



St Vincent de Paul Society
NSW
good works

Complaints Handling Policy and Procedures

Approved by the St Vincent de Paul Society NSW Board on 14 February 2015

Version Control

Contact names	Role/position	Version	Date	Review Date
Fatma Onal	Resolution Project Officer	1	14 February 2015	15 February 2016

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Purpose of Policy

The St Vincent de Paul Society (“the Society”) aspires to live the gospel message by serving Christ in the poor with love, respect, justice, hope, and joy. The Society also aspires to manage complaints guided by its mission to “shape a more just and compassionate society” and we do this by treating all involved in the process at every step with dignity and care.

The Society’s commitment to person-to-person care challenges the way the Society works to not only hear each complaint fairly and promptly but also to seek to restore relationships and make things right wherever possible. The Society recognises that the people we assist may offer concerns or complaints but often do so from a vulnerable position; therefore, the way the Society responds to complaints and complainants needs to enable those we assist to “take control of their own destiny”.

The Society is committed to resolving complaints quickly, fairly and effectively. One of the ways it can continue to improve the way it works is to listen and respond to the views and complaints it receives in a positive and constructive manner.

The Society aims to ensure that:

- making a complaint is as easy as possible;
- complaints are treated as a clear expression of dissatisfaction with a Society activity which calls for an immediate response;
- complaints are dealt with promptly, politely and, when appropriate, confidentially;
- it learns from complaints and uses them as an opportunity to improve the way the Society works;
- an appropriate response is made for each complaint received, for example, with an explanation, or an apology or information on any action taken; and
- it will review the effectiveness of this policy and procedures at least every two years.

The Society would expect that any complaint will be raised initially on an informal basis with the representative of the Society concerned, without recourse to this Policy. Where a matter cannot be satisfactorily resolved in this informal way, the formal complaints procedure as detailed in this policy should be followed.

Policy Statement

In response to a complaint received the Society will:

- acknowledge the complaint in writing;
- aim to respond to the complainant within 30 days of receiving the complaint;
- deal reasonably and sensitively with the complaint; and
- take appropriate action, including investigation if required.

Scope

Who can make a complaint under this policy?

Those who can make a complaint under this policy include:

- a client or anyone receiving services or assistance from the Society;

- an organisation, supplier, or business partner supplying goods or services to the Society;
- anyone who donates money, goods or services to the Society; and
- those who are not employed or working as a volunteer or member of the Society.

What are the types of complaints covered by this policy?

A complaint covered by this policy may concern:

- staff conduct;
- provision of information;
- the way in which the Society conducts its activities;
- quality of service, communications or treatment by the Society;
- access to or promptness of a service; or
- policies or procedures.

What are the types of complaints not covered by this policy?

Complaints not covered by this policy include:

- matters relevant to the National Council or the Society in other States or Territories;
- internal grievances or other issues raised by employees, volunteers or members;
- requests for services or support which are not currently provided by the Society;
- matters relating to the adequacy of services or support currently provided (for example, a complaint that is in relation to no vacancies in a hostel or other accommodation);
- contractual disputes between the Society and third parties;
- decisions made by the St Vincent de Paul Society NSW Board;
- Society policy positions or statements;
- any industrial relations matters between the Society and unions/staff associations;
- a criminal allegation or child protection matter;
- complaints subject to the Society's Privacy and Confidentiality Policy; and
- any complaint that has been raised, investigated and determined previously by the Society.

Definitions

Advocate: An advocate is a person authorised or nominated by the Complainant to act on behalf of the Complainant.

Authority to Act: An authority to act is required by a person (advocate) who wants to act on behalf of a Complainant but is unauthorised (or unsure about whether or not they are authorised) to act on behalf of the Complainant. This requirement can be fulfilled by having the Complainant provide verbal or written authority to the Society.

Anonymous complainant: An anonymous complaint is any member of the public, not working on behalf of the Society, who chooses to remain anonymous when making a complaint through any means, including the Society's Integrity Hotline or email facility.

Client: A client is any member of the public or an external organisation not working on behalf of the Society in any capacity.

Complainant: A Complainant is any member of the public, not working on behalf of the Society in any capacity or external organisation, making a complaint.

Complaints handling: Complaints handling actions include, notification, acknowledgement, assessment, information collection, analysis and review and appropriate action.

Employee: An employee is a person who is hired to provide services in exchange for compensation – pay or salary. (Australian Taxation Office, 2012). An employee is a paid member of staff. The Rule (Part III, 2012, Article 26) describes the role of employees in a way that clearly refers to paid persons as “employees”. This includes contractors providing services to the Society for a set time or specific task and those engaged in the performance of duties for the Society from a labour hire agency.

