



Managing complaints policy and procedure

Version number (*complete after content approved*)

Applies to:
Specific responsibility: Treasurer, President, Vice-President, Board members, Staff members.

Version:	1
Date approved:	01/09/2021
Next review date:	01/03/2023

1. INTRODUCTION

TRLS is committed to resolving all complaints to ensure optimum client satisfaction.

2. PURPOSE

This policy is intended to ensure that TRLS handles complaints fairly, efficiently and effectively.

TRLS complaint management system is intended to:

- enable the organisation to respond to issues raised by people making complaints in a timely and cost-effective way;
- boost public confidence in the organisation's administrative process; and
- provide information that can be used by the organisation to deliver quality improvements to services, staff and complaint handling.

This policy provides guidance to TRLS staff and volunteers and people who wish to make a complaint on the key principles and concepts of our complaint management system.

3. TERMS AND DEFINITIONS

Complaint - Expression of dissatisfaction made to or about TRLS, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- staff grievances
- public interest disclosures made by our staff
- code of conduct complaints
- requests for information [see our access to information policy].

Complaint management system - All policies, procedures, practices, staff, hardware and software used by us in the management of complaints.

Dispute - An unresolved complaint escalated either within or outside of our organisation.

Feedback - Opinions, comments and expressions of interest or concern, made directly or

indirectly, explicitly or implicitly, to or about us, about our services or complaint handling where a response is not explicitly or implicitly expected or legally required.

Grievance - A clear, formal written statement by an individual staff member about another staff member or a work-related problem.

4. SCOPE

This policy applies to all staff and volunteers receiving or managing complaints from the public made to or about TRLS, regarding the organisation's services, staff and complaint handling.

Staff grievances are dealt with through separate mechanisms.

5. POLICY

Organisational commitment

staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

People focus

We are committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about our complaint handling process;
- provided with multiple and accessible ways to make complaints;
- listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate; and
- provided with reasons for our decision/s and any options for redress or review.

There will be no detriment to people making complaints

TRLS will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous complaints

TRLS will accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

Accessibility

TRLS will ensure that information about how and where complaints may be made to or about us is well publicised. TRLS will ensure that the organisation's systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, TRLS will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

No charge

Complaining to TRLS is free.

Respond to complaints

Where possible, complaints will be resolved at first contact with TRLS. TRLS will promptly acknowledge receipt of complaints. TRLS will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately. TRLS is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process;
- the expected time frames for our actions;
- the progress of the complaint and reasons for any delay;
- their likely involvement in the process; and
- the possible or likely outcome of their complaint.

TRLS will advise people as soon as possible when the organisation is unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate). TRLS will advise people as soon as possible when the organisation is unable to meet its time frames for responding to their complaint and the reason for the delay.

Objectivity and fairness

TRLS will address each complaint with integrity and in an equitable, objective and unbiased manner. TRLS will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about. Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Responding flexibly

TRLS staff are empowered to resolve complaints promptly and with as little formality as possible. TRLS will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

TRLS will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Confidentiality

TRLS will protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by TRLS as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

Complaints involving multiple agencies

Where a complaint involves multiple organisations, TRLS will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within the organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Complaints involving multiple parties

When similar complaints are made by related parties, TRLS will try to arrange to

communicate with a single representative of the group.

Natural justice

In situations where a complaint is made, TRLS follows the below principles of 'natural justice':

- The person whose action is the subject of a complaint knows all allegations made in relation to their behaviour and has full opportunity to state their case;
- all parties to the complaint have the right to be heard;
- all relevant submissions and evidence be considered;
- decision-makers only consider relevant information; and
- that decision-makers be fair, just and free from bias.

Empowerment of staff

All staff managing complaints are empowered to implement the complaint management system as relevant to their role and responsibilities. Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of the complaint management system.

Managing unreasonable conduct by people making complaints

TRLS is committed to being accessible and responsive to all people who approach the organisation with feedback or complaints.

6. PROCEDURE

Receipt of complaints

The individual receiving the complaint will record the complaints and its supporting information, including complaints which were resolved at the outset.

The record of the complaint will document:

- the contact information of the person making a complaint;
 - the issues raised by the person making the complaint and the outcome/s they want;
- and
- any other relevant information.

This information is to be recorded in the Complaints Register.

Acknowledgement of complaints

The relevant individual will acknowledge receipt of each complaint promptly, and preferably within 7 working days. Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

Initial assessment and addressing of complaints

After acknowledging receipt of the complaint, the relevant individual will confirm whether the issue/s raised in the complaint is/are within TRLS's control. The individual will consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- how serious, complicated or urgent the complaint is;
- whether the complaint raises concerns about people's health and safety;
- how the person making the complaint is being affected;
- the risks involved if resolution of the complaint is delayed; and
- whether a resolution requires the involvement of other organisations.

Addressing complaints

After assessing the complaint, the individual will consider how to manage it.

To manage a complaint, the individual may:

- give the person making a complaint information or an explanation;
- gather information from the product, person or area that the complaint is about; or

- investigate the claims made in the complaint.

Where a complaint is made against a particular individual in the organisation, in accordance with the organisations policy, that individual will be given the opportunity to know all allegations made against them and have their account of the incident heard.

TRLS will keep the person making the complaint up to date on the organisation’s progress, particularly if there are any delays. TRLS will also communicate the outcome of the complaint using the most appropriate medium. Which actions the organisation decides to take will be tailored to each case and take into account any statutory requirements.

Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, TRLS will contact the person making the complaint and advise them:

- the outcome of the complaint and any action that was taken;
- the reason/s for that decision;
- the remedy or resolution/s that TRLS have proposed or put in place; and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

Closing the complaint, record keeping, redress and review

TRLS will keep comprehensive records about:

- how the organisation managed the complaint;
- the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations; and
- any outstanding actions that need to be followed up.

Alternative avenues for dealing with complaints

TRLS will inform people who make complaints to or about the organisation about any internal or external review options available to them (including any relevant Ombudsman or oversight bodies).

7. RESPONSIBILITY

It shall be the responsibility of relevant staff and volunteers to establish and maintain policies and procedures and to bring these procedures into effect.

It shall be the responsibility of the Principal Lawyer to ensure implementation of these policies and procedures.

DOCUMENTATION

Documents related to this Policy	
Related policies	Procedures for expense approval and payment

Reviewing and approving this Policy		
Frequency	Person responsible	Approval
Annual	<i>Principal Lawyer</i>	Board

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due
1			
2			
3			