

COMPLAINTS POLICY

PURPOSE

Tautoko Tāne Aotearoa ('TTA') Complaints Policy ('Policy') provides a guideline for the public, and users of TTA Member Organisation ('TMO') services as well as peer-workers (both employees, contractors and volunteers), trustees and consultants/advisors working for the national organisation or an TMO.

The purpose of the Policy is to ensure that any complaint made by a member of the public or any user of an TMO service ('client'), in relation to their public or personal interaction with TTA, an TMO or any of their employees or volunteers is properly managed.

This policy defines what we believe constitutes a complaint, the principles that we will apply in dealing with complaints, including the roles and responsibilities of those involved.

SCOPE

This Policy applies specifically to complaints received by TTA or an TMO, (who are bound by this policy in terms of their TMO membership agreement) and requires compliance from all staff (employees, contractors, and volunteers), trustees and consultants/advisors.

The Policy is intended to provide a useful framework for the coTMOon-sense resolution of complaints received from members of the public or clients of an TMO.

OBJECTIVES

Applying this Policy will ensure that:

- All parties will understand what constitutes a complaint within the terms of this policy
- Staff, trustees, and advisors understand their obligations and responsibilities relating to the proper management of complaints; and
- Complainants will understand and appreciate that we take complaints seriously and have a principled and respectful approach to dealing with complaints.

DEFINITIONS

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| Complaint | <p>A complaint means an expression of dissatisfaction by members of the public or clients of an TMO, expressed in writing, about an action or lack of action, a decision, a breach of TMO published policy, or the standard of service provided by or on behalf of an TTA or an TMO, where a response or resolution is explicitly or implicitly expected.</p> <p>A complaint is NOT:</p> <ul style="list-style-type: none"> - a request for routine services, but a complaint may result in a request for service; - a request for readily available information: - matters for which there is a right of appeal and/or legal remedy; and - allegations against a staff member (employee, contractor, or volunteer) of serious misconduct such as sexual harassment, fraud, or assault*: - complaints from one staff member about another staff member and/or complaints about a trustee*: - feedback as part of a formal consultation process*. <p style="text-align: right;"><i>* These matters should be dealt with under employment and/or organisational governance policies.</i></p> |
| Complainant | Means any person or persons that have communicated a complaint to TTA or an TMO. |
| Complaints Review Panel | Is a group of TTA or TMO Trustees and management appointed by the respective Boards of Trustees to assume responsibility for the management of complaints. The panel is chaired by an independent external party appointed by the respective Boards of Trustees of TTA or an TMO. |
| Complaints Investigator | Will be the organisational Privacy Officer, or another person appointed by the Chair of the TTA or TMO or the Complaints Review Panel, to investigate the complaint. |
| TMO | Is an organisation that is affiliated via a formal membership agreement as an official Member Organisation of TTA. |
| TTA | Is the national organisation Tautoko Tāne Aotearoa, which provides national governance, coordination, and representation for TMO's. |
| Staff | Means an individual engaged as an employee, contractor, or volunteer by TTA or an TMO to enable and/or provide services to male survivors of sexual abuse. |
| Consultant /Advisor | Means any person engaged by TTA or an TMO to provide advice or perform any function related to the governance or operation of TTA or an TMO |
| Trustee | Means a duly appointed trustee of TTA or an TMO |

PRINCIPLES

The following principles are core to how we handle complaints. We will:

- Be mindful of the need to minimise the efforts of complainants to register and resolve a complaint;
- Ensure that complainants understand their right to have a support person present during any meetings or conversations concerning the complaint;
- Try to see things from the complainant's perspective, to understand and address the issues that have result in a complaint;
- Take all reasonable steps to appreciate the nature and context of the complaint by consulting in confidence with all relevant parties to the complaint.
- Treat complaints with priority, give a timely response and communicate in a way that is easy to understand;
- Be fair and act with integrity; take a genuine, fresh look at the issues raised; and not be defensive and ensure that the issues raised are assessed on their own merits;
- Where complaints involve issues or allegations that threaten the safety of the complainant, or a member of the community, ensure that appropriate steps are taken to address any safety concerns.
- Learn from complaints and use this knowledge to improve how we do things; acknowledge our mistakes and put them right if we can
- Educate our staff to apply the policy, processes and procedures for complaints resolution and manage complaints in accordance with the defined and agreed processes and procedures;
- Actively manage any service user conduct that negatively and unreasonably impacts on the organisation and our staff

As far as possible, complaints will be handled with discretion and in accordance with the TTA's Privacy Policy.

