**managing complaints policy & procedure**

1. **Purpose**

Provides an open and transparent process to ensure complaints and appeals are dealt with in a fair and equitable manner.

1. **Scope**

All aspects of the operations of the Central Queensland Community Legal Centre Inc.

1. **Effective Date**

20 April 2015

**4 Legislative Authority**

 NIL

**5 Policy Statement**

The Central Queensland Community Legal Centre Inc is committed to ensuring that any person or organisation using CQCLC’s services or affected by its operations has the right to lodge a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation will provide a complaints and appeals management procedure that:

* is simple and easy to use
* is effectively communicated and promoted to all clients and stakeholders
* ensures complaints or appeals are fairly assessed and responded to promptly
* is procedurally fair and follows principles of natural justice
* complies with legislative requirements.

**Principles**

CQCLC will:

* consider all complaints it receives;
* treat all complainants with respect, recognising that the issue of complaint is important to the complainant;
* maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution;
* ensure advocacy is available to clients who make a complaint and require support;
* resolve complaints, where possible, to the satisfaction of the complainant
* deal with all complaints in a timely manner;
* keep parties to the complaint informed of progress of the complaint;
* ensure that Management Committee members, staff, volunteers/others are given information about the complaints procedure as part of their induction and are aware of procedures for managing client feedback and complaints;
	+ ensure all service users, stakeholders and members are aware of the complaints policy and procedures;
	+ ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue;
	+ ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.
1. **PROCEDURES**

**6.1 Information for clients and stakeholders**

The CQCLC complaints and appeals procedure will be documented for clients and stakeholders in the Complaints Process which is made available on the CQCLC website or on request from the Secretary, CQCLC Management Committee.

All clients will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

The CQCLC complaints and appeals procedure will contain information on the following:

* how to make a complaint or lodge an appeal;
* contact person for lodging a complaint or appeal;
* how the organisation will deal with the complaint or appeal, the steps involved and the timelines;
* the rights of the complainant to an advocate, support person or interpreter;
* how the person will be informed about the outcome of their complaint or appeal;
* how to make a complaint to an external body including contact details.

The information will also be made available to clients utilising an interpreter for clients for whom English is not their first language.

**6.2 Making a complaint**

A person wishing to make a complaint may do so in writing or verbally to:

* the staff member they were dealing with at the time;
* the supervisor of that staff member;
* the Principal Solicitor/CEO;
* the Management Committee, or
* the National Association of Community Legal Centre.

If the complaint is about:

* a staff member, the complaint will normally be dealt with by the Principal Solicitor/CEO;
* the Principal Solicitor/CEO, the complaint will normally be dealt with by President of the CQCLC;
* a member of the Management Committee, the complaint will normally be dealt with by the President.

Written complaints may be sent to legal@cqclc.org.au or to PO Box 1393, Rockhampton Qld 4700. The Business Manager will be responsible for receiving this correspondence and directing it to the appropriate person.

**6.3 Lodging an appeal**

Clients or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member, related to advise provided, refusal to provide advice, decline to provide advice and staff behaviour. An appeal should be made in writing via email or post and submitted to the Business Manager at legal@cqclc.org.au or to PO Box 1393, Rockhampton Qld 4700.

**6.4 Procedure for complaints and appeals management**

The person managing the complaint will be responsible for:

* + 1. Processing the complaint or appeal:
* registering the complaint or appeal in the appropriate database;
* informing the complainant that their complaint has been received and providing them with information about the process and time frame;
	+ 1. Investigating the complaint or appeal:
* examining the complaint within two weeks of the complaint being received;
* investigating the complaint and deciding how to respond;
* informing the complainant by letter within three weeks of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.

As far as possible, complaints or appeals will be investigated and resolved within three weeks of being received. If this time frame cannot be met, the complainant will be informed of the reasons why and of the alternative time frame for resolution.

* + 1. Resolving the complaint:
* making a decision or referring to the appropriate people for a decision within two weeks of the complaint being received;
* informing the complainant of the outcome;
* upheld (and if so what will be done to resolve it);
* resolved (and how this has been achieved); or
* if no further action can be taken, the reasons for this.
* Informing the complainant of any options for further action if required.
	1. **Reviewing the complaint:**

If the complainant is not satisfied with theinvestigation and proposed resolution of their complaint or appeal they can seek a further review of the matter by contacting the President of the CQCLC.

