

	CONDUCT POLICY Complaints	No: CON:03 Date: 26/03/04 Revision No: 15 Date: 07/03/2017
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Purpose / Policy	<p>Good Samaritan Industries (GSI) is committed to addressing complaints in an expeditious and professional manner. Where an employee, volunteer or service user feels they are being treated inappropriately, they can lodge a complaint free from fear of retribution to be responded to courteously with a priority to resolve.</p> <p>This policy applies to all employees, volunteers, client and contractors of GSI and is not limited to the workplace or work hours and extends to all functions and places that are work related.</p>
Standards Referenced	Std 1 KPI's 1.4, 1.5, 1.6, and 1.7; Std 2 KPI's 2.1, 2.2, 2.3, 2.4, 2.5 and 2.6; Std 3 KPI's 3.2, 3.3, 3.4 and 3.5; Std 4 KPI's 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6; Std 5 KPI's 5.1, 5.2, 5.3, 5.4, 5.5, 5.6 and 5.7; Std 6 KPI's 6.1, 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7

I. INTRODUCTION	Resp
<p>This policy provides guidance on:</p> <ul style="list-style-type: none"> • Dealing with Minor Staff Issues – not a serious matter able to be resolved quickly • Informal Complaints – the majority of GSI complaints; • Formal Complaints - be used when the above processes are not successful • Vexatious Complaints / Abusive Complaints <p>GSI will not deal informally or treat any complaint as minor that includes claims of violence or abuse, where there is a potential serious safety issue or where the allegations made against the respondent are criminal in nature. Please refer to FNC:21 for details on the Serious Incident reporting to Disability Services Commission.</p> <p>This policy also outlines:</p> <ul style="list-style-type: none"> • Response Time for formal complaints; • Treatment of Respondents to a Complaint; • Support for parties to a formal complaint; • Handling Vexatious and/or Abusive Complaints; • Confidentiality; and • External Complaints <p>For the purposes of this policy the GSI Representative is:</p> <ul style="list-style-type: none"> • Award staff or volunteer - your Supervisor / Manager • Supported staff member - your Supervisor / Manager or a Client Services Staff 	



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2.	RESOLVING MINOR STAFF ISSUES	resolving
	<p>A minor staff issue is defined as a less serious matter e.g.:</p> <ul style="list-style-type: none"> • General name calling, mild-teasing, “school-yard” behaviour, wrong-doing, hand gestures, etc; • An issue that has arisen from a lack of, or unclear, communication; • Minor verbal dispute between two employees or others; or • Relates to a person’s disability and be a pattern of behavior requiring regular intervention <p>GSI’s encourages employees to resolve minor issues between themselves wherever possible, therefore any member of staff who:</p> <ul style="list-style-type: none"> • Witnesses minor issues between other staff members has a responsibility to instruct the employee/s involved to cease the behaviour and resolve it between themselves; and/or • Is approached as a third party to assist in resolving a minor staff issue is to: <ul style="list-style-type: none"> ○ Coach the individual to address the issue directly with the other party; or ○ Assist the individual to raise the issue with their Supervisor / Manager <p>Where employees are not able to resolve the matter between themselves, it may be escalated to the Supervisor/ Manager, who is then responsible for dealing with the situation. Depending on the nature and/or frequency of the issue, this could include taking directive action i.e. file note, PIN (supply chain), verbal or written warning.</p> <p>Minor staff issues not requiring escalation usually require no written response. However, sometimes documentation may be required e.g. a file note. The practice of completing a Hazard/Incident Form or Complaint Form is not required for minor staff issues.</p> <p>The benefits of resolving minor staff issues at first point of contact include:</p> <ul style="list-style-type: none"> • Eliminates minor staff issues and behaviour from the workplace without delay; • Gives immediate satisfaction and resolution for employees concerned; • Saves considerable time, therefore allowing GSI to deal with serious complaints raising disciplinary issues on a timely basis; and • Preserves the “good will” between parties 	<p align="center">Staff / Volunteer / Client</p>



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3. INFORMAL COMPLAINTS

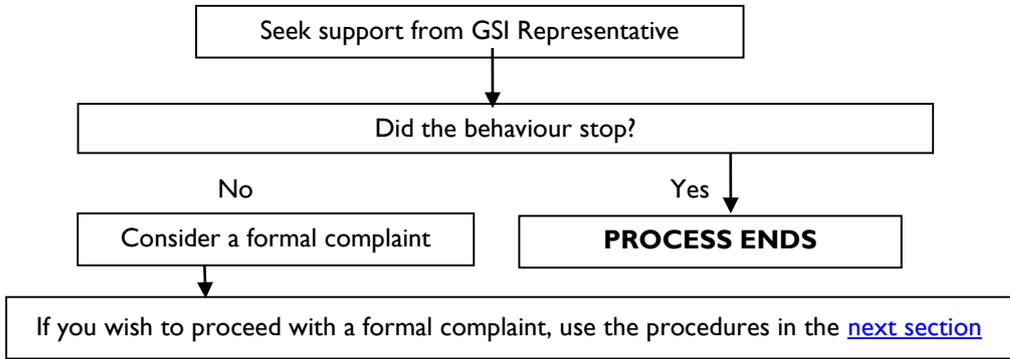
Staff /
Volunteer /
Client

Informal complaint resolution is a “step up” from dealing with minor issues and involves the parties to the complaint (with support as appropriate) working together to develop a solution to the problem. GSI believes most complaints can be resolved as follows.

