

POLICY & PROCEDURE 009

Complaints Management

Access Community Housing

Category	Our Organisation	Version	6
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SCOPE

This policy sets out the Company's position and the procedures to be followed in the case of complaints in relation to our clients, staff, Board members, consultants, contractors or complaints directly arising from the performance of duties on behalf of the Company.

This expressly excludes matters within the area of discrimination or harassment, which are covered by the specific Company Policy and Procedures covering those matters.

ORGANISATIONAL COMPLAINTS

The Company considers the building and maintenance of an impeccable reputation to be a critical success factor.

Any incident that may result in, or be perceived to result in, an adverse impact on the Company's reputation or any person's wellbeing and legitimate rights is considered serious.

The Company will adopt all reasonable measures available to it, within the law and scope of its authority to promptly and effectively investigate and resolve any complaints received regarding its operations, the behaviour and/or performance of any employee or other person in the course of carrying out duties and/or instructions on behalf of the Company.

PRINCIPLES

- The principle of natural justice will apply and will guide the application of this policy and procedures.
- All parties involved in the resolution processes are encouraged to participate in good faith and the principles of natural justice and procedural fairness will be observed.
- Complaints managed under these procedures will be dealt with promptly and sensitively.
- The complaint resolution process will be carried out in good faith and complaints that are found to be frivolous, vexatious, misconceived or lacking in substance will nevertheless be managed with a view to avoiding any adverse impact on the reputation of the Company.

HUMAN RESOURCE COMPLAINTS

The purpose of this policy is to manage internal and external complaints in relation to staff of the Company. All attempts should be made to resolve all staff-related complaints informally and as soon as practicable. This policy applies to all staff employed by the Company.

In providing a fair and safe workplace where staff will be treated with dignity and respect, the Company will deal with all staff-related complaints fairly, sensitively, consistently and in a timely manner. The Company will do so within its legal obligations according to relevant legislation.

The Company:

- Will encourage staff to raise issues of concern as soon as practicable.
- Will promptly and effectively investigate all complaints.
- Where possible, will provide staff with a process that allows for complaints to be resolved in an informal manner.
- If required, will allow for formal mediation to resolve complaints.
- Will provide a consistent approach to all complaints to allow for transparency and fairness.
- Will ensure that all complaints relating to members of staff remain confidential and that no staff member is disadvantaged through raising a complaint.
- Where required, may initiate disciplinary procedure investigations immediately in response to allegations of conduct or behaviour against a staff member that may be considered misconduct or serious misconduct.

CLIENT COMPLAINTS

Clients have the right to efficient and effective management of complaints and appeals, and will continue to be treated in a respectful manner during any complaints or appeal processes.

Clients have a right to complain and will be provided with information on the processes involved in making a complaint.

Clients have the right to request a review or to appeal any decision made by the Company.

The purpose of this policy is to:

- Deal with any matters regarding a complaint or appeal, which tenants may have with the Company.
- Ensure tenants are aware of the processes involved in making a complaint, seeking a review or lodging an appeal of any decision.
- Ensure that a request for a review or an appeal of any decision is dealt with in a transparent and timely manner.

ACHC recognises that our clients, their supports, organisations and community members have the right to raise issues of concerns with ACHC. Accordingly, ACHC will endeavour to provide a fair and just environment, by aiming to ensure that clients have access to a process for the resolution of complaints related to the services provided by ACHC.

All complaints will be:

- Acknowledged (unless anonymous), investigated and remediated.
- Handled in a fair and positive manner with confidentiality maintained (as much as possible) throughout the process.
- Recorded on the relevant Complaints Register with high-risk complaints and unresolved complaints included in Board reporting for service improvement purposes. The Complaints Register will include details of the complaint, the actions taken and the outcomes of the complaint.

- Handled with the aim of resolving the complaint expediently and appropriately, and making any warranted improvement to procedures, service delivery and policy.

ACHC will use its reasonable endeavours to:

- Deal with complaints in a supportive way, without victimisation or intimidation of any person connected with the complaint.
- Encourage fairness, impartiality and the resolution of complaints as promptly and as closely as possible to the source of the complaint.
- Have all staff seek to resolve complaints expeditiously.
- Fully document the complaint.
- Consider the client's wishes in determining the appropriate steps and actions.

