

## **Complaints**

**AUTHORITY:** CEO, Operations Manager

**RESPONSIBILITIES:** All staff, Volunteers, Clients

### **PURPOSE AND SCOPE**

Laverton Community Integrated Services Inc. (LCIS) is committed to providing an environment in which all service users, partners, employees and volunteers feel comfortable in making complaints about any aspect of service delivery, and are provided with the support and resources to do so.

All complaints will be addressed professionally and confidentially and where possible work towards a satisfactory resolution.

Complainants have the right to a fair hearing; to have their complaint properly considered; and to have any remedial action taken as soon as practicable.

The Complaints process is an integral part of the LCIS continuous improvement process. The information received through this process can be used to make improvements in service delivery.

The existence of a complaints procedure is to be publicised by means of appropriate notices, reference in staff handbook, client information packs, notice in Emergency Relief office(s), etc.

All clients are to be advised of complaint procedures as appropriate. It is preferable but not essential that formal complaints be in writing.

Where clients require a third party (in the case of L.O.T.E, disability, impairment or other health issues) to make formal complaint on their behalf LCIS will act in good faith toward the third party but may require evidence of the arrangement in writing before particulars can be discussed.

All parties must have a clear understanding of the steps involved in the complaints procedure.

### **Definitions**

#### **Complaint:**

A complaint is an expression of dissatisfaction by, or on behalf of, an individual or group of individuals regarding service obtained, administrative practices or any other aspect of service; or an expression of dissatisfaction about staff or client/staff activity.

Complaints may be Informal or Formal.

#### **Informal;**

Expressions of dissatisfaction which are of a minor nature and can be dealt with promptly & courteously as soon as they occur, to the complainant's satisfaction.

#### **Formal;**

All complaints that involve matters that cannot be resolved immediately must be reported to the relevant Manager or CEO. In the event that the complaint relates to the conduct of the CEO, the complaint must be directed to the Board Chair. If the complaint relates to a Board Member, the complaint must be referred to a mutually agreed upon external mediator.

**Nature of Complaints:**

Clients may raise any matters of concern relating to delivery of services, training delivery and assessment, the quality of teaching, student amenities, discrimination, sexual harassment and other issues that may arise.

**Complaint Resolution:**

It is the objective of this policy that complaints will be resolved through discussion negotiation, and mediation. Where ever possible complaints should be resolved at the point at which they originate and remedial action should be offered within the program itself.

LCIS will acknowledge all complaints within 48 hours of receipt and will attempt to resolve any complaints fairly and equitably within 10 working days.

**External Referrals**

LCIS will encourage the parties to approach a complaint with an open view and to attempt to resolve problems through discussion and conciliation. Where a complaint cannot be resolved through discussion and conciliation, we acknowledge the need for an appropriate external and independent agent to mediate between the parties.

Clients and their advocates have a right to know about any external avenues of complaint, such as;  
Dispute Settlement Centre of Victoria 1800 658 528  
Youth Disability Advocacy - 9267 3755  
YSAS - 9415 8881  
Victoria Legal Aid Mental Health Advocacy Service - 1300 792 387  
ADEC - 8744 2100

**Legislation:**

This policy will, where relevant, be consistent with any legislation affecting any program. Where there is an inconsistency between this policy and any relevant legislation, the relevant legislation will take precedence.

**Eligibility to make a Complaint:**

Anyone may make a complaint or someone on his/her behalf.

**Third Party Complaints:**

Complaints by third parties acting in good faith should be accepted but because the confidentiality of private information is important, steps should be taken to verify that the complaint is being made on behalf of the client, and disclosure of information is authorised by him or her. Ideally the complaint should be in writing, signed by the complainant. Where this is not possible, the relevant Manager or CEO should attempt to make verbal contact with the complainant and record or annotate the conversation.

**Advocate/Support Person:**

The Complainant has the right to have an advocate or support person with them at all stages of the complaint process.

