all relevant parties and chaired by the Departmental Manager.
- At this interview every attempt will be taken to resolve the conflict and a record of the interview including details of the strategies agreed upon to resolve the conflict will be prepared and distributed to all relevant parties. (See Appendix C - Investigation Report Form.)
- Any resolution will contain a time frame of events and nominate a time, shortly after the expected implementation of the resolution strategies, for another interview to evaluate the results and determine if the grievance has in fact been resolved.
- All formal complaint reports are to be kept by POD in a manner that will ensure the confidentiality of all parties involved. If after the first interview the parties involved are unable to agree to a resolution (whoever conducted the interview) will then prescribe a plan of action and nominate a time frame for implementation and review aimed at resolving the conflict. (See Investigation Report Form.)
- Wherever possible all grievances will be resolved within 3 months. If at any time the complainant is unhappy with the grievance procedure and feels that the grievance cannot be satisfactorily resolved it is their right to pursue the matter further by taking the matter to an external body.
- The complaint may result in disciplinary action in accordance with Diversitat's *Non Performance & Disciplinary policy*.

## **5.8 Monitoring & Follow Up of Complaints**

After a formal complaint has been made and steps have been taken to reach a resolution, it will be monitored and followed up by POD (if it involves an employee) or the Senior Manager of the department to ensure that the complainant is satisfied with the way in which the complaint was handled and is informed of any changes in procedures as a result.

### **5.8.1 No resolution within Diversitat**

If the complaint cannot be resolved within the organisation, the complainant will be directed to an appropriate outside agency. Diversitat will ensure that consent is obtained prior to referring the complaint to an outside agency.

### **5.8.2 Maintaining records**

- Managers will retain copies of documents related to complaints in a separate, service specific Complaints file.
- Each service will enter complaints data into the Complaints Register on the drive in the Employee Resource folder.

### **5.8.3 Reviewing complaints**

- Managers will review complaints to identify organisational opportunities for improvement.
- POD will review individual and aggregated complaints to identify opportunities for systemic improvements, including improvements to the complaints process.

## **APPENDICES:**

**Appendix A: Complaint Form** (available on the intranet under Other.)

**Appendix B: Complaints Register** (on the sdrive in the Employee Resource folder.)

**Appendix C: Investigation Report Form** (on the sdrive in the Employee Resource folder.)

## APPENDIX A: COMPLAINT FORM

All persons wishing to make a complaint can speak with the manager or staff member of choice (the informal approach) or choose to complete this form (the formal approach). All information is strictly confidential. If you feel unsure about anything or would like help please speak to a staff member at Reception.

We encourage you in the first instance to speak to the person involved in the complaint or their supervisor or manager. If you do not wish to do so you can make your complaint in writing. Please allow a maximum of ten (10) working days for Diversitat to respond, and up to 3 months for a resolution. If you have not heard from us within that time you are welcome to contact us.

### Personal details

The information provided will be used to contact you. Only provide the contact details that you wish to be contacted on.

Name: Mr/Mrs/Miss/Ms \_\_\_\_\_

Postal Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone No: \_\_\_\_\_ Mobile: \_\_\_\_\_

### Have you lodged a complaint with our organisation before?

Yes  The matter was resolved  The matter was not resolved

No  Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Is there someone else (legal representative or support person) that you would like involved in making this complaint?

Yes  No

Name of legal representative/support person \_\_\_\_\_

Postal Address \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Details of the complaint**

Is the complaint related to:

Employee of the organisation Details \_\_\_\_\_

Volunteer of the organisation Details \_\_\_\_\_

Service delivery Details \_\_\_\_\_

Facilities Details \_\_\_\_\_

Specific incident Details \_\_\_\_\_

What happened?

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Where did it happen?

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When it happened? (Include date if possible)

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Who was involved? (List all persons involved and witnesses)

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Did someone witness the incident? Would they be willing to be contacted regarding your complaint? If so, provide the name and contact details. (Inform the witness that they may be contacted by Diversitat to discuss the matter.)

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Any other relevant details:

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**Have you discussed the matter with the person/s involved?**

Yes  No

If yes, what was the outcome, if any? Please attach a copy (not the original) of your complaint to the respondent and any letter of reply you have received.

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If no, is there any reason/s that you cannot do so? Do you need help to do this, e.g. for safety reasons, cultural reasons?

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**How would you like to see your complaint resolved? What action would you like the organisation to take to resolve your complaint?**

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**Additional information/supporting documentation**

Please attach copies (not the original) of any documents that may help us to handle the complaint, e.g. if you have letters, emails or faxes or records of conversations you have had with the person/s associated with the complaint.

To help us resolve this matter as fast as we can, please ensure your contact details are kept up to date. If details change, let Diversitat know as soon as you can.

Please sign and date this form.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please send to the Human Resources Department at Diversitat c/- Geelong West Office.





**APPENDIX B: COMPLAINTS REGISTER**

No.	Date	Complainant	Address	Phone	On behalf of	Issues/allegations	Action taken	Outcome	Complaint justified	Remedy

## APPENDIX C: INVESTIGATION REPORT FORM

The template provides a range of generic headings that are suitable for most types of investigations. There may be more appropriate headings for specialised investigation reports.

The purpose of these headings is to provide a clear structure to the report and assist in focusing on:

- the issues examined
- the actions taken, and
- the outcome.

1. Executive summary (usually only used for more detailed reports).
2. Complaint
3. Introduction
4. Investigation
5. Discussion of evidence
6. Conclusions
7. Recommendations
8. Response
9. Appendices