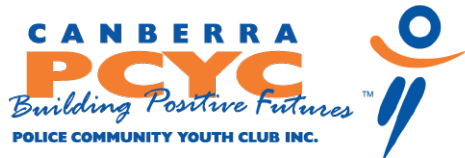


# Complaint Handling & Management Policy

As at 22 July 2016

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Canberra Police Community Youth Club, Inc.



## 1 Commitment

Canberra PCYC (CPCYC) is committed to effective complaints handling procedures that respond to the rights and expectations of members, service users, stakeholders and members of the public, in an efficient, consistent and fair manner. An effective complaints procedure provides CPCYC with the opportunity to continuously review and improve its operations and services.

## 2 Scope

This policy applies to all volunteers, CPCYC members, service users, stakeholders, other bodies to which CPCYC is accountable, and members of the public.

This policy applies to all CPCYC services.

## 3 Aim

The aim of this policy is to:

- Ensure that all persons engaged with the CPCYC understand their right to complain, including the right to complain to an external body;
- Ensure that no person faces retribution as a result of their complaint/allegation; and
- Ensure that each person has the opportunity to be involved in the resolution process of a complaint.

## 4 Policy

All volunteers, CPCYC members, service users, stakeholders, other bodies to which CPCYC is accountable and members of the public, have the right to complain.

A complaint can be verbal, or in writing, via the 'Contact Us' form on the CPCYC website, in person, by mail, email or telephone. All employees will be instructed in how to receive and initiate a complaints procedure.

Complaints will be managed in a timely and fair manner, taking into consideration the nature, complexity and seriousness of the complaint.

CPCYC will consistently apply the principles of procedural fairness in handling complaints, by:

- Ensuring that all parties to a complaint are informed of the procedure and what to expect, and are kept informed of the progress of the investigation/resolution of the complaint;
- Ensuring that the complaints handling procedure is transparent, fair, without bias and that all relevant submissions and evidence is considered;
- Ensuring that complainants do not face retribution or disadvantage as a result of registering their complaint in good faith;
- Providing all parties with the opportunity to participate in the process;
- Treating all parties to a complaint with respect; and
- Providing reasons for a decision.

Anonymous complaints will be investigated at the discretion of Senior Management.

CPCYC will uphold the privacy and confidentiality of all parties to a complaint to the extent appropriate, other than as required by law. Senior Management may access documents created during the course of a complaint if the matter impacts on the review of this policy.

CPCYC is obliged to inform the ACT Government and ACT Policing of serious allegations and to have these allegations investigated by the appropriate external body.

In some cases a person may prefer to register a complaint with an external body, such as:

- [The ACT Civil and Administrative Tribunal](#)
- [The ACT Community Services Directorate](#)
- [ACT Policing](#)
- [Public Advocate of the ACT](#)
- [The ACT Human Rights Commission](#)
- [Office of the Privacy Commissioner](#)

CPCYC staff are entitled to be treated respectfully when investigating/resolving complaints. Threatening, abusive or inappropriate language and/or behaviour towards CPCYC staff will not be tolerated.

## 5 Procedure

### Public

- i. Complainants registering a verbal complaint will be encouraged to submit in writing. If this is not appropriate, the complainant will be referred to the relevant Manager who will document the complaint in writing. An informal verbal complaint may be able to be resolved on the spot by management, or it may require a formal process.
- ii. A complaint received in writing will be referred to the relevant Manager, who will open a physical and digital folder on the complaint.
- iii. The Manager will acknowledge the complaint in writing within seven (7) working days of receipt and advise the complainant of the options of conciliation and investigation to resolve the complaint.
- iv. The Manager will communicate with the complainant to determine any outcomes sought by the complainant from the process and their chosen option to resolve the complaint.
- v. The Manager will keep written records of each step in the procedure, any communication with parties to the complaint, all decisions made in the process and the rationale/evidence for all decisions.
- vi. The Manager will ensure that the complainant is updated of the progress of the complaint and that the principles of procedural fairness inform the communications between the Manager and all parties.
- vii. If the complaint is not resolved after twenty (20) working days the Manager will refer the complaint folder to the Executive Manager who will attempt to resolve the complaint in twenty (20) days. If, after a further twenty (20) days, the complaint is still unresolved, the Executive Manager will forward the complaint folder to the President of the Committee, and the process will continue until it is resolved.
- viii. Once a complaint has been referred to them, the Executive Manager will document the complaint in the *Complaints Register*.
- ix. When the complaint is resolved the Manager/General Manager/President or nominee will write to the complainant with the outcome, the reasons for the decision, and, if the complaint is upheld, the remedy.
- x. The Executive Manager will record the outcome of the complaint in the *Complaints Register*.
- xi. The complainant has a key role in the complaint and can withdraw or cease the process of the complaint at any time if there is no, threat to the health/safety of any person, allegation of criminal offence, serious misconduct, or reporting required by law.

