

### 3.16 Complaints

Section B:	Organisational policies and procedures	First Issue:	30 April 2009
Sub Section 3:	Governance and leadership	Endorsed:	28 April 2016
Author:	Chief Executive Officer	Review Date:	28 April 2019

#### Policy statement

People have the right to make complaint about any aspect of the work delivered by CHP. CHP aims wherever possible, to identify and address issues as they emerge with a view to resolution. Where an issue escalates to become a complaint, CHP aims to investigate and respond to the complaint in a timely and appropriate manner.

CHP is committed to actively responding to and learning from complaints as a part of a continuous improvement process.

At any point in the process the complainant has the right to have their complaint referred to an external regulatory body (eg Equal Opportunity and Human Rights Commission, Consumer Affairs Victoria).

This procedure relates to issues raised and complaints made by people external to CHP, including but not limited to: consumers of the Homelessness Advocacy Service (HAS), members of CHP, organisations and community members.

CHP employees, board members and PESP volunteers should refer to the grievance policy for advice in relation to internal complaints.

#### Procedure

There a range of things a person might make a complaint to CHP about, including but not limited to:

- Service they have received as a client of HAS
- Service they have received as a CHP member
- An article in Parity
- A CHP forum or event they have attended
- Comments attributed to CHP in the media
- A public submission
- The CHP website
- A lack of courtesy or unfair treatment
- A breach of the right to privacy
- CHP policies or procedures .



## **Definition**

For the scope of this policy a complaint is defined as any expression of dissatisfaction or concern made to CHP by, or on behalf of, an individual client, group or member of the public, that relates to CHP's products or services, or the performance, behaviour and conduct of staff, or the complaints handling process itself.

## **Principles**

This policy is based on the following principles:

- The focus is on identifying and addressing issues as they emerge with a view to resolution
- Complaints are dealt with fully, fairly and within a reasonable time frame
- People are encouraged to voice their concerns at the point of service as soon as they feel dissatisfied. Staff may then be able to resolve the matter without delay
- Wherever possible, complaints should be resolved at the point from which they originate
- Complainants and respondents have the right to have a support or advocate assisting the process

## **Process issues**

In the first instance, where a person feels comfortable to do so, the complainant should speak with the relevant CHP staff member. For example, with the HAS Advocate if a HAS consumer. If resolved to the complainant's satisfaction the process is concluded (as is the case at any subsequent stage).

If the complaint is unable to be resolved at this stage, the complaint is then made to the responsible CHP Manager. For example if the concern relates to the PESP Team Leader or HAS advocate, the complaint is then be made to the Manager, Consumer Programs (if the person is comfortable to do so).

If the complaint is unable to be resolved by the responsible Manager, or relates to the conduct of that Manager, or the person does not feel comfortable talking to the Manager, a complaint may be made to the Chief Executive Officer (CEO) of CHP. If the CEO cannot resolved by the CEO, or if the complaint relates to the CEO then may be escalated to the Chair of the CHP Board.

If an employee providing advice to a complainant is unsure what level the complaint should go to or when it should be escalated they should seek the advice of the CEO in these considerations could be clearer.

If the complaint is unable to be resolved through these processes, then the complainant will be provided with information about external bodies that may be able to further assist with the complaint.

At all times the complaint process is to remain confidential to the parties involved.



A complaint may be made in person or in writing.

Complainants have the right to have a support or advocate to assist in the process.

### **Making a complaint**

External complaints may be made electronically (by e-mail), by letter or fax, in person and by telephone. If someone calls CHP to make a complaint the person taking the call should connect them to the most relevant staff member. Who this is will vary depending upon the nature of the complaint, however often the person making the complaint will advise who they wish to speak and if not generally the identity of the appropriate staff member will be evident.

Anyone who enquires about, or makes a complaint should be advised that this policy can be found on the CHP website. Hard copies of the complaints policy are to be mailed or provided on request. If employees receive a complaint about their work, they should immediately inform the line manager. They also must tell the complainant that the issue can be raised directly with the employee's line manager and provide the relevant contact details. The employee will then agree on a plan with the line manager to attempt to resolve the matter. This will include consideration of whether attempts to resolve the complaint may be made by the employee; or if the line manager or CEO is required to attend discussions with the employee and the complainant.

