

Agency-Wide-CO-P-001 Complaints procedure

1. PURPOSE

This procedure provides guidance to MacKillop Family Services (MacKillop) Board and staff to appropriately manage and respond to complaints from services users, volunteers, community members and stakeholders in a consistent manner across the organisation.

This procedure outlines an approach to complaints that is accessible, timely, monitored, and contributes to a culture of continuous quality improvement that welcomes all forms of feedback. All complaints are viewed as opportunities for improvement and our approach reflects our Sanctuary commitments to safety, open communication, social responsibility and democracy and MacKillop’s values of justice, hope, collaboration, compassion and respect.

Child Safety and Client Rights

This procedure is informed by the National Child Safe Principles for Child Safe Organisations’ and MacKillop’s P-3 Client Rights and Safety Policy. Our commitment to child safety includes the rights of children and young people to be involved in making decisions that impact them, to express their views and have them taken seriously.

It also aligns with the MacKillop Service Charter and the commitment to:

- Provide opportunities for feedback about MacKillop Services.
- Listen to any complaints and respond to them in a respectful and timely manner.

2. SCOPE

All complaints made by service users, volunteers (including foster carers), family members, members of the community (including neighbours of MacKillop services) and stakeholders, are in scope of this procedure.

This procedure **does not** replace or deal with:

- Investigation of allegations / complaints of abuse (see specific state based allegations procedures).
- Complaints by staff - These are covered in HR-P-018 Grievance and Formal Complaints Resolution Procedure (Employees).
- Performance management or employee disciplinary matters. These are covered in HR-P-017 Managing Underperformance.

3. DEFINITIONS

Complaint	An expression of dissatisfaction, frustration or concern with any aspect of MacKillop provided services. This includes complaints about safety that may be expressed by service users, volunteers or community members. A complaint may be verbal or written.
Service Users	Current or previous service users (including students of MacKillop Education Programs) and other service participants.
Volunteers	Includes MacKillop volunteers, foster carers and lead tenants
Complainant	A service user, volunteer, family member, community member or stakeholder (or their representative / advocate) who wishes to make a complaint.
Complaint owner	Staff member who has responsibility for responding to the complaint.
Subject of complaint	A staff member, volunteer or service user about whose behaviour or practice a complaint is made.
Written Complaints Information	Complaints brochures and welcome information must include <ul style="list-style-type: none"> • details of relevant external complaints bodies (for example Commissioners, Ombudsman) • that complaints will be recorded and responded to in a timely manner

	<ul style="list-style-type: none"> a statement that complainants will not be adversely affected because of making a complaint and will be protected from reprisal.
Complaints Officer	Designated staff member/s responsible for complaints procedure development and oversight/analysis of responses to all service user, volunteer, community and stakeholder complaints.
Investigation	Refers to the process of responding to certain complaints including (but not limited to): <ul style="list-style-type: none"> where an initial complaint response was not to a complainant's satisfaction and they request further response / investigation Where the complaint is deemed to be of a serious nature that potentially exposes MacKillop to significant risk Initiated following observation of a cluster of similar complaints
MacKillop Complaints Register	An electronic database used to record and summarise details and outcomes of service user, volunteer and community / stakeholder complaints. It is maintained by the MacKillop Complaints Officer. Complaint records are accessible by staff responding to the complaint, their Director and relevant members of the Quality & Child Safety team.
External Dispute Resolution Body	An organisation, external to MacKillop, that has authority to act on behalf of people who have complaints about MacKillop. Details of relevant dispute resolution bodies are provided on MacKillop Complaint Brochures.

General Principles

- a) All MacKillop service users have a right to make a complaint, or have someone assist them to make a complaint, about the services that they receive. Volunteers, family members of service users, community members and other stakeholders (or their representatives/advocates) are also able to make a complaint about MacKillop's services.
- b) The approach to responding to a complaint is consistent with the principles of Sanctuary, including the commitment to open communication and emotional intelligence. MacKillop staff should adopt an open and questioning response rather than responding defensively or labelling. The following questions are useful to consider when responding to a complaint:
 - What has happened to the person that has led them to decide to make a complaint?
 - What role might trauma have played in their decision to make a complaint?
- c) The complaints process is **child focussed** and accessible to children and young people. Strategies include:
 - Provision of child friendly information brochures about complaints, feedback and rights
 - Children and young people can raise concerns or issues through different avenues and with any staff member or through the MacKillop website
 - Delivery of regular engaging service user feedback surveys for children and young people in MacKillop programs that are centrally monitored for any issues relating to safety or complaints
 - Children and young people in out of home care can raise issues during house meetings or advisory groups
 - Children and young people in MacKillop schools can raise issues through student voice meetings and the Student Representative Council.
- d) Complaints must be managed and investigated consistent with the principles of sensitivity, impartiality, procedural fairness and respect;
 - Any response must be free from actual or perceived conflict of interest
 - The service user/complainant/subject of complaint's right to privacy and confidentiality must be upheld.
 - Service users or their support people will not be adversely affected or subject to any reprisal as a result of making a complaint
 - Note: the requirement for confidentiality does not override MacKillop's duty of care or the responsibility to report any allegations of child abuse, neglect, imminent risk of harm.