CLIENT COMPLAINTS RESOLUTION PROCEDURE

The Client Complaints Resolution Procedure is designed to ensure that the concerns of Complainants engaging with ACHC are treated seriously and are addressed promptly and fairly.

What is a Complaint?

A complaint is any type of problem or concern related to services provided by ACHC. A complaint can be about any act, behaviour, omission, situation or decision impacting on the client, individual or business, which they think is unfair, unjustified, unacceptable or unsatisfactory.

A complaint may be made orally or in writing.

A complaint can relate to almost any aspect of services, for example:

- Quality of services provided.
- Timeliness or responsiveness of services.
- The provision or withholding of services.

Tenancy Related Disputes

Residential Tenancies and Rooming Accommodation Act 2008 Dispute

Tenants are expected to resolve neighbourhood disputes either through their own initiative or with assistance from an appropriate agency (e.g., police, local government or a dispute resolution centre) with or without the assistance of their Housing Officer.

The Housing Officer can only be involved in matters related to the Residential Tenancies and Rooming Accommodation Act 2008. If the conflict or grievance is tenancy-related and is covered by the Residential Tenancies Act, then the matter should be immediately referred to the Residential Tenancies Authority or a tenant's advocacy service. This information is outlined in the Tenant Information Kit with links to the RTA website. Determination of a conflict referred to the Residential Tenancies Authority shall be deemed to be final.

Tenants will be encouraged to speak directly to the Housing Officer initially to make a complaint or offer feedback on the services of ACHC. In accordance with this policy and procedure, tenants have the right to expect that a complaint will be dealt with promptly and confidentially, and that they will not be penalised for making a complaint or appealing a decision.

Nuisance Dispute

If an ACHC tenant, a member of their household, or their visitor, causes a dispute or nuisance, the Housing Officer will investigate the matter as soon as possible following the report of the issue.

The Housing Officer will take the following steps to investigate the matter:

- Record the complaint in the contact log with details of date, time, and people involved.
- Interview relevant parties, with full details as above.
- Speak with a support agency, if applicable.
- Enter the premises (if safe to do so, and if necessary, with assistance) to protect the premises from imminent or further damage if necessary.

If the Housing Officer believes that the provisions of any tenancy have been breached they are to act in accordance with the Residential Tenancies and Rooming Accommodation Act 2008. The tenant has the right to appeal the decision by the Housing Officer by following the appeals process below. If the investigation by the Housing Officer indicates that the tenant may be subject to harassment or

discrimination, the Housing Officer should refer the tenant to a support agency who may be able to assist. In ongoing cases the tenant may be offered relocation to another available property at the discretion of the CEO.

Dealing with Complaints

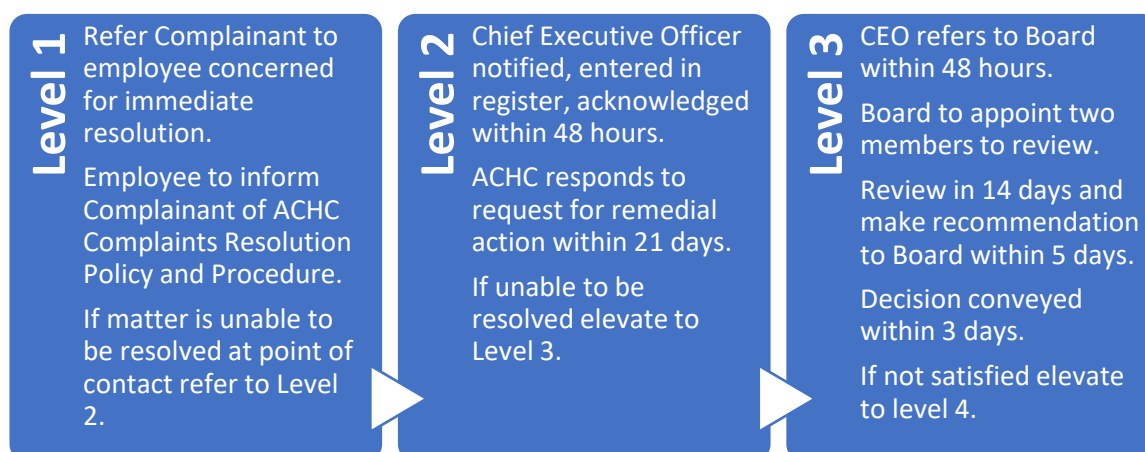
A complaint may be made in person, by telephone, by email or in writing. If a complaint is made in person, the person receiving the complaint shall record the complaint in writing, enter it into the relevant file, and have the Complainant sign it where possible. Complainants who request assistance to lodge a complaint will be referred to an advocacy service for support.

