

GENERAL PROCEDURES FOR COMPLAINTS

COMPLAINTS PROCEDURE

Better Blokes has a formal process for receiving and dealing with complaints. This process is given and explained to clients and staff members.

- A formal complaint must be made in writing in the first instance to the Manager.
- All complaints received are investigated promptly.
- On receipt of a formal complaint, the Manager must assess the level the complaint needs to be addressed at.
- If appropriate and the complaint involves an ACC client, the complaint will be escalated to ACC or the appropriate professional body.
- If handled on a managerial level appoint a Mediator acceptable to the complainant will be appointed
- The Manager must be convinced that the Mediator appointed has the appropriate skills necessary to carry out the task.
- The Mediator must, at all stages of the investigation, remain impartial and fair-minded. Any person, against whom a complaint is made, is entitled to an impartial investigation in accordance with the requirements of natural justice.
- The selection of a Mediator requires the acceptance of all parties.

ALLEGATION POLICY

If the complaint is an allegation of inappropriate behavior as defined below the following process will be followed.

Definition of inappropriate behavior:

- A person has behaved in a way that has or could have caused harm to a child, young person, vulnerable adult, client or colleague
- A criminal offence has been committed
- Verbal abuse of a child, young person, vulnerable adult, client or colleague
- Causing harm by failing to follow policy
- Failure to act to protect a child, young person, vulnerable adult, client or colleague, from harm

GENERAL PRINCIPLES

- Will take seriously and investigate all allegations of inappropriate conduct by a staff member, volunteer or contractor.
- Will ensure it has several experienced, knowledgeable, professional people on their network list who can be called on to assist in the investigation of allegations against a staff member, volunteer or contractor- to be known as the external advisor
- All allegations will be investigated in a fair, quick and consistent manner
- The allegation will be managed by the “investigation panel”.
- The panel will consist of the Board Chair, the Manager, and an external advisor. (If for some reason the Board Chair or Manager are incapacitated or uncontactable, the panel will be made up of other board members).

- If the allegation is against the Manager the panel will consist of the Board Chair, the external advisor and one other board member.
- All parties will be asked to sign a confidentiality form which prevents the sharing of information about the investigation until it is completed.

POLICY WILL BE FAIR TO ALL

The Complainant

- The safety of the complainant must be ensured before the investigation is launched.
- The complainant will be met by the Manager and Board Chair and informed that the allegation is being taken seriously and is being investigated.
- The family or supporting adults of the complainant will be assigned a liaison from the Board to keep them informed of progress –at agreed time intervals.

The Accused Person

- The person will be met by the Manager and the Board Chair and informed of the allegation.
- They will be instructed not to have any contact with the person making the allegation or their family.
- They will be encouraged to seek support from a union, or to identify other people who can provide legal or moral support.
- They will be assigned a liaison from the Board to keep them informed of progress.
- They will be offered the opportunity to work through a management plan with their Board liaison to identify strategies to stay focused and healthy throughout the investigation e.g. sleep, exercise, eating well, time management etc.
- They will be reassured that the matter will be kept confidential while the matter is being investigated.
- They will sign a confidentiality agreement

START QUICKLY

Within 1 day of receiving the allegation the Board and Manager (or appropriate others) will begin implementation of the process.

POLICY WILL BE CONSISTENT

- If the allegation is of a violent or sexual nature or asserts that negligence has caused serious physical harm to the complainant, the matter will be referred to the Police to investigate.
- If the allegation is one of negligence, failure to act or one of verbal abuse an internal investigation will be conducted.
- Regardless of role, tenure, historical relationship or work-related results all allegations will be managed by one of the above options.
- The investigation will continue whether the accused person co-operates or not, resigns, or is dismissed.

SUSPENSION OF DUTIES

If the allegation is such that has been referred to the Police or is considered by the panel to be serious and dangerous the accused may be suspended from duties while the investigation is carried out.

INTERVIEWS

- Each party will be interviewed separately. Support people will be able to attend but not participate unless invited to by the panel.
- The details of the interviews and subsequent meetings will be recorded.
- There may be a need to re-question the parties concerned.

OUTCOME

- A decision will be made.
- Both parties will be informed of the outcome via a personal meeting with Board Chair and Manager and a letter stating the outcome and if required an apology

CONSEQUENCES

If the allegation is upheld and depending on the nature and seriousness of the allegation:

- The Board will instruct the Manager to follow policy and procedure if the accused is to go through dismissal procedure
- The Manager may formally warn the accused and/ or
- The Manager may organize training and monitoring for the accused

If the allegation is not upheld:

- The accused and manager will debrief to identify strategies for smooth re- entry to the workplace, reassurance and support, strategies to avoid recurrence.