

Feedback and Complaints Policy

Purpose	1
Definition	1
A Positive approach to complaint management	2
A positive approach to complaints	2
Response to every complaint must be:	2
Framework for the positive approach:	2
External Complaints	2
Internal Complaints	2
Determining the response level.	3
Tier 1: Low response level	3
Tier 2: Moderate response level	4
Tier 3: High response level	4
Training	5
Related Policies, Procedures and Forms	5
Review	6
Policy Development	6

Purpose

The purpose of this document is to assist staff in understanding the Marist Youth Care (MYC) response to complaints/allegations.

MYC is committed to strengths focussed, empathetic, respectful and inclusive values which are reflected in our approaches in with families and young people. These approaches also form the basis of our communication with staff.

MYC is committed to:

- Consistent decision making
- Fair and clear procedures
- Providing information about the complaint process, responsibilities and the recording of information
- Best practice in service delivery to clients
- Thorough investigation of complaints or allegations of abuse, systemic failures, criminal conduct, fraud or corruption as required by legislation.
- Improving the quality of services utilising complaints as opportunities for improvement.

Definition

A complaint may be any expression of dissatisfaction with an MYC service, employee, policy, or procedure.

Level: Agency

Status: Approved OM11-19

Name: Feedback & Complaints Policy v3

1 Conceived and produced by Marist youth Care Copyright. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the written permission of the publisher.

A Positive approach to complaint management

Everything that happens at MYC should be measured against our responses to the needs of our clients. That is the core business of the Agency. The approaches used to respond to our clients are also appropriate in resolving issues with staff.

A positive approach to complaints

- MYC encourages reporting of complaints as a way of assisting the agency with quality and continuous improvement
- Complaints are an opportunity for change and improvement in service delivery and staff skill levels.
- MYC expects children and young people as well as their families and the public to make complaints

Response to every complaint must be:

- Procedurally fair
- Prompt
- Calm
- Consistent
- Clear
- Linked to service delivery

Framework for the positive approach:

- Clear and uncomplicated structure to maximise effectiveness
- Clear consequences
- A high trust model
- Modelled well from through all levels of management
- A culture in which children and young people as well as staff want to tell a supervisor what is going on or what occurred.
- Protection for persons who wish to make complaints, but fear personal consequences (whistle blowing protection). This may require a person subject of a complaint not knowing who has made the complaint against them.
- All complains are taken seriously – address the “throw away” comments when staff get negative and burnt out.

External Complaints

When a complaint is received from an external source (FACS, neighbours, other agency) either by phone, email or letter, the person receiving the complaint should notify a supervisor and pass on the details. A decision is then made about the most appropriate way to respond. Responses can be a phone call returned, an email, a letter or a meeting to address the issues. An investigation may also be required. A record of all external complaints should be kept by the Manager Professional Standards, on the Complaints database (register).

Internal Complaints

When a complaint is received from an internal source (staff or clients) either by phone, email or letter, the person receiving the complaint should notify a supervisor and pass on the details. A decision is then made about the most appropriate way to respond. Responses can be a phone call returned, an email, a letter or a meeting to address the issues. An investigation may also be required. A record of all internal complaints should be kept by the Manager Professional Standards on the complaints database (register).

Determining the response level

MYC has developed a three tiered model to respond to complaints. When an issue arises or a complaint is made. The person who receives the complaint needs to decide on where the complaint sits within the three tiers. It is appropriate to seek input from a supervisor as well as the person making the complaint in deciding the most appropriate response.

Tier 1: Low response level

These type of matters include :

- A complaint about service delivery which can be managed directly by a staff member, or managed by a Coordinator or Supervisor.
- First or second time low level performance, issues that should only require a reminder, direction or limited support/development from a Supervisor
- Matters that have not placed a client, staff or other person or property at risk of any harm or injury
- Matters that if it occurred again it would not cause harm or serious concern to another
- Staff grievances may be included at this level depending on its nature

They DO NOT include matters that allege:

- A breach of boundaries of a sexual nature
- Patterns of inappropriate behaviour towards client or staff
- Misuse of Agency property, including money
- Allegations of “reportable conduct” to NSW Ombudsman
- Concerns of harassment or bullying towards other staff

The response and responsibilities to Tier 1

The Supervisor responds to these matters.

- The Supervisor should document how these matters were resolved on the most appropriate form. For example staff member’s supervision file, complaint form or feedback form. It is important to record the date, action taken or agreements reached.
- The Supervisor is expected to discuss these matters with their Supervisor for support and guidance
- Any advice or support is expected to be documented on the Supervision file (This is necessary as this record determines when a Tier 1 may need to be escalated to Tier 2)
- A clear plan to address the identified issues should be made in partnership with the person making the complaint.
- Supervisors are expected to seek advice from Executive Managers if they require assistance in supporting coordinators in these matters

Recording – document trail

- Each issue and plan for resolution is recorded on appropriate form. Client complaints once resolved are kept in the Executive Managers complaint file. Performance matters are recorded on the staff supervision file. Complaints by neighbours are kept by the Personal Assistant to the CEO.
- All advice and support is recorded in Supervision files
- Similarly, consultation with the Executive Manager will be recorded on supervision file of Manager.
- A copy of completed records relating to a complaint should be forwarded to the Manager Professional Standards to update the Complaints database (register) if appropriate.