The employee and/or line manager will take all agreed steps to attempt to resolve the matter.

Where the complainant is not satisfied with this response:

- The employee will inform the complainant that they can address the concern with the relevant line manager or CEO;
- Where the line manager is already involved, the line manager will inform the complainant that they can address their concern with the line manager, who may in turn refer it to the CEO;
- If a complaint is referred to the CEO, CHP will respond to the complainant in writing
- If a complaint is received in relation to the CEO, the complaint is to be submitted to the Chair of CHP Board, who will be responsible for following up, consistent with CHP policy.
- If the complaint not resolved by way of the above processes, the complainant is encouraged to contact an external complaints or advocacy body such as Consumer Affairs Victoria or Disputes Settlement of Victoria.
  - The Chairperson, CEO or delegate will manage relationship with any complaints or advocacy bodies.
  - Where the funding body has been notified of a complaint, the process will be managed by the CEO or delegate.

In the event that an external complaint is received directly by the CEO, the CEO will acknowledge the complaint and refer it to the line manager for follow up; or follow it up directly if no line manager is involved.

If the complaint is in relation to governance issues, the CEO or the Board, the CEO will refer the complaint to the Chair of the Board.



## Responding to complaints

The process for following up complaints will involve:

- Initial contact should be made as soon as is practical but at least within 1-3 working days;
- Initial contact should ideally be made by telephone; or in writing if assessed as appropriate.

The purpose of this contact is to:

- Obtain specific details of the complaint – include what is the complainant unhappy about, who was involved, any other relevant circumstances, how they believe the issue or action fell short of their expectations of the CHP employee/s and what outcome the complainant ideally seeks;
- Document this information;
- Provide the complainant with an outline of the process to be followed, including timelines.

If a complaint involves allegations of criminal misconduct it will be referred to Police and the Board Chair will be notified by the CEO.

In all other cases, the line manager in consultation with the CEO will ensure investigation of the concerns, which may involve any or all of the following:

- Initial discussion with the relevant staff member and any other parties as necessary;
- A meeting with the complainant and staff member to attempt to clarify and resolve the complaint and clarify any further action required;
- During discussion, all parties have an opportunity to put forward their understanding of events and any supporting information.

Employees will be treated fairly and respectfully by the organisation at all times.

Employees are entitled to seek independent advocacy and support during the process.

It is expected that the majority of complaints should be able to be resolved through the above two processes.

All complaints are to be handled and responded to promptly and with transparency, within the bounds of confidentiality and privacy.

No person will have access to information about the external complaint unless they are directly involved; are responding to the complaint; supporting information is required from them; or they need to be informed for risk management or duty of care purposes, as in the case of the CEO or Board Chair.

Accurate notes of all conversations (including dates, people involved and outcomes) will be taken by the designated staff member and kept in the complaint file.

All parties will be provided with written minutes of meetings in which they have participated.

If the complaint has been made in writing, a formal written response will be provided by CHP.



Until the matter is determined, work will continue normally in accordance with custom and practice existing before the complaint, unless criminal matters are alleged, in which case CHP reserves the right to stand an employee down with pay where it is assessed that there may be a duty of care requirement to do so.

Employees may be offered EAP or other support as agreed with their manager.

### **Outcomes of complaints**

Outcomes will be provided in writing to the complainant and the relevant staff member.

Complaints outcomes will be discussed with the employee and the line manager or CEO to identify any potential areas for improvement by the employee or the organisation.

