

### Complaints, Grievances and Appeals

#### Policy

Lions Emergency Accommodation Centre Inc. (LEAC) is guided by organisational values and goals that promote honesty, empathy, fairness, accessibility and equity. In order to achieve these stated principles LEAC has an efficient, fair accessible grievance procedure to ensure that complaints against individuals and/or the organisation can be aired in a manner that will ensure a fair hearing and swift action to seek resolution.

#### Procedure

LEAC will ensure that all relevant parties are informed of how to make complaints, instigate grievance procedures and to appeal decisions.

LEAC Management Committee may convene the Complaints, Grievances and Appeals sub-committee, from time-to-time to ensure that all complaints, grievances and appeals are addressed promptly and fairly.

LEAC will establish and delegate authority to a Grievance and Appeals Sub-Committee and ensure that a Chairperson is appointed. This body shall not operate outside its terms of reference without authority from the LEAC Management Committee.

The Grievances and Appeals Sub-Committee must conduct its business in accordance with LEAC operational procedures, code of ethics and relevant legislative requirements.

All complaints, grievances and appeals must be discussed in accordance with LEAC confidentiality and privacy requirements.

Parties involved have the right to third party representation at hearings.

Where issues discussed are likely to hold legal consequences for LEAC, the Grievances and Appeals Sub-Committee should advise the Management Committee as soon as possible.

The Grievance and Appeals Sub-Committee is the final ruling of LEAC on the matter.

LEAC will ensure that persons making a complaint are not victimised or vilified in any way as a consequence of making a complaint.

#### Resolution Process

A complaint/grievance may be taken to the Co-ordinator for resolution, if it is unable to be resolved beforehand by the appropriate staff member.

The Co-ordinator may request the complaint/grievance in writing.

The Co-ordinator will determine if the complaint/grievance is one appropriately dealt with by the organisation, and if necessary refer the matter to the appropriate authority.

The Co-ordinator will make a detailed record of the complaint/grievance and all actions, agreements, decisions ensuing.

If the complaint/grievance is not resolved or if in the opinion of the Co-ordinator the complaint/grievance is serious enough or is outside the scope of the Co-ordinator's role the complaint/grievance will be forwarded to the Management Committee.

### **Grievance/Complaint Sub-Committee**

The Sub-Committee will arrange for dispute hearings, hear disputes and investigate and consider matters related to the dispute.

The Management Committee will convene a Grievance and Appeals Sub-Committee to deal with matters arising from: a client, a Management Committee member, members, an employee, neighbours or any other person who may have an interest in LEAC.

Issues the Grievance/Sub-Committee can hear:

- Any complaint/grievance which results from a complaint which could not be resolved by staff or the Co-ordinator, which has been presented in writing to the Sub-Committee, other than tenancy matters where the appropriate process is through the Small Claims Tribunal or other matters where the appropriate processes are through the police or other statutory authority.
- Appeals in writing against any decision taken by a staff member, provided that the appeal is submitted in writing prior to the matter being referred to the third party.
- Complaints/grievances staff may have with Management decisions or within the workplace.

Issues the Grievance and Appeals Sub-Committee cannot hear:

- Complaints/grievances concerning tenancy issues that have been referred to the Small Claims Tribunal.
- Complaints/grievances relating to another tenant or a neighbour. These matters are resolved in the same way as private housing issues are resolved and referred to the appropriate advocates and support agencies.
- Staff work performance, staff conduct or any matters dealt with in the employment contract.

### **Presenting the Complaint/Grievance**

All complaints/grievances to the Sub-Committee must be in writing and signed. In the event that the complainant is not able to write the complaint another person may write the complaint and/or interpreters organised. The complainant must sign the complaint letter.

The letter of complaint must outline the details of the complaint and indicate their desired outcome.

Grievance/complaints Pro Formas are available at the office and provided to any person wishing to make a complaint.

All complaints/grievances shall be addressed promptly and acknowledged in writing.

### **Grievance and Appeals Sub-Committee Meeting**

The Grievance and Appeals Sub-Committee shall meet as soon as possible after receiving a written complaint.

The first consideration of the Grievance/Complaints Sub-Committee will be to decide if the grievance/complaint is one suitably managed by the Sub-Committee or if it should be referred to an independent arbiter.

The delegated person will advise all parties to the complaint/grievance, by phone and in writing, of the grievance process to be followed, including:

- Attending a meeting with the Sub-Committee (time/date/venue)
- Preparing necessary documentation
- Maintaining confidentiality within the Sub-Committee.

The Grievance and Appeals Sub-Committee will ensure that the Sub-Committee shall never include any person with a vested interest or conflict of interest in the grievance. Natural justice principles must be followed. The Chair of the Sub-Committee will decide on the most appropriate options to resolve the grievance/complaint, either by meeting with all parties at the same time or hearing individual parties. There will only be one hearing per issue, per complainant and the decision of the Sub-Committee will be binding.

