

**Foster Care Association of Victoria Inc.**

# **FEEDBACK AND COMPLAINTS POLICY**

**2016**



FCAV Feedback and Complaints Policy was adopted 16<sup>th</sup> September 2010 and reviewed and adopted by FCAV Board of Directors on 11<sup>th</sup> March 2014. This policy has been reviewed and updated 15 March 2016.

## **FCAV FEEDBACK AND COMPLAINTS POLICY**

### **Authorisation:**

This policy was adopted by the FCAV Board of Directors, at a Board meeting, 16<sup>th</sup> September 2010, reviewed and updated 5 February 2013. It was further reviewed and amendments adopted 15 March 2016.

### **Review date:**

This policy shall be reviewed in March 2019.

### **Scope & Purpose:**

This policy provides guidelines for the collection of feedback and its utilization to ensure continuous improvement of FCAV's services, practices, processes and relationships.

The feedback policy applies to feedback (including complaints) about services, governance and all staff, volunteers and members of the FCAV. The feedback policy and process is available to all people who come in contact with or use FCAV services. This policy also, specifies the processes for resolution of formal complaints as well as provides an avenue for Board member complaints to be resolved.

### **Definitions:**

**Feedback** includes praise, suggestions for improvement, comments, compliments, complaints, allegations and thanks. Feedback may be collected routinely as part of the evaluation and improvement process and spontaneously from individuals.

**Forms of feedback** include letters, complaint forms, surveys, evaluation or response sheets, conversations, community consultations, consumer reference groups.

**Feedback collection methods** include surveys and interviews, suggestion boxes, focus groups, carer questionnaires, staff surveys, community and/or stakeholder consultations, thank you cards etc.

**Complaints** are expressions of dissatisfaction made by people who come into contact with or use FCAV services.

**Complaints types** include complaints about governance, quality of service, safety and security of workers and volunteers, FCAV physical environment and facilities.

**Complaints officers** for formal and informal complaints are determined by the FCAV Board of Directors.

**Remedies** may include an apology, an explanation, an admission of fault, changes to policies or procedures, changed decisions, disciplinary action, mediation, referral to external body for investigation.

**Prescribed access** means that access to information is protected and limited to a defined small group to ensure confidentiality and privacy. The Complaints officer will make

judgment on a case by case basis regarding who is appropriate to view complaint materials or have awareness of complaint details.

**External authorities** include police, protective services, the Victorian Ombudsman, the Victorian Disability Commissioner, Victorian Equal Opportunity and Human Rights Commission.

**Natural justice** is procedural fairness. Under this policy, procedural fairness in the resolution of complaints will be achieved by decision makers acting in good faith and granting a hearing, before a decision is made, to any person whose interest will be affected by the exercise of that decision.

### **Policy Statement:**

The FCAV values feedback as a constructive way to reflect and improve its policy and practice. Feedback assists in the development of responsive services.

The FCAV will encourage all forms of feedback about the way it operates, its interactions and relationships with carers and community service organisations and the services it provides. People who *provide* and *use* FCAV services have the right to contribute to the quality of the services.

The FCAV Board respects that inter-board disputes may arise from time to time and the principles of this policy will allow for effective resolution.

The FCAV will act fairly and transparently and treat both those who provide feedback and those who are the subject of the feedback (positive or negative) with dignity, courtesy and respect. The privacy and confidentiality of all parties will be protected.

Internal, operational issues or grievances between staff will utilize the FCAV Employee and Volunteer Grievance Policy.

- Feedback principles: Actively promote, to all who come into contact with the FCAV and those who use its services, opportunities to provide feedback;
- Take all feedback (positive or negative) seriously and respond promptly;
- Provide those giving feedback with access to the grievance procedure and/or external processes, should they be dissatisfied with the way the feedback process has been handled;

### **Complaint process principles:**

The wellbeing of people will remain paramount in any complaints process.

- All complaints will be managed effectively taking into account the principles of confidentiality, impartially, fairness/natural justice and promptness.

