

# The Greens NSW Complaints Policy



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# 1. Introduction

## 1.1. Purpose

The Greens NSW intention is to ensure that we handle workplace complaints in a timely manner, with, efficiency and effectiveness and demonstrated fairness. This policy provides guidance to the key principles and concepts of our complaint management system.

## 1.2. Scope

This policy applies to all employees, volunteers, members, contractors and our governing body, receiving or managing complaints from employees, volunteers, members, contractors and members of the public made to or about us, regarding our policies, activities, employees, members, volunteers, contractors or our complaint handling process.

Complaints made against the Greens NSW Members of Parliament will be addressed by the Complaints Policy only when the complaint can not be addressed by the MPs employment relationship with Parliament.

When handling complaints made against members of the public (including participants and supporters), the scope of the Complaints Policy is limited.

As a member-based organisation, care needs to be taken that the complaint handling process fits with other requirements in the Greens NSW Constitution and/or relevant Local Group Constitution.

All complaints will be taken seriously, with due regard to confidentiality, consent and principles of natural justice. While every effort will be made to ensure all parties to a complaint are satisfied that due process has been followed, it is likely that either the complainant or the respondent will not achieve the outcome they seek and this itself must be managed sensitively.

In addition to the Complaints Policy, refer to relevant policies where complaints relate to;

- The Greens NSW
- Bullying
- Discrimination
- Sexual Harassment or Assault
- Fraud and Compliance

## 1.3. The Greens NSW commitment

The Greens NSW expects employees, volunteers and contractors at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from our people and the way that commitment should be implemented.

### Contacts and Commitments

Who	Contact	Commitment	How
Committee of Management (CoM)	Via <a href="mailto:Secretary@nsw.greens.org.au">Secretary@nsw.greens.org.au</a>	Promote a culture that values complaints and their effective resolution.	Regularly review reports about complaint trends and issues arising from complaints. Support recommendations for changes arising from the analysis of complaint data.
Greens NSW Convenor	<a href="mailto:convenor@nsw.greens.org.au">convenor@nsw.greens.org.au</a>	Promote a culture that values complaints and their effective resolution.	Assist <b>members</b> to make a complaint, if needed. Complaints from volunteers will be referred to the State Manager. Provide regular feedback to management and/or the governing body on issues arising from complaints.

		Demonstrate exemplary complaint handling practices.	Encourage all members and volunteers to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.  Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
<b>State Manager</b>	<a href="mailto:State.manager@nsw.greens.org.au">State.manager@nsw.greens.org.au</a>	Promote a culture that values complaints and their effective resolution.	Assist <b>employees, volunteers and contractors</b> to make a complaint, if needed. Complaints from members will be referred to the Convenor.
<b>Greens NSW Secretary</b>	<a href="mailto:secretary@nsw.greens.org.au">secretary@nsw.greens.org.au</a>	Demonstrate exemplary complaint handling practices.	Provide regular feedback to management and/or the governing body on issues arising from complaints.  Encourage all employees and volunteers to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.  Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
<b>Local Group Convenor and Secretary</b>	<a href="mailto:Secretary@[localgroup].nsw.greens.org.au">Secretary@[localgroup].nsw.greens.org.au</a>  <a href="mailto:Convenor@[localgroup].nsw.greens.org.au">Convenor@[localgroup].nsw.greens.org.au</a>  The full list of local group contacts can be found <a href="#">here</a> .	Promote a culture that values complaints and their effective resolution.  Demonstrate exemplary complaint handling practices.	Assist <b>members</b> to make a complaint, if needed. Complaints will be escalated to the Greens NSW Convenor where appropriate. Complaints from volunteers will be referred to the State Manager.  Provide regular feedback to management and/or the governing body on issues arising from complaints.  Encourage all members and volunteers to be alert to complaints and assist those responsible for handling complaints to resolve them promptly.  Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
<b>All staff</b>		Understand and comply with our complaint handling practices.	Be aware of our complaint handling policies and procedures.  Assist people who wish to make complaints access our complaints process.  Be alert to complaints and assist employees handling complaints resolve matters promptly.  Report complaints to the State Manager, Greens NSW Secretary and/or Greens NSW Convenor where appropriate.

