

# COMPLAINTS AND GRIEVANCES POLICY

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## Mandatory – Quality Area 7

### PURPOSE

This policy will provide guidelines for:

- receiving and dealing with complaints and grievances at the Jewish Labour Bund
- procedures to be followed in investigating complaints and grievances.

Note: This policy does not address complaints relating to staff and volunteer grievances or employment matters.

### POLICY STATEMENT

#### 1. VALUES

The Jewish Labour Bund is committed to:

- its ideologies, which underpin our approach and actions as an organisation
- providing an environment of mutual respect and open communication, where the expression of opinions is encouraged
- complying with all legislative and statutory requirements
- dealing with disputes, complaints and complainants with fairness and equity
- establishing mechanisms to promote prompt, efficient and satisfactory resolution of complaints and grievances
- maintaining confidentiality at all times.

#### 2. SCOPE

This policy applies to all staff, volunteers, parents/guardians, children and others attending the programs and activities of the Jewish Labour Bund (including SKIF).

#### 3. BACKGROUND

Complaints or grievances may be received from anyone who comes in contact with the Jewish Labour Bund including parents/guardians, volunteers, students, members of the local community and other agencies.

In most cases, dealing with complaints and grievances will be the responsibility of the Jewish Labour Bund committee, Yugt Bund committee and SKIF helper group. All complaints and grievances, when lodged, need to be initially assessed to determine whether they are a general or a notifiable complaint (refer to *Definitions*).

Please note the following reporting procedure for grievances:

If report is received by...	A SKIF helper	A SKIF forzitser	Yugt Bund committee	Bund volunteer or employee (other than SKIF helper)	Jewish Labour Bund committee or committee member
1 <sup>st</sup> stage of report	The SKIF forzitser/s	Yugt Bund (via Yugt Bund Forzitser)	Jewish Labour Bund Executive	Jewish Labour Bund committee member	Where applicable, Jewish Labour

					Bund Executive
2 <sup>nd</sup> stage of report	Yugnt Bund (via Yugnt Bund Forzitsler)	Jewish Labour Bund Executive	Where applicable, the Jewish Labour Bund committee	Jewish Labour Bund Executive	
3 <sup>rd</sup> stage of report	Jewish Labour Bund Executive	Where applicable, the Jewish Labour Bund committee		Where applicable, the Jewish Labour Bund committee	
4 <sup>th</sup> stage of report	Where applicable, the Jewish Labour Bund committee				
The Jewish Labour Bund may authorise for a grievance subcommittee or individual to investigate the matter.					

When a complaint or grievance has been assessed as 'notifiable', the relevant parties, as noted above, will investigate the complaint or grievance and take any actions deemed necessary, in addition to responding to requests from and assisting with any investigation by external regulatory entities (such as police), where applicable.

There may be occasions when the complainant reports the complaint or grievance directly to an external body. If an external provider then notifies the Jewish Labour Bund Inc. about a complaint they have received, they will still have responsibility for investigating and dealing with the complaint or grievance as outlined in this policy, in addition to co-operating with official investigations by an external regulatory entity.

## 4. DEFINITIONS

The terms defined in this section relate specifically to this policy.

**Complaint:** (In relation to this policy) a complaint is defined as an issue of a minor nature that can be resolved promptly or within 24 hours, and does not require a detailed investigation. Complaints include an expression of displeasure, such as poor service, and any verbal or written complaint directly related to the service (including general and notifiable complaints).

Complaints do not include staff, industrial or employment matters, occupational health and safety matters (unless related to the safety of the children) and issues related to the legal business entity, such as the incorporated association or co-operative.

**Complaints and Grievances Register:** (In relation to this policy) records information about complaints and grievances received at the service, together with a record of the outcomes. This register must be kept in a secure file, accessible only to relevant volunteers, staff and Responsible Persons at the service. The register can provide valuable information to the Jewish Labour Bund on meeting the needs of children and families at the organisation.

**Dispute resolution procedure:** The method used to resolve complaints, disputes or matters of concern through an agreed resolution process.

**General complaint:** A general complaint may address any aspect of the Jewish Labour Bund Inc. e.g. a lost clothing item or activity fees. The complaint must be dealt with as soon as is practicable to avoid escalation of the issue.

**Grievance:** A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature e.g. a breach of a policy or not meeting the care expectations of a family.

**Mediator:** A person (neutral party) who attempts to reconcile differences between disputants.

**Mediation:** An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

**Notifiable complaint:** A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported in writing to the secretaries of Yugnt Bund and the Jewish Labour Bund within 24 hours of the complaint being made. If one is unsure whether the matter is a notifiable complaint, it is good practice to contact the secretaries anyway. Written reports must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of the nominated person who will be investigating the matter
- any other relevant information.

**Serious incident:** An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the service in contravention of the Regulations or is mistakenly locked in/out of the service premises (Regulation 12). A serious incident should be documented as soon as possible and within 24 hours of the incident.

