

Complaints Management Procedure: External Services Users

Policy Number	SD3.1
Policy Type	Corporate
Policy Owner	People & Capability Director

1. Version control

Date	Version	Prepared by	Approved by	Review Date
Sept 2007	1.0	People & Capability Director	CEO	Sept 2007
Aug 2010	1.1	People & Capability Director	CEO	Aug 2010
Sept 2014	1.2	People & Capability Director	CEO	Sept 2014
April 2017	1.3	People & Capability Director	CEO	April 2017
March 2023	1.4	Director Quality and Risk	CEO	March 2026

2. Purpose of this policy

In accordance with our values, YWCA Canberra is committed to developing strong and effective relationships with people who access, use and participate in our services and programs. However, we recognise that there may be occasions where grievances or disputes arise.

YWCA Canberra encourages all service users to make comments, suggestions and complaints regarding the operation of our services and programs. Effective complaints management is fundamental to the provision of quality service consistent with YWCA Canberra's vision and values. It is the objective of this procedure to provide a standardised process for complaint management which enables complaints and grievances to be safely raised and respectfully resolved.

In accordance with YWCA Canberra's Grievance Policy (Policy OP2.2), all complaints will be treated confidentially and dealt with in a positive manner without fear of intimidation, retribution or discrimination.

3. Scope

This policy, from the date of endorsement, applies to all people involved in the organisation, including:

- employees (permanent and casual)
- volunteers, including board members
- contractors
- sub-contractors
- work experience students and students on placement
- indirect service providers
- any other individual involved in this organisation

4. Definitions

Term	Definition
Complaint	any expression of dissatisfaction, conflict, feeling of unfair treatment or improper conduct, either written or verbal, made by, or on behalf of a service user. A complaint may be made in person, by phone, fax, email or in writing
Complainant	person with the complaint.
Service User	a person who accesses, uses and/or participates in a service, program or event offered by YWCA Canberra.
Serious complaints	a complaint made in relation to an event or issue that would be considered a high or extreme risk for the Organisation, in accordance with YWCA Canberra risk management process. For example, the hospitalisation of a child in care, or serious injury occurring to a participant during a YWCA Canberra event. Depending on the nature of a complaint and what it relates to, serious complaints may be managed by other internal processes and in accordance with the relevant YWCA policy and procedure e.g., an incident may be managed via the Incident Management Process.
Significant complaint	a complaint that cannot be resolved immediately and requires escalation to and the involvement of a manager to resolve.

5. Policy

- On receiving a complaint, staff members should aim to resolve the matter expeditiously, respectfully and confidentially, in accordance with YWCA Canberra's Grievance Policy (Policy OP2.2).
- Where a grievance, complaint or concern arises, the staff member receiving the complaint should attempt to discuss and resolve the complainant's issues immediately. The process of resolving the problem in this instance can include:
 - showing the complainant respect by listening and trying to understand their concerns without refuting or offering a justification.
 - an explanation or information about what is known, without speculation or blaming others.
 - consideration of the problem and the outcome the complainant is seeking and proposing a solution.
 - confirming that the complainant is satisfied with the proposed solution.
- Significant verbal and all written complaints must be recorded by completing the **Complaint Form** (see **FORMS section** of this manual). Completed forms must be filed and a copy submitted to the relevant Portfolio Director to be recorded.
- Serious complaints** must be immediately brought to the attention of the relevant Portfolio Director and/or CEO and managed in accordance with the relevant YWCA Canberra Policy and Procedure (refer to **related policies** section below) and relevant legislation.
- Where a serious complaint is made, staff must still complete the **Complaint Form** correctly and submit it as per this policy.
- Where immediate resolution of the issue is not successful, or not appropriate under the circumstances, the staff member receiving the complaint should:

- explain the steps in the complaints procedure and provide the complainant with a copy of YWCA Canberra's Grievance Policy and Procedures
- refer the matter to their manager.
- advise the complainant that the matter has been referred on for consideration and that they will receive a response within ten working days.

7. Where a complaint is made against a staff member, or another service user, the manager may:

- talk with all parties to hear full details of the complaint.
- encourage discussion and mediation between the complainant and the staff member concerned if appropriate.

As per YWCA Canberra's Grievance Policy (OP2.2), the right to confidentiality of all individuals concerned will be always respected and natural justice and procedural fairness principles will be adhered to.

8. A response should be provided to the complainant within a maximum of ten working days:

- Responses can be provided in writing or verbally, however when the complaint was made in writing, or is a significant complaint, a written response, signed by a Portfolio Director, must be provided.
- Where resolution of the issue is not possible within this timeframe an interim response should be provided to the complainant, either verbally or in writing, within ten working days to provide an update on the progress of the matter.
- Any action taken in response to the complaint should be recorded and these records should be maintained in accordance with this policy (as outlined below).

