



## **Complaints & Grievances Policy**

Disability Recreation and Sport SA respects the right of people who use its services, staff and families to express and have a fair opportunity to resolve any grievance concerning the activities and services conducted by the Association. The organisation is committed to providing a non-threatening and confidential environment to facilitate the resolution of any complaints or grievances. The Association actively encourages the use of the 'Opportunity for Improvement Register' as a method of bringing concerns to the attention of the staff and the Board.

- Everyone has the right to complain about services they perceive as unsatisfactory and to have these concerns resolved
- The process for complaining will be open, honest, fair and confidential
- Complaints will be responded to within 24 hours
- Complaints regarding abuse and/or gross misconduct will be actioned immediately
- The voicing of a complaint shall in no way affect the provision of support services
- You have the right to a support person or advocate
- You have the right to use external agencies such as (Contact Details provided at the end of this document):
  - o Disability Complaints Service
  - o Disability Action
  - o Parent Advocacy
  - o South Australian Police
  - o Options Coordination
- Complaints may be raised in person, in writing, by telephone or facsimile
- Complaints may be raised through an advocate, support person or any other means that you are comfortable with

### **PROCESS**

1. Identifying the Issue
  - 1.1 Prior to raising an issue, the person concerned might wish to speak to a family member, friend or colleague, in order to clarify whether there is a need to take a matter further.
  - 1.2 Problems/concerns or complaints are likely to fall into one of two categories:
    - i) problem with, concern for, or complaint against, another person
    - ii) problem with or complaint against any departmental and/or organisational decision or practice that affects the individual. This type of problem may also affect many people within the department or organisation.

- 1.3 The following complaints are excluded from this policy and procedure and should be referred as noted:
  - 1.3.1 Customer complaints, refer to CEO.
  - 1.3.2 Work Cover issues, refer to CEO.
  - 1.3.3 Criminal acts, refer to CEO for further referral to SA Police, or Federal Police.
  - 1.3.4 Torts, refer to CEO for Legal follow up
  - 1.3.5 Sexual harassment, refer to CEO for follow up in accordance with the Sexual Harassment Policy.
  - 1.3.6 Reviews of, or appeals against a decision, are referred to the CEO or may be taken to the Association's Board if the issue warrants.

## 2. **Conflict Resolution**

- 2.1 Where a member of staff is contacted by an individual raising a problem or a concern then every effort is to be made to resolve the issue quickly and in a positive manner to avoid escalation into a complaint.
- 2.2 Any discussions pertaining to a problem or concern will occur in private and remain confidential.
- 2.3 In the initial discussion the following process should be undertaken by the complainant and the contact person:
  - 2.3.1 Clearly identify the nature of the problem/concern and who is involved.
  - 2.3.2 Determine whether the person requires the assistance of an advocate.
  - 2.3.3 Determine what the individual wants to happen to fix the problem.
  - 2.3.4 Explore the options available.
  - 2.3.5 The complainant is to determine the preferred option, and all parties to negotiate and agree on actions to be taken.
  - 2.3.6 Determine who is to do what.
  - 2.3.7 All are to agree on a time frame for action and feedback.
- 2.4 Where the problem is resolved at this point, no records need to be kept.
- 2.5 Where the problem is not resolved at this point and the complainant wishes to pursue the issue further, the process outlined in Section 3 will apply; a record of the process to this stage should then be made.

## 3. **Complaints/Disputes/Grievances**

- 3.1 Whilst a complainant may take up a complaint at any stage in the process, people are encouraged to raise their complaint at the first appropriate opportunity. The complaint may then be able to be resolved before escalating into a larger issue, possibly using the method detailed in section 2 of this document. If this is unsuccessful, then they should move on to the next step as detailed in this section and if necessary repeat this process until a resolution is reached. All efforts will be made to resolve the complaint quickly at the first point of contact, to avoid or reduce distress to the complainant (and respondent where applicable).

Complaints may be raised with any of the following, if the complaint can be resolved at any level it should be and thereby avoiding referral to the next step but if necessary, complainants are encouraged to move through the steps in turn:

Step 1 Immediate Supervisor or a member's usual work place contact.

Step 2 Group Supervisor.

Step 3 CEO

Step 4 The Association's Board President.

Step 5 The Association's Board.

3.2 Members who feel uncomfortable about using the direct approach in 3.1 may prefer to raise complaints through the Liaison personnel.

