

## Policy Statement

The objective of this policy is to establish and implement open, responsive and confidential feedback and complaints processes. The aim of this policy is to ensure that complaints will be resolved at the service level where possible and in the shortest time practicable, and to improve the quality and safety of program provision.

We have a complaints resolution process which all members of the program team can describe. Participants have a right to give feedback, and where possible, Mind-Ed promotes participants, their representatives and staff to provide compliments, complaints, concerns and suggestions in regards to the service provided. We believe most complaints can be responded to and resolved at the time they are made known to our team, and we also make the contact details for the Department of Mines, Industry Regulation and Safety (see Appendix 1) complaints agency readily available to participants if we are unable to resolve their concerns.

Mind-Ed understands that any feedback or complaint provided allows for opportunities to:

- Ensure that the organisation's vision and mission statements are being adhered to;
- Identify, analyse and action any areas which require improvement;
- Review service provisions to ensure there is the highest standard of safety and quality, and
- Monitor the performance of program team members and volunteers.

Feedback and complaints may be of a sensitive nature and the program team endeavours to foster confidentiality and privacy. Team members and volunteer at all times will be empathetic and non-judgemental and will promote an open, fair and safe space. Any information relating to complaints will be distributed on a need to know basis.

Participants can expect complaints to be acknowledged immediately and to be dealt with fairly and promptly. All team members and volunteers will take steps to ensure that participants providing feedback feel comfortable enough that they are able to continue accessing the service after providing feedback or complaints of any form. The complaints management process is simple and easy to use and effectively communicated and promoted to all service users and stakeholders.

Mind-Ed is committed to providing a stable, safe environment in which we continually improve the safety and quality of the service we provide and our



feedback and complaints process. All feedback or complaints provided will be addressed in an objective and unbiased manner through the feedback and complaints handling process in consideration of the best interest of the complainant and program participants.

Under national and state privacy laws, our practice provides and adheres to a complaints process for privacy issues and those related to the Australian Privacy Principles (APPs).

## Definitions

**Complaint** - any written or verbal statement outlining a problem or concern involving the organisation including its staff, the service they provide, or the terms of engagement or contract with the organisation.

**Feedback** - information given by a program participant, stakeholder or community member in relation to the program that may be in the form of a compliment, suggestion or complaint.

**Compliment** - an explicit expression of satisfaction or praise in relation to the program or a team member working on behalf of the program.

**Suggestion** - a comment that indicates how the organisation could improve its service delivery. It may be part of a compliment or complaint but may also be offered as standalone information.

**Complaint resolution** - a complaint is resolved when both parties reach an agreement. The parties will be informed, in writing, of the complaint agreement.

**Vexatious grievances** - where complainants use the complaint/grievance resolution process without reasonable cause, the processes as outlined above will still be adhered to. If complaints are malicious or vexatious and therefore not made in good faith, the complainant may be referred to undertake counselling and/or other actions if appropriate.

**Corrective action** - addressing an ongoing systemic issue to eliminate the root cause of the problem to prevent recurrence.

**Confidentiality** - only people directly involved in the complaint as part of the nature of the complaint or the resolution of it will have access to the information about the complaint.

## Delegations

| Roles                          | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Board                          | <p>Review and monitor reports on all complaints to ensure issues impacting service participant satisfaction and service outcomes are being managed effectively</p> <p>Ensure organisational/program reputation is not placed at risk</p> <p>Respond to complaints relating to the CEO and/or Board members and to high level or escalated complaints from program participants, program team members or stakeholders, as required.</p> |
| CEO                            | <p>Ensure complaints are tabled at the Board meetings, where relevant</p> <p>Receive feedback and complaints and ensure the appropriate person resolves the complaint in a timely manner and feedback is monitored and reviewed</p> <p>Ensure all staff are equipped to handle complaints in a professional manner and adhere to the complaint management process.</p>                                                                 |
| Staff, volunteers, contractors | <p>Ensure all program participants have the opportunity to provide feedback and to treat all complaints seriously and as an opportunity for improvement</p> <p>Will assist service users to resolve complaints to the best of their ability.</p>                                                                                                                                                                                       |

## Procedures

### Communicating the Feedback and Complaint Policy

Information is available to participants and stakeholders about mechanisms to communicate feedback, comments and complaints. This information is available online under MIND-ED Publications.

### Information includes:



- How to make a complaint or provide feedback to Mind-Ed.
- How to make an anonymous complaint or anonymous feedback to Mind-Ed
- The right to make a complaint without fear of retribution or access to the service.
- The complaints process, confidentiality, timelines and management of feedback.
- The process to arrange for an interpreter or advocate when providing feedback.

## Receiving Complaints and other Feedback

The program has appointed Erin Statz, Chief Executive Officer with designated responsibility for seeking, collecting, analysing, investigating, resolving and managing all feedback and complaints.

