

DEALING WITH COMPLAINTS POLICY

Feedback from families, coaches, staff and the wider community is fundamental in creating a safe and inclusive environment for the Melton Basketball community.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our Service's procedures for receiving and managing informal and formal complaints. Families, parents, visitors, staff, volunteers and members of the community can lodge a grievance or complaint with management in the understanding that it will be managed conscientiously and confidentially.

OUR PURPOSE

Empowering our community through a safe, motivating and inclusive environment that enhances health and social wellbeing.

We aim to investigate all complaints and grievances with a high standard of equity and fairness. We will ensure that all persons making a complaint are guided by the following policy values:

- procedural fairness and natural justice
- code of ethics and conduct
- culture free from discrimination and harassment
- transparent policies and procedures
- opportunities for further investigation

PROCEDURAL FAIRNESS AND NATURAL JUSTICE

Our Association believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence.

SCOPE

This policy applies to management, association members, staff, families, volunteers, visitors (including contractors) and participants of the association.

IMPLEMENTATION

Grievances and complaints can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious and productive work environment. Our *Dealing with Complaints Policy* ensures that all persons are presented with procedures that:

- value the opportunity to be heard
- promote conflict resolution
- encourage the development of harmonious partnerships
- ensure that conflicts and grievances are mediated fairly and
- are transparent and equitable.

DEFINITIONS

Complaint: Expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. [AS/NZS 10002:2014 Complaint Management Standard]

Complaints and Grievances Management Register: Records information about complaints and grievances received at the Association, along with the outcomes. These documents must be securely stored and accessible only to management. They can provide valuable information to the Approved Provider and Nominated Supervisor of the Service to ensure children and family's needs are being met.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. A *workplace grievance* is a complaint raised towards an employer by an employee due to a violation of legalities (workplace policies, employment contract, national standards).

Mediator: A person who attempts to assist and support people involved in a conflict come to an agreement.

Mediation: An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

PRIVACY AND CONFIDENTIALITY

Management, staff and volunteers will adhere to our *Privacy and Confidentiality Policy* when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a relevant government agency will need to be informed. (See: *Child Protection Policy*).

CONFLICT OF INTEREST

It is important for the complainant to feel confident in:

- being heard fairly
- an unbiased decision-making process

Our Association may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Code of Conduct is be adhered to.

THE BOARD OF MANAGEMENT AND MANAGER WILL:

- ensure the name and contact details of the person to whom complaints can be made is clearly visible on the website
- ensure information about our *Dealing with Complaints Policy* is easily accessible to all families, visitors and volunteers
- treat all grievances and complaints seriously and as a priority
- ensure grievances and complaints remain confidential
- ensure grievances and complaints reflect procedural fairness and natural justice
- ensure people feel safe or comfortable when making a complaint, including children
- discuss the issue with the complainant within an acceptable timeframe of receiving the verbal or written complaint
- investigate and document the grievance or complaint fairly and impartially
- provide details of an outcome following an investigation if required.

The investigation will consist of:

- reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent
- discussing the nature of the complaint (or breach) and giving the accused coach, staff member, parent, participant, member, volunteer or visitor an opportunity to respond
- permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member; however, this does not include a lawyer acting in a professional capacity)

- on request, provide the complainant with a clear written statement outlining the outcome of the investigation
- should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant
- keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy and Confidentiality Policy* and *Record Keeping Policy*
- monitor ongoing behaviour and provide support as required
- ensure the parties are protected from victimisation and bullying
- request feedback on the grievance or complaint process using a feedback form
- track complaints to identify recurring issues within the association
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

STAFF WILL:

- listen to the view of what has happened
- clarify and confirm the grievance or complaint, documenting all the facts prior to the investigation
- encourage and support the family to seek a balanced understanding of the issue
- discuss possible resolutions available to the family. These would include external support options.
- encourage and assist the family to determine a preferred way of solving the issue
- record the meeting, confirming the details with the family at the end of the meeting
- maintain confidentiality at all times
- provide the contact details that the complaint may be sent to

Should the grievance or complaint be lodged against another person(s), these persons, will be interviewed separately and impartially. Individuals must be given the opportunity to respond fully to the allegations and may have another person present, as a support person, if they wish. If after investigation, it is concluded that the grievance is substantiated:

- both parties will be told of the decision and the reason for it
- immediate and appropriate steps will be taken to prevent the grievance from recurring
- if after investigation, it is concluded that the grievance is not substantiated both parties will be notified of the decision and the reason

- if the grievance or complaint is of a serious nature, or there is a reasonable belief the complaint is any allegation of sexual or physical abuse the Association is responsible to inform the Regulatory Authority.

MEMBERS/PARTICIPANTS/VOLUNTEERS/FAMILIES/VISITORS WILL:

- be informed of our duty of care to ensure that all persons are provided with a high level of equity and fairness in relation to the management of complaints.
- communicate any concerns they may have in writing to the relevant persons [see: *Complaints/Grievance Form*]
- maintain confidentiality at all times
- be provided with details of external agencies to contact should they feel our Service has not resolved their concerns

CONTINUOUS IMPROVEMENT/EVALUATION

Complaints provide our Association with opportunities for learning and improvement. We encourage regular and ongoing feedback from participants, volunteers, visitors, staff, management, children, families and the community. Our association is committed to resolving complaints through prompt investigation, open communication, and transparent processes. Our *Dealing with Complaints Policy* will be updated and reviewed regularly in consultation with families, staff, participants and management.

To ensure complaints and grievances are handled appropriately, the Manager will:

- evaluate each individual complaint and grievance as recorded in the *Complaints and Grievance Register* to assess that a satisfactory resolution that has been achieved
- review complaints and grievances as recorded in the *Complaints and Grievance Register* to ensure a pattern of similar grievances is not occurring
- review the effectiveness of the policy and procedures to ensure all complaints and grievances have been handled fairly and professionally
- consider feedback from families, staff, participants and management regarding the policy and procedure.