Integrity Hotline and website reporting: This is a confidential telephone line (1300 304 550) and email facility (vinniesnsw@stopline.com.au) managed and staffed by an independent third party for anyone to call between the hours of 8.00am and 6.00pm (Monday to Friday) for advice and for making legitimate allegations of wrongdoing, either anonymously or not, for investigation.

Investigator: An Investigator is any suitably skilled employee of the Society with the assistance of the Internal Audit and Risk Manager or a third party engaged externally by the Society who is tasked with undertaking the investigation in this policy.

Member: The term member includes conference, associate and volunteer members.

Volunteer: A volunteer is a person such as a student, intern, corporate and others who perform unpaid work for the Society such as through various schemes including “work for the dole” and “community service order” schemes. In this document “volunteer” does not include “members”.

Complaints Handling Procedure

The Society complaints handling process comprises of nine separate stages:

1. receiving a complaint;
2. registering and acknowledging a complaint;
3. initial assessment;
4. investigating the complaint;
5. responding to the complaint;
6. complaint resolution;
7. record keeping;
8. continuous improvement and preventative action; and
9. scope for further review of the complaint.

1. Receiving a complaint

A complaint may be received by the Society in a number of ways including:

- in person;
- in writing (which includes the Society’s *Complaints Notification Form*¹ and PO Box address);

¹ See Appendix 1

- by email (either to the Society itself or through the Society’s Integrity email facility managed by a third party); and
- by phone (either to the Society itself or through the Society’s Integrity Hotline managed by a third party).

Authority to Act

If a complaint is made on behalf of someone else the Society will need confirmation that the individual lodging the complaint has authority from the complainant to do so. If an advocate verbally advises the Society that they are authorised to act on behalf of a complainant, the Society will take the information provided by advocates in good faith, unless the Society determines that it is necessary to obtain verbal or written authority directly from the complainant.²

Verbal and point of service complaints

Where possible, when a complaint is raised verbally by telephone or in person with a representative of the Society, all efforts should be made to resolve the matter informally without recourse to the formal complaints procedure.

In these circumstances the Society representative should:

- listen carefully to the individual raising the matter and ask questions to gain as full an understanding of the matter as possible and possibly repeating to the person what has been raised;
- give a calm explanation of what happened and if they are personally aware of why it happened;
- ask the person who has raised the issue what they are now seeking as a resolution to the matter; and
- offer an apology if requested and reasonable to do so.

However, if the matter cannot be resolved for the complainant the Society representative will then:

- advise the complainant of the Society’s formal complaints process and how they might be able to submit a personal or anonymous complaint;
- make a record of the conversation for subsequent reference for retention locally;
- provide a copy of the *Complaints Notification Form* to the individual concerned if appropriate or requested; and
- offer to assist the individual to complete a *Complaints Notification Form*, if they wish to complete it at the time.

² See the Society’s Privacy Policy and note *Australian Privacy Principle (APP) 3* (from OAIC: www.oaic.gov.au).

2. Registering and acknowledging complaints

Forwarding complaints received

All formal complaints made in person, over the phone or by email³, through the *Complaints Notification Form* or by post, should be forwarded to the Complaints Handling Officer at:

- State Support Office, PO Box 5, Petersham, NSW 2049; or
- via email to Complaints.Handling.Officer@vinnies.org.au.

Complaints received through the Integrity Hotline or email facility

All complaints received by the Society's Integrity Hotline or email facility will be incorporated into a report and will be sent confidentially to the Complaints Handling Officer and the Chief Financial Officer.

On receipt of the complaint, the Complaints Handling Officer will:

- register the matter in the Society's Complaints Register;
- assess the complaint and determine whether it is covered within the scope of this policy (if it is covered by this policy the matter will be assigned for investigation); and
- acknowledge receipt in writing or email within five (5) calendar days of registration (this will include details of the complaints process, person assigned to investigate the complaint and the expected timeframe for considering the complaint).

Protected disclosure and Whistleblower Protection

The Society's protected disclosure arrangements detailed in the *'Speaking up' and Whistleblower Policy and Procedures* might be applicable in some situations. The Complaints Handling Officer will need to determine whether or not a complaint falls under the *'Speaking up' and Whistleblower Policy and Procedures* and assess whether or not the complainant qualifies for whistleblower protection.⁴

3. Initial assessment

The Complaints Handling Officer will carry out an initial assessment to clarify the complaint and determine whether it comes within the scope of this policy and identify the issues for resolution including the key concerns raised by the complainant. Where any issues are unclear, before progressing the matter, these should be clarified directly with the complainant and that the allegation has not been made anonymously.