- e) Any information provided in the course of a complaint that raises concerns about the safety of children or young people will be immediately acted upon by MacKillop. This will be irrespective of whether the individual decides to proceed with the complaint.
- f) All information regarding concerns about the safety of children or young people is to be escalated to the attention of MacKillop management and may be required to be reported to police and other authorities in accordance with relevant MacKillop procedure and legislative requirements.
- g) Complaints about MacKillop staff (inclusive of Directors and the Chief Executive Officer (CEO)) must be managed by roles more senior than the individual that is the subject of the complaint.
- h) In the case of a complaint about the CEO the Board Chair will be briefed and have responsibility to manage the complaint.

4. PROCEDURE

4.1. Informing people about their right to complain

- 4.1.1. Staff will provide written information and brochures about the complaints process to service users and volunteers at the earliest possible stage of their involvement with MacKillop.
- 4.1.2. Staff **must** also verbally explain information about the complaints process to service users, volunteers and any community member/stakeholder who wishes to make a complaint. Explanations should be in an accessible format (including the use of interpreters, cultural supports or visual mediums where appropriate).
- 4.1.3. Staff should regularly (at least annually) remind service users and volunteers of the complaints process (for example at a review point or on an annual basis), or if an issue arises. Service users should also be informed of their right to make a complaint to a relevant external dispute resolution body (where one exists).
- 4.1.4. Service users, volunteers and community members / stakeholders may be provided with a copy of this procedure upon request.

4.2. Initiating a complaint

- 4.2.1. Service users, volunteers, family members, community members and stakeholders may choose to provide feedback or raise concerns about MacKillop services to any staff member at MacKillop. If, upon discussion, the person wishes to make a complaint, the Complaint Procedure is initiated.
- 4.2.2. Complaints do **not** need to be made in writing (although they may be).
- 4.2.3. Wherever possible, complaints should be dealt with directly and promptly at the point of service.
- 4.2.4. Managers/Principals must be informed of all complaints from community members (including neighbours of residential homes/schools) and stakeholders. The Manager/Principal may delegate the response to a Coordinator/House Supervisor/Local Leadership Team member. Managers/Principals must monitor the response, including any written correspondence.

4.3. Support

- 4.3.1. Staff responding to a complaint should ensure that complainants are aware of their right to have a trusted person (e.g., a friend, family member, community member or staff member) as a support or advocate in the process of making a complaint.
- 4.3.2. Staff who are subject to a complaint can receive support from their supervisor, the Staff Wellbeing Provider (Employee Assistance Program), support person, or through referral to external supports.
- 4.3.3. The investigation of and response to a complaint made by or concerning a service user who is Aboriginal or from a multicultural community must ensure cultural safety, sensitivity and wherever appropriate include community members in the resolution.

4.4. Recording Complaints

- 4.4.1. The MacKillop Complaints Register is the official system for recording complaints, and ALL complaints should be recorded, no matter how small.
- 4.4.2. The person who initially receives a complaint should initiate the complaint record.
- 4.4.3. The person who receives the complaint may respond to the complainant or allocate the complaint to a senior or other staff member as the owner of the complaint, ensuring all relevant information is added / attached to the complaint record. Complaints may be allocated to another staff member when:
- The Complaint Officer receives the complaint and allocates to an appropriate complaint owner
 - The complainant specifically requests the complaint be dealt with by a senior person (e.g., Coordinator, Manager, Principal)
 - The staff member receiving the complaint forms the opinion that it should be responded to by another staff member.
- 4.4.4. The complaint owner is responsible for completing the fields in the complaint record, ensuring the information entered is complete and correct, and adding any associated documentation. Journals within the complaint record can be used to record details of communication and events associated with the complaint response.
- 4.4.5. The complaint record should be finalised within 2 business days of closing the complaint.