## 2. Terms and Definitions

### Complaint

An expression of dissatisfaction made to or about The Greens NSW, our activities, employees, volunteers, contractors, or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

### Contractor

A contractor is a person who is engaged by the Greens NSW (except as an employee) to complete work agreed to via a services contract. An independent contractor provides services to the Greens NSW and performs work to further their own business.

### Complainant

The complainant is the party who makes the complaint.

### Complaint handling/management system

All policies, procedures, practices, people, hardware and software used by us in the management of complaints.

### Dispute

A complaint escalated either within or outside of The Greens NSW. E.g. A dispute may arise where the complainant or respondent is not satisfied with the complaints handling process.

### Employee

A person employed for wages or salary and in a position below the executive level.

### Feedback

Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our activities or complaint handling system where a response is not explicitly or implicitly expected or legally required.

### Governing Body

The governing body refers to the elected representatives of the State Delegates Council (SDC), Committee of Management (CoM) and Office Bearers (OBs). Our governing body is comprised of volunteers (see definition below).

### Grievance

A clear, formal written statement by an individual employee about another employee, the employer, or a work-related problem.

### Member

A person who has paid for a membership with the Greens NSW and holds a membership status of provisional, current or grace. People whose membership status is expired or unfinancial are not considered to be members of the Greens NSW.

### Member of the public

A member of the public is anyone who is not an employee, member, volunteer or contractor. A member of the public also includes participants and supporters who do not fall into the aforementioned categories.

### Policy

A statement of instruction that sets out how we should fulfil our vision, mission and goals.

### Procedure

A statement or instruction that sets out how our policies will be implemented and by whom.

#### Respondent

The respondent in the party against whom a complaint is filed.

#### Volunteer

A person who is instructed by the Greens NSW to complete a task or undertake ongoing work without pay or reward.

#### Worker

Anyone who performs paid work in any capacity for an employer, business or organisation is considered a worker. The term can also include unpaid workers, such as volunteers.

#### Workplace

A workplace is the place and time where the work of the Greens NSW is conducted.

## 3. Guiding principles

An effective complaint handling system must be modelled on the principles of fairness, accessibility, responsiveness, efficiency and integration into organisational culture.

### 3.1. Facilitate complaints

#### ***People focus***

We are committed to responding to feedback and complaints.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame. The complainant and respondent will be:

- provided with information about our complaint handling process and how to access it, listened to, treated with respect by our people handling complaints and actively involved in the complaint process where possible and appropriate, and
- provided with reasons for our decision/s and any options for redress or review.

#### ***No detriment to people making complaints***

We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### ***Anonymous complaints***

We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. Our ability to investigate and take action may be hindered by the nature of anonymous complaints. Accessibility

We will ensure that information about how and where complaints may be made to or about us is well publicised on our website. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, we will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament, another organisation).

### 3.2. Respond to complaints

#### ***Early resolution***

Where possible, complaints will be resolved as soon as practicable.

## ***Responsiveness***

We will promptly acknowledge the receipt of complaints. We will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and will be escalated internally appropriately.

We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaint process
- the expected time frames for our actions
- the progress of the complaint and reasons for any delay
- their likely direct involvement in the process, and
- the possible or likely outcome options arising from their complaint.

We will advise people as soon as possible when we are unable to respond to any part of their complaint as lodged and provide appropriate advice about where such issues identified and/or complaints may be directed (if appropriate). Where our policy requires that a complaint be escalated to a senior employee or Office Bearer, we will notify the complainant before we share their information. In other circumstances, we will ask complainants for their consent before sharing any information.

We will also advise people as soon as possible in circumstances where we may be unable to meet our time frames for responding to their complaint and provide any reason for our expected delay.

