POLICY NAME - COMPLAINTS MANAGEMENT		VERSION - 03	
AUTHOR:	CEO	**DATE EFFECTIVE:**	Jan 20, 2017
RESPONSIBILITY:	CEO / Board	**Last review Date:** **Next review Date:**	August 2025 Aguust 2027

PURPOSE:

This policy explains how WollCon deals with complaints from students, families, staff, Music Therapy participants, and members of the public. WollCon aims to achieve consistent treatment in the handling of complaints, assure people that complaints are dealt with impartially and empower people to resolve concerns at the point of origin except for serious complaints.

SCOPE:

This policy applies to complaints about incidents or matters that:

- relate directly to WollCon business decisions or operations
- involves students, customers, staff, and contractors of WollCon
- have already been dealt with at the point of origin for response, but where the complainant remains dissatisfied; or
- meet the definition of a serious matter.

DEFINITIONS

Complainant	means the person/persons who have loged a complaint.
Complaint	means a notification expressing dissatisfaction about conduct or services, including quality of service/product, failure to provide information and
Complaint Management System	means the procedures, policies, practices, staff, and the forms WollCon uses in managing complaints.
Concern	means an issue that has arisen but has not yet been addressed at the level of origin.
Serious Complaint	refers to a complaint that: if proven, could involve an offence under law (e.g., assault, sexual assault, theft etc); or obliges WollCon to act (e.g., sexual harassment, harassment, victimisation etc); or may otherwise present a significant risk to WollCon, its students, staff, or community.
Support Person	means a person whom the complainant or respondent appoints to provide personal support only throughout the process of managing a complaint under this policy.
Respondent	A person or organisation against whom a complaint is made
Vexatious	refers to an action, such as the lodgement of a complaint, that lacks substance and on consideration of the available evidence is deemed to have been
Dispute	An unresolved complaint escalated either within or outside of Wollcon
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about us, about our products [where
Greviance	A clear, formal written statement by an individual worker about another worker or a work-related problem.

POLICY STATEMENT

WollCon is committed to ensuring that complaints received are handled in a manner which is fair, courteous and respects the privacy of the person making the complaint. Further, WollCon is committed to ensuring that reasons are provided for decisions made in relation to any complaint received. WollCon is also committed to making available simple procedures and the provision of all reasonable assistance to those who choose to make a complaint.

WollCon encourages its students and staff to be independent and effective problem solvers. Therefore, attempts to resolve concerns at the local level of origin should be made before lodging a complaint. Serious complaints are an exception to this requirement.

Complaints Management System

WollCon's complaint management procedures are based on a three-tiered approach to complaints handling, as recommended by the Ombudsman NSW. The procedures recognise that, before a complaint is lodged, every effort will be made to resolve an issue early and informally at the first point of contact.

Three-tiered approach:

1. **Informal Resolution:** Staff empowered to resolve issues early and informally wherever possible. As such, they have authority to obtain necessary information to assess the validity of the complaint resolve issues or concerns inform the complainant of the entitlement to lodge a formal complaint if the issue or concern remains unresolved. If the matter is dealt with to the satisfaction of the complainant at this stage, the employee concerned must log a basic record of the informal resolution in Complaints Register held by CEO.
2. **Formal resolution:** Complaint lodged and investigated - only when issue remains unresolved after informal discussions. Where informal resolution of a complaint is not possible the complainant may lodge a formal complaint with WollCon. There are five steps to deal with a formal complaint which are - receiving, acknowledging, investigating, resolutions, and reporting.
3. **External review:** Complainant advised of outcome and options available for further review if not resolved satisfactorily

Complaint Management Procedures

How to lodge a complaint

An employee, client, student, contractor can lodge a complaint verbally or in writing. Wherever possible, complaints should be submitted in writing so that all aspects of the complaint can be accurately investigated.

A copy of the complaint form can be found on WollCon website **HERE** or can be provided by the Admin Service team.

The form outlines the type of information that is required when lodging a complaint.

Written complaints can be submitted on-line (**enquiries@wollcon.com.au**) or a hardcopy mailed to 48 Murphy's Avenue, Wollongong NSW 2500.

Anonymous complaints - while anonymous complaints are not encouraged, they are accepted. They may be lodged either in writing or accepted by an employee as a verbal statement. Complainants are encouraged to provide as much information as possible which may be of assistance when assessing the complaint. It should, be noted that an anonymous complaint might be more difficult to investigate and it will be difficult to provide feedback on the complaint.

