



SUB POLICY: GRIEVANCES COMPLAINTS AND DISPUTES

1.0 SUB POLICY

TAD fosters a productive and harmonious working environment where concerns or grievances are managed promptly, impartially and justly.

In the instance where a grievance / complaint or dispute does arise, we have a responsibility to provide service users, community members, employees and volunteers with appropriate ways to resolve such issues and to minimise any adverse impact on everybody involved.

2.0 POLICY CONTEXT

TAD expects all members of the TAD community to abide by relevant Federal and State legislation, comply with the organisations Code of Ethic and Conduct and to adhere to TAD Standards Polices including:

- GSP01.01 Rights
- GSP02.01 Participation and Inclusion
- GSP03.01 Individual Outcomes
- GSP04.01 Feedback and Complaints
- GSP05.01 Service Access
- GSP06.01 Service Management

3.0 RESPONSIBILITIES

The Chief Executive Officer (CEO) is responsible for ensuring:

- grievances, complaints and disputes are managed in a fair and equitable manner.
- staff promote a safe and comfortable environment for persons to make a complaint without fear of negative consequences or retribution.
- complainants are kept informed throughout the complaint / grievance / dispute resolution process.
- appropriate support is provided to a person and their family or carer if they raise or pursue allegations of discrimination, abuse or neglect with the welfare of the individual remaining paramount and prompt action being taken to manage the person/s involved in the allegations.

All Managers supervising staff must adhere to the Grievances, Complaints and Disputes procedure and ensure any service user making a complaint can nominate a support person and the person they want at TAD as the key contact regarding the complaint.

All Staff and volunteers must adhere to the processes outlined in the Grievances, Complaints and Disputes procedure and ensure criminal allegations are reported to the police / authorities.

4.0 PROCEDURE

Definitions

PROCEDURE: GRIEVANCES, COMPLAINTS AND DISPUTES

Grievance: Concern raised by a staff member who has been unable to independently resolve the issue with persons involved.

Complaint: Concern raised by a service user, volunteer or member of the community in regard to TAD or staff.

4.1 Raising a Complaint or Grievance

1. Concerns should be raised as early as possible after the incident relating to the grievance / complaint has occurred.
2. Complainants should not instigate grievances that are frivolous or malicious.
3. Any complaint or grievance should be documented on a Feedback / Complaint Form as soon as practicable.
4. Grievances / complaints and information arising from the handling of any grievance / complaint must be treated confidentially. See Privacy and Confidentiality Sub Policy and Procedure.

4.2 Management

1. Ensure there are no additional immediate risks to the service user, parent / guardian, individual raising the complaint and that the welfare of the service user, parent/ guardian, individuals raising a complaint remains paramount throughout the process e.g. current or potential hazard immediately eliminated, referral to professional support services made.
2. All grievances / complaints will be treated seriously, expeditiously, sensitively and as close as possible to their source having due regard to procedural fairness, confidentiality and potential for victimisation.
3. The involvement of support people or translators supporting the cultural and linguistic needs of individuals will be encouraged.
4. Any person raising a grievance / complaint will be encouraged to first discuss the matter with the involved party prior to lodging a formal written grievance / complaint.
5. If the grievance or complaint cannot be resolved informally, the complainant should be offered assistance when necessary to provide written details of their concerns and the grounds for the grievance / complaint and forward it to the appropriate supervisor.
6. The supervisor will request a Feedback / Complaint form be completed and or provide assistance to the complainant as required to document the concern. Written grievance / complaints will be attached to a Feedback / Complaint form and forwarded to the Department Manager for their information and registration on the Grievance / Complaints Register.
7. The grievance / complaint manager will initiate an informal meeting with the complainant to discuss the grievance / complaint and come to a full understanding of the details. The supervisor may request further information which the complainant must provide. The complainant can have a support person attend any meetings.
8. The grievance / complaint manager will provide acknowledgement of any grievance / complaint being lodged within 7 days of the initial meeting and document that this has occurred. If the matter is about another employee/volunteer, this person will also be informed, in writing, within 7 days of the grievance / complaint being lodged.
9. If the grievance / complaint is in regards to staff performance, management should refer to PCP06.01 Staff Development Procedure.

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10. If the matter involves the employee/volunteer's supervisor, the complainant may discuss the issue directly with the next most senior person.
11. The grievance / complaint manager should address the grievance / complaint with a view to resolving it within two weeks. This may take the form of the supervisor prescribing certain actions to be adopted which address the issues and find a resolution.
12. Details of the grievance / complaint management process undertaken should be documented and the outcome reported to the complainant.
13. The Department Manager or Chief Executive Officer will enter the grievance / complaint on the register upon receiving notification and close the grievance / complaint on the grievance / complaint register when it is finalised.

4.3 Dispute Resolution

1. If the grievance is not resolved to the complainant's satisfaction they can escalate it to the Chief Executive Officer, Board of Directors or external party i.e. Ombudsman for review.
2. An external mediator may also become involved to assist in dispute resolution.
3. The outcome of a formal grievance / complaint processes may include (but not be limited to):
 - Mediation between parties
 - a verbal or written apology
 - a change in policy or procedure
 - changes in work practices
 - training of staff
 - counselling of staff
 - disciplinary action.

5.0 REFERENCES

NSW Disability Service Standards
ADHC Governance Policy
Quality policy for ADHC Funded Services
Human Rights and Equal Opportunities Commission Act
Anti-Discrimination Act

6.0 DOCUMENTATION

PCP05 Staff Recruitment and Selection
PCP06 Staff Development
PCP10 Grievance Complaints and Disputes Management
GSP01 Rights
GSP02 Participation and Inclusion
GSP03 Individual Outcomes
GSP04 Feedback and Complaints
GSP05 Service Access
GSP06 Service Management
GSP013 Board Management of Complaints and Enquiries.