If the Complaints Handling Officer determines that the allegation does not come within the scope of the Society's complaints policy and/or a response or resolution is not possible or that the allegation is considered vexatious or frivolous in nature, the complainant should be informed appropriately and given an opportunity to provide additional information.

Where no additional information changes this assessment the Complaints Handling Officer will close the matter and notify the complainant. An appropriate record will be made of the reasons for this decision and filed in case the individual wishes to have the decision reviewed.

³ Not including those complaints made by phone or email to the Integrity Hotline.

⁴ See the Society's *'Speaking Up' and Whistleblower Policy and Procedures* for more information.

Potential criminal matter

If the complaint involves a potential criminal offence, the Complaints Handling Officer should discuss the complaint with the NSW State President, Chief Executive Officer and Chief Financial Officer, who have the responsibility for referring such matters to the Police on behalf of the Society.

Child protection or Privacy or Confidentiality complaint

If the alleged complaint involves a matter which comes under the Society's *Child Protection Policy* or *Privacy and Confidentiality Policy* the matter needs to be considered in accordance with these policies. The Complaints Handling Officer must inform the complainant and pass the matter to those responsible for investigating such matters in those policies. The Complaints Handling Officer should then advise the complainant of the next steps and who will be handling the matter from that moment onwards.

If the complaint is related to a child protection related matter reference should be made to the Society's *Child Protection Policy*.

4. Investigating the complaint

The Complaints Handling Officer will either assign the allegation to another to investigate or will carry out the investigation him/herself depending on the circumstances.

Where a complaint might involve a Central Council President, or the NSW State President, or an Executive Officer or the Chief Executive, the Complaints Handling Officer must raise the matter with the Deputy Chief Executive, or if it involves the Deputy Chief Executive, with the Chief Executive to determine how and by whom the complaint will be investigated.

The investigation is undertaken by an Investigator⁵.

All complaints require to a greater or lesser degree, a fact finding process to determine what has happened and what course of action is required in response. The investigation may involve seeking clarification from the complainant, any witnesses and any Society representatives who may be able to provide any information about the complaint.

While carrying out the investigation it is important to remember that the principles of natural justice, fairness and openness need to be followed at all times from both the Society's and complainant's viewpoints.

If a complainant or their nominated advocate is not contactable the Investigator will attempt to contact the complainant and/or their nominated advocate three (3) times on three (3) separate days at different times. If the complainant or their nominated advocate does not respond after three (3) attempts at contact over the phone, the matter will be closed until further contact is made. If contact with a complainant or their nominated advocate can only be made via email or post and the Society does not hear from a complainant and or advocate within a reasonable timeframe during an investigation, the Society will write to the complainant and/or their nominated advocate and close the file pending further contact.

⁵ The Society has and will continue to provide those employees, members and volunteers who will be asked to conduct investigations with investigations training so that they are able to satisfactorily undertake an investigation into a complaint.

Confidentiality

Every effort will be made to ensure that confidentiality is maintained while a complaint is being investigated. The Society expects the complainant to also maintain confidentiality while the complaint is being investigated. However, if for any reason confidentiality cannot be maintained, the Complaints Handling Officer will advise the complainant where the complaint has not been treated anonymously.

Investigation protocols

The Investigator is responsible for carrying out the investigation, gathering information, speaking to anyone who might be able to shed light on the matter, or seek specialist advice as required in the Society. Notes and information gathered should be kept securely and in an appropriate file.

As information is collected it must be analysed and reviewed.

Analysis includes identifying:

- what can be agreed upon between the parties;
- what facts are in dispute;
- how relevant and reliable collected information might be;
- whether there are any inconsistencies;
- whether Society representatives have followed standard procedures in the situation that has arisen; and
- what systemic and performance or management factors may have led to the situation arising.

5. Responding to the complaint

Once the information has been analysed, the Investigator puts together a report and recommendations for consideration.

The report is presented to the Complaints Handling Officer for review and comment, before being forwarded to the NSW State President, Executive Officer for that area (where the complaint involves a volunteer or employee) or the Central Council President if the matter involves a member for consideration and action.

Any actions taken must be based on the evidence and information collected, and should address any system or process issues that may have been identified.

