



# BushMob Aboriginal Corporation

ICN: 8470

## Feedback and Complaints Management Policy and Procedure

### Document details and approval

<b>Policy owner</b>	CEO		
<b>Approved by</b>	The Board		
<b>Policy type</b>	ORG09		
<b>Version number</b>	<b>Revision details/reason</b>	<b>Approval date</b>	<b>New review date</b> <i>Every three years, unless otherwise specified</i>
1.0	Initial release in new format	September 2023	September 2026

## **Purpose**

The purpose of this policy is to ensure transparent, and child focused processes are in place for the management of feedback and complaints received from children and young people, their family, community members, other organisations or government agencies.

This policy does not address employee grievances. Employee grievances are managed by the *Grievance Policy and Procedure*.

## **Scope**

This policy applies to all BushMob staff in paid and unpaid roles, including board members, volunteers, contractors, students and consultants.

## **Policy Statements**

1. BushMob prioritises the safety and wellbeing of children and young people and promotes and protects their right to comment and complain about their dealings and experiences with the organisation.
2. Avenues and processes for making complaints are child focused and are accessible and understood by children and young people and their representatives, including their families, communities, other organisations and government agencies.
3. BushMob welcomes feedback and complaints as an opportunity to continuously improve service delivery.
4. No-one suffers any disadvantage, retribution or discrimination as a result of making a complaint to BushMob.
5. Complaints can be made in person, by phone, email or letter.
6. All employees have responsibility for encouraging and promoting the complaints process. This includes assisting children and young people, or their representatives, to describe and report their concerns.
7. Employees must provide complainants with accessible information about how their feedback or complaint will be handled.
8. All complainants and respondents will be afforded natural justice. The person who is the subject of the complaint must know the allegations made and have the opportunity to put their case forward. All parties to the complaint have the right to be heard and all relevant submissions and evidence must be considered.
9. Complaints must be assessed and categorized according to the seriousness of the complaint, as set out in *Appendix 1: Complaint Categories*.
10. Complaints are managed and escalated adhering to the steps outlined in *Appendix 2: Complaint Management Procedure*.
11. Feedback and complaints are recorded in the *Feedback and Complaints Register* and regularly reviewed and analysed at Board meetings, so that systemic issues can be identified and mitigated.
12. All written complaints must be acknowledged in writing.
13. All complaints must be finalised as quickly as possible.
14. Investigations and responses to a moderate or serious complaint must be completed within 20 working days of receipt, whenever possible.

15. Using the BushMob feedback and complaint handling system does not prevent a young person from using external dispute and appeal mechanisms at any time.

### **Related policies or documents**

- Complaint form
- Feedback and Complaints Register
- Code of Ethics
- Code of Conduct
- Incident Management Policy and Procedure
- Privacy and Confidentiality Policy
- Risk Management Policy and Procedure

### **References (Relevant legislation and regulations)**

- Privacy Act 1988 (Cth)
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Northern Territory Anti-Discrimination Act 1992
- Ombudsman (Northern Territory) Act 1978
- Australian Services Excellence Standards
- National Principles for Child Safe Organisations (Principle 6)

### **Appendices**

Appendix 1 – Complaint Categories

Appendix 2 – Complaint Management Procedure

Appendix 3 - Definitions

## Appendix 1: Complaint Categories

Complaints about BushMob are categorised according to the seriousness of the complaint. This categorisation determines the most appropriate avenue of inquiry/investigation.

All complaints are allocated to one of the following categories:

### Category 1: Minor complaint

#### Examples

- Minor issues relating to service delivery
- Employee did not provide the support that was agreed
- Employee is late
- Communication issues
- Complaints that are easily resolved at the frontline

**Minor complaints are managed by employees on duty but must be reported to the relevant manager.**

### Category 2: Moderate complaints

#### Examples

- Grossly substandard care, including professional misconduct or denial of rights
- Breach or possible breach of privacy
- Complaints sent directly to the CEO
- Complaints from a government department, funder, Ombudsman or other government agency
- Conduct by a complainant is seen as unreasonable

**Moderate complaints are managed and investigated by the CEO or their nominated delegate.**

### Category 3: Serious complaints

#### Examples

- Actual or suspected criminal, unlawful conduct
- Complaints that pose a likely threat of legal action
- Complaints that pose a likely risk of adverse media attention
- Complaints sent directly to the Board

**Serious complaints must be immediately escalated to the Board of Management. However, the Board may delegate the management and investigation of the complaint to the CEO.**

## Appendix 2: Complaint Management Procedure

The following steps provide a framework for BushMob to implement the Feedback and Complaints Management Policy.

