

## **OPEN DOORS YOUTH SERVICE INC**

### **GRIEVANCE AND COMPLAINTS POLICY**

#### **POLICY FRAMEWORK**

This policy relates to grievances and complaints raised by:

- Consumers who constitute any young person, family member or related person who is accessing Open Doors for support.
- Members of the wider community
- Members of the Staff team or Management Committee

The purpose of this policy is to resolve grievances and complaints that relate to Open Doors. This procedure is meant to provide prompt equitable and mutually satisfactory resolution of a complaint or grievance at the lowest possible level through consultation, cooperation and discussion between parties involved. All grievances and complaints are to be treated seriously.

This policy relates to a grievance against:

- A worker, vounteer or student
- The Coordinator
- A consumer
- Non-Open Doors workers eg, consultants and contract workers
- A Management Committee member

Complaints may refer to:

- Use of the facilities or resources
- Services provided by Open Doors workers
- Matters concerning the management of the service.
- Any other relevant issue

#### **Types of Complaints**

**Informal Grievances and Complaints:** These are simple, straight-forward complaints. Open Doors workers have the authority to resolve such complaints as far as possible (Refer Paragraph 3).

**Formal Grievances and Complaints:** These are of a more serious and complex nature. These grievances and complaints need to be referred to the Coordinator or an Executive Member of the Management Committee (Refer Paragraph 4).

**External Review:** When grievances and complaints can not be resolved internally, they may need to go to an independent external review (Refer Paragraph 5).

#### **Principles of the Process**

**Accessibility:** People have the right to voice their complaint regarding Open Doors and have the right to access a dispute resolution process. Consumers and workers shall be informed of the procedure and if needed, assisted in accessing it. Open Doors may incur costs associated with undertaking a dispute resolution process in relation to consumers

and workers. The decision to incur costs would be at the discretion of the Management Committee.

**Timeliness:** Disputes or complaints shall be resolved as quickly as possible, but without undue haste. All those involved will receive feedback in relation to actions taken to resolve a complaint.

**Efficiency:** Open Doors shall adopt a dispute resolution process that avoids the unnecessary use of resources including people's time and money. Processes utilised for addressing complaints will be simple and easily understood.

**Transparency:** All individuals involved in a dispute resolution process shall have access to adequate information regarding decision making processes and outcomes.

**Accountability:** Procedures shall be monitored and reviewed on an ongoing basis to ensure the effectiveness of Open Doors Complaints Policy Feedback Sheet (see Appendix).

**Confidentiality:** In general, and with due regard to confidentiality, complaints will be public within the organisation so that maximum learning and processing of situations can occur.

People accessing Open Doors Grievance and Complaints Policy have the right to:

- Complain or express concerns about Open Doors without fear of recrimination
- Have their grievance or complaint dealt with fairly, promptly and respectfully
- Be represented by an advocate of their choice
- Be informed about what services are available to assist them in making a complaint
- Be treated in a non-discriminatory manner
- Confidentiality.

Worker and Management Committee Responsibility

- It is the responsibility of all Open Doors workers and Management Committee members to ensure that issues raised by consumers, other workers or community members are addressed.
- Open Doors workers are responsible for providing support and advocating on behalf of consumers to raise and resolve issues or concerns.
- If a worker or Management Committee member is aware of an issue and considers it to be of concern in regards to Open Doors, it is the responsibility of that person to ensure concerns are raised in the appropriate forum.

## **PROCEDURE**

### **1. General Considerations**

- 1.1. Open Doors will provide information about the procedures and processes for grievance and complaints through written and verbal communication to workers and consumers.
- 1.2. Any person raising a grievance or complaint has the option to withdraw at any stage throughout the process. However, the organisation may elect to pursue the complaint without their involvement.
- 1.3. In addressing a complaint, it is critical that all people involved have the same understanding of what the dispute is about.

