



Board approved: 25 January 2017
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AbSec Complaint Management Policy

Policy Position

AbSec is committed to resolving both internal and external complaints in a prompt, impartial and just manner for all involved. AbSec will endeavour to ensure that individuals who report or make complaints or those who are involved in the resolution of the issues are not subject to reprisals or victimisation.

This policy aims to ensure the following procedural fairness elements:

- *the opportunity for all parties involved to be heard and the right to a fair hearing;*
- *the right to attend hearings or interviews with a friend or support person, if required;*
- *the respondent having full knowledge of the nature and substance of the grievance;*
- *the opportunity for all parties to respond to allegations made against them during the course of an investigation;*
- *the right to an independent, unbiased decision-maker; and*
- *a final decision based solely on the relevant evidence.*

Scope

This policy relates to AbSec complaint handling processes for the management of:

- The conduct and experience of **AbSec employees, volunteers, Board members and contracted parties** in line with AbSec Policies and Procedures;
- Internal and external complainants including member agencies, families, communities or other stakeholders around AbSec facilities, resources or / and the availability or quality of service or support

Definitions

A complaint is generally an expression of dissatisfaction or grievance, an objective or criticism when a person feels something is not satisfactory. Complaints may be internally received or externally via member agencies, families, communities or other stakeholders relating to the following areas:

- Workplace bullying;



- Discrimination and harassment; and
- Sexual harassment
- Behaviours contradicting the Code of conduct
- Maintenance of facilities or resources
- Availability or quality of service or support

Complaints may vary in severity and complexity. Complainants have an option to progress concerns either through formal or informal complaint processes.

A **Complainant** is the individual or individuals/s expressing dissatisfaction or grievance

A **respondent** is the individual or individual/s who are the subject of complaint or responsible for responding to the issues of complaint eg: supervisor responsible for program area

An **Informal complaint** intends to resolve less serious concerns quickly. The complainant is generally seeking an agreement or shared understanding on how to avoid future problems, rather than to substantiate the complaint via investigation or other means. The process is considered 'informal' and as such may not be documented specifically. The complainant or / and the respondent or their supervisors may choose to note 'informal complaint' outlines and learnings within related documents e.g.: supervision or annual review.

A **Formal Complaint** aims to substantiate a complaint with evidence or / and seek a resolution of the complaint issues. The complaint, process and finding are formally documented.

A Formal complaint is usually appropriate when:

- when the complainant wishes to formalise processes
- informal attempts have failed or inappropriate
- the allegations are believed serious
- when a formal process is believed to better ensure the safety of parties involved e.g.: bullying complaint
- when an individual feels victimised as a result of a making or substantiating a complaint



AbSec employees should be familiar with their complaint lines and responsibility in receiving, transferring or managing possible complaints in line within this policy. A broad guide includes:

Maintenance of facilities or resources	All Absec employees
Availability or quality of service or support	Relevant Executive, CEO or if required Board
Breach of Bulling, sexual harassment or code of conduct policies	Relevant Executive, CEO or if required Board

Responsibilities

1. Making a complaint

A complaint should be made in writing to an employee’s manager as soon as possible. If the complaint is about the relevant manager, or where there is an actual or perceived conflict of interest, the complaint should be made to the next most senior manager. Where a complaint relates to the Chief Executive Officer, complainants should refer their concerns to AbSec Board Chairperson

The complaint should contain sufficient information including, but not limited to, details of the behaviours/incidents which is alleged to constitute the inappropriate conduct and:

- The name(s) of the individuals (s) complained about and the names of any witnesses;
- Dates(s) and location(s); and
- A description of what occurred.

2. Reviewing the complaint

Upon receiving a written complaint, the relevant manager or Chairperson should conduct an initial review of the written complaint and meet with the employee to clarify the complaint and/or, if necessary, seek further information.

The relevant manager or Chairperson, in consultation with their supervisor or /and HR advisor, should then assess the potential seriousness of the complaint and determine:

1. Whether any initial action needs to be taken (such as separating employees); and
2. How the matter should be resolved (e.g. private discussions, mediation, internal/external investigation).



If the AbSec CEO (or their elected delegate) and the relevant manager decide that it is necessary for a workplace investigation to be conducted the AbSec CEO (or their elected delegate) will appoint an Investigating Officer. The Investigating Officer may be the relevant manager, another employee or an external party. In the event that complaint refers to the Chief Executive Officer, the AbSec Chairperson may, depending of the seriousness of the complaint elect to:

- Stand down the CEO and appoint temporary management
- Convene a special meeting with the Board to consider the course of action. This may include delegating an investigating party;
- Undertake initial investigations and report back to the Board

3. Workplace Investigations

The Investigating Officer must ensure, so far as is reasonably practicable, that the investigation is conducted confidentially. The respondent will be provided with the substance of the complaint as soon as possible and be invited to provide a response to the allegation(s).

Witnesses to alleged instances may be asked to participate in the workplace investigation and give their version of events. All employees must cooperate with the reasonable requests of the Investigating Officer.

The Investigating Officer should report back to the AbSec CEO (or their elected delegate) or Chair (or their delegate) on their findings within a reasonable time period after commencing the investigation.

4. Confidentiality

All employees, including those who make a report or complaint, or about whom a complaint is made, or who participate in the investigation of a report or complaint, are required to maintain confidentiality about the complaint and matters discussed with named investigation stakeholders.

5. Resolving the complaint

In some cases a complaint may be resolved through private discussions and/or mediation without the need for a formal investigation (informal complaint). Where a complaint is resolved in this way, an appropriate record of the outcome will be made.

Where a workplace investigation is conducted, the AbSec CEO (or their elected delegate) or where relevant Chairperson will consider the findings reported by the Investigating Officer and determine the



appropriate course of action. This may include:

- Where an employee who is the subject of a complaint has acted in breach of relevant workplace policy and/or legislation, appropriate disciplinary action up to and including termination of employment depending on the severity of the breach(s);
- Other remedial action as is necessary to address any workplace issues;
- Where it has been determined that a complaint has been made falsely or maliciously against another employee disciplinary action may be appropriate against the complainant, up to and including termination of employment.

AbSec will endeavour to ensure that employees who report or make complaints concerning the above matters or those who are involved in the resolution of the issues are not subject to reprisals or victimisation.

AbSec will log complaints and the outcomes on the AbSec Complaints register

Related documents

- AbSec Whistle Blowers Policy
- AbSec Sexual Harassment Policy
- AbSec Anti-Bullying Policy
- AbSec Code of Conduct
- AbSec WH&S Policy
- AbSec Confidentiality Policy
- AbSec Complaints form
- AbSec Complaints checklist
- AbSec Complaints register