### 1. Avenues for making a complaint or providing feedback

- Information about the feedback and complaints process, including how to provide feedback and make a complaint is made available to children and young people during the intake and assessment process.
- Feedback or complaints may be received in person, by phone, email or in writing.
- Feedback and complaints can be made anonymously.
- A child or young person can provide feedback or make a complaint themselves or with support from a person they nominate (e.g., a parent or another service provider).
- Feedback is also actively sought during the young person's exit interview at the conclusion of their stay at BushMob.

### 2. Managing feedback

- Any feedback about an employee is to be relayed to the employee's manager (this can be verbally or in writing).
- The manager must document the feedback for use in supervision or performance monitoring and/or for continuous improvement activities.
- Feedback should be recorded in the *Feedback and Complaints Register*.

### 3. Managing complaints

#### 3.1. Responding to a minor complaint

BushMob supports its employees to deal with complaints at the first point of contact where possible and appropriate.

When something goes wrong, many people just need to be listened to, to have their situation understood and respected, to be given an explanation and, if appropriate, an apology.

Recognising that a mistake has been made as well as taking responsibility for any harm caused is good practice and can restore trust in the relationship.

A verbal apology for minor events or interactions is usually sufficient. All employees are encouraged to make verbal apologies about small errors or mistakes.

- Minor complaints are received, acknowledged and generally resolved on the spot and therefore the acknowledgement is usually verbal.
- The employee receiving the minor complaint must:

- acknowledge the complaint, thank the complainant for their complaint and explain that their feedback/complaint is valued and is taken seriously
- ask the complainant whether they would like the issues to be escalated to the next level manager
- aim to address and resolve the complaint on the spot, where appropriate by apologising and rectifying the situation
- notify their manager that a complaint was received and how it was resolved
- record the details of the complaint and its resolution in the client's case file.

### **3.2. Responding to a moderate complaint**

- The employee receiving the complaint must:
  - acknowledge the complaint, thank the complainant for their complaint and explain that their complaint is valued and is taken seriously
  - advise the complainant of the complaint resolution process, namely that the complaint will be escalated to a manager who will contact the complainant and investigate the complaint
- Verbal complaints must be documented on the *Complaint Form*:
  - by the complainant themselves, or
  - by the employee who receives the complaint, who must transcribe the complaint verbatim on behalf of the complainant.
- All complaints must be forwarded to the employee's manager, who is then responsible for forwarding the complaint to the CEO who must decide how the complaint is managed.
- The relevant manager must complete a case file note stating that a formal complaint has been submitted. Details of the complaint will not be included in the case file note for privacy reasons and are instead captured in the *Complaint Form*.
- The relevant manager should ensure that enough detail is captured to allow an appropriate level of analysis.
- The CEO may delegate any investigation to another member of the management team if appropriate.
- Moderate complaints must always be acknowledged formally, verbally or in writing by the relevant manager or CEO within two (2) working days.
- This must be accompanied by information about what will happen next and how to make complaints to external agencies.

### **3.3. Responding to a serious complaint**

- The employee receiving the complaint must:
  - acknowledge the complaint, thank the complainant for their complaint and explain that their complaint is valued

- advise the complainant of the complaint resolution process, namely that the complaint will be escalated to senior management who will contact the complainant and investigate the complaint
- escalate the complaint to their manager who will immediately notify the CEO
- make a case file note stating that a formal complaint has been submitted. Details of the complaint will not be included in the case file note for privacy reasons and must instead be captured in the *Complaint Form*.
- immediately forward the completed *Complaint Form* to the CEO.
- The CEO must immediately contact the Board Chair to inform them of the complaint and together determine the best course of action, including who will be managing and investigating the complaint.
- Serious complaints must always be acknowledged formally, verbally or in writing by the CEO or Board Chair within one (1) working day.
- This must be accompanied by information about:
  - What will happen next
  - Where relevant, avenues of how to make complaints to external agencies
  - An offer to assist the complainant in doing so.

#### **4. Recording complaints or feedback**

- It is imperative that feedback and complaints and details of any investigations and resolutions are recorded. This is to:
  - track the progress of complaint investigations and resolutions
  - ensure accountability
  - identify and address systemic issues
  - report complaints data to the Board of Directors.
- All moderate and serious complaints will be recorded in the *Feedback and Complaints Register* by the relevant manager or CEO.
- All completed *Complaint Forms* must be saved in a designated folder only accessible by relevant managers.
- The *Feedback and Complaints Register* will be tabled and monitored at Board meetings.