- 1.4. At every stage of the dispute, everyone involved shall be kept informed of the process.
- 1.5. Consumers and workers are able to make complaints anonymously however depending on the complaint in question, resolution processes to address such issues are limited.
- 1.6. While a grievance and complaints procedure is being followed, normal work is to continue as much as possible , except in the case of genuine safety or a criminal issue.

## **2. Understanding the Grievance or Complaint**

- 2.1. The person receiving the grievance or complaint is to ask the complainant to explain the concern and ensure there is joint understanding of the nature and content of the complaint.
- 2.2. Both parties are to complete a "Grievance and Complaints Record Form" (see Appendix) together, if it is considered formal or requiring external review.

## **3. Informal Complaints**

- 3.1. The person raising the grievance or complaint is encouraged to discuss it with the other person involved in the first instance.
- 3.2. Consumers and workers have the option to use an advocate to negotiate on their behalf.
- 3.3. Open Doors workers have the ability and authority to discuss and resolve informal complaints directly with consumers.
- 3.4. Workers shall briefly record their decisions and actions and inform the Coordinator.
- 3.5. If the complaint is not resolved, information will be provided in relation to the next level of action or other external options. If the person does not wish to discuss the issue with the other person concerned, they should contact the Coordinator, or another member of the Management Committee.

## **4. Formal Grievances and Complaints**

### **4.1 Consumers**

- 4.1.1 Complaints that cannot be resolved on an informal level or complaints of a more complex nature shall be reported initially to the Coordinator who will then inform the Management Committee. Alternatively, the complaint may be reported directly to a Management Committee Member.
- 4.1.2 Consumers can talk about their complaint to any worker at Open Doors. This worker can help consumers make their complaint to the Coordinator or Committee Member either verbally or in writing.
- 4.1.3 Consumers can also ask a family member, friend or advocate to help them make their complaint.
- 4.1.4 All complaints made at this level shall be documented on Open Doors "Grievance and Complaints Record Form" (see Appendix).
- 4.1.5 A process for resolving the complaint will be developed and agreed to by all involved people.
- 4.1.6 The staff team will be notified that a process is being undertaken and any questions or input should be directed to the nominated person.
- 4.1.7 When a staff member is the subject of a complaint they shall be informed as soon as possible and asked for their written response to the allegations within 5 working days.

- 4.1.8 All complaints regarding an employee's work performance must be directed to the Coordinator and the Management Committee. If the complaint involves an employees work performance, Open Doors "Staff Development Policy" will apply. The outcomes of this meeting will be documented.
- 4.1.9 Depending on the nature of the complaint the Coordinator and/or a Management Committee representative will then meet with those involved in the complaint either individually or jointly.
- 4.1.10 Time limits for addressing the complaint will be set and agreed to by all parties.
- 4.1.11 Complaints will be reviewed in light of Open Doors organisational structure as well as individual responsibility. This process will provide an opportunity to improve organisational systems in an attempt to make the service more effective and avoid future complaints of this kind.
- 4.1.12 If consumers are not happy with how the Co-ordinator handles their complaint or they do not want to take their complaint to the Co-ordinator, they can take it to a Management Committee member.
- 4.1.13 The Management Committee or nominated representative will review the process undertaken to date and discuss options for further investigation including external review.
- 4.1.14 This process should be completed within ten (10) working days, unless the all parties agree otherwise

## **4.2 Members of the Community**

- 4.2.1 Community Members are encouraged to take any complaint directly to the Coordinator or Management Committee Member
- 4.2.2 Complaints from organisations should be directed to the Management Committee in writing.
- 4.2.3 The procedure for dealing with the complaint is then the same as for consumers.