- Complaints, complainants and those who may be subject to a complaint will be treated with fairness, objectivity, respect and dignity.
- Decisions relating to complaints will be made on the weight of evidence and on the balance of probabilities.
- If a FCAV worker or volunteer is identified in the complaint, they have the right to be informed of the nature of the complaint, given the opportunity to respond fully and supported if required.
- The complaint investigation process will be planned, resourced and explained clearly to the complainant and any staff member, or volunteer subject to the complaint.
- Complaint investigation processes will be conducted within defined time lines and outcomes clearly explained to the complainant and the relevant agency personnel.
- The FCAV will be responsive to feedback and accountable for the management and outcomes of the feedback.
- Judge all complaints on their merits and facts, acting on any conflict of interest;
- Provide an appropriate remedy for any complaint that is substantiated;
- Provide a clear explanation of why and what actions have been undertaken as a result of complaint;

#### **Feedback collection, utilisation and reporting principles:**

- People who provide and use FCAV services will be informed of the feedback and complaints policy and procedure. The information will be in plain English and provided in an appropriate format.
- Feedback will be built into the FCAV planning and review cycle and sought routinely from people who use FCAV services;
- All feedback collected through this process will be subject to FCAV privacy and confidentiality procedures;
- The Executive Officer will monitor the feedback (and complaints register) and provide the Board of Directors with recommendations for change;

#### **Responsibilities:**

- The Executive Officer is the Complaints Officer under this policy for formal written complaints. The Complaints officer will ensure that:
  - The feedback and complaints policy and procedure is publicly displayed and promoted;
  - Staff, volunteers and Board Members have awareness of the policy and procedures;
  - A feedback and complaints register is maintained, with prescribed access on a "as-needs basis"
- summary reports periodically provided to the Board of Directors;
- Responses to feedback, including complaints is timely, considered and followed a fair process.

- In respect to formal complaints received the Executive Officer will be the final internal decision maker. If the complainant remains unsatisfied, at the discretion of the Executive Officer, the matter will be referred to the FCAV President who may provide advice and/or support to the Executive Officer or the Executive Office may seek the President's direct involvement on the matter.

In the event that a formal complaint is lodged about the conduct of the Executive Officer, the President will assume the responsibilities as the Complaint Officer to resolve that specific complaint.

### **Process for formal written complaints:**

- If an issue or feedback cannot be resolved informally through discussion and/or agreement then a formal written complaint can be submitted using the Formal Complaint Form.
- A written complaint should be submitted to the Complaints Officer who will record it on the Complaint Register
- A written complaint should provide as much detail as possible including:
  - The outcome sought
  - Identify relevant parties
  - History of the issue
- The Complaints Officer, will determine how the complaint is to be considered including if investigation is required.
- The complainant will receive written acknowledgement of the complaint within 5 working days as well as the proposed course of inquiry e.g. that further information needs to be gathered or response received, or the matter will be formally investigated and the investigator identified etc. If possible the complaint should be responded to and decision provided within 15 working days.
- A record of the response or actions taken will be recorded on the complaints register
- If deemed appropriate an investigation may occur. Any investigation conducted will adhere to the following principles:
  - Advise the complainant of the process including timelines, confidentiality, fairness and safety from discrimination or retribution;
  - Give the individual identified in the complaint a copy of the complaint and explain the right of support, confidentiality, fairness and the right to response;
  - Talk with the complainant and identified person/s, gather any documentation – evidence should be corroborated;
  - Talk with witnesses, assuring them of confidentiality and safety from retribution;

In the event that the complainant remains dissatisfied with the response received by the Complaints Officer to a formal written response, they may seek final review by the President of the FCAV Board. The President will seek history and understanding from the Complaints officer or relevant parties. The President will adhere to the principles outlined in this policy.

**External complaints:**

Complainants dissatisfied with the complaints process may make a referral to external agencies and authorities. Complainants have the right to complain to the Victorian Ombudsman at any stage. The Ombudsman may investigate the FCAV governance and administrative processes but not adjudicate on, for example, the outcomes of professional decision making.

**Notification of complaints to external authorities:**

The FCAV will, where the complaint involves allegations of criminal activity or breaches of legislation or regulation promptly refer the complaint to the appropriate external authority.

## Formal Complaint Form

NOTE: This is a formal complaint and it may be investigated and/or resolved accordingly. All complaints must be lodged in writing and given to the Complaints Officer.

Name: \_\_\_\_\_

Relationship to FCAV: \_\_\_\_\_

Phone number: \_\_\_\_\_ email address: \_\_\_\_\_

### Complaint details

Please include answers to the following relevant questions:

- What was the incident (if there was more than one incident, list the details in date order)
- When did the incident(s) happen? Please specify dates or approximate dates including day/month/year and time of the day
- Where did the incident(s) occurred (office, offsite)
- Who was responsible for the incident(s). Include name(s) and title/position
- Why you believe the incident(s) resulted in an inappropriateness or unfairness
- Other consequences
- What in your opinion needs to occur to resolve this complaint?
- If you have any supporting evidence please attach it to this form.
- Please list any witnesses who may be able to assist in dealing with your complaint

---

---

---

---

### Who have you raised this complaint with at FCAV?

Employee name: \_\_\_\_\_

### Summary of discussion

---

---

---

---

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received by Executive Officer \_\_\_\_\_ Date: \_\_\_\_\_