



---

Good practice, good business

## Feedback and Complaints Policy & Procedure

---

### Purpose

People have a right to know that they can provide feedback and to complain about the services they receive, or do not receive, without disadvantage or stigma. This includes children and their families using Beyond Behaviour services and staff and sub-contractors recruited, trained and/or supported by Beyond Behaviour. Clients and team members also have a right to make external complaints about Beyond Behaviour and about the actions or decisions of the Department and other agencies.

Our feedback and complaints process will be:

- **Fair** – This means that both the person complaining (the complainant) and the person being complained about (the respondent) should have the opportunity to present their version of events, provide supporting information and respond to any potential negative decisions. In addition, the person investigating and/or making decisions about the complaint should be impartial; that is, he or she should not favour the complainant or the respondent or prejudice the complaint in any way.
- **Confidential** – This means that information about a complaint is only provided to those people who need to know about it, in order for the complaint to be actioned properly.
- **Transparent** – The complaint process and the possible outcomes of the complaint should be clearly explained and those involved should be kept informed of the progress of the complaint and the reasons for any decisions.
- **Accessible** – The complaint process should be easy to access and understand, and everyone should be able to participate equally. For example, an employee may require a language interpreter to understand and participate or a person with a disability may need information provided in a specific format.
- **Efficient** – The complaint process should be conducted without undue delay. As time passes, information relevant to the complaint may deteriorate or be lost, which will impact on the fairness of the process. In addition, unresolved complaints can have a negative and ongoing impact on a workplace.

Our feedback and complaint process will also include provisions to:

- Protect service users from being victimised because they have made a complaint
- protect employees and sub-contractors from being victimised because they have made a complaint
- protect employees and sub-contractors from vexatious and malicious complaints

- ensure appropriate confidential records are kept about feedback and complaints and that this information is stored and managed appropriately.

## Scope

Beyond Behaviour Community Services programs, services and activities.

Beyond Behaviour Aboriginal Corporation programs, services and activities.

## Policy

This policy and procedures covers informal and formal internal and external feedback and complaints and appeal processes for participants, children and their families using Beyond Behaviour services.

Although Beyond Behaviour seeks to work collaboratively with participants, children, their families and Stakeholders, there will be occasions where participants, children, their families or other Stakeholders will wish to complain about Beyond Behaviour services or staff. Participants, children, their families and Carers are encouraged to raise suggestions, feedback, complaints and issues about Beyond Behaviour when the issues arise as this provides the opportunity for prompt yet informal resolution of concerns. Where issues cannot be resolved informally or satisfactorily, participants, children, their families and other Stakeholders are made aware of their right to make a formal complaint to Beyond Behaviour.

At commencement of services and as relevant, participants, children, their families and Stakeholders are made aware of:

- their right to provide feedback and make complaints about Beyond Behaviour and its services to Beyond Behaviour;
- their right to make formal complaints to external agencies about Beyond Behaviour and the services provided by Beyond Behaviour staff or other Stakeholders;
- their right to complain externally about Departmental staff or decisions; and
- their right to complain about the decisions or actions of other agencies such as the Office of the Public Guardian and the NDIA.

Where complaints are about the standard of care provided in a placement or about abuse or harm to a child by a staff member or Carer, the Critical Incident Reporting, including Standards of Care policy and procedures must be followed.

## Related forms, policies, procedures and documentation

- Contract (for sub-contractor or staff)

- Code of Conduct
- Privacy Policy
- Critical Incident Reporting, including Standards of Care
- About Your Personal Information & Consent Form
- Service Agreement

# Procedure

## 1. Initial contact point

Appropriate local resolution process includes the following steps:

1. Discuss with the Beyond Behaviour team member.
2. Discuss with the Director of Beyond Behaviour.
3. Discuss with the Child Safety Officer or the NDIA.

*The contact person should:*

- be available to listen to a person's concerns about discrimination or harassment
- not form a view of the merit of any allegations
- provide information about the internal complaint process
- advise the person that in some situations where serious allegations are raised – for example, allegations that may expose the organisation to legal liability – the issue may need to be reported to management and dealt with as a formal complaint
- where appropriate, provide support for a person if he or she wants to try and resolve the issue personally
- provide information about available support services, for example, workplace counselling services
- outline other options available to the person, such as lodging a complaint of discrimination or harassment with an external agency.