## ***Objectivity and fairness***

We will address each complaint with integrity and in an equitable, objective and unbiased manner.

We will ensure that complaints are handled by an appropriate employee or member of our governing body in relation to any employee, volunteer, contractor etc. whose conduct or service is being complained about.

Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a nominated employee or member of the governing body other than the original decision maker/s.

## ***Responding flexibly***

Our people are empowered to resolve complaints promptly and with as little formality as possible. We will adopt flexible approaches to enhance accessibility for people making complaints and/or their representatives.

We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

## ***Confidentiality***

We will protect the identity of complainants and respondents where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by us as permitted under the relevant privacy laws, secrecy provisions as outlined in applicable legislation and any relevant confidentiality obligations.

Confidential or sensitive complaints and information will be limited to as few people as possible, and may include the nominated person/s, the review committee and any professional support person/s nominated by the complainant and/or respondent.

Confidentiality should not restrict the right to make a complaint, or the rights of complainants and respondents to natural justice.

### **3.3. Manage the parties to a complaint**

#### ***Complaints involving multiple organisations***

Where a complaint involves multiple organisations, we will work with the other organisation/s where possible and as appropriate, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised appropriately to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

#### ***Empowerment of employees***

All employees managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Employees are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

#### ***Managing unreasonable conduct by people making complaints***

We are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible,
- the health, safety and security of people handling complaints, and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect the progress and efficiency of our work. As a result, we will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us, and will support our people to do the same in accordance with this policy.

#### ***Alternative avenues for dealing with complaints***

We will inform people who make complaints to or about us about any internal or external review options available to them (including any relevant oversight regulatory bodies, e.g. The Police, Fair Work Commission etc).

#### ***The three levels of complaint handling***

##### **Level 1**

We aim to resolve complaints at the first level, the frontline. Wherever possible employees will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

##### **Level 2**

Where this is not possible, we may decide to escalate the complaint to a more senior officer within our organisation. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).



Level 3

Where a person making a complaint is dissatisfied with the outcome of our review of their complaint, they may seek a review of our decision.

## **4. Accountability and learning**

### **4.1. Analysis and evaluation of complaints**

We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis by management and the governing body.

We will run annual reports on:

- the number of complaints received
- the outcome of complaints
- issues arising from complaints
- systemic issues identified, and
- the number of requests we receive for internal and/or external review of our complaint handling.

Analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and make improvements.

Both reports and their analysis will be provided to our Office Bearers, the Committee of Management and the State Delegates Council for review, at least annually.

### **4.2. Monitoring of the complaint management system**

We will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints
- identify and correct deficiencies in the operation of the system, and
- monitoring may include the use of audits, and where appropriate complaint satisfaction surveys and online listening tools and alerts.

The State Manager (or their equivalent) will report annually on the monitoring on the complaints management system to the SDC.

### **4.3. Continuous improvement**

We are committed to improving the way our organisation operates, including our management of the effectiveness and efficiency of our complaint management system. To this end, we will:

- support the making and appropriate resolution of complaints
- implement best practices in complaint handling
- recognise and reward exemplary complaint handling by employees
- regularly review the complaint management system and complaint data, and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

# Model Procedure

## Model Policy Complaint Handling

### Introduction

When responding to complaints, the person handling the complaint act in accordance with complaint handling procedures as well as any other internal documents providing guidance on the management of complaints.

The person handling the complaint should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

*The five key stages in our complaint management system are set out below*

### 1. Receive

A formal complaint must be submitted in writing. An informal complaint may be raised verbally in-person or via the phone and may be escalated to a formal complaint at any time by submitting the details of the complaint in writing.

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier/number to the complaint file. The record of the complaint will document:

- Contact information of the person making a complaint and the date received
- Issues raised by the person making a complaint and the outcome/s they want
- Any other relevant information, and
- Any additional support the person making a complaint requires.

### 2. Acknowledge

We will acknowledge receipt of each complaint promptly, as soon as practicable and preferably within 5 working days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the complainant and respondent.

