

PRO 5.1 Feedback & Complaints

Scope

This procedure outlines ARC Justice's approach to client and stakeholder feedback, including formal and informal feedback and complaints.

Responsibilities

Compliance: All staff, students and volunteers	Review: CARS Committee	Approval: Executive Officer
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Definitions

Feedback: Feedback includes formal and informal comments about or reactions to our organisation and its services. Feedback can include suggestions, complements or complaints, and is used as a basis for learning and improvement.

Informal Feedback: Informal feedback includes the unprompted comments or observable reactions of an individual in their day-to-day interactions with our organisation, staff and services, without the expectation of a response.

Formal Feedback: Formal feedback includes compliments, suggestions and complaints that are submitted through an identified formal mechanism with an expectation or request for response.

Complaint: Any expression of dissatisfaction about a service, action or decision of an organisation or its staff, whether oral or written, and whether justified or not, from or on behalf of a client or stakeholder where a response or resolution is explicitly or implicitly expected or required.

Complainant: is an employee, client, advocate, entity or member of the public who expresses their dissatisfaction about an organisation to either the organisation itself or an external body.

Escalation: is the process of reporting complaints to the relevant senior officer, external agency or funding body if the Complainant is not satisfied with the outcome or management of their complaint.

Natural Justice: a concept used to ensure that proper procedures are following to allow a fair hearing of a complaint. The concept required that a person must be aware of matters which will affect them, be provided with a reasonable timeframe and opportunity in which to present their case, and any decision of outcome must be free from bias.

Procedure

1. How we encourage feedback

- 1.1. ARC Justice welcomes and encourages feedback from clients, stakeholders and members of the community. We view feedback as a valuable opportunity to learn what we are doing well, and to identify areas for improvement.
- 1.2. ARC Justice will consider all feedback it receives, regardless of whether or not this feedback is from a client, a family member, carer or advocate, or a member of the wider community.

- 1.3. ARC Justice will treat all feedback, including complaints, with respect, acknowledging that our clients and stakeholders have the right to provide feedback, and that the issues they raise are important to them.
- 1.4. Feedback may be provided by an individual client or stakeholder on their own initiative, or in response to a request from an organisation.
- 1.5. ARC Justice will provide a variety of mechanisms through which clients and stakeholders can give feedback, and will ensure that support is available to individuals when needed. This may include facilitating access to a support person, interpreter or translation service.
- 1.6. Information about how to provide feedback will be publicised on our website and prominently displayed in our reception areas.
- 1.7. All staff and volunteers must be familiar with the procedures for clients and stakeholders to provide feedback, and are responsible for ensuring that clients, their families, carers and advocates, are informed of what they can expect from the service and how they can provide feedback.
- 1.8. Clients will be informed of their right to make a complaint, including to a third party. The following information will be provided verbally, in hard-copy and on our website:
 - How to make or escalate a complaint, and who to contact.
 - How the organisation will manage the complaint, including communication and timelines, and how the Complainant will be informed about the outcome.
 - The rights of the complainant to an advocate, support person or interpreter.
 - How to make a complaint to an external body, including contact details.
- 1.9. The confidentiality of all parties to a complaint will be maintained, keeping any information private to those directly involved in the complaint and its resolution. Information will only be disclosed if required by law, or if otherwise necessary.
- 1.10. Individuals making a complaint to the organisation will not be penalised in any way or prevented from accessing the organisation's programs and services.
- 1.11. Feedback can be provided anonymously, however, individuals should be made aware that this limits the capacity of the organisation to further investigate or respond.

2. How we receive feedback

- 2.1. Clients, stakeholders and community members can provide feedback through one or more of the following mechanisms:
 - Verbal feedback via phone or in-person with the expectation of or a direct request for response.
 - Feedback Box at Reception;
 - Hard-copy Feedback Form available at Reception or mailed-out upon request;
 - Electronic Feedback Form available on the organisation's websites;
 - Social media accounts managed by the organisation; and
- 2.2. Clients and stakeholders should be instructed to mail feedback to ARC Justice, care of the relevant Program Manager, for example:

c/o Program Manager – Loddon Campaspe Community Legal Centre
ARC Justice
171 Hargreaves St
Bendigo, VIC 3550