* 1. **Referral to external procedure:**

A formal external complaints procedure may follow Step 4 if the complainant is still not satisfied with the outcome. The complainant will be referred to the National Association of Community Legal Centres.

**6.7 Record keeping**

A register of complaints and appeals will be kept in Complaints database. The register will be maintained by the Administration/Reporting Officer and will record the following for each complaint or appeal:

* Details of the complainant and the nature of the complaint
* Date lodged
* Action taken
* Date of resolution and reason for decision
* Indication of complainant being notified of outcome
* Complainant response and any further action

Copies of all correspondence will be kept in the Complaints folder on the documents shared drive. The complaints register and files will be confidential and access is restricted to the Principal Solicitor/CEO and the Administration/Reporting Officer.

A statistical summary of complaints and appeals will also be kept in complaints spreadsheet and maintained by the Administration/Reporting Officer. The Administration/Reporting Officer will be responsible for preparing a report on the type of complaint and the outcome and results of appeals to the Management Committee.

Results from this report will be reviewed by the Management Committee] used to:

* inform service planning by including a review of complaints and appeals in all service planning, monitoring and evaluation activities
* inform decision making by including a report on complaints and appeals as a standard item on staff and management meeting agendas

**6.8 Complaints involving specific staff members or volunteers**

The Principal Solicitor/CEO has delegated responsibility for resolving complaints or disputes involving staff members or volunteers.

Internal complaints, where a staff member or volunteer makes a complaint concerning another staff member or volunteer, will be dealt with in accordance with the CQCLC Managing Complaints Policy and Procedure.

External complaints by clients or stakeholders made against a staff member or volunteer will be managed by the Principal Solicitor/CEO who will:

* notify the staff member or volunteer of the compliant and its nature;
* investigate the complaint and provide the staff member or volunteer with an opportunity to respond to any issues raised;
* attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party;
* take any other action necessary to resolve the issue.

Any disciplinary action against a staff member or volunteer arising from a complaint will be taken in accordance with the procedures contained in [organisation’s disciplinary procedures].

Complaints involving the Principal Solicitor/CEO will be managed by CQCLC President.

**Complaints involving organisation members or the Management Committee members**

Complaints made against a member or a Management Committee member will be referred to the President. The President, or their delegate, will:

* notify the person about whom a complaint is being made of the complaint and its nature;
* investigate the complaint and provide the member with an opportunity to respond to any issues raised;
* attempt to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party.

Where the President is the subject of a complaint, the complaint should be referred to another office bearer/s.

If the matter remains unresolved, the President or nominated office bearer will raise the matter at the next Management Committee meeting. Depending on the seriousness of the complaint, the Management Committee may:

* deal with the matter at its meeting, or
* refer the matter to a general meeting of the CQCLC Inc members.
1. **Responsibilities**

**7.1 Compliance Monitoring and Review**

It is the responsibility of the management committee to ensure that the policy and associated procedures are implemented and reviewed.

**7.2 Records Management**

All records pertaining to this procedure will be retained in accordance with the CQCLC Records Management Policy.

**8 Definitions**

“CQCLC” means the Central Queensland Community Legal Centre Inc.

“Member” is a person who has applied and had accepted his application for membership of the CQCLC.

“Management Committee” means the members of the Centre elected at the Annual General Meeting each year.

1. **Related Legislation and Documents**

**9.1 Related Policy Documents**

Records Management Policy

**9.2 Related Legislation and Supporting Documents**

Rules of the Central Queensland Community Legal Centre Inc

|  |  |
| --- | --- |
| **Approval and Review** | **Details** |
| Approval Authority | CQCLC Management Committee |
| Administrator | Secretary, CQCLC Management Committee |
| Reviewed | October 2017 |
| Next review date | October 2019 |

|  |  |
| --- | --- |
| **Approval and Amendment History** | **Details** |
| Original Approval Authority &Date | CQCLC Management Committee |
| Amendment Authority & Date |  |