Complainants whose first language is not English who wish to make a complaint should have the option of having an interpreter present at all stages of the complaints process. Complainants with low literacy skills should be offered support to formalise their complaint. This may be a staff member, volunteer or any nominee to write down the complainants spoken words.

## **Procedure:**

### **INFORMAL COMPLAINTS:**

REFER TO ATTACHMENT 1 – INFORMAL COMPLAINT PROCESS.

This should be read in conjunction with the notes below.

Complainants should be encouraged to voice their concerns as soon as they feel dissatisfied. This enables the service to attempt to resolve the matter immediately. Where a solution is possible immediately, the staff member involved should endeavour to resolve the matter without delay and document the episode.

All verbal or telephone complaints should be dealt with immediately or with a return phone call the same day if possible and document the episode.

The person will determine themselves whether they wish to make a formal complaint or to use informal mechanisms to resolve complaints.

Where complaints cannot be resolved through this informal process, they are to be documented and referred to the CEO or Board - see definitions Formal above.

**NOTE:** If a complainant wishes to lodge a formal complaint, the procedure for formal complaints must be followed even if the staff member considers the complaint to be of a minor nature.

### **FORMAL COMPLAINTS:**

REFER TO ATTACHMENT 2 – FORMAL COMPLAINT PROCESS

### **APPEAL PROCESS:**

REFER TO ATTACHMENT 3 – APPEAL PROCESS

### **CONTINUOUS IMPROVEMENT & THE COMPLAINTS PROCESS:**

The CEO will provide an annual report on complaints including statistics, trends and details of any corrective action taken, to the Board as part of the continuous improvement process. This report should not contain any information which identifies complainants.

## **ATTACHMENT 1**

### **INFORMAL COMPLAINTS PROCESS:**

#### **STEP 1: Relevant parties**

Attempt to resolve the complaint immediately through discussion and negotiation. This should initially be between the parties concerned. e.g. student and teacher, counsellor and client.

The relevant Manager should be advised of details of the complaint and any resolution reached.

#### **STEP 2: Relevant Manager**

If the complaint cannot be resolved as above, the relevant Manager should attempt to resolve the situation informally. This may be through investigation of circumstances, discussion, negotiation and mediation if required. All steps taken to resolve the complaint, and any outcomes must be communicated to the complainant.

#### **STEP 3: CEO**

If the complaint is still unable to be resolved it must be brought to the attention of the CEO. The CEO should encourage the client to put his/her complaint in writing. This becomes a formal complaint. If the client does not wish to do so, steps should continue to be taken to resolve the complaint and actions taken documented accordingly. This may be through investigation of circumstances, discussion, negotiation and mediation if required. All steps taken to resolve the complaint and any outcomes must be communicated to the complainant.

#### **Board Chair**

If a client wishes to discuss his/her complaint with someone other than the CEO or staff, they are to be advised to contact the Board Chair and given the contact details to do so.

#### **STEP 4:**

If the complaint remains unresolved after these steps, the complainant should be advised of formal resolution processes and options external to LCIS such as the State registering body (VRQA) or the National Training Complaints Hotline ph: 1800 000 674 or the Dispute Settlement Centre of Victoria ph: 1800 658 528

## ATTACHMENT 2

### FORMAL COMPLAINTS PROCESS:

#### STEP 1:

If the complainant wishes to formalise a complaint, it is preferable that this be in writing. Staff may assist complainants to complete the Client Complaint form. (**Attachment 4**). Complainants may also put their complaints in the form of a letter.

#### STEP 2:

All written complaints are to be referred to the CEO for investigation and response. A letter of acknowledgement must follow receipt of a written complaint within 2 working days, unless a letter of resolution is sent within 2 days.

The letter of acknowledgement should confirm receipt of the complaint and provide details of the person handling the complaint, a contact number and some expectation of the resolution date. (see example **Attachment 5**)

#### STEP 3:

The CEO must take all reasonable steps to investigate and resolve the complaint to the satisfaction of all parties. These steps may include questioning of relevant parties, clarification and confirmation of details, discussion, negotiation and mediation with relevant parties.