ROLES & RESPONSIBILITIES

- The **Chair of the Board of Trustees** (of TTA or an TMO) has overall responsibility for this policy and procedure.
- A **Complaints Review Panel (the 'CRP')**, which is appointed by the Board of Trustees, consists of Trustee and management representatives, and chaired by an independent external party (Review Panel Chair) appointed by the Board, will oversee the operation of the complaints process to ensure it is effective. The responsibilities of the CRP include:
 - Ensuring that the organisation provides an adequate complaints education process for its trustees and employees, including appropriate training for the Complaints Investigator;
 - Monitoring the effectiveness of the complaints management procedure and ensuring that identified process improvement opportunities are actioned;
 - Ensuring that all complaints are properly documented to record the nature of the and context of the complaint, the resolution process and the outcomes.

- Reporting regularly to the Board on complaints management and resolution outcomes.
- The **Complaints Investigator** will be the Privacy Officer¹ of the organisation or such other person appointed by the CRP, who reports to the Chair of the Panel and is responsible for effective facilitation of the complaints management process on behalf of the CRP.

COMPLAINTS MANAGEMENT

The complaints management process will observe the following protocols:

- **Lodging a complaint:** A complaint must be received in writing by email, letter, or fax using the template suggested (refer Appendix One) and include adequate information to assess and investigate the complaint.
- **Information security:** All complaints must include the name of the complainant and their contact details. All complaints are treated as confidential information and all reasonable steps will be taken to protect the identity of complainants and those complained against. Complaints information is managed in accordance with our Privacy Policy²
- **Complaints management:** All complaints received will be managed as follows:
 - The Chair of the Board of Trustees of the organisation receiving the complaint will review all complaints received and decide:
 - o whether they fall within the scope of this policy or require referral to another authority for resolution; and
 - o whether the complaint will require referral to the Complaints Review Panel or is to be dealt with, in the first instance, by the Complaints Investigator in consultation with the Chair.
 - Where complaints received by TTA involve an TMO, or vice versa:
 - o The complainant will be advised, in the first instance, to refer the complaint to the relevant Chair of the organisation (TTA or TMO) that is the focus of the complaint;
 - o Where, for good reason, the complainant does not wish to refer the complaint to the relevant organisational Chair, then the two Chairs of the respective organisations will confer to consider the complainants views as to how the complaint should be dealt with, decide how to progress the complaint and advise the complainant accordingly;
 - o In the event that the two Chairs cannot agree on how to progress the complaint, the matter will be referred to an independent third party to assess the complaint and determine how it should be managed.
 - For complaints that fall within the scope of this policy, the Complaints Investigator will complete an assessment of the complaint, taking all reasonable

¹ The Privacy Officer for TTA is the Chair of the Professional Practice Committee or his Nominee; The Privacy Officer for an TMO is the Manager.

² TTA privacy policy is published on our national website.

steps to ensure they are properly informed about the nature and context of the complaint, including consulting in confidence with all relevant parties³, and make a recommendation as to resolution of the complaint to the Complaints Review Panel;

- Where the complaint raises issues relating to the safety of the complainant or a member of the community, the Complaints Investigator will take all reasonable steps to address any safety concerns including reporting to the NZ Police as appropriate.
 - The Complaints Review Panel will determine what actions are necessary to resolve the complaint and either authorise the Complaints Investigator to communicate the outcome to the complainant or, depending on the nature and gravity of the complaint, the Chair of the Complaints Review Panel may elect to communicate the outcome personally;
 - All complaint management outcomes will be communicated in writing to the complainant advising of the decision, the reason for the decision, details of any further actions that need to be taken by either party and the actions available to the complainant if they disagree with the outcome;
 - If the complainant is unhappy with the outcome they may elect to refer the matter for review by the Chair of the relevant organisation Board of Trustees, such review once completed shall be the final outcome determination of the organisation. If the complainant is still unhappy with the outcome, they may choose to refer the matter to another appropriate authority for review.
- **Process effectiveness:** the effectiveness of this policy will be assessed using the following performance criteria:
 - 100% of complaints will be acknowledged within 10 working days of receipt;
 - 80% of complaints will be investigated and responded to within 25 working days;
 - 100% of complaints will be investigated and responded to within 45 working days;

³ In the case of a staff member this may include their manager, relevant work colleagues and their supervisor regarding any safety concerns