Upon receiving a complaint, the GSI representative will assess the nature of the complaint and form a view regarding the appropriate course of action. Complaints that are best addressed on an informal basis are where:

- The complaint is not of a serious nature
- The complainant wishes the matter to be dealt with informally and the GSI representative considers this appropriate in the circumstances; or
- A complaint has arisen from lack of, or unclear, communication.

The process for this is as follows:



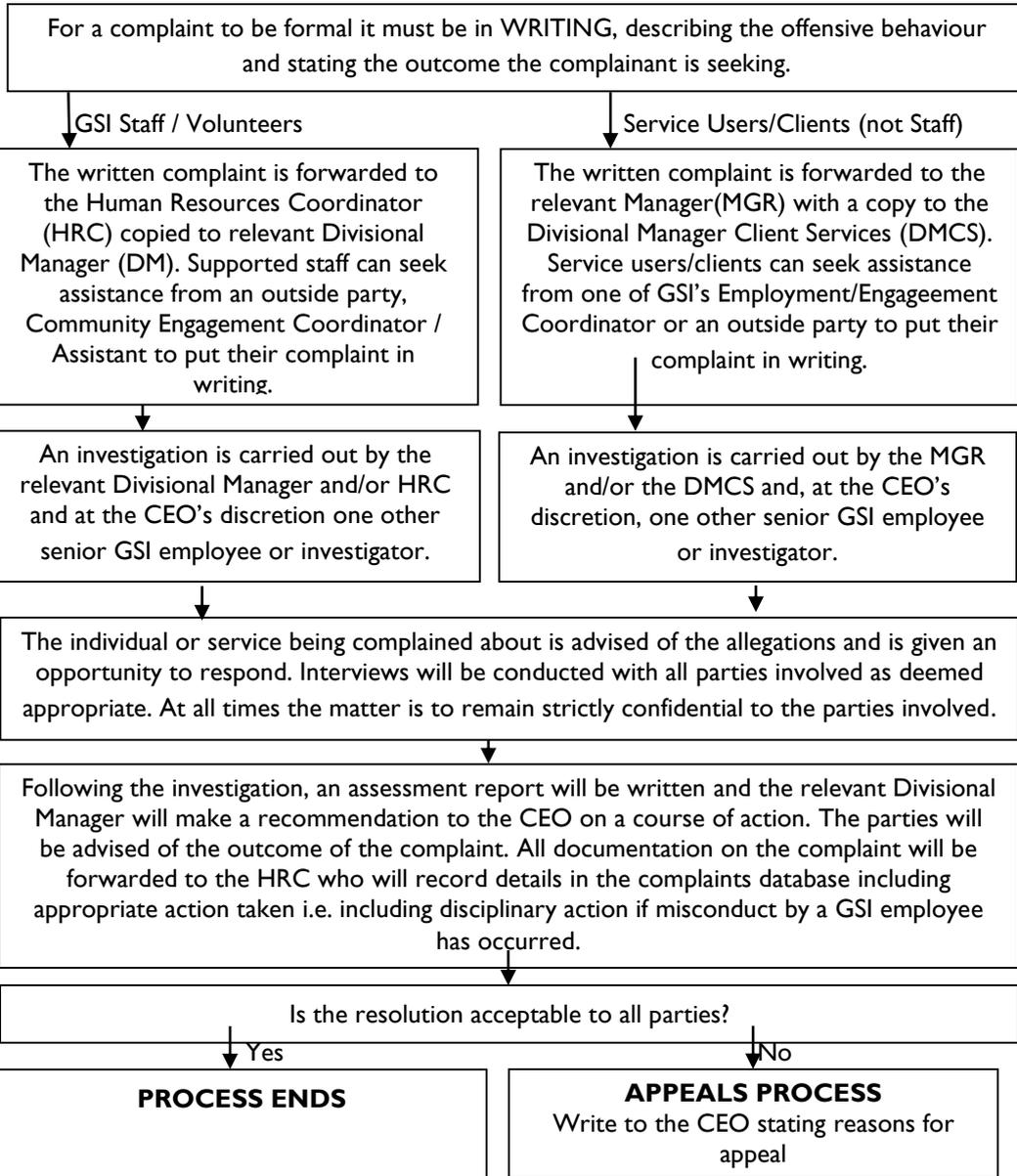
Informal resolution of a complaint may involve talking to one or more of the parties. The complainant may wish to deal with the situation themselves but may seek advice from the GSI representative as to possible strategies to resolve the matter.