- 2.3. Electronic feedback will be submitted to the relevant Program Manager via one of the following email addresses, as listed on our website:
- feedback@arcjustice.org.au
 - feedback@lcclc.org.au
 - feedback@gvclc.org.au
 - feedback@housingjustice.org.au
- 2.4. The following additional mechanisms will be used to encourage clients who have had sustained engagement with our services to provide feedback:
- A paper-based Client Feedback Form will be mailed to a client upon the closure of their file, with a stamped, self-addressed envelope for return, and/or an electronic link to an online Client Survey Form (e.g. Survey Monkey) will be sent via email, text or mail.
 - The option to give feedback via telephone or in-person will be explained on the Client Feedback Form, with contact details for the relevant line manager provided.
 - Client surveys, stakeholder interviews, case studies and focus groups will be conducted periodically by the organisation for more in-depth or specific analysis and are a further opportunity for clients and stakeholders to provide feedback.
- 2.5. Individuals will be encouraged to submit formal feedback in writing where possible, either electronically or by mail. Written feedback will be directed to and received by the relevant program manager.
- 2.6. If an individual requests to provide formal feedback over the phone or in-person, staff should direct them to speak to the relevant program manager.
- 2.7. If the complaint is about a Program Manager, it should be reported to and managed by the Executive Officer.
- 2.8. If the complaint is about the Executive Officer, it should be reported to and managed by the Chair of the Board.
- 2.9. When receiving feedback, staff will:
- Offer for the individual to speak directly to the relevant program manager;
 - Listen respectfully, without judgement;
 - Seek clarification when required;
 - Ask about the desired follow-up action or outcome;
 - Inform the individual that confidentiality will be upheld within the organisation;
 - Seek the individual's consent to discuss the feedback with relevant staff;
 - If the individual does not consent, inform them that this may restrict the ability of the organisation to further investigate and respond to their feedback; and
 - Remind the individual they have the right to make a complaint through an independent, third party organisation.
- 2.10. If the feedback is informal, staff should inform the client or stakeholder of the option and mechanisms to provide formal feedback.

3. How we acknowledge feedback

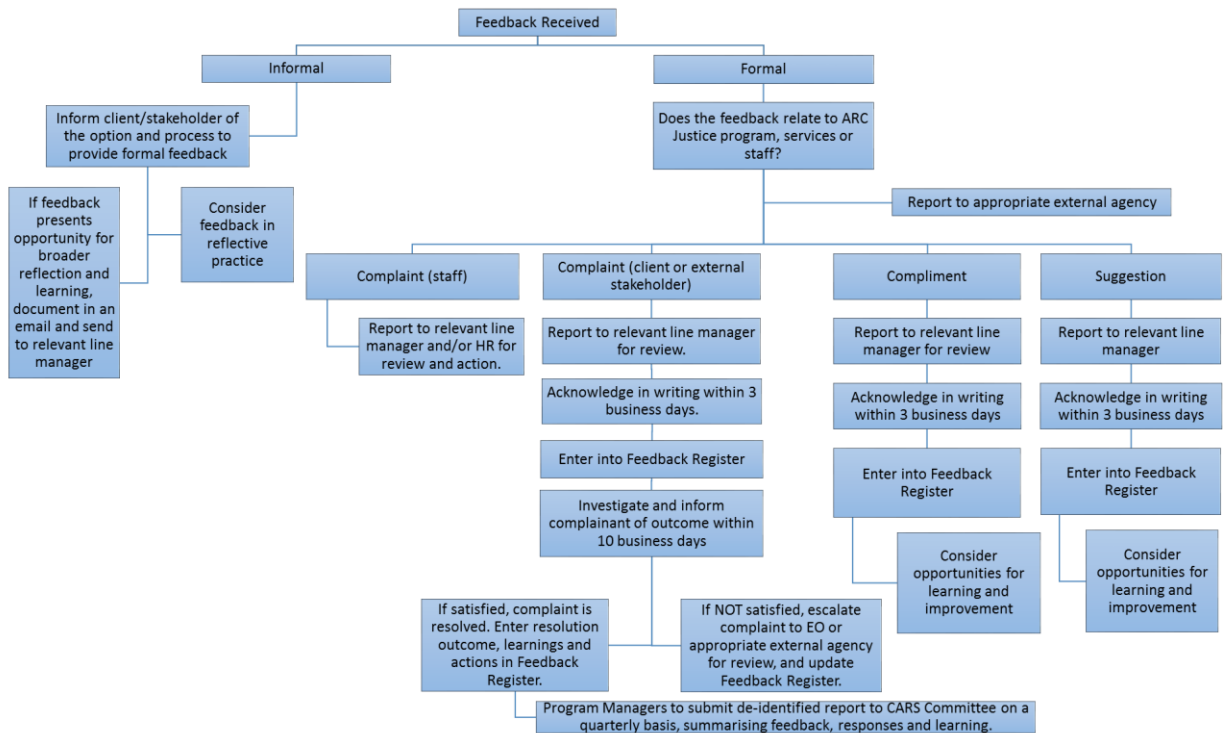
3.1. All formal feedback will be acknowledged by the relevant program manager, in the format it was received, within three business days (see Figure 1 below).