Tier 2: Moderate response level

These type of matters include

- Complaints by external agencies, neighbours or Family & Community Services, will be dealt with as a tier 2 matter.
- Any complaint about staff performance by a member of the public
- Low level performance issues that have been repeated and not resolved and escalated to a more serious performance issue. That is, there is now potential for there to be employment implications or if repeated again could cause injury or serious concern to another
- Performance issues of a more serious nature – whether “one off” or repetitive
- Performance issues that have caused some grief or difficulties to client, staff or other person or property does not amount to “reportable conduct” (as defined by the NSW Ombudsman) or amount to placing a client at immediate risk of harm or injury.

They DO NOT include matters that allege

- Breach of boundaries of a sexual nature
- Misuse of Agency property including money
- Allegations of “reportable conduct” to NSW Ombudsman

The response and responsibilities to Tier 2

- The supervisor gathers evidence in relation to the matter and consults with their supervisor about the concerns
- The supervisor meets with the person making the complaint to resolve the matter and documents any agreements or resolutions reached.
- For matters involving a staff member, the supervisor and their supervisor should meet with the staff member to provide support and learning opportunities for staff when dealing with a Tier 2 matter. It is an opportunity to develop a plan to improve a staff member’s performance. This should be drawn up in consultation with the staff member.
- Supervisor sends copy of Tier 2 meeting and outcomes to their supervisor.
- A copy of the meeting minutes and performance plan to be provided to all parties and HR Manager for tracking.
- Supports are arranged to resolve matter
- HR Manager may provide advice if needed
- Documentation to be forwarded to the Manager Professional Standards for entry on the Complaints Database (Register).

Recording – document trail

1. Minutes and performance plans will be in employee supervision file
2. HR Manager should have a copy of Tier 2 minutes and performance plans
3. Database entry of matter and tracking of outcomes by Manager Professional Standards
4. The matter may also re recorded in an incident report or complaint form.

Tier 3: High response level

These type of matters include

- A serious “one off” performance issue that is likely to result in employment consequences to the staff or injury to client
- Repetitive performance issues that have not been resolved, and/or have become more serious, AND is likely to result in more significant employment consequences

Level: Agency

Status: Approved OM11-19

Name: Feedback & Complaints Policy v3

4 Conceived and produced by Marist youth Care Copyright. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the written permission of the publisher.

- Any complaint about a breach of boundaries of a sexual nature or inappropriate relationship with a client
- Misuse of Agency property including money
- Performance that involves an allegation of criminality such as stealing, fraud, assault, illicit drug use or possession
- A breach of code of conduct eg: consuming alcohol at work or coming to work intoxicated
- Sexual harassment or unlawful discrimination
- Bullying or intimidating conduct towards staff or clients
- Allegations of “reportable conduct” (as defined by the NSW Ombudsman)
- Matters in which the actual conduct of the staff required a report to other authorities eg: Police, FACS, CCYP, DIAC etc
- Any systemic complaints that require liaison or response to external authorities around compliance eg: Work cover, employment screening, accreditation

The response and responsibilities to Tier 3

1. Manager Professional Standards enter details on database
2. Manager Professional Standards coordinates Inquiry plan to the matter in consultation with supervisor (and Executive Manager or CEO if required)
3. Supervisor advise staff member of matter and process as appropriate and in accordance with Agency procedures and the inquiry plan.
4. Matter is investigated
5. Manager Professional Standards or relevant Manager writes Investigation Report, making recommendations
6. Manager Professional Standards and/or Manager determine appropriate outcomes of matter
7. Managers/supervisors implement outcomes, by consulting with the employee to develop a plan to improve performance and reduce risk to employee, clients and MYC.
8. Manager Professional Standards tracks progress of matter and outcomes in consultation with HR.

Recording – document trail:

- Recorded on the database
- Complaint Management File
- May be document trail on supervision files if escalated from Tier 1 & 2
- Employment Outcomes record on Employee File

Training

All staff should have access to and be aware of this policy and procedures. MYC provides training in investigation Procedures periodically.

Related Policies, Procedures and forms

MYC Grievance Procedures

Philosophy & Code of Conduct

Child Protection Policy

Child Protection Procedures

Quality and Continuous Improvement Policy

Feedback and Complaints Form

Level: Agency

Status: Approved OM11-19

Name: Feedback & Complaints Policy v3

5 Conceived and produced by Marist youth Care Copyright. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the written permission of the publisher.

Client Complaints form

Review

Annually as part of the Policy review schedule

Policy Development

September 2008	Approved Complaints Policy and Procedures
November 2010	Draft Complaints Policy ver1
July 2011	Approved Feedback & Complaints Policy ver2
September 2012	Updated (position title & Minor updates) ver 3

Level: Agency

Status: Approved OM11-19

Name: Feedback & Complaints Policy v3

6 Conceived and produced by Marist youth Care Copyright. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the written permission of the publisher.