9. In resolving the complaint, the complainant may be asked to attend a meeting/s so that YWCA Canberra can gather more information about the matter.

- Where this occurs, it is the complainant's choice whether to participate in the meeting.
- A written record of all meetings will be kept in accordance with the record keeping requirements set out in this policy (see below).

10. If it is necessary for the matter to progress to the senior management level, the Portfolio Director may:

- organise additional meetings with the aim of reaching an amicable resolution to the grievance, allowing time for relevant Portfolio Directors to investigate and consider the matter further, as required.
- refer the matter to YWCA Canberra CEO for consideration and internal/external mediation.

11. A written response, signed by the relevant Portfolio Director and/or the CEO, should be provided within a maximum of ten working days of being referred to the Portfolio Director. The response should include:

- information about the process
- the outcome of the grievance process
- adequate reasons for any decisions made

- any changes that have resulted from the complaint
- an apology where appropriate
- acknowledgement of thanks to the complainant for their feedback
- notification that if they are still unsatisfied with the response they can request their complaint be referred to YWCA Canberra Board of Directors and/or an external body.

12. The complainant can also request that their complaint be referred to YWCA Canberra Board of Directors if they wish to pursue the matter further.

- Any determination made by the Board of Directors will be considered final.

13. Complainants who remain unsatisfied with the outcome of the complaint process should be advised of their right to seek recourse through external bodies.

Managing Expectations

It is not always possible to ensure that a complainant is satisfied with the outcome of the complaints management process. YWCA Canberra programs and services are bound by policy and legislative requirements which mean that it will not always be possible to give the complainant the outcome which they seek. In many cases, the best that a service can do is to ensure that the process of resolving a complaint meets best practice standards and legislative requirements, even if the complainant is not happy with the outcome.

Alternate handling process

Notwithstanding the procedure detailed above, the CEO may authorise an alternate process for managing complaints which will be consistent with the YWCA Canberra's Grievance Policy (Policy OP2.2), to suit individual circumstances.

External Review

Service users and program participants may refer a matter at any time to an external review body, such as the Ombudsman or the ACT Human Rights

Commissioner, ACT Civil & Administrative Tribunal (ACAT) for a Residential Tenancy Dispute Resolution, or the Human Services Registrar

The Human Services Registrar can be contacted at

Ph: 02 6207 5474

Email: quality@act.gov.au

YWCA Canberra may suspend or cease an internal review of a complaint if an external review is conducted.

Communication

All service users are to be given information, both written and verbal, when they enter the service about how to lodge a complaint. Any information/publications should be accessible and presented in plain English.

Anonymous Complaints

When making a complaint, complainants can elect to remain anonymous, however this can make it difficult to conduct inquiries into a complaint and consequently to resolve the issues. Where a complainant requests to remain anonymous, staff members must explain this and ask how they wish to be advised of the outcome of their complaint and any action taken as a result.

Advocates and Representatives

Complainants have the right to use an advocate of their choice, such as a friend, family member, interpreter or a consumer advocacy service. Where an advocate is present, and where personal information is involved, staff must verify the advocate's authority to act on the complainant's behalf.

Record Keeping

All meetings undertaken in the above process will be documented and participants will be requested to sign the record as a true and accurate record of the meeting.

Copies of all written documents created in relation to a complaints process (eg. written correspondence including emails and letters) will be attached to the original complaint form and held on file by the relevant Program Manager in accordance with YWCA Canberra's Privacy and Confidentiality Policy and Procedures.

Reporting

A copy of the complaint form and relevant documents will be provided to the relevant Portfolio Director to be recorded for reporting processes. Each Portfolio Director will maintain complaints register for their area with a risk rating.

An update on the number and type of complaints received by each area will be provided bi-monthly by Portfolio Directors to the whole Senior Management Team.

Privacy and Confidentiality

Record keeping and reporting which occurs in relation to complaints will be managed in accordance with YWCA Canberra's Privacy and Confidentiality Policy (OP2.11) and the Information Privacy Act 2014 (Cwth).

6. References including legislation

Related Legislation	Legislation Information Privacy Act 2014 (CTH) Workplace Privacy Act 2011 Fair Work Act 2009 (CTH) Privacy Act 1988 (CTH) Telecommunications (Interception and Access) Act 1979 (CTH)
Related Policies	OP2.11 Privacy and Confidentiality OP2.14 social media Policy HR5.1 Code of Conduct HR5.6 Staff Disciplinary Policy

Acknowledgment

YWCA Canberra acknowledges Aboriginal and Torres Strait Islander People as the traditional owners and custodians of the land on which we live and pays respect to their Elders past, present and future.

We are committed to inclusive communities, workplaces, policies and services for people of all backgrounds, genders, sexualities, cultures, bodies and abilities.