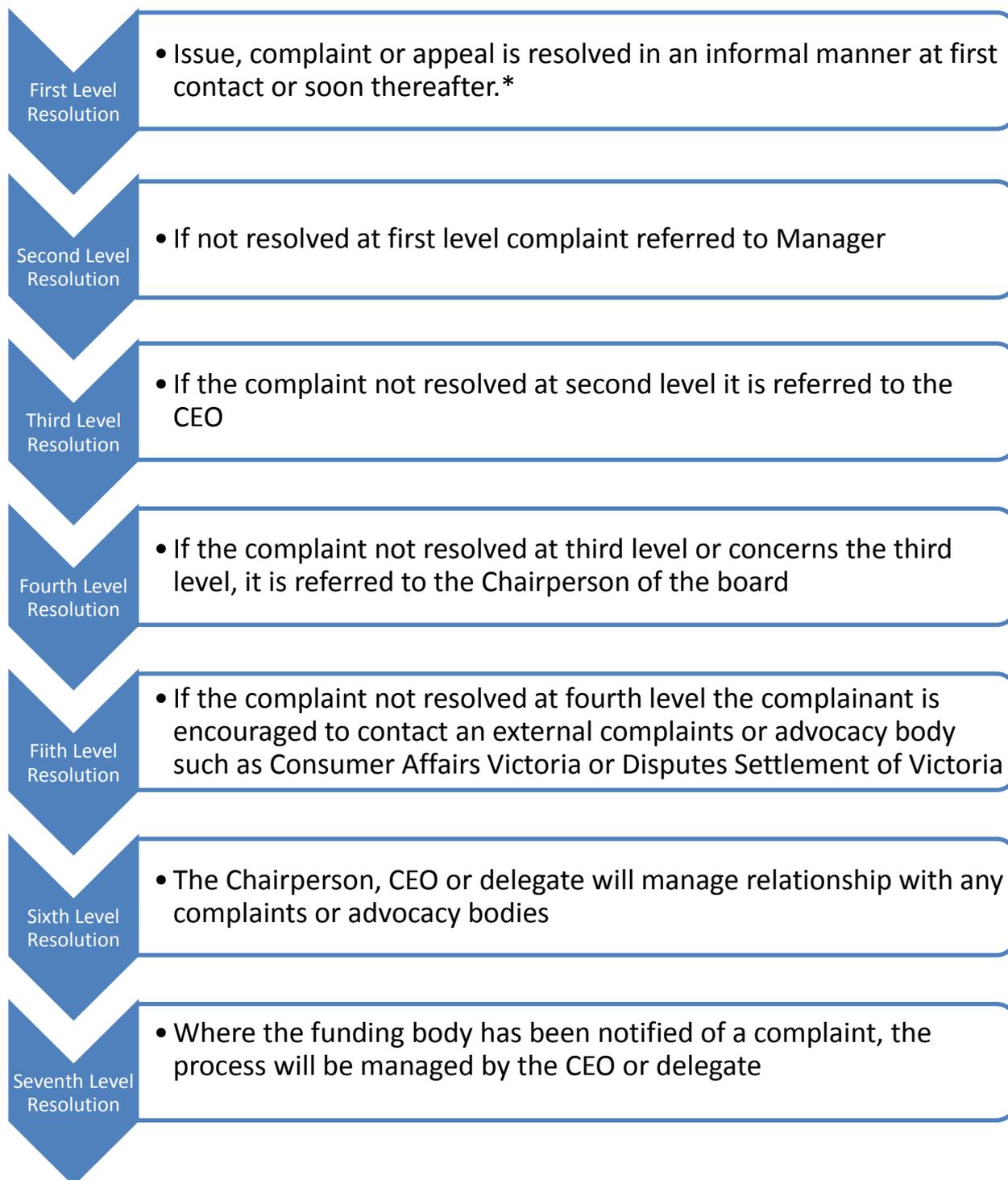
All complaints and any outcomes should be recorded in the Complaints register folder on the CHP network drive.

All complaints should provide an opportunity to identify potential areas for improvement by the employee or the organisation. Depending on the nature of the complaint this opportunity could be explored in supervision or in broader quality improvement processes. **Social media**

As a general rule CHP will not consider criticisms of the organisations made on social media as a complaint that needs a response. However such scenarios will be considered on case by case basis to determine the most appropriate response. For example someone may use Twitter to request they are contacted because they don't have the CHP contact details.

### **Appeals**

If the complainant wishes to appeal the outcome of a complaint, this request is to be submitted to the relevant line manager or CEO who will review the outcome; submit to the Board Chair. If the matter is unresolved, the CEO may assist with referral to an external agency.



\* Note: the process can begin at any level shown in the diagram

## Responsibility

It is the responsibility of the CEO to ensure that:

- All employees are aware of their obligations and responsibilities in relation to handling external issues, complaints and appeals
- Any issue, complaint or appeal brought to the attention of the CEO is handled in the most appropriate manner in line with agreed timelines.

## Related policies and documents

- Staff ethical code of conduct policy
- Board of Directors code of conduct policy
- Risk management policy