3.3 No complainant will receive any form of retribution or victimisation, either overt or covert, as a result of lodging a complaint.

3.4 Complainants need to be aware that an issue may need to be referred to the CEO, or the Association's Board, for resolution of the situation.

3.5 Any grievance or complaint regarding staff needs to take into account;

3.5.1 Any staff other than Call Centre staff or volunteer with a grievance should discuss it with the Office Manager, in the first instance. Call Centre staff should firstly discuss any issues with the Donor Development Manager.

3.5.2 If the grievance is not satisfactorily resolved through discussions in the first instance, the employee may raise the issue with the CEO, who will in turn notify the Association's Board that a grievance exists.

3.5.3 Until the outcome of the grievance is determined, work shall continue as normally in accordance with usual work practices existing before the grievance arose.

3.5.4 Nothing contained in this clause shall prevent a Staff Representative or Client Advocacy Service raising matters directly with the CEO.

3.5.5 The above procedure is not intended to preclude access by either party to the Australian Industrial Relations Commission, or any of the public/clients advocacy services.

#### **4. Opportunity for Improvement Report**

4.1 This process can be used by staff or members of the Association to raise awareness of an issue or issues affecting an individual or individuals and can be in respect of a service or lack thereof or process within the Association.

4.2 A staff member or Association member completes an "Opportunity for Improvement" form either themselves or in conjunction with another person. The name of the person highlighting the issue can be withheld.

This suggestion is brought to the attention of the CEO immediately upon receipt and the matter resolved or tabled for discussion at the next staff meeting, Consumer Group or Board meeting.

The individual is advised of the outcomes of the deliberations by the most appropriate person. This may be the person who tabled the suggestion if the originator's name has been withheld.

Any amendments to procedures or policies are referred to the Board for approval and any other changes are introduced as soon as practicable.

#### **5. Role and Responsibilities of the Contact Person.**

The contact person with whom the complaint is lodged will assist the complainant to:

5.1 Clearly identify who is involved in the complaint.

Where the complaint is in relation to any inappropriate behaviour against any staff member, the Contact Person will refer the complaint immediately to the Executive Director.

- 5.2 Determine whether an advocate is needed (see Section 5).
- 5.3 Determine what is seen as an appropriate outcome to resolve the complaint.
- 5.4 Explore all the options available for action and resolving the complaint.
- 5.5 Complainant to determine preferred course of action, and all parties to negotiate and agree on actions to be taken.
- 5.6 Determine who is to do what.
- 5.7 Agree on a timeframe for action and feedback.
- 5.8 Record all of the above information on a Complaints and Disputes Record Form.
- 5.9 Follow through the preferred option chosen in step 4.5 for resolving the complaint.
- 5.10 Where the contact person is unable to resolve the complaint to the complainant's satisfaction, they will refer the complaint either to the next person in the process (see 3.1), or the person with the authority to make the changes necessary to resolve the complaint. The contact person will document action taken to date and outcomes to the next person.
- 5.11 The staff member handling the complaint at its resolution will:
  - 5.11.1 Ensure feedback occurs within the agreed time frame.
  - 5.11.2 Complete the Complaints Record Form. The appropriate staff should be appraised of relevant information, by the staff member.
  - 5.11.3 Forward documentation to the CEO within two (2) days. Where the situation is of a serious or potentially serious nature then the CEO needs to be informed immediately.
  - 5.11.4 No record of the complaint is recorded on either the complainant's or respondent's file unless the resolution of the complaint includes alteration to, or additional, training.
- 5.12 The CEO will store any papers in a confidential file and record the relevant details of the complaint in the Complaints Register.

## 6. **Advocates**

The contact person must ask the complainant if they would like the assistance of an advocate, and arrange same if required or necessary.

- 6.1 Where the complainant does not have an advocate, and requires one, the contact person will provide information on advocacy available (see end of this document) and, where necessary, assist the complainant to contact the advocate of their choice.
- 6.2 Where the complainant requests the Contact Person to act as the advocate, the Contact Person shall either decline to act as advocate (and advise of other advocacy sources), or pass the role of Contact Person/Complaint Facilitator to another staff member.
- 6.3 Any person is at liberty to use external advocacy or complaints mechanisms to assist in resolving complaints, at any stage in the process. Where an external complaints mechanism is utilised, the CEO is to be advised by the Contact Person.