All program team members, volunteers and Board members are able to receive feedback or a complaint in writing or verbally from service users or stakeholders.

Verbal complaints made in person should be addressed in a private area where possible. The staff, volunteer or Board member should then complete the Client Feedback Form and pass to the Chief Executive Officer who will action and complete the Feedback Register detailing the information, even if the matter appears to have been resolved.

Recipients of a complaint should inform the person designated to manage complaints when aware of any significant statements made by a participant or significant changes in participant attitude.

## Feedback

When receiving a complaint individuals should record the information (if communicated verbally) and pass the information onto the Chief Executive Officer who shall record the feedback in the Feedback Register.

The Chief Executive Officer may then deem it appropriate to:

- Raise the information at the next regular team and/or Board meeting,
- Record the information in the relevant team member, participant or project file. The Chief Executive Officer may include the feedback in reports to the Board.

## Complaints

Any investigation and resolution of complaints is undertaken using an open disclosure process. Complaint information should be forwarded to the Chief



Executive Officer who will review the information, assess the severity of the complaint (Serious, Major, Moderate, Minor) and coordinate a response. If the complaint concerns the CEO it is forwarded to the Chair of MIND-ED.

## Feedback Register

Details of all feedback and complaints are recorded in the Feedback Register, including the date the complaint was made, a unique identifier number, name and contact details of complainant, nature of feedback, staff involved (if any), action taken and results.

## Responding to Feedback

Depending on the type of feedback received, particularly if it is a comment or suggestion for improvement, it may be appropriate to contact the individual who gave the feedback to communicate any changes made as a result of their suggestion. This will contribute to a positive relationship between the organisation and its participants and stakeholders.

### Responding to a Complaint

The following action will be taken on the basis of the severity of the complaint:  
**Serious** – serious complaints should be referred to the CEO on the day the complaint was made.

**Major** – major complaints should be referred to the CEO within one working day of receiving the complaint.

**Moderate/ Minor**– the program team member receiving the complaint will, within their scope of responsibilities, attempt to resolve the complaint at point of service. If the complaint is unable to be resolved in this manner, the complaint should be referred to the CEO within one working day.

A letter coordinated by the CEO will be sent to the complainant (or the complainant's nominee) within five working days of the complaint being received. The response should detail what is being done to investigate and resolve the complaint.

In responding to complaints, program team members:

- Handle all complaints seriously, no matter how trivial they may seem.
- Use tactful language when responding to complaints.
- Assure the participant that their complaint will be investigated and the matter not disregarded.



- Acknowledge the complaint and the person's right to complain - acknowledge the concerns and experiences of someone making a complaint, particularly if the issue has caused distress or considerable inconvenience.
- Offer the person an opportunity to complete a formal complaint form (they may accept or decline).
- Attempt to resolve the complaint directly with the complainant - clarify the specific issue that the individual is complaining about and their desired outcomes. It may be necessary to contact the complainant to ask for more information.
- Detail how the complaint will be investigated - provide clear timeframes and the contact details for an appropriate person that can be contacted by the complainant if necessary.
- Consider the sensitive and/or confidential nature of a complaint and the privacy of the individual making the complaint - staff will carefully consider what information is recorded and to whom within the organisation the information is communicated to.

When completing the Feedback Register, only record factual information that can be supported by evidence or note that the information is not yet substantiated.

- Consider whether the complaint needs to be managed in a particular way, either because the person making a complaint has specific rights of review or because the complaint includes allegations that must be reported to an external body. For example, criminal allegations should be reported to the Police.
- Reassure the complainant that making a complaint will have no negative consequences or repercussions on their participation in the program.
- Inform the complainant they can select which staff member is their primary contact regarding the complaint and ask if they wish to nominate a particular person.

Mind-Ed aims to investigate and resolve all complaints within one month of receiving the complaint. If this timeframe cannot be met, the complainant will be informed of the reasons why and of the alternative timeframe for resolution.

Mind-Ed aims to keep the complainant informed at all stages of the decision-making process concerning their complaint and the reasons for those decisions.

A register of all feedback and files containing details of all complaints, actions and resolutions are filed securely in the *Board – MIND-ED Organisational Information – Confidential folder under Complaints*.



## Complaints Involving Staff Members

Complaints involving program team members, excluding the CEO should be forwarded to the CEO who will coordinate a response to the complaint.

Team members are to be kept informed at all times about any participant complaint involving them. Complaints by participants about team members will not be seen as negative comments about the team members, but as comments on the service provided by the program. Team members play a vital role in supporting participants to complain and will not be penalised for doing so. Team members will be positively recognised for advocating on behalf of a participant, including when the participant makes a complaint. Team members will not be penalised as a result of a participant complaint unless malpractice has occurred.