4.5. Complaints directed to members of the MacKillop Family Services Board of Directors

- 4.5.1. In circumstances where people direct complaints verbally or in writing to a member of the MacKillop Family Services Board of Directors, the complainant will be advised that the complaint will be:
- forwarded to the CEO
 - responded to in accordance with the principles and processes outlined in this procedure, in consultation with the Board Chair.
- 4.5.2. A member of the MacKillop Family Services Board of Directors who has received an initial contact from a complainant may request a briefing on the outcome of the investigation via the CEO, in consultation with the Board Chair.
- 4.5.3. The CEO is responsible for notifying the MacKillop Complaints Officer of all complaints directed to or received by MacKillop Family Services Board Members for the purpose of recording in the central complaints register.

4.6. Responding to Complaints

- 4.6.1. The complaint owner engages with the complainant to understand the issues and determine the best approach to responding to the complaint, which may include, for example, review of records, discussion with staff and further discussions with complainant.
- 4.6.2. Where appropriate, MacKillop may seek to resolve a complaint by:
- A change of policy, procedure or practice
 - Acknowledgement of complainant's views or issues
 - Advice/referral/information
 - An apology
 - Change/review of decision
 - Corrective action
 - Explanation
 - Mediation – with an internal or external mediator
 - Offering the opportunity for counselling or other support
 - Offering support to access an external complaint body
 - Referral to investigation
 - Other actions consistent with MacKillop values
- 4.6.3. The complaint owner responds to the complainant and records the response in the Complaints Register.

- 4.6.4. The Complaint owner communicates the outcome of the complaint to the complainant within two business days of finalising the complaint.
- 4.6.5. If the complainant is dissatisfied with the response, this must be recorded on the Complaint Register. The complainant should be advised that they may request the outcome to be reviewed through an investigation and advised of their right to progress the complaint to an external dispute resolution body.
- 4.6.6. If requested the complainant owner should provide support to the complainant to access an external dispute resolution body.

4.7. Investigations

- 4.7.1. Where a complainant is dissatisfied with the initial response to a complaint and requests that the complaint be investigated further, the relevant Senior Manager/Principal/Director/CEO will review the complaint details and nominate who will investigate it.
- 4.7.2. The complaint may be investigated by the person who reviews the complaint, or another independent person. The seriousness and complexity of the complaint will determine who will investigate it.
- 4.7.3. The investigation of the complaint may involve consideration of documents and records, interviews with the parties, and/or other consultations as relevant to establish the details of the complaint.
- 4.7.4. When communicating the result of an investigation, complainants should be advised of their right to refer the complaint to an external dispute resolution body.
- 4.7.5. If requested, the complaint owner should provide support to the complainant to access an external dispute resolution body.
- 4.7.6. MacKillop staff members are prohibited from investigating a complaint about themselves. In these circumstances, complaints should be referred to a senior staff member/supervisor.
- 4.7.7. The staff member responsible for the investigation should finalise the record in the Complaint Register within 2 business days of finalising the complaint, and attach any associated documentation (e.g., emails, investigation records, correspondence).
- 4.7.8. A summary note referencing the complaint should be placed on relevant local files (e.g., service user/student/volunteer files) by the staff member responsible for investigating the complaint. This note should indicate that the complaint details/response are stored in the Complaints Register.
- 4.7.9. Where a complaint response or investigation identifies performance management issues, these are addressed outside of the complaint resolution process, in line with **HR-P-017 Managing Underperformance** or **HR-P-035 Managing Misconduct and Serious Misconduct**.

4.8. Timeframes Summary

- 4.8.1. Complaints must be acknowledged **within 2 business days** of being made. This acknowledgement should usually be provided by the person who will be responding to the complaint. **Agency Wide CO-F-113 Complaint Acknowledgement Template** can be used as a resource.
- 4.8.2. If known at point of acknowledgement, provide advice to the complainant (and any subject of complaint) on the process that will be taken to respond to the complaint. The timeframe for finalising the response should normally be within **20 business days of receiving the complaint**.
- 4.8.3. In the event that the complaint takes longer than 20 business days to finalise:
- The responding staff member must ensure that there is regular contact with the complainant (and any subject of complaint) to advise of the progress.
 - The responding staff member must add an entry to the complaint record (in the journals section) to detail the reasons for the extended time for finalising the complaint and includes an estimate of the time required to close it out.