#### STEP 4:

All written complaints should receive a written response within 10 working days of receipt of the original complaint. The response should set out the findings of any investigation, outcomes, and proposed future action if appropriate. It should also advise the client of their appeal rights if they are not satisfied with the response and provide information of alternative external options. The CEO must sign all written responses.

#### STEP 5:

Details of formal complaints including outcomes are to be recorded. The Client Complaint form & Administrative Action form are the appropriate means of recording these details. These forms are to be registered and kept in the Feedback Register which is securely stored.

**COMPLAINTS - APPEALS PROCESS**

**STEP 1:**

All complainants who have made a formal complaint must be advised of their right to appeal in the letter of resolution. If they are not satisfied with the resolution they can appeal to the Chairperson of the Board. This appeal must be in writing and set out the reasons why they are not satisfied with the resolution. Alternatively, the complainant can seek further resolution, assistance or clarification from an external body.

**STEP 2:**

A panel consisting of representatives from the Board, and a representative of the relevant funding body (depending on the nature of the appeal) will consider the appeal. The complainant, their advocate or support person will attend a meeting with the panel and will have the opportunity to present their reasons for ongoing dissatisfaction.

**STEP 3:**

The panel will consider all relevant information and make a decision. This decision is final and not open to further appeal.

**NOTE: If the Chairperson or any member of the Board has had previous involvement in any aspect of the complaint process, that person should not be a member of the appeal panel.**

**STEP 4:**

In the event that an external body is engaged to mediate the issue, the Manager and CEO of the service area will represent the Organisation; the complainant will be supported by their representative and the external body will determine the outcome and any further action or recommendations in relation to the issue. This may include written reports to funding bodies or Government Departments separate to information required to be provided to the complainant. All parties will abide by the recommendations of the external party and put in place workable strategies in the event that the issue itself cannot be fully resolved to the satisfaction of all participants.

COMPLAINT FORM

This form is for people who wish to make a complaint about an LCIS service. You can fill out the form or someone can fill it out on your behalf. Please ask a staff member if you need any assistance.

What is your complaint? Please provide details below including the names of staff or other people who were involved and any relevant dates.

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Anonymous: Yes No - fill in the details below so we can provide feedback to you:

Signature:.....  
Date: .....  
Your Name: .....  
Your Address:.....  
Suburb ..... Postcode: .....  
Telephone number ..... Email Address .....

Did someone help you fill in this form? YES/NO  
If YES, please provide the name & address of the person who helped you.

Name:.....  
Address:.....  
.....Postcode:.....  
Telephone:.....Email Address.....

Providing your name and contact details are optional; we want to make our service better and telling us your experience will help us to do that. If you choose not to provide your contact details we will work on your feedback however, we will be unable to tell you what we are doing.

**CLIENT COMPLAINT - ADMINISTRATIVE USE ONLY**

**Complaint taken by**.....

**Referred to**.....**Date**.....

**Action taken:**

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**SIGNATURE:**.....

**POSITION:**.....

**DATE:**.....

**FORMAL COMPLAINT CHECKLIST:**

- DATE COMPLAINT RECEIVED**.....
- ACKNOWLEDGEMENT SENT**.....
- RESOLUTION LETTER SENT**.....



**SAMPLE LETTER OF ACKNOWLEDGEMENT OF A COMPLAINT**

DATE

NAME

ADDRESS

Dear.....,

I am writing to you about the complaint you made recently about the service provided by LCIS. Your complaint has been referred to me and I will work with you and the people involved to try to find a satisfactory solution for the concerns you have raised.

I can assure you that your complaint will be held in the strictest confidence.  
I would like to thank you for bringing this matter to our attention and reassure you that Complaints are taken seriously. We believe feedback gives us the opportunity to improve our service both for the person making the complaint and for people who will use our service in the future.

If you have any questions regarding this letter or your complaint, please do not hesitate to contact me on ph: 8368 0174.

Yours sincerely,

Michael Pernar  
CEO