## **4.3 Staff, Students and Management Committee**

- 4.3.1 Where staff or students have a complaint regarding another staff or committee member or an organisational decision, they are encouraged to take their complaint to the Coordinator
- 4.3.2 If the complaint is in relation to the Coordinator, the staff person can take their complaint directly to a member of the Management Committee.
- 4.3.3 The Coordinator or Committee Member will process the complaint with the complainant. A first option for exploration may be to encourage the person with the complaint to take it up with their fellow staff members. A second option may be to establish a mediation process. A third option will be for the Co-ordinator or Committee member to investigate the complaint and to take counselling and / or disciplinary action in relation to the complaint.
- 4.3.4 The worker is entitled to representation at this stage of a grievance process.
- 4.3.5 The procedure for dealing with the complaint is then the same as for consumers from point 4.1.4

## **5. External Reviews**

- 5.1. When grievances and complaints can't be resolved internally to the satisfaction of all parties involved, an external review process may be implemented as negotiated between the parties.
- 5.2. This process will include the involvement of an independent external mediator such as the Dispute Resolution Centre, or other qualified professional. Consumers

under 18 years of age may choose to go to the Commission for Children and Young People to seek advice and support regarding a complaint.

- 5.3. Any costs associated with the involvement of an external mediation service may be met by Open Doors if the complaint is being raised by a consumer. This is at the discretion of the Management Committee.
- 5.4. The Coordinator or Management Committee representative is responsible for contacting an external mediation service. Mutual agreement shall be sought in regards to the employment of a mediator.
- 5.5. A maximum of two (2), two (2) hour sessions shall constitute an external review process and may be paid for by Open Doors.
- 5.6. If the matter is still not resolved the Management Committee shall consider the recommendations put forward by the reviewing body and have final say in resolving the dispute.
- 5.7. The matter should be completed within fifteen (15) working days, unless the complainant agrees otherwise.
- 5.8. If constituents are not happy with how the Organisation handles their complaint or doesn't want to complain to the Organisation in the first instance they may be able to complain to the:

**Consumer Affairs Department;  
Department of Family and Community Services;  
Commission for Children and Young People;  
Human Rights Commission.**

## **6. Disputes Concerning Violence and Harassment**

- 6.1. In the event of receiving a complaint concerning violence perpetrated by a staff member, the staff member concerned shall be suspended from their position with full pay for the duration of the investigation.
- 6.2. A member of the Management Committee in the same situation shall stand down from their position for the duration of the investigation. This will occur after preliminary steps are taken as described above.
- 6.3. All complaints in relation to violence or harassment must be immediately referred to the Management Committee.
- 6.4. Consumers making complaints of this nature shall be informed of the limits in regards to confidentiality as described in Open Doors "Confidentiality and Record Keeping Policy".

## **7. Documentation of the Process**

- 7.1 When a grievance or complaint is raised, the following must be documented:
  - The date the grievance is being lodged
  - The party raising the grievance or complaint
  - The party being informed of the grievance or complaint
  - The nature of the grievance or complaint, giving details of dates, timeframes, other parties involved or the person with whom the grievance or complaint is with
  - All meetings and telephone calls conducted in relation to the grievance or complaint
  - The expected outcome of the process
  - The decision made following the process
  - Actions and tasks to be undertaken to resolve the grievance or complaint
- 7.2 All documentation must be signed by the relevant parties.

**Links to Other Policies**

- Staff Development Policy
- Confidentiality and Record Keeping Policy
- Roles and Responsibilities of Management Committee Policy
- Management Committee Code of Conduct
- Staff Code of Conduct
- Termination of Employment Policy

