

## 4.05 Complaints

Version	Date Effective	Due for Review
1	01 January 2023	01/01/2024

### 1. GOALS

- 1.1. To ensure all stakeholders of the PTE have an accessible complaints policy and process
- 1.2. Complaints are handled in a timely and efficient manner and are handled appropriately to the level of complexity and/or sensitivity, including consideration of issues from a culture perspective
- 1.3. To ensure complaints are dealt with on the principles of fairness and natural justice.
- 1.4. To ensure complaints and their outcomes are recorded and reported appropriately to ensure transparency and to inform self-assessment practices.

### 2. APPLICATION

- 2.1. This policy and procedure applies to all stakeholders, including students and those supporting them.

### 3. DEFINITIONS

#### 3.1. Issues or concern

- Issues and/or concerns that occur day to day and can be resolved informally.

#### 3.2. Complaint

- Expression of dissatisfaction where a formal process is required to resolve the issue/concern. Formal notification of any issue that requires investigation, action, and a response.

#### 3.3. Low Risk

- Issues that constitute low risk to students or stakeholders – generally system improvements

#### 3.4. High Risk

- Any issues that constitute high risk to the students or other stakeholders including government agencies

#### 3.5. Serious Risk

- Issues involving violence, abuse, cultural safety, unsafe work practice, disclosure of private or confidential information, misrepresentation of YMCANZ for personal gain, theft, possession of or under the influence of non-prescription drugs or alcohol

#### 3.6. Whistleblowers

- Report or disclosure of serious wrongdoing as defined by the Protected Disclosures Act 2000

#### 4. POLICY STATEMENT

- 4.1. Issues of concern can be either in writing or vocalised to a member of YMCANZ staff or Education Managers
- 4.2. All Issues of concern must be recorded at a local level and reported annually to the PTE
- 4.3. YMCANZ staff or Education Managers may use their discretion to escalate an issue of concern to a formal complaint. A formal complaint can be made on behalf of others.
- 4.4. A formal complaint must be lodged in writing with the Education Manager and the General Manager Education
- 4.5. All formal complaints are recorded by the PTE and reported annually to relevant stakeholders
- 4.6. When a formal complaint is received, the Education Manager or General Manager Education will grade according to risk (low, high or serious risk). They will then assign relevant personnel to investigate, following the principles of independence.
- 4.7. If a complaint is about a staff member, he or she is entitled to have details of the complaint. Under normal circumstances for reasons of natural justice, the staff member should be aware of their accuser. If there are extenuating circumstances that may place the complainant at risk, then the complaint may remain anonymous.
- 4.8. Staff members reporting serious wrongdoing under the Protected Disclosures Act must remain anonymous. All care must be taken to investigate without revealing the identity of the whistleblower unless exemptions indicated in the Act apply.
- 4.9. YMCANZ may not proceed with investigating a complaint if it is hearsay (no evidence), or anonymous, or is made more than ninety days after the incident that the complaint is about.
- 4.10. A support person may accompany the complainant or the respondent at any stage of the procedure. This support person will be selected by them.
- 4.11. Any person who feels that the process is unfair may appeal to the National Chief Executive Officer within three weeks of being notified of the outcome of the investigation.
- 4.12. Complaints about Chief Executives will be made to the relevant Board.
- 4.13. Any complaints that may have financial implications (insurance liability) must be notified to the relevant Chief Executive.
- 4.14. Final outcomes of any investigation will be communicated back to the relevant parties in writing within a reasonable time frame.
- 4.15. Complainants must be made aware of the Dispute Resolution Scheme should they not wish to accept the outcome of the complaint.
- 4.16. General outcomes should become part of self-assessment activities (without breaching confidentiality) for continuous improvement purposes.
- 4.17. This policy is made publically available and easily accessible to employees and students.

#### 5. PROCEDURE

Refer to Policy

#### 6. RELATED FORMS AND GUIDANCE

- Education Code of Practice

- Dispute Resolution Scheme
- 4.02 Academic Conduct Policy
- 4.02.1F Code of Conduct Form

## 7. RECORD MANAGEMENT

Record	Responsibility	Filed	Retention Time
Issue of Concern	Provider	O365 SharePoint Provider site	
Formal Complaint (low or high risk)	PTE	O365 SharePoint Governance & Management site	5 years
Formal Complaint (serious risk)	Secretary General	National Office and PTE O365 Governance & Management site	Indefinitely

## 8. OPERATIONAL RESPONSIBILITY

8.1. The General Manager Education holds responsibility for approval of this document and any other subsequent amendments to it

## 9. REVISION HISTORY

Version #	Description of Change	Effective Date
1	New Policy	January 2023