#### **5. Investigating moderate and serious complaints**

- Formal complaints must be dealt with promptly, courteously and in accordance with their urgency.
- Where the complaint is about the CEO, the investigation must be escalated to the Board Chair.
- For all other moderate or serious complaints, the Board Chair, CEO or their delegate must:

- identify the complainant's expectations as to how they would like the complaint resolved
- conduct an inquiry by interviewing the complainant and any witnesses
- inform and interview the relevant employee, as well as any witnesses they nominate and give the employee an opportunity to respond to issues raised
- gather information and establish the facts to ensure procedural fairness
- determine the steps to be taken to resolve the complaint, in consultation with the complainant
- keep the complainant informed of progress
- attempt to mediate the dispute if appropriate and/or attempt to resolve the matter to the satisfaction of the complainant
- immediately advise the Board Chair of any complaint that involves suspected criminality, a threat of legal action or adverse media attention.
- Complaints should be resolved as soon as possible and within no more than twenty (20) working days. If it is not possible to resolve a complaint within this timeframe, complainants must be notified of any delay either in writing or by phone by the Board Chair, CEO or their delegate.

## **6. Closing moderate or serious complaints**

- Immediately upon resolution, the Board Chair, CEO or their delegate must record the complaint resolution details and outcomes in the *Complaint Register*.
- The Board Chair, CEO or their delegate must notify the complainant verbally and in writing of:
  - The resolution, including actions taken and decisions made and reasons for those decisions, as well as an apology where relevant
  - Avenues for an independent review of the decision (see below).
- The Board Chair, CEO or their delegate must notify the employee subject of the complaint of the outcome.

## **7. External Agencies for Complaints**

- Young people and their representatives have a right to complain to external authorities outside of BushMob at any time and must be supported to do so.
- External dispute and appeal mechanisms include:
  - Children's Commissioner
  - NT Ombudsman
  - Health Commission
  - Anti-Discrimination Commission
  - Health and Community Services Complaints Commission
  - Victims of Crime NT
- The main function of these agencies is to assist the people of the Northern Territory to resolve disputes with public sector and health agencies of the



Territory and to help those agencies be accountable for, and to improve the standard of, their administrative decision-making, practices and conduct.

## 8. Unreasonable complainant conduct

- While most complainants behave respectfully, some may demonstrate unreasonable conduct.
- Comprehensive and timely record keeping is important. A clear record of interactions should be kept, including details of location of interaction, people present, date and time, summary of issues discussed and observation of conduct.
- Further information about unreasonable complainant conduct can be found on the NT ombudsman website on <https://www.ombudsman.nt.gov.au/node/99/unreasonable-complainant-conduct>.

## Roles and responsibilities

Who	Responsibility
Board of Management	<ul style="list-style-type: none"> <li>• Monitor all moderate and serious complaints, including progress and outcomes of investigations</li> <li>• Manage or oversee all serious complaints</li> <li>• Identify trends and systemic issues.</li> </ul>
CEO and/or their delegate	<ul style="list-style-type: none"> <li>• Manage and investigate all moderate and serious complaints</li> <li>• Communicate directly with complainants</li> <li>• Record details of all moderate and serious complaints in the <i>Feedback and Complaints Register</i></li> <li>• Submit the <i>Feedback and Complaints Register</i> as part of regular Board reporting</li> <li>• Address trends and systemic issues.</li> </ul>
All employees	<ul style="list-style-type: none"> <li>• Promote the complaints process</li> <li>• Support complainants to provide feedback and make complaints, both internally and to external agencies</li> <li>• Assist clients to describe and report their concerns and understand the outcomes of the complaint</li> <li>• Address minor complaints on the spot where possible and appropriate</li> <li>• Record minor complaints and their resolution in case files notes</li> <li>• Report all minor complaints and their resolution to their line manager</li> <li>• Immediately escalate all moderate and serious complaints to their line manager.</li> </ul>

### Appendix 3: Definitions

<b>Term</b>	<b>Definition</b>
Feedback	Refers to information provided by a client about their experience with a service. Its purpose is to reveal their level of satisfaction so BushMob understands what is working well (and should be reinforced) and what can be improved.
Complaint	Any expression of dissatisfaction made to BushMob related to its services or service quality, decisions, policies or employees, where a response or resolution is explicitly or implicitly expected.
Complainant	The person who initiates a complaint.
Respondent	The person against whom a complaint is made.
Natural justice	The right to be made aware of, and respond to, information which will be used in the course of a decision that can negatively affect the people involved. It requires decision-makers to be providing people with the right to be heard when their interests and rights may be affected, acting without bias and only on the basis of relevant and reliable information.
Unreasonable complaint conduct	When behaviour by a complainant is inappropriate or unacceptable. The complainant may be aggressive or verbally abusive, making excessive contact or demands regarding their complaint or refuse to accept recommendations made to address the complaint.