Members of the Board of Directors and its employees will always act and conduct themselves in a courteous and professional manner and are expected to have a clear understanding of the Client Complaints Resolution Process. Information and privacy must always be observed by staff and only those directly involved in a complaint process need access to that information.

Immediately upon receipt, complaints will be triaged according to the Complaints Resolution Procedure outlined below. The assessment of the complaint should be carried out by the most senior ACHC representative available.

Complaints Resolution Procedure

Whenever a complaint is received, ACHC will endeavour to address the complaint in line with the following assessment and triage procedure.



Level 1: Easily Resolved Issues or Incidents Requiring Minimal Intervention

This type of complaint is most often received verbally but may be received in writing.

The person making the complaint is directed to the appropriate employee, given an opportunity to discuss the issue and request assistance to resolve the complaint.

The employee will inform the Complainant of ACHC's Client Complaints Resolution Procedure to resolve the complaint together.

If the Complainant is not satisfied with the response, the employee will inform the Complainant that they can make a formal complaint, preferably in writing, and arrange the assistance of an interpreter if required.

Level 2: More Complex Issue or Incident Requiring Intervention from Key Personnel

If the issue or incident cannot be resolved in an informal way, a more formal process will commence.

The CEO must be immediately made aware of the complaint, record it in the complaints register and provide a written acknowledgement within 48 hours.

The party raising the complaint should be requested to notify ACHC of the issue that requires addressing and advise of what actions are required to address those complaints.

Within 21 days, ACHC must respond in writing to the issues of the complaint and the actions which are required to address those concerns.

The parties are to then implement an agreed solution to the issue of concern within an agreed time frame.

If the Complainant is not satisfied the matter will be elevated to a level 3 complaint

Level 3: Issues That Are Unable to Be Resolved by the CEO.

If a Complainant is not satisfied with the way the CEO has handled a complaint, or where the complaint involves the CEO, the matter will be referred to the Board of Directors within 48 hours.

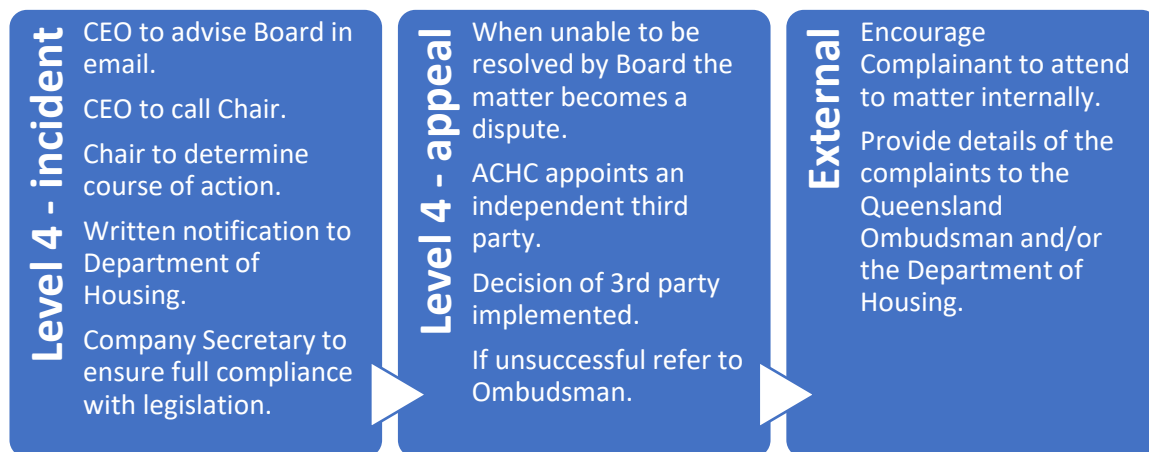
The Board of Directors will appoint two members to review the complaint and make a recommendation to the Board.