3.2. When acknowledging feedback in the form of a complaint, program managers will provide the following information to the Complainant:

- How the organisation will manage the complaint, including communication, timelines and processes for escalation.
- How the complainant will be informed of the outcome, within 10 business days.
- The rights of the complainant to an advocate, support person or interpreter.
- The rights of the complainant to contact an independent third party if they are not satisfied with how their complaint is being managed, including contact details.

3.3 A checklist and pro-forma is provided to assist managers when responding to complaints.

Figure 1: Feedback & Complaints Procedure



4. How we investigate and respond to feedback in the form of a complaint

4.1. ARC Justice will uphold the following principles of Natural Justice when responding to complaints:

- The person who is the subject of the complaint must know all the allegations in relation to the complaint and must have a full opportunity to put their case forward;
- All parties to the complaint have a right to be heard;
- All relevant submissions and evidence must be considered;
- The organisation must not take into account matters that are not relevant;
- No party to the complaint has the right to individually determine the outcome; and

- The decision-maker(s) must be fair, impartial and just.
- 4.2. Before investigating a complaint, the relevant program manager will:
- Consider the level of risk and priority;
 - Identify the complainant's desired outcome;
 - Consider if this outcome is realistic;
 - Decide what will be investigated and how;
 - Identify who needs to be involved; and
 - Establish an investigation timeline for completion within 10 business days.
- 4.3. During the investigation the relevant program manager will:
- Uphold the principles of natural justice;
 - Ensure impartiality, confidentiality and transparency;
 - Involve the complainant where possible;
 - Document the investigation, including information gathered and actions taken.
 - Ensure records are accurate and dated.
- 4.4. Following the investigation the relevant program manager will:
- Inform the complainant of the outcome within 10 business days and discuss and agree on the response/action to be taken (see Figure 1 above).
 - If this timeframe cannot be met, the complainant should be informed of the reasons why and the alternative timeframe for the investigation and resolution of their complaint.
 - If an apology is required, the relevant program manager should ensure that the appropriate person makes this apology and informs the complainant what the organisation intends to do to avoid further grievances.
- 4.5. Any disciplinary action against a staff member or volunteer arising from a complaint will be taken in accordance with the relevant policies and procedures, in consultation with the organisation's human resources lead/representative.

5. How and when we escalate a complaint

- 5.1. If unable to come to an agreement, or the complainant is not satisfied with the outcome of the investigation and proposed response, the relevant program manager should offer, and seek consent, to escalate the complaint to the Executive Officer.
- 5.2. If the complainant is a client of the Loddon Campaspe Community Legal Centre or Goulburn Valley Community Legal Centre, they must be informed that sharing information with the Executive Officer may result in mandatory reporting obligations (if relevant) and the loss of legal professional privilege.
- 5.3. With the client's consent, the relevant program manager should report the escalated complaint to the Executive Officer immediate, who will acknowledge the complaint within 48 hours.
- 5.4. The Executive Officer will lead a review of the complaint and conduct further investigation as required. For escalated complaints, the use of a mediator or other external specialist will be considered.

- 5.5. The Executive Officer will provide a written response to all parties within seven business days.
- 5.6. Complaints that are deemed to be a serious neglect of duty are considered a critical incident and will be reported to the relevant funding bodies as per funding agreements and the organisation's Incident Management Procedure.