Where a complaint is upheld in full or in part, the options for appropriate action may include:

- offering a written apology;
- meeting with the complainant to acknowledge their experience and discuss reasonable ways in which the matter might be resolved;
- developing or amending policies and procedures if appropriate and/or applicable;
- training Society representatives if required or reasonable to do so;
- discuss the matter directly with the Society representatives concerned (that is, those Society representatives named in the complaint); and
- ensuring there are measures put in place to prevent the matter from recurring.

6. Complaint resolution

The Society aims to finalise complaints within 30 days from the date of receipt. The Complaints Handling Officer is responsible for ensuring this aim is met. If a complaint has not been resolved within the 30 day timescale the Complaints Handling Officer must contact the complainant and advise the expected date of conclusion.

The response to the complainant should be made in writing and should be in the form of a letter from the appropriate Executive Officer (State Support Office, Central Council or Support Services, as appropriate). If the complaint concerns a member, the letter will be signed by the appropriate Central Council President. The NSW State President is to be informed of all above instances.

The letter must be factually correct and, subject to confidentiality and privacy of persons:

- include an apology if appropriate and requested as part of resolution;
- address each of the points the complainant has raised with a full explanation or give reasons for why it might not be possible to comment on a specific matter;
- give details about the investigation, including information that has come to light as a result of the investigation;
- give details of the action taken as a result of the complaint;
- provide the name and contact details of the Complaint Handling Officer if further information/discussion is required;
- if there is a reason why a specific issue cannot be addressed this should be stated in the letter; and
- details of further action that might be available to the complainant.

Where the complaint has been made anonymously, despatching a letter is obviously not possible. However, a summary of all complaints after they are resolved will be submitted by the Complaints Handling Officer to the Society's Governance Committee at least every three months.

7. Record keeping⁶

Each investigation will be assigned a unique file which will be the responsibility of the Investigator until the conclusion of the investigation when it will be passed to the Complaints Handling Officer for safe keeping.

The file will contain all notes, the original acknowledgement letter, and the report and resolution letter. File notes of telephone and oral conversations should also be made and retained.

The file record of each complaint should be retained for a period of not less than seven (7) years. The Complaints Handling Officer is also required to maintain records of all complaints received and their current status.

8. Continuous improvement and preventative action

Complaints often indicate that some improvement in current practices procedures, capabilities and training might be required. It is therefore important that after a complaint is closed by an Executive Officer or Central Council President that any lessons learned need to be considered. In this way, the Society can help to reduce the likelihood of the same issue arising again.

⁶ See the Society's *Records Retention Policy* and note information under sub-heading "2) Final Records."

The Complaints Handling Officer will submit a report every three months to the Governance Committee on the complaints received, the outcomes when they are concluded and any lessons or improvements which need to be considered to reduce the likelihood of a reoccurrence of the situation

9. Scope for further review of the complaint

Unresolved complaints and review arrangements

If a complainant remains dissatisfied following the Society's response, they may seek the decision to be reviewed by the Chief Executive Officer if the matter concerns a volunteer or employee, or reviewed by the NSW State President if the matter concerns a member.

If a complainant seeks a review of a decision regarding a complaint they have submitted, the Chief Executive Officer or NSW State President, as appropriate, will review the information contained in the complaint file in consultation with the Complaints Handling Officer. Witnesses including the complainant may be contacted for clarification and any new issues identified will be investigated. The review of a decision regarding a complaint can only be requested within three (3) months of the complainant receiving the Society's initial advice regarding the investigation outcome(s).

The decision made and letter sent to the complainant will be reconsidered in the light of this review and a written response will be provided to the complainant within 20 days of a request for review being received.

Anonymous Complaints

The Society will accept anonymous complaints⁷. However, an anonymous complainant should be aware of the limitations involved in investigating complaints made anonymously. Anonymous complaints do not allow clarification, feedback or individual resolution but the Society acknowledges that they may still provide enough information about an issue to direct some level of action or other intervention.

Where an anonymous complaint involves allegations of corruption, fraud, theft or serious waste of Society resources, the person receiving the complaint should immediately refer this to the Internal Audit and Risk Manager under the Society's *Managing Fraud Policy and Procedure* or refer to the *'Speak Up' and Whistleblower Policy and Procedures*.

Anonymous complaints alleging child abuse or other serious criminal conduct must be referred to the NSW State President and Chief Executive Officer in accordance with the general legal obligations of the Society.

Effectiveness and Review

The effectiveness of this policy and the procedures within it will be reviewed at least once every two years after coming into operation by the Deputy Chief Executive Officer and a report on this review will be submitted to the Governance Committee.