Complaints regarding the CEO performance and/or behaviour - Such complaints must be in writing and addressed to the Chair of WollCon Board. The letter should include; Details of the allegations, including date and/or period, contact details of other parties involved or witnesses, any previous action taken to resolve the complaint and the remedy the complainant is seeking

Providing Assistance

WollCon will provide all reasonable assistance to those who need help to communicate in relation to the complaint. Assistance may include, for example, access to an interpreter service or agreement to a personal interview during which the details of the complaint can be written down on the complainant's behalf.

How to Manage a Formal Complaint

Step 1 - Reciept and Acknowledgement

- Complaints may be submitted using the contact form on WollCon web site or email to **enquiries@wollcon.com.au** or contact the CEO to lodge their complaint.
- Complaints will be recorded in the complaints register and acknowledged in writing within 48 hours of receipt.

Step 2 - Assessment

- The complaint will be assessed by the Business Systems Manager or delegate to determine whether the issues raised in it are within WollCon's control and/or meet the criteria set out in this policy.
- The Business Systems Manager or delegate will contact the Complainant to obtain further information regarding the complaint/issue and determine the approach to find a resolution. This can include an informal process.
- In the situation where the Business System Manager or delegate determines formal resolution is required, he/she will commence an investigation within 10 days of receipt of the complaint

Step 3 - Investigating the Complaint

The investigation process must be objective, reasonable, and conducted in good faith. Decisions must be made on the weight of evidence and on the balance of probabilities.

Investigating a complaint may include:

- clarifying the details provided in a complaint
- identifying actions taken to resolve the issue before the complaint was lodged
- analysing information from relevant file notes, correspondence and/or other sources reviewing details of the complaint
- reviewing documentation submitted by the complainant
- reviewing previous administrative decisions or actions
- interviewing complainants, employees and/or other individuals involved in the complaint reviewing relevant policies, procedures, practices and/or legislation
- reviewing previous complaints about the same issue.

Step 4 - Resolution and Outcomes

Complaints will be investigated and resolved within 60 days. However, WollCon recognises that complaints can be sensitive and complex and may require detailed investigation. Therefore, the complexity of, and the resources available for, an investigation into a more complex issue will result in more time being taken to finalise a complaint. In these circumstances, the rationale for the extended time for resolving the complaint must be explained to the CEO, as well as communicated to the complainant.

At the conclusion of the complaint/investigation process the CEO will write to the complainant to advise them of:

- The outcome of the complaint and any action taken or agreed to be taken
- The reasons for the outcome
- Any remedy for them or change to process that has been put in place as a result of the complaint

If there are adverse findings about a particular individual, WollCon will consider any applicable privacy obligations under the Privacy and Personal Information Protection Act 1998 and any applicable exemptions in or made pursuant to that Act, before sharing any findings about that individual with the complainant.

If the complainant is dissatisfied with the outcome of the formal investigation by WollCon, they may appeal the decision to the WollCon and/or seek an external review of their complaint with for example: NSW ombudsman, NDIS safety & quality commission, Anti-discrimination Board.

Step 5 - Record keeping

WollCon will keep a record including:

- a copy of the complaint.
- a copy of the acknowledgement.
- correspondence relevant to the assessment, remedy, and outcome.
- any recommendations for systemic or policy change arising from the complaint; and a copy of the letter of outcome to the complainant.

Other Procedural Issues

Reporting on Complaints

The delegated Admin Service team officer will provide a bi-monthly report to the CEO who will include the information in the board papers.
The report will be de-identified and will include:

- number and categories of complaints received
- outcome of complaints, including corrective action taken at an individual or systemic level any trends which appear to be emerging
- average time to resolution and actual time to resolution viz target time; and
- changes arising from recommendations of any external review or audit findings

Staff Training

The complaints management policy and procedure is a standard topic covered in new starter induction session.

Refresher training in complaintsmanagement policy and procedure occurs annually as part of the in-service session at the general staff meeting that occurs in July and November.

Any changes to the policy will becommunicated through the internal communication channel and Head Teachers will provide explanation of the changes at the end of term monthly meeting.

Music Therapy Participants and rights to lodge a complaint with the NDIS commission

If you have concerns with the music therapy support and services, WollCon encourages you to follow the process above to resolve the complaint. However, if you are not satisfied with the resolution or if you are not comfortable speaking to WollCon about your concerns related to the quality and safety of the therapy services provided you can make a complaint to the NDIS quality and Safeguards Commission.

The contact details are: The NDIS Commission, Call 1800 035 544, Visit www.ndiscommission.gov.au

Victimisaion

Disciplinary action will be taken against any person who victimises or retaliates against a person who has lodged or is involved in a complaint under this Policy. Such action may include termination of employment.