If this is unsuccessful contact can be made with the complaints team of the Department of Child Safety, Seniors and Disability Services; and/or the NDIA.

Complaints Unit  
Department of Child Safety, Seniors and  
Disability Services  
Locked Bag 3405  
Brisbane Qld 4001  
Phone: 1800 080 464  
Email: [feedback@cyjma.qld.gov.au](mailto:feedback@cyjma.qld.gov.au)

NDIA  
GPO Box 700, Canberra ACT 2601  
Phone: 1800 800 110 (NDIS National  
Contact Centre), Monday – Friday 8am to  
8pm  
Phone: 1800 800 110  
Email: [enquiries@ndis.gov.au](mailto:enquiries@ndis.gov.au)

# BEYOND BEHAVIOUR

COMMUNITY SERVICES



## 2. Early resolution

In some situations it may be appropriate to consider early resolution of an initial complaint without undertaking an assessment of its merit. This approach may be useful where:

- the complainant indicates a desire to sit down and discuss the matter with the respondent informally and this seems appropriate in the circumstances
- the information on hand supports a view that the complaint has arisen from a misunderstanding or miscommunication
- the behaviour being complained about is not serious and does not appear to be discrimination or harassment.

Early resolution may involve:

- a direct private discussion between the complainant and the respondent
- an impartial third person conveying information between those involved
- an impartial third person helping those involved to talk to each other and find a solution.
- In some situations, the impartial third person may need to be someone external to the organisation, such as a professional mediator.

---

## Informal, internal feedback and complaints by participants, children, their families or Carers

---

With respect to the local resolution process detailed above, staff and sub-contractors must advise participants, children, their families or Carers at induction, and on an ongoing basis when relevant:

- about their right to raise suggestions, feedback, complaints and issues about Beyond Behaviour staff, the services provided by Beyond Behaviour or sub-contractors;
- that they will not be disadvantaged by raising complaints;
- that their confidentiality will be respected;
- about the informal and formal avenues used by Beyond Behaviour to resolve complaints; and
- that allegations of any form of abuse or neglect or a breach of the statement of standards by a staff member or Carer is not a “complaint”. The staff member or Carer must immediately refer to the Critical Incident Reporting policy and procedures.

Staff and sub-contractors will:

- encourage participants, children, their families or Carers to raise concerns in an informal way (e.g. by phone, in writing, in case meetings or support sessions) and preferably with the person to whom the complaint relates;
- attempt prompt, informal resolution at the time the complainant makes the complaint to the complainant’s satisfaction;

- respond to complainants in a way that is respectful of the person and their right to raise issues or make a complaint;
  - with the complainant's consent, seek the involvement of the person to whom the complaint relates to prevent the complaint from escalating;
  - advise other staff members as soon as possible if a complaint has been made about them and the details and outcome of the complaint; and
  - declare any conflicts of interest in accordance with the Beyond Behaviour Code of Conduct.
- Where the complainant is not happy about the outcome or feel that their concerns have not been resolved satisfactorily, the staff member will advise the complainant that they may lodge a formal complaint with the Director, Beyond Behaviour.

### **3. Formal resolution**

If a person wants to proceed with a formal complaint about discrimination or harassment, or if this is considered to be the most appropriate course of action, the following steps are to be followed.

#### *a. Obtain information from the complainant*

The person handling the complaint (the complaint officer) will:

- provide information about the complaint process, potential outcomes, options for assistance/support and protections from victimisation
- ensure the allegations are documented, either by the complainant or the complaint officer
- explain that the process is confidential, what this means and why it is important
- explain what records of the complaint will be kept, for how long and where
- explain the action that may be taken if the complaint is found to be vexatious or malicious
- ask the complainant to provide relevant documents or details of witnesses that may support the allegations
- within 7 days of receiving the complaint, acknowledge receipt of the complaint in writing

Where there is a concern about supporting information being destroyed or compromised, the complaint officer should try to obtain this information before taking any further action.

#### *b. Advise the respondent about the complaint*

The complaint officer will:

- advise the respondent that a complaint has been made against him or her and provide as much information as possible about the allegations and supporting information (where applicable)
- confirm that he or she will be given the opportunity to respond to the allegations in writing or through an interview
- provide information about the complaint process, potential outcomes and options for assistance/support

- explain that the process is confidential, what this means and why it is important
- explain what records of the complaints will be kept, for how long and where
- explain that it is unacceptable to victimise someone who has made a complaint.