The nominated members will meet within 14 days of receiving the complaint to consider the matter.

Once a decision has been reached, the full Board will be informed of the recommendation within five days of the decision.

The Complainant will be advised within three days of the Board ratification of the decision.

Persons who may bring a complaint and are dissatisfied with the outcome may appeal the decision within seven days of being notified in writing of the decision. In an appeal, a mediator approved by both parties will be appointed to hear the grievance and seek resolution.



Level 4: Critical Incidents Requiring External Intervention or Complaints Unable to be Satisfactorily Resolved By The Board

Critical Incident

In the event of a critical incident, the CEO will advise the Chair and Board of Directors immediately by email.

The CEO will also telephone the Chair to advise of the incident.

The Chair will consider the CEO's recommendation regarding the management of the incident moving forward and how it is to be managed.

The incident will be recorded in the Complaints Register and written notification of the incident is to be provided to the Department of Housing by email.

Anonymous Complaints

A complainant may remain anonymous if they choose. Should this occur, the complaint will be investigated with the same rigor as any other complaint, as far as possible with the information provided and without interaction with the complainant. Actions will be taken as appropriate following completion of the investigation where the nature and detail of the anonymous complaint allows this. No complaint acknowledgement or details of the outcome will be provided. Any actions resulting from the anonymous complaint will be recorded in the complaint record. Anonymous complaints can be made in person, in writing, via email or by telephone. In-person complaints can be left in the mailbox outside the ACHC office or handed to any member of ACHC staff.

Appeal

If a complaint was unable to be resolved by the Board within the time frames set out in level three, and the matter becomes a dispute, then ACHC will request the other party to agree to refer the dispute to an independent suitably qualified person ("the mediator") agreed to by both parties for resolution.

The decision of the mediator is to be implemented by the parties, unless the mediator is unsuccessful in resolving the dispute.

If a mediator is unable to successfully resolve the dispute, the Complainant will be encouraged to contact the Queensland Ombudsman's Office to have their matter attended to.

OTHER AVENUES OF COMPLAINT

ACHC encourages its clients to resolve any issues or complaints that they may have at the earliest opportunity. The preferred process involves working with the client in resolving issues to their satisfaction internally, without referral to external organisations.

However, if a client believes a complaint has not been addressed appropriately, they have the right to contact:

The Queensland Ombudsman

1800 068 908 (Toll free outside Brisbane only)

The Department of Housing

1800 451 139 (toll free outside Brisbane only)

ORGANISATIONAL COMPLAINT PROCEDURES

It is the responsibility of Managers/Team Leader to:

- Ensure that all employees concerned are sufficiently informed prior to an investigation in the workplace, whilst protecting confidentiality.
- Ensure that the policies and procedures in relation to the making of a complaint or resolution are followed.

- Ensure that the workplace is supportive of an employee on the completion of any investigation.
- Act fairly and impartially in investigating and attempting to resolve a complaint.

RECORDING AND NOTIFICATION

In the case of a significant verbal complaint being made about the Company, staff, Board members, consultants, or contractors, the staff or Board member in receipt of the complaint should encourage the complainant to make the complaint in writing, explaining that:

- This will provide a level of detail that enables the Company to properly investigate.
- It will confirm that the complainant is confident of the facts of the matter.
- It will ensure that the details of the complaint are communicated to the Company accurately, without distortion or omissions.
- Appropriate levels of confidentiality will be maintained, and personal privacy will be respected.

Whether or not the complainant wishes to submit a written complaint, the staff or Board member in receipt of the verbal complaint will nevertheless record the complaint including, to the extent available to them:

- The time and date the complaint is made.
- A description of the subject matter and circumstances verbally described to them.
- Corroboration of any information known to the staff or Board member.
- Identification of all parties involved.