### **Advocates at the Grievance and Appeals Sub-Committee Meeting**

LEAC recognises the rights of persons involved to represent themselves at these meetings and to bring one support person advocate to the meeting.

All complainants have the right to an advocate for support and assistance during the grievance process. LEAC will provide complainants with information about advocacy organisations and other avenues for help, such as:

- Community support agencies and counselling services
- Tenant Advice and Advocacy Service or Tenants Union
- Residential Tenancies Authority
- Dispute Resolution Centre or Small Claims Tribunal

### **Response in Writing**

LEAC recognises that persons making a complaint may choose not to attend a meeting of the Sub-Committee. In this instance the Sub-Committee will respond to their written complaint in writing with any decisions.

Outcomes of the Grievance and Appeals Sub-Committee:

- The Sub-Committee must make a decision to resolve the grievance.
- Where the Sub-Committee cannot reach a consensus agreement, a vote will be taken.
- The decision of the Sub-Committee meeting will be final and communicated to all parties in writing within 2 working days of the decision being made.
- All parties must implement the decision.
- Where appropriate the participants in the meeting will document and sign an agreement stating; resolution/s made, undertaking given by any party, changes in behaviour or work practice required, time frame for trials or new arrangements, consequences if breaches to the agreement occur.
- If after due process the complainant grievance is unresolved then the matter will be referred to an appropriate agency, independent arbiter for further action.

### **Register of Complaints, Grievances & Appeals**

A record of all complaints, grievances and appeals will be kept in a secure file at the LEAC office.

### **Ratification of Sub-Committee Decisions**

- The Grievance and Appeals Sub-Committee will be empowered to make decisions on behalf of the LEAC Management Committee as long as decisions or arrangements taken do not contravene existing policies, procedures, codes, guidelines or practice or incur a financial expense on the organisation.
- Decisions made by the Grievance and Appeals Sub-Committee will be ratified by the Management Committee at the next meeting, without reference to the details.
- Where the resolution of the Sub-Committee requires action by LEAC or change to organisational policy or procedure, the issue and the method of resolution may be discussed by the Management Committee.
- Where a resolution results in a need to change staff practices, or to counsel or discipline staff this will be done in accordance with the appropriate staff performance policies and with regard to Industrial and Award legislation.

### Complaints Process – Summary for Clients

Lions Emergency Accommodation Centre Inc. (LEAC) strives to offer housing and support services that are the best they can possibly be and welcomes opportunities to improve our Service.

All clients have a right to complain about the service they are receiving without fear of retribution and can expect complaints to be dealt with promptly.

Occasionally a situation may arise where you are not happy with a decision or action or circumstance in your interactions with LEAC and you wish to make a complaint. The following is a guide to the complaints/grievance process:

1. Informal – Discuss your concern/complaint with your support worker or another staff member to seek a quick resolution.
2. Formal – If a resolution were not possible, you may take your complaint/grievance to the Co-ordinator either verbally or in writing. Describe your complaint and what you would like to see done about it. The Co-ordinator will meet with you to discuss your complaint and if no resolution is reached then the complaint may be forwarded to the LEAC Grievance and Appeals Sub-Committee.
3. A complaint/grievance to the Sub-Committee must be in writing and signed. If you are unable to write the complaint yourself, another person may write the complaint and/or an interpreter organised. You must sign the letter of complaint.
4. The LEAC Grievance and Appeals Sub-Committee will meet with you as soon as possible to seek a resolution. You may bring one support person or advocate to the meeting. LEAC recognises that you may not choose to attend the meeting, in which case the Sub-Committee will respond to your written complaint in writing with any decisions.
5. At the meeting with the Sub-Committee the complaint will be discussed to reach a mutually acceptable outcome for all. The decision of this meeting is binding.
6. Resolution – written agreement, or if you are not happy with the decision of the Sub-Committee, information can be provided to you about independent arbiters/advocates and/or the relevant funding bodies of the Service.

Some matters cannot be resolved by the LEAC complaints/grievance process, they include legal matters, neighbourhood disputes or Breaches of Tenancy Agreement that have already been referred to the Small Claims Tribunal. The Tenant Advice & Advocacy Service – TAAS(Q) can assist in any tenancy matters and tenants will be provided with information about the TAAS(Q) service.

**LIONS EMERGENCY ACCOMMODATION CENTRE INC.  
COMPLAINT / GRIEVANCE REPORT FORM**

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

**Name of Advocate:** \_\_\_\_\_  
(if applicable)

**Contact No.:** \_\_\_\_\_

**Complaint / Grievance (Please describe)**

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**Expected Outcome (Please describe)**

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**Received By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Actioned By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