The complainant may ask the GSI representative to speak to the employee on his or her behalf. The GSI representative may then privately convey the complainant’s concerns, listen to the response of the employee and respond accordingly. Informal procedures emphasise resolution rather than determining the substance of a complaint and may include conciliation or mediation.

The steps taken to resolve the complaint should be documented by the GSI representative. Documentation associated with an informal process could be a diary entry, file note and/or retention of a copy of any response provided to the complainant. However, documentation should be sufficiently detailed to provide a record of the steps taken in the management of the complaint.

An informal process may be formalised at any point where the GSI representative considers it appropriate, particularly where an informal process has been unsuccessful or new information is received.

4. FORMAL COMPLAINTS





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7.	RESPONSE TIME FRAME	
	When a formal complaint is raised, GSI will endeavor to ensure that the complainant will receive a written acknowledgement letter within 7 days of their complaint being received by the HR Coordinator, relevant Divisional Manager or CEO.	
8.	TREATMENT OF RESPONDENTS TO A COMPLAINT	
	<p>Employees, volunteers or service users who have a complaint made against them have rights and responsibilities in relation to the complaints procedure. Throughout the investigation, respondents will be treated fairly and will be afforded natural justice. In addition to this, the following shall apply to respondents and they:</p> <ul style="list-style-type: none"> • Will be informed of the allegations in the complaint and be given the right to respond; • Will be treated as innocent until proven guilty; • Shall not be victimised for being the subject of a complaint and any person found to be engaging in such behavior will be subject to disciplinary action; • May have a support person present at investigation interviews; and • May have an interpreter present at an investigation interview if required. 	
9.	SUPPORT FOR PARTIES TO A FORMAL COMPLAINT	
	<p>GSI understands that involvement in any workplace investigation can be stressful and therefore is committed to assisting the parties by offering independent and confidential counseling:</p> <ul style="list-style-type: none"> • Staff and Volunteers - via the Employee Assistance Program (EAP), requests by parties to a formal complaint to access our EAP should be submitted to the HR Coordinator; and • Service users/clients - requests by parties to a formal complaint to access support from People with Disabilities WA Inc, should be submitted to the relevant Client Services Manager. <p>Should the complainant or the respondent require a designated support person during the process, the CEO / HR Coordinator / Divisional Manager may nominate an agreed third party from within the organisation to undertake this role. This support person will be covered by the same terms of confidentiality as both parties directly involved.</p>	
10.	HANDLING VEXATIOUS COMPLAINTS & ABUSIVE COMPLAINANTS	
	<p>In some circumstances, following the conduct of an investigation, GSI may form the view that the complaint is vexatious or the complainant abusive. This assessment will be made on the basis of all of the evidence before GSI at the time of the investigation. The CEO will make the final determination. If the complaint is determined to be vexatious or the complainant abusive, the complaint may be dismissed and no further action taken.</p> <p>The following sanctions will be at the sole discretion of the CEO after due investigation has occurred (refer to earlier sections of this policy):</p> <ul style="list-style-type: none"> • For staff that make vexatious complaints or are abusive, serious disciplinary consequences, including termination will be considered. • For clients of GSI that behave this way, they may be removed from GSI services. 	



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11. CONFIDENTIALITY

Everyone involved in the complaints process is required to maintain strict confidentiality, both throughout the process and once the matter is finalised. This means that people involved cannot discuss any information provided to GSI during the course of the investigation, nor can people pass on anything learned from the investigation.

These obligations of confidence apply except in circumstances where an individual seeks independent advice on a matter and, in the process of seeking that advice, must divulge the confidential information aforementioned.

Any breach of confidentiality by anyone involved in a workplace investigation may result in disciplinary action.

12. EXTERNAL COMPLAINTS

External complaints can be directed to the following agencies:

Discrimination and Harassment, Bullying	Equal Opportunity Commission	9216 3900
Occupational Health & Safety	WorkSafe	1300 307 877
Indiviuidalised services and supports	Health and Disability Services Complaints Office	6551 7600 or 1800 813 583
Employment Services	Complaints Resolution & Referral Service	1800 880 052
Employment Services	National Customer Service Line (Disability Employment Service)	1800 805 260
Criminal, corrupt behaviour	WA Police – Crime Stoppers	1800 333 000
Employment Conditions	WA Department of Commerce	1300 655 266
Advocacy	People with Disabilities WA	9485 8900

Authorised: 
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CEO