



## Multicultural Communities Council of Illawarra

# Policy Library

## Feedback, Complaints and Appeals: Policy and Procedures

<b>Document number:</b>	MCCI-GP06
<b>Publication date:</b>	November 2016
<b>Functional Group overseeing policy:</b>	CEO
<b>Summary:</b>	A policy to communicate MCCI's approach to managing feedback, complaints and appeals
<b>Applies to:</b>	All staff, directors, clients & stakeholders
<b>Distributed to:</b>	All MCCI. employees, directors, clients, stakeholders, contractors and consultants
<b>Next Review date:</b>	July 2023
<b>Last review date</b>	July 2021
<b>Version #</b>	2
<b>Status:</b>	Final

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biennially	CEO	Board

## **PURPOSE**

The purpose of this policy is to establish a policy framework for dealing with feedback, complaints and appeals.

## **POLICY STATEMENT**

MCCI recognizes that members, clients, and stakeholders have the right to provide feedback and to raise a complaint or appeal, and to have their concerns considered, investigated and resolved promptly, fairly, impartially, and confidentially. MCCI manages feedback, complaints and appeals consistent with the principles of natural justice and protects individuals from any form of retribution, repercussion or reprisal. MCCI welcomes and encourages feedback, including complaints, in order to identify issues and/or improve the operation of policies, procedures, and services.

## **SCOPE**

The policy applies to all employees, CEO, directors, volunteers, stakeholders, consultants and contractors. This policy does not apply to employee to employee related complaints – these matters are covered in the Human Resources Policy (Grievance Procedure).

## **DEFINITIONS**

- **Feedback:** feedback is when a customer, client, member, or stakeholder provides information to compliment or suggest improvements to a service, process, outcome or activity
- **Complaint:** a complaint arises when a customer, client, member, or stakeholder of the organisation expresses dissatisfaction with the standard of a service, process, outcome, or lack of action by the service or its staff or management.
- **Appeal:** an appeal is where a complainant believes that MCCI has not followed its policies or procedures and requests that a review of a decision regarding their service be completed.

## **FEEDBACK, COMPLIMENTS AND COMPLAINTS**

### **Feedback and compliments**

Feedback and compliments occur when clients, members, or stakeholders provide information to acknowledge good practice or make suggestions to improve services, procedures, or activities. MCCI welcomes and encourages feedback through a range of mechanisms, including face to face discussion, telephone, email or in writing.

Staff who receive feedback should attempt to deal with the issue raised (within the delegation of their role) and notify their manager, who will consider any additional actions as part of MCCI's quality and continuous improvement processes.

Feedback regarding policy, procedure, or which allege misconduct, negligence, unethical conduct, or a potential breach of service duty of care should be immediately notified to the CEO and, potentially, managed as a formal complaint.

### **Formal complaint**

A formal complaint arises when:

- a client, consumer, organization or stakeholder is dissatisfied with a service or action implemented by MCCI, including a lack of service or action, or
- issues relate to potentially unlawful, unethical, negligent, unprofessional, or improper behavior or conduct, or

- a potential breach of policy or procedure has occurred

Formal complaints are generally made in writing (but need not be) and forwarded to the CEO who will enter the complaint into the complaints register.

Formal complaints should be addressed as follows:

PRIVATE AND CONFIDENTIAL

CEO

MCCI

PO Box 238

Wollongong NSW 2500

Or via email: [admin@mcci.org.au](mailto:admin@mcci.org.au)

A formal complaint should:

- set out the issues/substance of the complaint in a clear and organized way
- identify the complainant and the subject (respondent/s)
- provide details of date, incidents, information and evidence
- identify other parties involved or as witnesses to the substance of the complaint (if appropriate)
- outline any outcomes or actions the complainant would like to see implemented

When a formal complaint is received, it will be managed according to the following process:

- the complaint will be acknowledged within 3 working days
- the complaint will be recorded in the complaints register
- the CEO, in consultation with the relevant program manager (and/or Chairperson as required), will develop an investigation plan and attempt to resolve the complaint by offering to meet with all involved parties within 10 working days
- a report is prepared on the investigation outcomes and any recommendations are approved by the CEO within 20 working days
- the complainant is advised of the outcome of their complaint

### **Anonymous complaints**

MCCI will review anonymous complaints. A decision to investigate an anonymous complaint will be at the discretion of the CEO.

### **Vexatious and trivial complaints**

MCCI will consider all complaints received; however, complaints that are considered to be vexatious or trivial will not be further actioned.

## **FEEDBACK, COMPLAINTS AND APPEALS FRAMEWORK**

### **General principles**

MCCI recognizes that feedback and complaints may occur within any organization. MCCI encourages all feedback, including complaints, which help to identify improvements to systems, policies, and procedures of the work environment.