It should be noted that there may be instances (e.g., dismissal, other potential legal action), when external advocacy is the preferred option, to avoid implications regarding the Association's involvement in the process.

**7      Reviews and Appeals**

If at any stage in the complaints process, the complainant, their advocate, or the respondent believes the above mentioned procedures have not been followed, or the complainant has been victimised, then the matter may be taken up directly with the CEO or the Association’s Board President.

**8      Training**

- 8.1      All personnel will receive information regarding this policy during induction.
- 8.2      Clients and members will receive this information on request, or may be made aware of this document if a staff member determines that it may be of use for them.

Refer to the sample of the Complaints Register which is maintained by the CEO.

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Mark Howells, CEO

# DRSSA Complaint Form

## Details of receipt of complaint

Date of complaint: \_\_\_\_\_ Time: \_\_\_\_\_

Complaint Received By: \_\_\_\_\_

Method by which complaint made:  Phone  in person  Letter  Email

## Details of the person making the complaint

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

## Details of complaint

Description of event/complaint

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Was an Incident form completed?  Yes  No Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Complaint acknowledgement letter sent: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

## Outcome

What action was taken?

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Was complaint placed on agenda for the next Board meeting:  Yes  No

Was this matter satisfactorily resolved?  Yes  No

Was letter of outcome sent to person making complaint?  Yes  No

When completed this form is to be retained by the CEO together with any other relevant papers in the Complaints Register.

## AGENCIES THAT MAY ASSIST WITH YOUR COMPLAINT

|  |  |  |
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| Options Co-ordination<br>31 Blacks Road<br>Gilles Plains SA 5086<br>Telephone: 088366 7300   | Disability Complaints Service<br>3/1 78 Henley Beach Road<br>Telephone: 088234 5699<br>Free call: 1800 088 325 | Disability Action Inc<br>295 Torrens Road<br>WestCroydon SA 5008<br>Telephone: 8346 8288<br>1800 805 495<br>Fax: 8346 9288 |
| Parent Advocacy Inc<br>1 Finnis Street<br>North Adelaide SA 5006<br>Telephone : 08 8139 0178 | Parent Advocacy Inc.<br>571 Montague Road<br>Modbury SA 5092<br>Tel:8397 7309                                  | Parent Advocacy Inc.<br>Cnr Church & Dale Streets<br>Port Adelaide SA 5015<br>Tel: 83411376                                |
| Parent Advocacy Inc.<br>175 Bains Road<br>Morphet Vale SA 5162<br>Tel: 8325 8109             | Office of the Public<br>Advocate<br>85 North East Road<br>Collinswood SA 5081<br>Telephone: 08 8269 7575       | State Ombudsman<br>50 Grenfell Street<br>Adelaide SA 5000<br>Telephone: 08 8226 8699                                       |
| Independent Advocacy SA Inc.<br>99 Frome Street<br>Adelaide Tel: 8232 6200                   | Disability Complaints Service<br>Inc.<br>3/178 Henley Beach Road<br>Torrensville Tel: 8234 5699                | Multicultural Advocacy and<br>Liaison Service of SA Inc.<br>(MALSSA)<br>85 Grange Road<br>Welland Tel: 8346 1488           |
| CAPSA - Disability Action Inc.<br>62A Henley Beach Road<br>Mile End Tel: 8352 8599           | SA Police<br>1 Angas Street<br>Adelaide Tel: 8207 5130   | Legal Services Commission<br>(Legal Aid)<br>82 Wakefield Street<br>Adelaide Tel: 8205 0155 or<br>205-0111                  |
| Dame Roma Community Legal<br>Service Inc.<br>110 The Parade<br>Norwood Tel: 8362 1199        | Community Mediation Service<br>110 The Parade<br>Norwood Tel: 8362 1199  | Community Financial<br>Counselling Service<br>110 The Parade<br>Norwood Tel: 8362 1199                                     |
| Welfare Rights Centre (SA)<br>2nd Floor 155 Pine Street<br>Adelaide Tel: 8223 4446           | Equal Opportunity Commission<br>Wakefield House<br>30 Wakefield Street<br>Adelaide Tel: 8226 5660              |  |

As well, friends, family or colleagues and representatives of relevant unions; may be able to provide advocacy assistance. The Department of Family and Community Services (Tel: 8237.6036) also provides a general complaints service to people with disabilities.

All of the listed contacts offer free assistance (except Legal Aid, where a contribution towards costs may be required).