## PROCEDURES

### The Jewish Labour Bund is responsible for:

- identifying, preventing and addressing potential concerns before they become formal complaints/grievances
- ensuring that the contact details for the relevant party to whom complaints and grievances may be addressed are displayed prominently at the main entrance of the service
- advising parents/guardians and any other new members of the Jewish Labour Bund Inc. of the complaints and grievances policy and procedures via the Jewish Labour Bund and SKIF websites and therefore, ensuring that this policy is available for inspection at all times
- being aware of, and committed to, the principles of communicating and sharing relevant information with employees, volunteers, and members
- responding to all complaints and grievances in the most appropriate manner and at the earliest opportunity
- treating all complainants fairly and equitably
- providing a *Complaints and Grievances Register* and ensuring that staff and volunteers record complaints and grievances along with outcomes
- complying with privacy and confidentiality standards
- establishing a Grievances Subcommittee or appointing an investigator to investigate and resolve grievances (see attachments 1 and 2)
- referring notifiable complaints (refer to *Definitions*), grievances (refer to *Definitions*) or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator
- informing the relevant party (see table above) in writing within 24 hours of receiving a notifiable complaint (refer to *Definitions*)

- receiving recommendations from the Grievances Subcommittee/investigator and taking appropriate action.

**The staff and volunteers are responsible for:**

- responding to and resolving issues as they arise where practicable
- maintaining professionalism and integrity at all times
- discussing minor complaints directly with the party involved as a first step towards resolution (the parties are encouraged to discuss the matter professionally and openly work together to achieve a desired outcome)
- informing complainants of the Jewish Labour Bund's *Complaints and Grievances Policy*
- recording all complaints and grievances in the *Complaints and Grievances Register* (refer to *Definitions*)
- notifying the relevant parties (see table above) if the complaint escalates and becomes a grievance (refer to *Definitions*), is a notifiable complaint (refer to *Definitions*) or is unable to be resolved appropriately in a timely manner
- providing information as requested by the Jewish Labour Bund Inc. e.g. written reports relating to the grievance
- complying with privacy and confidentiality standards
- working co-operatively with the Jewish Labour Bund Inc. in any investigations related to grievances about the organisation, its programs, staff or volunteers.

**Parents/guardians are responsible for:**

- raising a complaint directly with the person involved, in an attempt to resolve the matter without recourse to the complaints and grievances procedures
- communicating (preferably in writing) any concerns relating to the management or operation of the Jewish Labour Bund Inc. as soon as is practicable
- raising any unresolved issues or serious concerns directly with the Jewish Labour Bund, via:
  - The SKIF forziters ([skifhelfer@gmail.com](mailto:skifhelfer@gmail.com))
  - The Safeguarding Children coordinator ([safeguardingskiftistn@gmail.com](mailto:safeguardingskiftistn@gmail.com))
  - The Jewish Labour Bund secretary ([bundmelbourne@gmail.com](mailto:bundmelbourne@gmail.com))
- maintaining complete confidentiality at all times
- co-operating with requests to meet with the Grievances Subcommittee or investigator and/or provide relevant information when requested in relation to complaints and grievances.

**Volunteers and SKIFistn or other participants, while at Jewish Labour Bund Inc. activities, are responsible for following this policy and its procedures.**

**EVALUATION**

In order to assess whether the values and purposes of the policy have been achieved, the Jewish Labour Bund will:

- annually seek feedback from everyone affected by the policy regarding its effectiveness
- monitor complaints and grievances as recorded in the *Complaints and Grievances Register* to assess whether satisfactory resolutions have been achieved
- review the effectiveness of the policy and procedures to ensure that all complaints have been dealt with in a fair and timely manner
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the Jewish Labour Bund's policy review cycle, or as required
- notify parents/guardians/community members of any changes to this policy or its procedures.

## **ATTACHMENTS**

- Attachment 1: Sample terms of reference for a Grievances Subcommittee/investigator
- Attachment 2: Dealing with complaints and grievances

## **AUTHORISATION**

This policy was adopted by the Jewish Labour Bund on

## **REVIEW DATE:**

## **ATTACHMENT 1**

### **Sample terms of reference for a Grievances Subcommittee/investigator**

DATE ESTABLISHED:

#### **PURPOSE**

- A Grievances Subcommittee has been established by the Jewish Labour Bund to investigate and resolve grievances lodged with the organisation.
- An investigator/panel of investigators has been appointed by the Jewish Labour Bund to investigate and resolve grievances lodged with the organisation.

#### **MEMBERSHIP**

Three people are nominated by the Jewish Labour Bund, and membership must include a minimum of one Responsible Person (refer to *Definitions*).

#### **TIME PERIOD NOMINATED**

The Grievances Subcommittee/investigator shall be appointed for .

#### **MEETING REQUIREMENTS**

The subcommittee convenor/investigator is responsible for organising meetings as soon as is practicable after receiving a complaint or grievance.

#### **DECISION-MAKING AUTHORITY**

The subcommittee/investigator is required to fulfil only those tasks and functions as outlined in these terms of reference.

The Jewish Labour Bund may decide to alter the decision-making authority of the subcommittee/investigator at any time.

#### **BUDGET ALLOCATION**

All expenditure to be incurred by the subcommittee/investigator must be approved by the Jewish Labour Bund. A request in writing must be submitted by the subcommittee/investigator.