Any person or organization who uses our services or is affected by its operations has the right to provide feedback or make a complaint. MCCI is committed to ensuring that service users, stakeholders, and members are empowered and supported to provide feedback and raise their concerns so that they are able to make a complaint if they wish to. MCCI will take a positive and proactive approach to resolving complaints.

All feedback and complaints will be addressed promptly, transparently, fairly, respectfully, and accountably. Natural justice and procedural fairness apply to the resolution of complaints, including:

- that the person/s that is/are the subject of a complaint are fully informed of the complaint and has the opportunity to present a case, provide an explanation or put forward a defence
- an investigation is undertaken, proportionate to the nature of the complaint, to ensure all the people involved in the complaint have the opportunity to have a say and relevant information is made available and considered
- the decision-maker acts in a fair and impartial, honest and unbiased manner.

### **Complaints register**

MCCI will establish and maintain a central confidential feedback and complaints register to document complaints received, investigations completed, outcomes of complaints, and opportunities for service improvement.

### **Record keeping**

MCCI will ensure that appropriate records are kept regarding feedback and complaints received and any investigation process that is undertaken.

### **Confidentiality**

MCCI respects the right for people providing feedback or making complainants to request their identity remain confidential; however, it is acknowledged that confidentiality can impact the effectiveness of an investigation if proper consideration cannot be given to issues raised because of confidentiality limitations.

### **Feedback and complaints information**

MCCI will ensure that materials are developed and distributed to ensure that clients, members, and stakeholders are informed about feedback and complaint handling processes. MCCI strives to ensure that such material is accessible, available in a variety of formats and languages, and easy to understand.

### **Reporting**

Feedback and complaints will be reported by the CEO to the board on a monthly basis.

### **Continuous improvement**

MCCI will use feedback and complaints data to help inform service delivery, policy development, and procedures, and to acknowledge good practice across the organization.

### **Referral to external agencies**

MCCI may, at its discretion, seek the involvement of third parties to investigate a complaint where the matter is significant or complex. All matters involving potential or alleged breaches of the law will be referred immediately to the relevant authorities.

### **Contact person**

A complainant may wish to nominate a preferred contact person within MCCI to receive feedback on their complaint. Where this occurs, MCCI will facilitate feedback through this nominated person.

### **Other avenues of complaint**

Any person or organization who uses our services or is affected by its operations has the right to provide feedback or make a complaint. MCCI is committed to ensuring that service users, stakeholders, and members are empowered and supported to provide feedback and raise their concerns so that they are able to make a complaint if they wish to. We welcome the involvement of third party advocates if a service user, stakeholder or member requires support to provide feedback or make a complaint. All MCCI Care Services consumers are provided with a copy of Consumers Handbook containing the contact details of the external complaints and advocacy services.

### **Time limit**

Generally, MCCI will not investigate complaints that related to actions that occurred more than 12 months prior to the complaint being made. This will, however, depend on the nature of the complaint.

## **COMPLAINTS MANAGEMENT**

### **Complaints involving members of the company**

MCCI's constitution describes how complaints, disputes, and appeals regarding members of the company are to be addressed. In summary,

- the complaint is to be referred to the board for investigation and mediation
- if the complaint cannot be resolved within 3 months, it will be referred to a Community Justice Centre for mediation

### **Complaints involving the Board**

Complaints involving the board are to be referred to the Chairperson, who will conduct an appropriate investigation in accordance with the general principles of this policy.

### **Complaints involving staff**

Complaints involving employees or volunteers are to be referred to the CEO, who will conduct an appropriate investigation in accordance with the general principles of this policy. Complaints involving the CEO may be referred to the Chairperson or Deputy Chairperson of the Board.

### **Disciplinary action, training and development**

If a complaint involving a member of staff or volunteer is found to have been reasonably sustained, separate disciplinary action may be taken in accordance with MCCI's Human Resources Management Policy.

### **Reporting**

The CEO will ensure that the Board is informed about all feedback and complaints made with respect to managers, staff or volunteers.

## **APPEALS**

Where a service user is dissatisfied with a particular decision of MCCI and believes that MCCI has not followed its policy or procedure, they may request MCCI to review its original decision. This is an appeal, rather than a complaint. Appeals will be considered by the relevant service manager (or CEO if the decision was originally made by management or the Board if the decision was originally made by the CEO).

#### **RESPONSIBILITIES**

The Chairperson is responsible for bringing this policy to the attention of directors. The CEO is responsible for ensuring all employees and volunteers are aware of and comply with this policy.