

## COMPLAINTS HANDLING POLICY

### Policy Statement

Protective Behaviours WA Inc (PBWA) values feedback from clients, staff, volunteers, partners and the wider community. Acting on constructive feedback and complaints demonstrates PBWA's commitment to improve programs and uphold positive relationships with all stakeholders.

Complaints may be directed towards the organisation as a whole, specific PBWA programs or particular individuals. Processes, therefore, need to be in place to facilitate the resolution of such.

In all aspects of complaints management, the rights and interests of children and young people are paramount.

### Principles

PBWA recognises the importance of:

1. The right of any stakeholder to lodge a complaint;
2. Accessibility of complaints procedures;
3. Responding promptly to any complaint;
4. Procedural fairness; and
5. The opportunity for review and improvement of organisational processes.

### Definitions

'Workers' – includes PAYG employees (full-time, part-time and casual), volunteers, and contractors.

'PBWA representative' – the worker or board member first receiving the complaint.

'Complaint' - An expression of dissatisfaction (written or verbal) made to a PBWA representative, related to PBWA's programs, a Worker, or the complaints handling process itself where a response or resolution is explicitly or implicitly expected.

### Confidentiality

Throughout the process confidentiality will be maintained by limiting knowledge of the issue only to those who genuinely need to know. Depending on the issue and in accordance with legislation, external agencies may need to be contacted.

### Procedures

1. Confidential discussions will be in an area away from others.
2. The PBWA representative will actively listen and clarify to ensure full understanding of the issue.
3. The complainant will be asked how s/he feels the situation can be rectified to his/her satisfaction.
4. If possible, the complaint may be resolved immediately. If the issue remains unresolved, the complainant will be advised that the issue will be responded to as soon as possible.

5. The PBWA Representative must then document the complaint on a *Complaint Form* or ask the complainant to complete a *Complaint Form*.
6. If the complaint relates to a Worker or a specific program, the complaint is to be directed to the line supervisor; if about the Executive Officer then the complaint should be directed to the Board. Any complaint relating to a board member is to be referred to the Executive Officer.
7. If the PBWA Representative completes the form or receives a *Complaint Form*/letter of complaint, it must be provided to the line supervisor, Executive Officer or board (as applicable) within five business days.
8. A written acknowledgement (email or letter) and initial response outlining how PBWA proposes to proceed, and a timeframe, will be forwarded to the complainant within five business days of receipt of a *Complaint Form*.
9. The line manager, Executive Officer or board will examine the matter and respond to the complainant in writing with an outcome within the stipulated timeframe (see point 8).
10. The *Complaint Form* and subsequent outcome is to be securely filed.
11. If a formal investigation is required, we aim for this to be completed within 20 business days.

### **Formal Investigations**

*Note:* Complaints relating to allegations of illegal conduct (including corruption, fraud, and assault) must be referred to the appropriate authority with all relevant evidence being provided as required.

Not all complaints will require a formal investigation. In circumstances when an investigation is required, the investigator must consider if the complaint relates to the conduct of a Worker or policies/procedures/practice when determining the nature of the investigation. This will guide the decision about whether the investigation may be conducted internally or externally by an independent investigator/body.

The investigator is to prepare a plan that outlines the investigative process. Usually this includes gathering evidence from:

- Witnesses or any person/s directly involved in the complaint;
- Documents or records;
- External experts (e.g. lawyers);
- Environment (e.g. the location in which the complaint occurred)

During the investigative process the investigator must maintain a comprehensive, confidential file that includes full records of all actions taken, discussions, interviews, decisions and conclusions. These records must include full names, dates, locations and times.

At the conclusion of the investigation, the investigator must complete a full report and submit it to the relevant PBWA representative (either the Executive Officer or the board as appropriate).

The Board may convene a special meeting to discuss the report findings.

Following the Board's receipt of the report, a written response will be sent to the complainant by the date indicated in the initial acknowledgement. Successful resolution will be recorded on the *Complaint Form*. The subject of the complaint (if applicable) will be advised in writing of the outcome within five days of resolution.

In accordance with the findings of the investigation, PBWA may review its policies, procedures and practices to improve the quality of services delivered to its stakeholders.

### **Investigator Independence and Conflicts of Interest**

Any investigation into a complaint must be conducted in an impartial and objective manner. An individual with an actual or perceived conflict of interest is not to be appointed as the investigator.

### **Subject of Complainant Viewing Investigative Report**

The subject of the complaint may request access to the investigative documents. There may be statutory requirements (such as under the Freedom of Information Act) as well as any statutory exemptions or confidentiality obligations that may apply.

PBWA will assess the request considering:

- statutory requirements;
- the right of the subject of the complaint to know the case against his/her;
- confidentiality of the complainant (particularly if s/he is a child/young person); and
- the integrity of the investigation.

### **Related Documents and Policies**

*Complaint Form*

*Child and Youth Friendly Complaints Procedure*

*Child Protection Policy*

### **Contacts**

*PBWA Executive Officer*

[eo@protectivebehaviourswa.org.au](mailto:eo@protectivebehaviourswa.org.au) or 0409 071 068

*PBWA Board*

Visit [www.protectivebehaviourswa.org.au](http://www.protectivebehaviourswa.org.au) to send a message.