

1. Purpose

The purpose of this policy is to outline the principles, roles and responsibilities of the Youth Off The Streets (YOTS) complaint management system.

This policy should be read in conjunction with the *Complaint Management Procedure*.

2. Scope

This policy applies to complaints made about YOTS:

- a) workers and Board members;
- b) services and activities; and
- c) the complaint management process.

N.B. For matters regarding:

- i) employee grievances and code of conduct matters – refer to the *Grievance Policy and Grievance Procedure*.
- ii) suspected or actual acts of wrongdoing - refer to the *Whistleblowing Policy*.
- iii) inappropriate behaviour by workers against children and young people - refer to the *Mandatory Reporting Procedure and Reportable Conduct Procedure*.

3. Statement of commitment

YOTS respects people's right to complain about any aspect of our operations. YOTS recognises that an effective complaints management process plays an important role in the provision and delivery of high-quality person centric services.

YOTS is committed to the following principles:

3.1 Enabling complaints

- proactive approach to seeking and receiving complaints, compliments and feedback;
- complaints can be made in a variety of ways including: phone, face-to-face, email, letter, YOTS web form;
- complaints can be made anonymously;
- information about the complaints management process is provided and publicised in a variety of formats such as policy and procedure documentation, fact sheet, YOTS website and YOTS flyer with QR code;

- the complaints management process is culturally responsive, accessible and inclusive;
- anyone who makes a complaint (complainant) will be treated with respect;
- so far as it is reasonably possible, complainants will not be adversely affected because of the complaints made by them or on their behalf;
- complainants have the right to be supported by a friend, a carer, an advocate, an interpreter, a community Elder or other person.

3.2 Managing complaints

- complaints will be dealt with in a timely manner;
- each complaint is acknowledged and assessed in accordance with the issues raised;
- complainants will be advised about: the complaint process, the expected timeframes, their involvement in the process and the possible or likely outcome of their complaint, where applicable in a culturally responsive way;
- all complaints are recorded in the YOTS Risk and Compliance Management System (Folio).

3.3 Objectivity and procedural fairness

- complaints will be managed in an impartial and unbiased manner;
- any conflicts of interest, whether real or perceived, will be managed appropriately;
- assistance, such as an interpreter or cultural support, will be provided where possible.

3.4 Privacy and confidentiality

- all complaints will be confidential except where required by law;
- identifiable information about any individual will only be disclosed or used in compliance with all relevant privacy laws and ethical obligations.

3.5 Review

- complainants will be provided with an explanation of the outcome of a decision, any recommendations and options for redress;
- complainants have the right to appeal a decision and will be provided with options for review in a culturally responsive way;
- complainants may seek an external review from the NSW Ombudsman and Queensland Ombudsman.

4. Roles and responsibilities

YOTS Board	• promotes a culture of continuous quality improvement.
Chief Executive Officer	• promotes a culture that values feedback. • reviews reports about complaint trends and issues arising from complaints. • encourages all staff to be alert to complaints and assists those responsible for handling complaints to resolve them promptly. • supports recommendations for service, staff and complaint handling improvements arising from analysis of complaint data.
Chief Operating Officer	• recruits, trains and empowers staff to resolve complaints promptly and in accordance with YOTS policies and procedures.
Child Justice and Safety Lead	• ensures complaints by children or young people are managed in line with the YOTS child safe policies. • notified about all complaints made by children or young people. • provides advice to complaint handlers to ensure resolution is consistent with the YOTS child safe policies. • reviews complaints made by children and young people in order to build a child safe culture.
Complaints Officer	• Monitors the Complaints Register in Folio. • Determines via a triage process and impact rating, the most appropriate team member to manage the complaints. • Ensures the documentation process for complaints is completed and recorded in Folio. • Reports complaints to the relevant Board subcommittees via the Risk and Compliance Lead as appropriate.

5 Definitions

Advocate	A person who has the permission to support a child or young person in making decisions, ensuring that their rights are respected. They can include: a carer, a family member, an employee of a specialist advocacy service.
Child	<u>NSW</u> - under the age of 16 years and a Young Person is a person who is aged 16 years or above but under the age of 18 years. (<i>The Children's and Young Persons (Care and Protection) Act 1998</i>). - under 18 years of age (<i>Ombudsman Act 1974; Child Protection (Working With Children Act 2012)</i>). - under 12 years of age and a young person is between the ages of 12 years and 25 years (<i>Advocate for Children and Young People Act 2014</i>). <u>Victoria</u> - under 17 years of age (<i>Children, Youth and Families Act 2005</i>). - under 18 years of age (<i>Child Wellbeing and Safety Act 2005</i>). <u>Queensland</u> - under 18 years of age (<i>Child Protection Act 1999</i>). - under 18 years of age (<i>Education General Provisions Act 2006</i>).
Complainant	A person who makes a complaint to YOTS about our services, workers or the handling of a complaint.
Complaint	An implied or express statement of dissatisfaction where a response is sought, reasonable to expect or legally required. It includes dissatisfaction with YOTS: - customer services - actions or decisions - inaction or delay - policy or processes.
Complaint management system	All policies, procedures, practices, staff, hardware, and software used in the management of complaints.
Feedback	Feedback is a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.
Grievance	A clear, formal written statement by an individual staff member about another staff member or a work-related problem.

Serious complaint	A complaint that is a potential criminal matter and/or likely to result in 3+ impact level to YOTS.
Vexatious complaint	A vexatious complaint can be, but is not limited to, a groundless complaint that causes distress, detriment or harassment to the subject of the complaint; or a complaint that is unduly repetitive, burdensome, or unwarranted when compared to its merits.
Worker	Means a person who performs work in any capacity for a person conducting a business or undertaking. A worker includes employees, apprentices, trainees, contractors or subcontractors, an employee of the contractor or subcontractor, employees of a labour hire company, work experience students, outworkers, and volunteers.

6 Related documents

Child Safe Code of Conduct

Code of Conduct

Grievance Policy

Mandatory Reporting Procedures

Records Management Policy

Reportable Conduct Procedure

Risk Management Policy

Whistleblowing Policy

7 Legislation and standards

AS/NZ 10002:2022 *Customer Satisfaction – Guidelines for Complaints Handling*

Australian Charities and Not For Profits Commission Act 2012 (Cth)

Privacy Act 1988 (Cth)

8 Revision control

Version no.	Revision	Date
v 1.0	New policy	unknown
v 2.0		1 March 2019
v 3.0	Simplified the earlier version. Applied new document template.	30 June 2021
v 4.0	Applied succinct language style.	8 March 2024

9 Document status

Title:	Complaint Management Policy
Version:	4.0
Effective date:	8 March 2024
Author:	Risk and Compliance
Authorised by:	Leadership Team
Next Review by:	8 March 2027