

## Policy| Complaints & Grievances

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### Purpose and Scope

**The purpose of this policy** is to clarify the standards of behaviour expected of all employees, contractors and the Board of PDCN to ensure that PDCN employees, contractors, PDCN members and community members are treated in a manner that reflects the philosophy, vision, purpose, and values of the Council.

**This policy applies** to all members of the Physical Disability Council of NSW, PDCN Board, management and all employees and contractors of the Council. A copy of this Policy will be given to all Board members upon their election, employees and contractors on their employment; and community members in informational materials and on the PDCN website.

### Policy

PDCN's Committee of Management and Staff are committed to ensuring they act, at all times, in the best interests of the Council and in accordance with their duties, and within the laws of the state.

### Procedure

PDCN's Committee of Management and Staff are committed to ensuring they act, at all times, in the best interests of the Council and in accordance with their duties, and within the laws of the state.

1. **Complaints about PDCN staff members and/or actions of PDCN** are to be directed to the Executive Officer.
  - All complainants, and individuals complained about, are to be informed of their right to have an advocate (of their choosing) support them through the complaint process
  - In relation to grievances/concerns/complaints where it appears that existing state legislation has been breached (eg sexual assault and fraud), immediate reporting to the relevant independent agency should occur (eg the NSW Police Service). The agency the matter is referred to will then apply principles of natural justice and procedural fairness to their management of the matter.
  - In relation to grievances/concerns/complaints where it does not appear that existing state legislation has been breached, the principles of natural justice should be applied. They are:
    - The person who is complained about should be informed about the nature of the complaint, and who placed the complaint
    - Both the complainant, and the person complained about, must be given an indication of the process that will be used, and an indication of the time frame to resolve, or bring the matter to a conclusion
      - 5 working days for initial contact and
      - 10 working days to bring to resolve or bring to a conclusion.

- The issues of the complaint should be clarified with the complainant (preferably by phone)
- The person complained about should be provided with an opportunity to respond to the issues raised
- The complainant is guaranteed protection from any victimisation or reprisals
- The Executive Officer will resolve the issues, whenever possible. If unable to be resolved the complainant must be given the reasons why resolution was not possible
- If the grievance/concern/complaint is not addressed to the satisfaction of the complainant, the matter may then be brought to the attention of the President of PDCN.
- Both the complainant, and the person complained about, must be given, by the President, an indication of the process that will be used, and an indication of the time frame to resolve, or bring the matter to a conclusion
  - 5 working days for initial contact and
  - 10 working days to bring to resolve or bring to a conclusion
  - The President will resolve the issues, whenever possible. If unable to be resolved the complainant must be given the reasons why resolution was not possible
  - For grievances/concerns/complaints which have not been successfully resolved or concluded to the satisfaction of the complainant, the complainant must be informed of their right to bring the matter to the attention of an outside agency such as:

*NSW Ombudsman*

*telephone contact: 02 9286 1000 or 1800 451 524 or TTY 02 9264 8050*

*The Ombudsman's Office handles complaints about a range of services and providers including public sector agencies and community services*

**2. Complaints about PDCN's Individual Board Members and the Executive Officer** are directed to the President.

- a. All complainants, and individuals complained about, are to be informed of their right to have an advocate (of their choosing) support them through the complaint process
- In relation to grievances/concerns/complaints where it appears that existing state legislation has been breached (eg sexual assault and fraud), immediate reporting to the relevant independent agency should occur (eg the NSW Police Service). The agency the matter is referred to will then apply principles of natural justice and procedural fairness to their management of the matter.

- In relation to grievances/concerns/complaints where it does not appear that existing state legislation has been breached, the principles of natural justice should be applied. They are:
  - The person who is complained about should be informed about the nature of the complaint, and who placed the complaint
  - Both the complainant, and the person complained about, must be given an indication of the process that will be used, and an indication of the time frame to resolve, or bring the matter to a conclusion.
    - 5 working days for initial contact and
    - 10 working days to bring to resolve or bring to a conclusion
  - The issues of the complaint should be clarified with the complainant (preferably by phone)
  - The person complained about should be provided with an opportunity to respond to the issues raised
  - The complainant is guaranteed protection from any victimisation or reprisals
  - The President will resolve the issues, whenever possible. If unable to be resolved the complainant must be given the reasons why resolution was not possible
  - For grievances/concerns/complaints which have not been successfully resolved or concluded to the satisfaction of the complainant, the complainant must be informed of their right to bring the matter to the attention of an outside agency such as:

*NSW Ombudsman*

*telephone contact: 02 9286 1000 or 1800 451 524 or TTY 02 9264 8050*

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### **3. Complaints about PDCN's President** are directed to the Vice-President.

- a. All complainants, and individuals complained about, are to be informed of their right to have an advocate (of their choosing) support them through the complaint process
- In relation to grievances/concerns/complaints where it appears that existing state legislation has been breached (eg sexual assault or fraud), immediate reporting to the relevant independent agency should occur (eg the NSW Police Service). The agency the matter is referred to will then apply principles of natural justice and procedural fairness to their management of the matter.
  - In relation to grievances/concerns/complaints where it does not appear that existing state legislation has been breached, (eg sexual assault and fraud) the principles of natural justice should be applied. They are:
    - The President who is complained about should be informed about the nature of the complaint, and who placed the complaint

- Both the complainant, and the President complained about, must be given an indication of the process that will be used, and an indication of the time frame to resolve, or bring the matter to a conclusion.
  - 5 working days for initial contact and
  - 10 working days to bring to resolve or bring to a conclusion
- The issues of the complaint should be clarified with the complainant (preferably by phone)
- The President should be provided with an opportunity to respond to the issues raised
- The complainant is guaranteed protection from any victimisation or reprisals
- The Vice-President will resolve the issues raised, whenever possible. If unable to be resolved the complainant must be given the reasons why resolution was not possible
- For grievances/concerns/complaints which have not been successfully resolved or concluded to the satisfaction of the complainant, the complainant must be informed of their right to bring the matter to the attention to an outside agency such as:

*NSW Ombudsman*

*telephone contact: 02 9286 1000 or 1800 451 524 or*



*TTY 02 9264 8050*

*The Ombudsman's Office handles complaints about a range of services and providers including public sector agencies and community services*

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| <b>Responsibility</b> |
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It is responsibility of the President to ensure compliance by Board Management members, and the Executive Officer to implement this policy.

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| <b>Related Documents</b> |
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| <b>Version #</b> | <b>Approval Date</b>  | <b>Approved by</b> |
|------------------|---|--------------------|
| 1                | <br>19/08/2014 | PDCN Board         |
| 2                | <br>19.9.15    | PDCN Board         |