6. How we manage complaints made to an external third party

- 6.1. An individual has the right to make a complaint about the organisation to an external third party at any time.
- 6.2. An external complaints procedure may be required if an escalated complaint cannot be resolved by the organisation to the satisfaction of the complainant, or if the complainant has concerns about how the organisation has managed their complaint.
- 6.3. In these situations, the complainant will be advised of their option to make an external complaint, and referred to the appropriate agency (depending on which of the organisation's programs the complaint related to).
- 6.4. Individuals seeking to lodge an external complaint about Loddon Campaspe Community Legal Centre or Goulburn Valley Community Legal Centre should be informed that they may not be able to access legal assistance from the CLC in future due to conflict of interest.
- 6.5. If an individual chooses to lodge a complaint with an external third party, ARC Justice will provide information and support to the individual to make this complaint.
- 6.6. ARC Justice and its programs will fully cooperate in any investigation which may take place, including participation in early resolution, conciliation and reporting on resolutions and corrective actions to the third party.
- 6.7. External complaints will be managed by the Executive Officer under the guidance of the third party.
- 6.8. If a complaint is made to the Victorian Legal Services Board and Commissioner in relation to the Loddon Campaspe Community Legal Centre or Goulburn Valley Community Legal Centre, the relevant Legal Practice Manager will oversee the matter and liaise with VLSB, reporting to the Executive Officer. Although VLSB does not always follow this procedure, the Lawyer/s involved in the complaint will also be informed and consulted.

7. How we record feedback and complaints

- 7.1. Survey results are collated to support monitoring and evaluation activities and are generally managed by the program team and accessible. Where a client has requested a specific response and or there are program learnings this may be passed on to the program manager to be included in the Formal Feedback Register (Feedback Register).
- 7.2. Each ARC Justice Program will keep a Feedback Register, managed by the relevant Program Manager.

- 7.3. The Feedback Register and files will be confidential, stored in a password protected folder, and accessible only to the relevant Program Manager.
- 7.4. The following data will be recorded in the Feedback Register for compliments and suggestions received via informal feedback mechanisms:
- Contact details for client or stakeholder
 - Details and nature of feedback
 - Date lodged
 - Further action required
 - Lessons learned
 - Links to supporting documents
- 7.5. The following data will be recorded in the Feedback Register for complaints received via formal feedback mechanisms:
- Contact details for the complainant
 - Details and nature of the complaint
 - Date lodged
 - Actions taken to review/investigate
 - Date of resolution and reasons for decision
 - Date complainant was informed of outcome
 - Complaint's response
 - Further action required
 - Lessons learned
 - Links to supporting documents
- 7.6. Records in the Feedback Register will be kept for a minimum of seven years.
- 7.7. While there are no requirements to report or respond to informal feedback, staff are encouraged to document this in an email and share it with their program manager and relevant colleagues, and to consider this feedback during reflective practice sessions.

8. How we analyse and use feedback

- 8.1. Program Managers will submit a report to the CARS Committee on a quarterly basis, with a de-identified summary of feedback received, responses, and lessons learned.
- 8.2. The CARS Committee will analyse the collated feedback to identify themes, lessons learned and recommendations for service improvement across programs, reporting to the Board Finance, Risk, Audit and Quality (FRAQ) Committee.
- 8.3. The CARS Committee and Program Managers will also identify appropriate methods for sharing de-identified feedback and lessons learned with staff to encourage reflection and learning for service improvement.
- 8.4. Feedback will be used to inform service planning, and as a key source of data for service quality monitoring and evaluation.

9. How we monitor and evaluate feedback procedures and trends

- 9.1. The CARS Committee is responsible for reviewing and evaluating the Feedback and Complaints Procedure.
- 9.2. The CARS Committee will also evaluate individual feedback mechanisms and work to increase the accessibility and use of these mechanisms by clients and stakeholders.
- 9.3. The following measures of success will be used to evaluate the Feedback and Complaints Procedure.

Measures of Success	
Minimum Standard	Good Practice Standard
100% of clients are informed about their right to provide feedback and mechanisms for doing so.	Trends in feedback and lessons learned are captured and shared with staff and the Board.
100% of formal complaints are recorded in the Feedback Register and acknowledged within three business days.	Program Managers can give examples of feedback informing service planning, improvements and decision-making.
95% of formal complaints are resolved within 10 business days to the satisfaction of the complainant.	

Related policies, procedures and documents

This procedure should be read in conjunction with:
<p>Policies: POL 3.3 Incident management POL 5.1 Stakeholder engagement</p>
<p>Procedures: PRO 5.1 Feedback and complaint PRO 3.7 Incident management</p>
Documents and resources
Feedback register (per Program) Complaint Response Checklist Pro forma for responding to complaints Feedback Form

Review and Revision history

This Policy will be reviewed at a minimum on a three yearly basis.

Date	Document History	Person
May 2012	Created and drafted	Julie U'Ren
Feb 2016	Reviewed	HJ Team
Jan 2019	Adjusted to Procedure and reviewed	Annika Kearton and CARS Committee
Feb 2020	Approved	Executive Officer