#### **REPORTING REQUIREMENTS OF THE COMMITTEE**

- The subcommittee/investigator is required to keep minutes of all meetings held. These are to be kept in a secure file, stored at Waks House.
- The convenor is required to present a written report to the Jewish Labour Bund about the grievance, ensuring that privacy and confidentiality are maintained as applicable.

## **TASKS AND FUNCTIONS OF THE GRIEVANCES SUBCOMMITTEE/INVESTIGATOR**

- Responding to complaints in a timely manner
  - Investigating all complaints received in a discreet and responsible manner
  - Implementing the procedures outlined in Attachment 2 – Dealing with complaints and grievances
  - Acting fairly and equitably, and maintaining confidentiality at all times
  - Informing the Jewish Labour Bund if a complaint is assessed as notifiable
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- Keeping the Jewish Labour Bund informed about complaints that have been received and the outcomes of investigations
  - Providing the Jewish Labour Bund with recommendations for action
  - Ensuring decisions are based on the evidence that has been gathered
  - Reviewing the terms of reference of the Grievances Subcommittee/investigator at commencement and on completion of their term. Suggestions for alterations are to be presented to and approved by the Jewish Labour Bund

## **ATTACHMENT 2**

### **Dealing with complaints and grievances**

#### **DEALING WITH A COMPLAINT**

When a complaint is received, the person to whom the complaint is addressed will:

- inform the complainant of the Jewish Labour Bund's *Complaints and Grievances Policy*
- encourage the complainant to resolve the complaint with the person directly, or to submit their complaint in writing
- enter the complaint in the *Complaints and Grievances Register* (refer to *Definitions*) together with the outcome
- comply with privacy and confidentiality standards of the Jewish Labour Bund with regard to all meetings/discussions in relation to a complaint
- inform the relevant party (see table above) if the complaint escalates and becomes a grievance (refer to *Definitions*), a notifiable complaint (refer to *Definitions*) or is unable to be resolved appropriately in a timely manner.

#### **DEALING WITH A GRIEVANCE**

When a formal complaint or grievance is lodged with the service:

- the staff member and/or volunteer receiving the formal complaint or grievance will record all relevant details regarding the grievance in the *Complaints and Grievances Register* (refer to *Definitions*) and immediately inform the relevant party (as outlined in the table above)
- the Jewish Labour Bund will inform the Grievances Subcommittee, if there is one, or appoint an investigator(s) to investigate the grievance
- the Grievances Subcommittee/investigator will assess the grievance to determine if it is a notifiable grievance (refer to *Definitions*)
- the written report to the Jewish Labour Bund needs to include:
  - details of the event or incident
  - the name of the person who initially made the complaint
  - if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
  - contact details of a nominated member of the Grievances Subcommittee/investigator
  - any other relevant information

## **GRIEVANCES SUBCOMMITTEE/INVESTIGATOR RESPONSIBILITIES AND PROCEDURES**

In the event of a grievance being lodged, the Grievances Subcommittee/investigator will:

- convene as soon as possible to deal with the grievance in a timely manner
- disclose any conflict of interest relating to any member of the subcommittee/panel of investigators. Such members must stand aside from the investigation and subsequent processes
- consider the nature and the details of the grievance
- maintain appropriate records of the information and data collected, including minutes of meetings, incident reports and copies of relevant documentation relating to the grievance
- respect the confidential nature of information relating to the grievance. The Jewish Labour Bund Inc. and the subcommittee/investigator must handle any grievance in a discreet and professional manner
- store all written information relating to grievances securely and in compliance with privacy and confidentiality standards

#### **INVESTIGATING THE GRIEVANCE AND GATHERING RELEVANT INFORMATION**

When investigating the grievance and gathering relevant information, the Grievances Subcommittee/investigator will:

- meet with individual witnesses, and give right of reply to the person against whom the allegations are made in relation to any accusation or information relating to an alleged incident
- offer the complainant the opportunity of meeting with the subcommittee/investigator to discuss the complaint and provide additional information where relevant
- inform the complainant of the procedures for dealing with the grievance if the complainant does not take up the opportunity to attend a meeting
- document the time, date and detail of meetings/discussions
- review relevant information and documents
- obtain any other relevant information or documentation that will assist in resolving the grievance
- seek advice, where appropriate, from individuals and organisations that may be able to assist in resolving the grievance (any cost in seeking advice will require prior approval by the Jewish Labour Bund).

#### **FOLLOWING THE INVESTIGATION**

Once the investigation of the grievance is complete, the Grievances Subcommittee/investigator will:

- endeavour to resolve the grievance with the parties involved
- meet to discuss the information gathered and determine further action, including generating recommendations to be presented to the Jewish Labour Bund
- ensure that any recommendations or actions are in accordance with relevant legislation and funding requirements
- The Jewish Labour Bund will review the report and any subcommittee/investigator recommendations and will be responsible for making decisions on the action to be taken (if any), including relevant review mechanisms
- advise the complainant and other relevant parties of any decisions made by the Jewish Labour Bund in relation to the grievance
- follow up to monitor progress on any actions taken by the Jewish Labour Bund.