### *c. Assess the information*

If the respondent confirms that he or she did what is alleged to have occurred, and if this behaviour would be considered discrimination or harassment as defined in the **Anti-discrimination Act 1991 (Qld)**, the next step is to consider an appropriate outcome (see below). The respondent will be provided with the opportunity to comment on any proposed decision and outcome before a final decision is made.

If there is disagreement about what happened, the complaint officer should consider whether there is other information that will help to determine what happened. It is generally understood that the person making the decision should be satisfied that it is 'more probable than not' that what is alleged to have happened did happen.

Given the nature of discrimination and harassment, there may often be no direct witnesses or documents to support the complainant's version of events. This does not mean that the allegation is untrue. In these situations the complainant should be given the opportunity to comment on the information that has been provided by the respondent and to provide any other information to support his or her allegations before a final decision is made.

The Director or nominated staff member (the Complaints Officer) will:

- within 7 days of receiving the complaint, acknowledge receipt of the complaint in writing;
- consult the persons concerned and commence attempting to resolve the complaint;
- within 21 days of receiving the complaint, advise the complainant in writing about:
  - the outcome of the complaint or progress in attempts to resolve the complaint; and
  - the complainant's right to lodge a grievance, in writing, if they remain dissatisfied about the process or the decision with the Board of Directors of Beyond Behaviour.

The Beyond Behaviour Board of Directors will:

- consider the grievance at the first available meeting following receipt of the grievance;
- consult with the parties concerned and attempt to resolve the grievance; and
- within 21 days of the Board of Directors meeting that considers the grievance, provide a written reply. The Board of Directors decision is final.

Staff and management must declare any conflicts of interest in accordance with the Beyond Behaviour Code of Conduct and Contract.

## 4. Outcomes from the process

### *a. Where the allegations are admitted or substantiated*

Outcomes for the respondent may include:

- disciplinary counselling
- an official warning
- a requirement to attend discrimination and harassment awareness training
- a requirement to provide a formal apology to the complainant
- disciplinary action (e.g. demotion, transfer, suspension, probation or dismissal)
- participation in mediation to restore relationships in the workplace.

Outcomes for the complainant may include:

- re-crediting of any leave taken as a result of the discrimination or harassment
- supportive counselling
- a change in the work environment, as requested, for example, a change in work teams or location
- participation in mediation to restore relationships in the workplace.

The complainant will be provided with general information about the outcome of a complaint, within 7 days of determination of the outcome, as this may affect their decision to pursue the matter with an external agency. The level of detail provided will be balanced against the need to respect the privacy of the respondent.

### *b. Where the allegations are not admitted or substantiated*

Where allegations have not been admitted or substantiated, it may still be appropriate for Beyond Behaviour to take some action as a result of the complaint. For example, it may be appropriate to:

- provide refresher training for all staff regarding appropriate workplace behaviour, and/or
- re-issue the discrimination and harassment policy or code of conduct to all employees.

If such action is taken, it will not be done in a way which could be seen as singling out or punishing the respondent, especially where there has been no finding that he or she has breached the organisation's policy or code of conduct.

---

## **External complaints by participants, children, their families or Carers**

---

Staff and sub-contractors must advise participants, children, their families and Carers at induction and as issues arise about:

- their right to make external complaints to the Department about Beyond Behaviour;
- the internal and external supports which they could access to pursue their complaint, including external advocates or legal representation;
- their right to complain or appeal decisions and actions of the Department and the Department of Justice (Blue Card Decisions);
- a child's rights to contact:
  - their Child Safety Officer;
  - Community Visitor, Child Advocate or advocacy hub operated by the Office of the Public Guardian; or
  - Create Foundation.
- A participant's right to contact:
  - their Local Area Coordinator;
  - their Plan Coordinator; or
  - NDIA

## **Monitoring complaints**

The Program Manager is responsible for reviewing complaints at least monthly to improve services and practice.

## **Record keeping**

Staff and sub-contractors are responsible for recording complaints and actions taken in the Feedback and Complaints Register in the Compliance Team.

The Program Manager, or delegate, is responsible for ensuring that a copy of each written complaint, communication regarding the complaint, records about attempts at resolution and resolution agreements are placed on:

- the service user, staff or sub-contractor file; and
- the *Feedback and Complaints Folder*;
- including where the Director or Board of Directors consider a complaint.