Responding to the complaint may involve:

- Investigating the complaint and providing the program team member with an opportunity to respond to issues raised;
- Attempting to mediate the dispute (if appropriate) and/or attempt to resolve the matter
- Taking further action necessary to resolve the issue (e.g. external mediation and dispute resolution services);
- Any disciplinary action against a team member arising from a complaint will be taken in accordance with the Human Resources Policy and
- Any action against a staff member for reportable conduct will be taken in accordance with the Human Resources Policy.

## Complaints Involving Board Members

Complaints concerning a Board member or a member of a Board subcommittee should be referred to the Board Chair. The Chair, or an approved delegate, will attempt to resolve the issue to the satisfaction of the complainant. Where the Chair is the subject of a complaint, the complaint should be referred to another member of the Board.

A response to the complaint may involve:

- Investigating the complaint and providing the Board or member of a Board subcommittee with an opportunity to respond to issues raised.
- Attempting to mediate the dispute (if appropriate) and/or attempt to resolve the matter to the satisfaction of the outside party.
- Take further action necessary to resolve the issue (e.g. external mediation and dispute resolution services).
- Raising the complaint at a Board meeting to determine a suitable course of action to resolve the issue, if appropriate.



- Action taken arising from a complaint about a Board member or a Board subcommittee member will be taken in accordance with the Constitution, the Board policy and procedures and the Board code of conduct.

## Complaints Resolution and Follow Up

Within two months of the complaint being resolved, Mind-Ed will follow up with the complainant to review their satisfaction with the actions taken, where applicable (e.g. still in the program).

Feedback information (both positive and negative) is to be considered in operational planning as well as implementation and review activities in the areas of governance, risk management, participant services, project management and workplace health and safety.

## Confidentiality of Complaints and Disputes

As far as possible, the fact that a participant has lodged a complaint and the details of that complaint are kept confidential amongst team members, other than those directly concerned with its resolution. The participant's permission is to be obtained prior to any information being given to other parties that it may be desirable to involve in order to satisfactorily resolve the complaint or dispute.

Where a complaint is lodged against a program team member, those program team members shall be only advised of the complainant identity where relevant. Complainants should be made aware of this, where necessary, before the official lodgement of a complaint.

## Monitoring and Reporting Information about Complaints

Feedback is to be collated and recorded electronically utilising the Feedback Register by the Chief Executive Officer. All feedback shall be given a unique identifier number and this number will be recorded along with the feedback in the Feedback Register.

Any program team member involved in the handling of the feedback will document and record any activities associated with the feedback provided (e.g. emails, telephone notes and correspondence).

Information regarding complaints is collated and provided to the Board at each regular Board meeting unless the Chief Executive Officer considers that it is to be communicated to the Board urgently. The Board should include a standing agenda item on complaint handling at all Board meetings.



The Chief Executive Officer analyses complaints for trends and provides recommendations for action to be taken. Recommendations are discussed at team and/or Board meetings.

### Provision of Staff Training in Complaints Handling

Mind-Ed will provide and ensure all team members, management and volunteers receive information and training as part of their induction on complaints handling, including:

- Receiving complaints and the policy/procedures in which should be followed,
- The importance and role of feedback within the organisation,
- The importance of record keeping in relation to feedback and
- How to address and correspond safely with participants who are providing feedback.
- Refresher training will be provided to team members annually via the MIND-ED Training Strategy.

### Legislation

Privacy Act 1988 (Cth)  
Ombudsman Act 1974



## Appendix 1

### Regulators for Charities

Commonwealth

Legal structure (incorporation)

Australian Securities and Investments Commission (ASIC)

Telephone: 1300 300 630

Office of the Registrar of Indigenous Corporations (ORIC)

ORIC regulates Aboriginal and Torres Strait Islander corporations

Telephone: 1800 622 431

### Fundraising

Australian Securities and Investments Commission (ASIC)

ASIC regulates companies seeking funds from the public, and requires fundraising disclosure documents.

Telephone: 1300 300 630

Australian Competition and Consumer Commission (ACCC)

The ACCC regulates on consumer law, for example, misleading and deceptive conduct.

Telephone: 1300 305 502

### Western Australia

Legal structure (incorporation)

Department of Mines, Industry Regulation and Safety

Telephone: 1300 304 054

### Fundraising

Department of Mines, Industry Regulation and Safety

For information about fundraising registration and regulatory requirements:

Telephone: 1300 304 054

### Mind-Ed

Chief Executive Officer

0448 760 737

[ceo@mind-ed.org.au](mailto:ceo@mind-ed.org.au)

Chair

[Chair@mind-ed.org.au](mailto:Chair@mind-ed.org.au)

Secretary

[Secretary@mind-ed.org.au](mailto:Secretary@mind-ed.org.au)

