

6 COMPLAINTS & GRIEVANCE

6.1 Complaints & Grievance

Applies to:	Management Committee and Staff
Standards or other external requirements:	National Standards for Disability Services (standards 1,2,3,4,5,6) NACLC
Legislation or other requirements:	Fair Work Act 2009
Contractual Obligations:	
Related Policies:	Induction policies Code of Ethics and Conduct
Forms and other organisational documents:	See Annexure 1 – Section 6 Register of Conflict of Interest/s, QAI Complaints System Flowchart
Approved Date:	7/11/17 draft
Next Review Date:	

Policy

QAI is committed to ensuring that any person or organisation using QAI's services or affected by its operations has the right to lodge a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation will provide a complaints and appeals management procedure that:

- is simple and easy to use
 - is effectively communicated and promoted to all clients and stakeholders
 - ensures complaints or appeals are fairly assessed and responded to promptly
 - is procedurally fair and follows principles of natural justice
 - complies with legislative requirements.
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- QAI welcomes complaints handling as a valuable management tool for improving response to such matters. Record keeping is important to achieve this goal.
 - QAI recognises that complaints handling, done fairly and efficiently, can help to preserve the rights of all people who are or become involved with the organisation.
 - Complaints handling is recognised as a worthwhile activity requiring time and training for the staff involved.
 - QAI accepts the right to external handling or appeal of those involved in a complaint.
 - Complainants, advocates, record keepers, mediators, adjudicators and defendants shall freely contribute to complaint resolutions without interference by, or fear of recrimination from any person.

Principles

QAI will:

- consider all complaints it receives
- treat all complainants with respect, recognising that the issue of complaint is important to the complainant
- maintain confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution
- ensure advocacy is available to clients who make a complaint and require support
- resolve complaints, where possible, to the satisfaction of the complainant

- deal with all complaints in a timely manner
- keep parties to the complaint informed of progress of the complaint
- ensure that Management Committee members, staff and volunteers are given information about the complaints procedure as part of their induction and are aware of procedures for managing client feedback and complaints.
- ensure all service users, stakeholders and members are aware of the complaints policy and procedures
- ensure that a complainant is not penalised in any way or prevented from use of services during the progress of an issue.
- ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.

Procedure

The Complaints and Grievance Procedure Manual located at the end of this policy section informs users and staff how the QAI complaints system operates. The procedure shall be changed if necessary to improve the smooth and just process of the complaints system.

All complainants will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

QAI's Complaints and Grievances Policy will contain information on the following:

- how to make a complaint or lodge an appeal
- contact person for lodging a complaint or appeal
- how the organisation will deal with the complaint or appeal, the steps involved and the timelines
- the rights of the complainant to an advocate, support person or interpreter
- how the person will be informed about the outcome of their complaint or appeal
- how to make a complaint to an external body including contact details.

The information will also be made available to clients or stakeholders in plain language and also verbally. Individuals who do not have English as a first language or have limited access to written English will be provided with assistance or if required, independent assistance will be sourced. Verbal assistance about how to lodge a complaint may also be offered where required.

How to make a complaint

A person/organisation wishing to make a complaint may do so in writing or verbally to:

- the staff member they were dealing with at the time;
- the Principal Solicitor;
- the Director;
- the Management Committee; or

If the complaint is about:

- a staff member, the complaint will normally be dealt with by their supervisor or the Director
- the Director, the complaint will normally be sent to the Office Manager and dealt with by the Management Committee
- the Management Committee the complaint will normally be dealt with by internal resolution or alternatively an external independent third body

Confidentiality

QAI's Confidentiality Policy relates also to the way in which complaints are handled.

When records are used by authorised staff for review purposes, permission must be obtained from the complainant prior to their use. The name of the complainant will not appear on any of the records used.

Written complaints may be sent to QAI, 2nd floor, South Central, 43 Peel Street, South Brisbane. Q. 4101. The Office Manager or Director will be responsible for receiving this correspondence and directing it to the appropriate person.

Lodging an appeal

Clients or their advocates may lodge an appeal if they disagree with a decision made by the organisation, or by a staff member, related to the outcome of their complaint. An appeal should be made in writing and submitted to the Director or of Management Committee.

Where a complainant is dissatisfied with the decision or the handling of a complaint made about our lawyers they may escalate the complaint to the [Legal Services Commission](#).

For appeals about decisions about complaints made against other staff or Committee members they may contact the [Complaints Resolution and Referral Service](#).