Confidentiality

The WollCon delegated officer managing the complaint will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other employees or workplace participants to determine what happened to afford fairness to those against whom the complaint has been made, and to resolve the issue.

All personnel involved in the complaint must maintain confidentiality.

Procedural Fairness

A decision that directly affects the rights or interests of a person or organisation must be made in accordance with the principles of procedural fairness. A decision maker is required to follow a fair decision-making process, complying with two rules:

- the rule against bias, which is that a decision-maker should have no personal interest in the matter to be decided, have no bias as to the outcome and act in good faith throughout the process. Care should also
- be exercised to exclude perceived bias from the process.
- the hearing rule, which is that the decision-maker must ensure the affected person is notified that a
- decision may be made and is given a reasonable opportunity to express their views before that occurs.

WollCon will apply procedural fairness in its handling of complaints made in accordance with this Policy and Procedures.

ROLES AND RESPONSIBILIITES

The CEO is responsible for:

- Promoting a culture that values complaints and their effective resolution.
- Establishing WollCon's Complaint Management Policy and Procedures.
- Ensuring complaints are effectively addressed in accordance with the complaint management procedures.
- Providing adequate support and direction to employees responsible for handling complaints.
- Regularly reviewing reports about complaint trends and issues arising from complaints.
- Encouraging staff to make recommendations for system improvements.
- Supporting recommendations for service and/or product improvements arising from analysis of complaint data.

Program Leads and authorised delegates are responsible for:

- Understanding, complying with, and managing individual complaints in terms of WollCon's Complaint Management Policy and Procedures.
- Supporting and empowering staff to resolve complaints promptly and in accordance with the complaint
- management procedures; to minimise the need for escalation.
- Ensuring complaints are effectively addressed in accordance with this Policy and Procedures.
- Ensuring appropriate records are kept.

Employees are responsible for:

- Understanding and complying with WollCon Complaint Management Policy and Procedures.
- Dealing professionally, promptly, and courteously with complaints and, where appropriate, providing assistance and information to people looking to make a complaint in accordance with this Policy.

Complainants are responsible for:

- Attempting to resolve the matter early by contacting the relevant person directly to try to settle the issue or concern informally.
- If unable to resolve the matter informally, following WollCon Complaint Management Policy and procedures to lodge a formal complaint.
- Responding to requests for additional information in a timely manner

Respondents will:

- be advised of the substance of any complaint that they are asked to provide response and/or input to
- be allowed to have a support person accompany them to any meeting or interview required under this policy
- be provided with information on any support services available via WollCon.

Making a complaint under this policy is a serious matter with potentially serious consequences for those involved. Persons who provide information are expected to be honest and not provide information that is false or misleading. WollCon reserves the right to take appropriate action (including disciplinary action or reports to the NSW Police or the NSW Independent Commission Against Corruption) if this occurs.

Related Policies, Documents or Relevant Legislation

- WCOM Code of Conduct
- Anti-Discrimination Act NSW 1977
- Fair Work Act 2009
- Child Protection Working with Children Act NSW 2012
- Child Protection Working with Children Regulation NSW 2013
  Privacy and Personal Information Protection Act 1998
- Independent Commission Against Corruption Act 1988
- NDIS Code of Conduct
- NDIS Practice Standards and Quality Indicators, November 2021

VERSION HISTORY				
VERSION	**APPROVED BY**	**REVISION DATE**	**DESCRIPTION OF CHANGE**	**AUTHOR**
1	Board	2017		CEO - Joe Gaudiosi
2	Board	Mar 2022	New format, Inclusions of roles & responsibilities Inclusion of definitions	CEO - David Francis
3	Board	Mar 2024	Inclusion of Music therapy participants and how to lodge a complaint with the	CEO - David Francis
4		May 2025	Review to enhance explanation of how to lodge a complaint, expand definitions to	HR Consultant

VERSION HISTORY				
VERSION	**APPROVED BY**	**REVISION DATE**	**DESCRIPTION OF CHANGE**	**AUTHOR**
01	Board	2017		CEO – Joe Gaudiosi
02	Board	March 22	New format, Inclusions of roles & responsibilities Inclusion of definitions Revised procedures	CEO – David Francis
03	Board	March 2024	Inclusion of Music therapy participants and how to lodge a complaint with the NDIS commission. Revised procedures.	CEO – David Francis
04		May 2025	Review to enhance explanation of how to lodge a complaint, expand definitions to include dispute, feedback, respondent Remove Operations manager responsibilities and change Head Teacher to Program Leads Update with new logo Include procedures for lodging a complaint related to CEO performance or behaviour.	HR consultant