

EXTERNAL GRIEVANCE AND COMPLAINTS POLICY

		Version:	1
Drafted by:	BN	Approved by:	Board Dec 2023
Responsible person:	BN	Scheduled review date:	Dec 2025

Introduction

Amber Community is committed to providing respectful, effective programs and services to anyone utilising the services. We acknowledge that sometimes things don't always go as they should, and when issues are raised, we commit to addressing them as soon as possible.

The aim is to create a robust and transparent system for reporting complaints and grievances, reinforcing our commitment to accountability and ethical conduct within the organisation.

This policy has been developed by the Health Complaints Commissioners 'Complaints handling standards'.
https://hcc.vic.gov.au/sites/default/files/media-document/complaint_handling_standards_2020_1.pdf

Scope

This policy explains the guidelines and processes followed at Amber Community to manage and resolve grievances or complaints against the organisation, staff or programs. The organisation aims to address feedback and complaints promptly with only the necessary amount of escalation required.

This policy applies to all current and past counseling clients, education program participants, external stakeholders, and contractors concerning grievances or complaints regarding how they were treated, the service they received, or any aspect of their contact with Amber Community.

Our grievance principles

Amber Community is committed to ensuring that all people who come into contact with our organisation are treated with dignity and respect, are afforded procedural fairness, and that a prompt and straightforward process for dealing with complaints and grievances will be provided.

Amber Community aims to resolve complaints and grievances as close to the source as possible with graduated steps for further discussions and resolution at higher levels of authority as necessary.

Amber Community encourages direct dealing wherever possible but understands that in some circumstances, it may not be possible or appropriate for people to speak directly to the staff member involved. In such circumstances, the matter may need to be escalated to their manager.

All formal complaints and grievances will be taken seriously and, in most circumstances, will be the subject of some form of investigation.

All workers involved in a complaint or grievance (whether as a complainant, witness or respondent) must keep the details of the matter confidential and must not discuss the matter with anyone other than the person involved in resolving the matter.

If a complaint or grievance relates to potentially criminal behaviour, Amber Community may be required to refer the matter to the police rather than, or in addition to, dealing with the matter under this policy.

Responsibilities and Reporting

Following a complaint made about an Amber Community staff member or service:

All workers (employees, contractors and volunteers) have the responsibility to:

- be truthful in their dealings with Amber Community in respect of grievances
- participate in processes outlined within the policy to address or resolve grievances
- maintain the confidentiality of the grievance and the grievances process at all times
- comply with the procedure and principles set out in this policy.

Management and supervisors have the responsibility to:

- act on any complaint or grievance, including notifying the CEO
- provide support to staff members involved in complaints/grievances
- obtain full details and keep written records of formal grievances and the steps taken to resolve such grievances
- maintain confidentiality at all times and only disclose information to others, as directed by the CEO
- ensure that complainants are updated on the process of their complaint process and continue to have access to the service as required.

The CEO has the responsibility to ensure that:

- all staff, managers, and supervisors are aware of their obligations and responsibilities concerning this policy
- ongoing support, instruction, and training are provided to all staff regarding this policy and its contents.
- The Board of Management is advised of any complaints or grievances that may present a risk to the organisation's reputation, financial security or issues involving the termination of a staff member or volunteer.
- The CEO's communication to the Board will include recommendations for resolving the complaint and alternative solutions, when appropriate, to assist the Board in making informed decisions regarding appropriate courses of action.

Procedure

Stage 1: Direct dealing

We encourage the person with the complaint or grievance (complainant) to attempt to speak to the staff member involved and resolve the matter directly where possible. By telling them, it provides them with a chance to rectify the situation.

Stage 2: Formal complaint or grievance

Sometimes, it may not be possible to resolve a matter through direct dealing, or the nature of the matter requires a more formal approach. Where this occurs, the complainant will be encouraged to lodge a formal complaint or grievance through the Feedback/Complaint form [click here](#) and submit the form to the staff member's manager or the CEO.

If the direct manager is involved in the subject matter of the complaint or there is a conflict of interest., the complainant may lodge the grievance with the CEO or the Board of management.

Formal complaints and grievances may be made verbally or in writing. Irrespective of whether the complaint or grievance is made verbally or in writing, the complainant will need to, where possible, provide details of the matters alleged, including the times, dates, locations, and people involved.

Where a formal complaint or grievance has been raised, a discussion will be held with the complainant as soon as possible to discuss the issue in more detail, along with possible options for addressing or resolving the grievance.

Options for addressing or resolving complaints and grievances will vary depending on the nature of the matter but may include:

- the staff member or manager working directly with the complainant to resolve the matter themselves
- no action being taken (e.g., in circumstances where the complaint or grievance is found to be frivolous, false, or vexatious, or where the complainant decides not to progress with the grievance, and it is not a serious matter that Amber Community is obliged to investigate)
- round table discussion/mediation between the complainant and respondent formal investigation by Amber Community or an external third party
- In most cases, grievances regarding bullying, discrimination, sexual harassment, victimisation, or defamation will be subject to a formal investigation.

Possible outcomes

In many cases, resolving a complaint or grievance may be possible by a set of agreed actions with one or both parties. However, where it is determined that there has been misconduct, a breach of a policy or procedure, or the Code of Conduct, the relevant person may be subject to disciplinary action up to and including termination of employment or some other action such as training or support.

The complainant and the respondent will be notified in writing of the outcome of any formal complaint or grievance. If disciplinary action is taken against a staff member, the other party may not be informed of the specific action taken against the person but will be advised that action has been taken and the investigation is closed.

The personal information collected from a complaint must be kept confidential in accordance with the Health Records Act 2001, the Privacy and Data Protection Act 2014, the Privacy Act 1988 (Cth), the My Health Records Act 2012 (Cth) and, where applicable, the Health Services Act 1988. Guiding principles for implementation:

- Personal information is kept confidential.
- The complainant will be made aware of Amber Community's Privacy Collection Statement as soon as practicable after a complaint is made.
- The complainant will be made aware of Amber Community's need to access health information and the need for privacy and confidentiality.
- Where required, consent is obtained to access health information.

Where possible, the staff member addressing the complaint must identify, declare and manage any conflicts of interest when handling the complaint.

Guiding principles for implementation:

- Conflicts of interest in the complaint handling are avoided where possible but, when identified, are declared and managed.
- Complaints are monitored through Amber Community’s complaint-handling process.
- Records of the initial complaint, all correspondence (including telephone calls), the outcome and action taken are managed in accordance with the relevant disposal and retention schedule established by the Public Records Office of Victoria (PROV) or identified, gathered, classified, maintained, stored, analysed reported and disposed of consistent with PROV requirements.
- Reports about Amber Community’s complaints, complaint handling processes, and any trends identified are reported to management regularly.