### Service User

- i. Complainants registering a verbal complaint will be encouraged to submit in writing. If this is not appropriate, the complainant will be referred to the relevant Manager who will document the complaint in writing.
- ii. A complaint received in writing will be referred to the relevant Manager, who will open a physical and digital folder on the complaint.
- iii. On the same day that a complaint is received, the Manager will forward the complaint to the Executive Manager and the President of the Committee.
- iv. The Executive Manager will document the complaint in the *Complaints Register*.
- v. The Manager will acknowledge the complaint in writing within two (2) working days of receipt and advise the complainant of the options of conciliation and investigation, and their right to involve a support person.
- vi. The Manager will communicate with the complainant to determine any outcomes sought by the complainant from the process and their chosen option to resolve the complaint.
- vii. CPCYC will attempt to resolve the complaint within seven (7) working days of receipt.
- viii. If the complaint is resolved the Manager will write to the complainant with the outcome and provide reasons for the decision.
- ix. If the complainant is not satisfied with the outcome, the complaint will be referred to the Executive Manager who will attempt to resolve the complaint within seven (7) days.
- x. If the issue is not satisfactorily resolved in seven (7) days, the complainant should raise the issue with the President of the Committee, who will attempt to resolve the complaint in fourteen (14) days.
- xi. If the matter remains unsatisfactorily resolved after a further fourteen (14) days the complainant can refer their complaint to an external body.
- xii. The Executive Manager will record any outcome of the complaint in the *Complaints Register*.
- xiii. The complainant has a key role in the complaint and can withdraw or cease the process of the complaint at any time if there is no, threat to the health/safety of any person, allegation of criminal offence, serious misconduct, or reporting required by law.

*Note:* Complaints against management are to be referred directly to the Executive Manager. Complaints against the Executive Manager should be referred directly to the President of the Committee.

### Resolution by conciliation

- i. The complainant may ask the Manager (or nominee) to approach the other party on their behalf. If a third party is involved it is recommended that the Manager obtain the assistance of a qualified mediator.
- ii. If the other party/parties admit to the alleged act/s or behaviour, and an agreement between the complainant and the other party/parties is reached, the complaint is resolved.
- iii. If there is no admission, but an agreement or outcome between the complainant and the other party/parties is reached, the complaint is resolved.
- iv. If an acceptable outcome is reached, it is the responsibility of the Manager to inform all parties to the complaint, and the Executive Manager, of the outcome. The Manager is to ensure the outcome is followed and any remedy is implemented.

*Note:* Resolution by conciliation generally includes an apology and agreement to cease actions/behaviour.

### Resolution by internal investigation

- i. The Manager will interview the complainant and make detailed written notes of the allegation/s and circumstances of the complaint. The complainant may have a support person at such meetings.
- ii. The Manager is to investigate the alleged incident thoroughly, including speaking with witnesses, if any. The Manager should keep notes of this and any activity during their investigation.
- iii. The Manager should ask the other party/parties concerned for their response to the allegation, and allow them to have representation in any interview.
- iv. The Manager will prepare an *Investigation Report* for the Executive Manager. The Executive Manager will assess the report, consult with the Committee if necessary and decide on the appropriate outcome.

## **6 Declining a complaint**

CPCYC may decline a complaint at any time if the Executive Manager forms the view that the complaint is:

- Frivolous
- Not made in good faith
- Lacking in substance
- Vexatious (tending to cause annoyance, frustration or worry)
- Previously finalised
- Already referred to an external agency

Where a complaint is declined then CPCYC will write to the complainant and inform them of the decision.

## **7 Appealing a decision**

Where a complainant is not satisfied with a decision, they can appeal to the President of the Committee in writing to:

- ATTN: The President  
Canberra PCYC  
PO Box 333  
Wanniassa ACT 2903

Following a review of the complaints process, the President will provide the final decision to the complainant within seven (7) working days of receiving the appeal.

## **8 Policy Administration**

Any proposed changes to this Policy can only be made with the authority of the CPCYC Committee.

The policy will be reviewed twelve (12) months from the date of the approval shown at the front of this document.

Notwithstanding the schedule review, should any circumstance change materially before the 12-month review period, the policy will be immediately reviewed in order to maintain appropriate accuracy, relevance and authority.