### 3. Assess and investigate

#### 3.1. Initial assessment

After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is within our control. We will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- How serious, complicated or urgent the complaint is
- Whether the complaint raises concerns about health and safety
- How the person making the complaint is being affected
- The risks involved if resolution of the complaint is delayed, and
- Whether a resolution requires the involvement of other organisations.
  
- Whether the complaint is supported by verifiable facts
- Whether the complaint is vexatious or frivolous

Due consideration will be given to the respondents right to natural justice. The respondent will be:

- Notified that a complaint has been made against them
- Provided with the details of the complaint (care must be taken not to contravene the anonymity of a complainant or respondent where it was been requested)
- Given the opportunity to respond to the complaint
- Given fourteen days notice to attend an interview and/or to prepare any written responses
- Kept informed of any updates and timeline adjustments.
- The complainant will be:
  - Given fourteen days notice to attend an interview or to prepare any written responses
  - Provided with a copy of the respondents written response to the complaint and invited to respond
  - Kept informed of any updates and timeline adjustments

### **3.2. Acting on the complaint**

After assessing the complaint, we will consider how to manage it. We may:

- Propose mediation,
- Give the person making a complaint information or an explanation,
- Where appropriate offer an informal resolution

### **3.3 Investigating a complaint**

An investigation may be required where:

- The complainant requests one
- The respondent requests one
- Informal complaints resolution failed or is inappropriate
- Where the complaint involves personal data
- The complaint involves high risk to the Greens NSW
- The complaint involves an individual recognised within a vulnerable person category
- There is a conflict of interest
- The facts are unclear
- There has been media contact or attention
- A professional body or authority requires it
- There is a legal obligation
- Where the principles of fairness and justice require it
- To investigate the claims made in the complaint the GNSW will nominate a subcommittee of delegated person to gather information about the complaint by conducting separate interviews with
  - The complainant
  - The respondent
  - Witnesses
  - Persons that can provide relevant information
  - We will keep the complainant and respondent up-to-date on our progress, particularly if there are any delays. Some complaints may require multiple meetings/contact with the complainant and respondent. Which actions we decide to take will be tailored to each case and consider any statutory requirements. Where new information is provided by an interviewee or other source which is considered relevant by the Investigator it will be provided to the complainant and respondent and a reasonable time provided in which to respond.

## 4. Determine outcome and provide reasons for decision

### 4.1. Contact the complainant and respondent

Following consideration of the complaint and any investigation into the issues raised, we will contact all parties to the complaint and provide them with a Draft Determination. : The determination will include:

- The outcome of the complaint and any recommended action
- The reason/s for our decision
- The remedy or resolution/s that we have proposed or put in place,

### 4.2. Actions, Sanctions and Disciplinary Action

Actions may include one or more of the following:

- Changes to policy and/or procedure
- Reminding our people of our code of conduct, safe meeting practices and/or guiding principles
- Implementing training programs

Outcomes will range proportionally according to the severity of behaviour and the status of the complainant and respondent. Actions may include:

- The complaint is noted
- The complaint is dismissed
- If the complaint is upheld:
  - A Written caution
  - Further education or cultural change initiatives
  - Counselling
  - Changes in contractual arrangements
  - Performance management
  - Suspension from employment,
  - Face dismissal from employment with the Greens NSW
  - Exclusion from organisation events and volunteering
  - Or a combination of the above
- (Please note that any determination which has an impact on staff employment or employment record must also comply with GNSW Staff Collective Agreement.

## 5. Close the complaint: document and analyse data

### 5.1. Document

We will keep records about:

- How we managed the complaint
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations), and
- Any outstanding actions to be followed up, including analysing any underlying or root causes.

### 5.2. Analyse data

We will ensure that outcomes are properly implemented, monitored and reported to our Office Bearers, the Committee of Management and the State Delegates Council.

Complaints will be anonymised and recorded in the Complaints Register. Reports will include outcomes and action/s taken.