- Automatic email notifications with a reminder to finalise the complaint record will be sent to the responding staff member at weekly intervals until the complaint is closed.
- 4.8.4. If an investigation is undertaken, the timeframes will depend on the nature of the complaint and the extent of the investigation required. The Complaint Officer monitors progress of the investigation.
- 4.8.5. The complaint owner must communicate the outcome to the complainant (and any subject of complaint) within **2 business days** of finalising the complaint. **Agency Wide CO-F-114 Complaint Outcome Letter Template** can be used as a resource.
- 4.8.6. The complaint owner must finalise the complaint record (including attachments) within **2 business days** of finalising the complaint.

4.9. Monitoring and Analysing Complaints

- 4.9.1. Staff should discuss and note complaints (and lessons learned/improvement opportunities) at relevant program meetings (e.g., house meetings, team meetings), except in cases where the need for confidentiality takes precedence.
- 4.9.2. Complaint owners are required to inform their supervisor of the outcomes of all investigated complaints, including lessons learned and any changes/service improvements made as a result of the complaint.
- 4.9.3. The Complaint Officer monitors the Complaint Register for quality and compliance.
- 4.9.4. Data on the number and type of complaints is provided quarterly to the Board Quality and Research Committee.
- 4.9.5. A full deidentified report of complaints is provided to the MacKillop Executive Team by the Complaints Officer annually. This report includes an analysis of all complaints in scope of this procedure received during the year, including the timeliness of complaints resolution and learning/service improvements resulting from complaints.
- 4.9.6. Opportunities for systemic improvement identified through annual analysis of complaints should be submitted as Suggestions For Improvement to the Quality Steering Committee by the Complaint Officer.

4.10. Senior Staff Responsibilities

4.10.1. Managers/Principals must

- a) Ensure service users, family members, volunteers and, where applicable, community members and stakeholders, are informed of the complaints procedure, and that complaints are responded to/investigated and recorded in accordance with this (and any other applicable) procedure. Complaints information should be provided on engagement with MacKillop, and **annually** for those service users whose engagement with MacKillop extends beyond 12 months.
- b) Ensure that new staff are familiar with the procedures for receiving complaints, and the location of this procedure, and the location of the Complaint Register.
- c) Provide regular opportunities at team meetings to review the Complaint Procedures to raise /maintain awareness of the procedure with staff. Staff should be reminded:
 - that all complaints are highly valued and welcomed for their potential to lead to improvements in service provision
 - that complaints are encouraged as a basic right for service users
 - of the importance of ensuring that making complaints is an open, welcome and easy process for service users.

4.10.2. Directors/ Senior Managers/Executive Principals must

- a) Respond to specific complaints and have oversight of program responses to complaints.
- b) Ensure that learning from complaints leads to program change and quality improvements, and is shared across all relevant programs.

4.10.3. The Chief Executive Officer

- a) Has ultimate oversight of the complaints process.
- b) Will at times manage and/or be involved in investigating or responding to serious complaints.
- c) Oversees reporting of complaints data to Board.

4.10.4. The MacKillop Complaints Officer

- a) Is responsible for communicating the complaints procedure to staff and providing advice on handling specific complaints.
- b) Maintains details of complaints and investigations and outcomes on a central MacKillop Complaint Register and monitors the quality of submitted records.
- c) Is the initial contact point for complaints received via the MacKillop website and Central Office.
- d) Reports, monitors and analyses complaint data for the MacKillop Executive Team, including compliance with this procedure and how complaints have led to quality service improvements.
- e) In conjunction with Managers/Principals, ensures that MacKillop meets any complaints reporting requirements by funding bodies or their designated complaints management bodies.
- f) Participates in review and development of complaints handling and reporting requirements, and develops associated resources.
- g) Ensures that up to date complaints procedures, and forms are available on the intranet and that staff are notified of any changes to these.
- h) Provides an independent point of contact, where required, for people to raise issues of concern or make complaints. In normal circumstances, however, the Complaints Officer does **not** investigate complaints for or on behalf of other staff or programs.

REFERENCES

- CO-F-002 MacKillop Suggestions and Complaints Brochure
- CO-F-001 Suggestions, Complaints and Feedback Brochure for young people living with MacKillop
- CO-F-019 Recording Complaints in SharePoint Tip Sheet
- Agency Wide CO-F-113 Complaint Acknowledgement Template
- Agency Wide CO-F-114 Complaint Outcome Letter Template
- Responding to Complaints Tip Sheet Series (on Quality Management Framework on SharePoint)
 - [Tip Sheet 1 - Frequently Asked Questions](#)
 - [Tip Sheet 2 - Key Steps for Effective Complaint Response](#)
 - [Tip Sheet 3 - Complex and Difficult Complaints](#)