⁷ See Australian Privacy Principle (APP) 2

Further Advice or Assistance

Further advice and information can be obtained from the Complaint Handling Officer on 02 9568 0262 or Complaint.Handling.Officer@vinnies.org.au.

APPENDIX 1: ROLES AND RESPONSIBILITIES

Roles	Responsibilities
Central Council Presidents	<ul style="list-style-type: none"> • receive reports of investigations into any allegations against members in their area relating to this policy; • write an appropriate response to the complainant at the conclusion of the investigation; and • identify any areas where improvements in current policies, procedures, processes etc. need to be introduced to reduce the likelihood of a similar complaint arising again.
Chief Executive Officer	<ul style="list-style-type: none"> • receives requests for a review of any investigations into a complaint by the complainant; and • reviews decisions made by the Society in respect of volunteers or employees and notifies complainant of the outcome within 20 days of request for review being received.
Chief Financial Officer	<ul style="list-style-type: none"> • liaison as appropriate with external agencies such as the Police in discussion with the NSW State President and Chief Executive Officer.
Complainants	<ul style="list-style-type: none"> • raise their complaint or concerns promptly and directly with the person concerned and if this cannot be resolved satisfactorily informally, then to follow the formal complaints procedure as detailed; • explain the problem as clearly and as fully as possible, including the circumstances in which it arose and any actions taken to resolve the matter to date; • allow the Society a reasonable amount of time to deal with the matter and provide a response acknowledging that the Society intends to achieve this within 30 days of receipt; • recognise that some matters may be outside the Society's control and that other more appropriate methods for raising a concern should be pursued; and • maintain confidentiality about the process.
Complaints Handling Officer	<ul style="list-style-type: none"> • receives complaints either in the form of a <i>Complaints Notification Form</i> or by email, orally by telephone, or writing received through a number of ways and detailed in the Policy; • receive each complaint in writing including those made anonymously; • assigns an Investigator to conduct an investigation into the complaint; • maintains records of all current complaints as well as their current status; • submits a report every three months to the Society's Governance Committee on complaints received and the outcomes of each one after they have been concluded; • receives the investigation report from the Investigator;

	<ul style="list-style-type: none"> • passes investigation records to the appropriate Executive Officer or Central Council President for approval and action; and • responsible for ensuring that complaint investigations are concluded within 30 days of receipt.
Executive Officers	<ul style="list-style-type: none"> • receive reports of investigations into any allegations against employees or volunteers in their area in this policy; • write an appropriate response to the complainant at the conclusion of the investigation; and • identify any areas where improvements in current policies, procedures, processes etc. need to be introduced to reduce the likelihood of a similar complaint arising again including those that are resolved informally.
Governance Committee	<ul style="list-style-type: none"> • receive reports every three months on the numbers and types of complaints received together with an indication of how they have been resolved; • consider the complaints and any patterns that may emerge requiring further consideration; and • receive a report each year from the Deputy Chief Executive on the overall effectiveness of this policy and whether any changes might need to be made
Investigator	<ul style="list-style-type: none"> • undertakes an investigation at the request of the Complaints Handling Officer, into a complaint received under this Policy; • collects and analyses information and facts about the matter; • presents a report with a recommended course of action to the Complaints Handling Officer within 30 days of the complaint being received by the Society; and • maintains adequate records and a file for each complaint investigated and passes this file to the Complaints Handling Officer at the conclusion of the investigation.
NSW State President	<ul style="list-style-type: none"> • receives reports of investigations into any complaints against members in this policy; • receives requests by a complainant to review any investigation findings concerning a member; and • reviews decisions made by the Society in respect of members and notifies complainant of the outcome within 20 days of a request for review being received.
All members, volunteers and employees	<ul style="list-style-type: none"> • promptly forward any complaint received to the Complaints Handling Officer at State Support Office, PO Box 5, Petersham, NSW 2049 or via email to Complaints.Handling.Officer@vinnies.org.au from anyone outside after attempting an informal resolution with the complainant if possible; • have a responsibility to take complaints received

	<p>seriously; and</p> <ul style="list-style-type: none">• cooperate and assist with any investigations into complaints received from anyone outside the Society or being assisted by the Society and at all times to treat any
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APPENDIX 2: COMPLAINT NOTIFICATION FORM

DETAILS OF INDIVIDUAL MAKING A COMPLAINT

Name:
Family Name First Name

Advocate Name (If applicable):
Family Name First Name

Address:

EXAMPLE FORM ONLY

Names of individuals involved (if known):

Names of any witnesses:

What outcome or resolution are you seeking?

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