The CEO will be immediately advised of complaints, including those formally received by the Company. Anonymous written complaints will be referred to the manager/team leader deemed most appropriate for investigation who will then report to the CEO. All complaints will be registered in the Organisation & Human Resources Complaints' Register which is managed by the CEO and members of the leadership team.

GENERAL RESPONSE

Formal Written Complaints

Within seven (7) days of receipt of a formal, signed, written complaint, an acknowledgement must be sent to the relevant parties. It is the CEO's responsibility to ensure this occurs. Acknowledgement of the complaint should include:

- Confirmation the complaint has been lodged and the date it was received.
- Any action that has taken place since the complaint was lodged.
- How the complaint is proposed to be resolved or investigated.
- When it is anticipated that the complaint will be resolved.

Complaint investigations will be given due priority and should be investigated by the CEO or person delegated by them within fourteen (14) days from the receipt of the complaint. A delegated person may be an employee of the Company or an external party, at the discretion of the CEO.

In conducting an investigation, the CEO or delegated person may call upon any files or documentation of the Company relevant to the complaint, or may require any officer of the Company to provide a written report concerning any aspect of the complaint. The CEO or delegated person may supply a

copy of such file, documentation, or report (or any part thereof) to the complainant and to the relevant persons who are the subject of the complaint, and afford them a reasonable opportunity to make a written response to such material.

The CEO or delegated person must decline to release such file, documentation or report if in their opinion:

- a) It contains any confidential or sensitive information concerning any person, (whether a staff member of the Company or not).
- b) Release of the information would be in breach of Australian privacy or other laws.
- c) The release of such material may potentially expose the Company or any person concerned to litigation. In such cases, legal opinion will be sought prior to release of such information or referral to an external authority.

Other Complaints

In the case of complaints recorded by staff or Board members and anonymous written complaints, the manager/supervisor so delegated will investigate in a timely manner and provide a report to the CEO. The extent of investigation and detail of the report will be commensurate with the seriousness of the complaint and the degree of potential it has to impact on the Company's reputation and/or adversely affect individual persons.

The CEO will decide on an appropriate course of action based on the report and record the action taken.

COMPLAINTS AGAINST STAFF OR OPERATIONS

A written complaint may be dealt with informally through discussion with the individual staff member or members concerned and the complainant, if the complaint is of a minor nature and the complainant wishes the matter to be dealt with in this fashion. In this event, the manager/supervisor concerned should as soon as reasonably practicable, make a file note of the complaint and its resolution.

The CEO or their delegated representative (who may not be an employee) may conduct mediation between the complainant and the staff member or members concerned. If an agreed outcome is reached, a synopsis of the agreement shall be prepared by the person mediating, to be signed by the complainant and the staff member. A copy of the synopsis shall be supplied to both the complainant and the staff member or members concerned, and the original document retained on the Complaints Register.

If an agreed outcome cannot be reached through mediation, the person mediating shall prepare a report of the mediation, supply a copy of such report to the complainant and the staff member or members concerned.

The CEO shall then make a decision concerning the complaint and shall supply a copy of the decision, together with reasons for the decision, to the complainant and staff member(s). The written response is to be sent within 28 days from receipt of complaint.

OUTCOMES

Some complaints will be resolved shortly after they are made, by the simple provision of clear information, or the copy of a particular document. Other complaints will involve a more complex process and investigation. A range of outcomes are possible from a complaint and may include:

- The provision of reasons for a particular decision being made at first instance.

- The provision of a particular document or documents.
- Disciplinary action against a staff member.
- A finding the complaint was without merit, frivolous or vexatious.
- Referral of the matter to an external agency for further investigation or review.
- Introduction of operational or administrative procedures, policies or practices.
- The issuing of a public statement by an authorised officer of the Company.
- Changes to existing operational or administrative procedures, policies or practices.
- Redress for the complainant.

Some complaints must be referred externally for action. For example, if a complaint concerns corrupt or fraudulent conduct by a member of staff or Governing Board member, or in cases of alleged criminal conduct.

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