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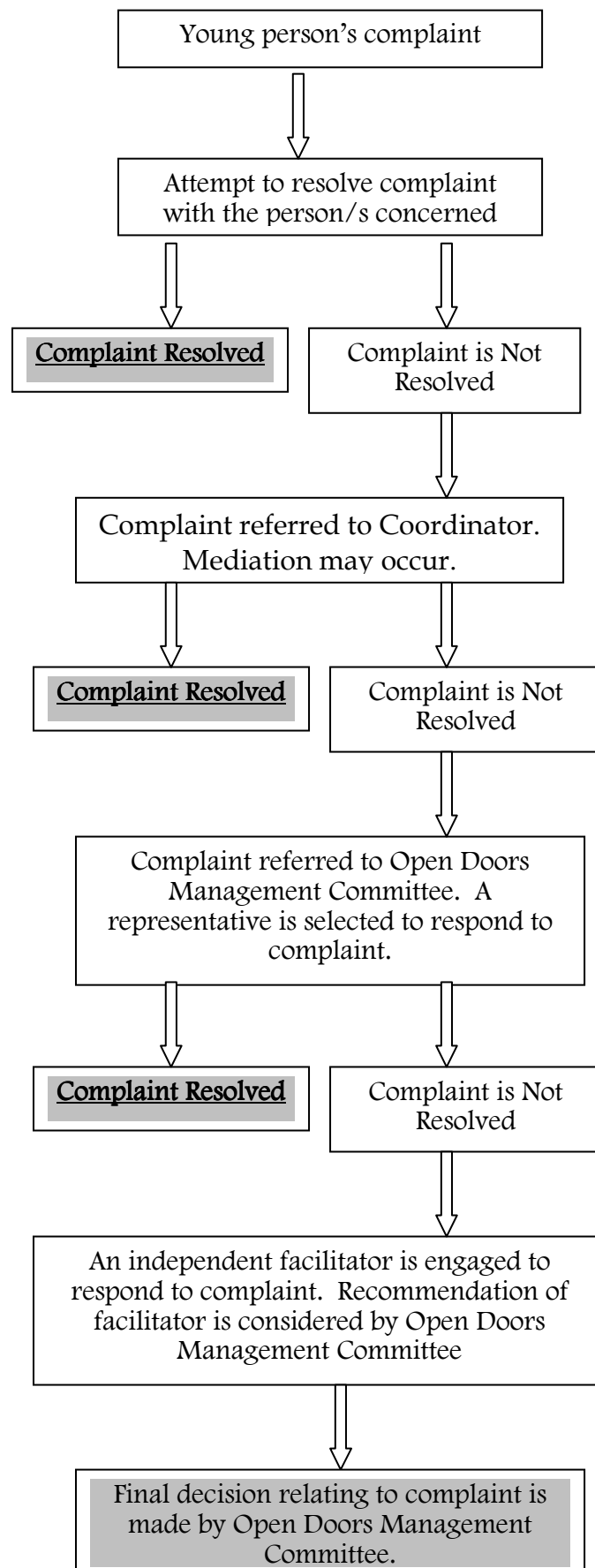
Ratified: 18/06/03

# Young People's Complaints Process

Point of entry is determined by the young person based on the circumstances of the complaint

Entry

Entry



**OPEN DOORS**

**GRIEVANCE AND COMPLAINTS RECORD FORM**

**Date:**

**Name Of Person Raising Grievance Or Complaint:**

**Name of Person being Informed of the Grievance or Complaint:**

**Name of Person Whom Grievance or Complaint is against:**

**Nature of the Grievance/Complaint:**

- Date/s occurred:
- Other parties involved:
- Details:

**Process to be undertaken:**

- Tasks – Who, When

**Expected Outcome of Process:**

**Records of Meetings/Phone Calls:**

- Date:
- People involved:
- Key Issues discussed:
- Key Decisions made:

**Process Outcomes:**

**Signed:**

**Date:**

# **OPEN DOORS**

## **COMPLAINTS RECORD FORM**

Date complaint was received:.....

Name of person making the complaint:.....

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Address:.....

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Phone:.....

Name and contact details of advocate (if applicable).....

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Staff member handling the complaint:.....

Parties involved in the complaints:.....

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Description of complaint:.....

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Action taken to address complaint:.....



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Date actions to be completed by:.....

Has the complaint been resolved?.....

If yes, date of resolution:.....

Has the matter been referred to an external review?.....

If yes, who is undertaking the review?.....

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Signatures of those involved:

.....date:.....

.....date:.....

.....date:.....

.....date:.....