

GRIEVANCE POLICY

Guiding principles

Service users have the right to complain about any part of the service.

Clear, accessible and consistent mechanisms for dealing with conflict and complaints are a key part of the service's commitment to the needs and rights of service users and to good service provision.

Clear procedures are also an essential ingredient in a service that recognises the importance of resolving conflict quickly, openly and effectively.

Policy

A grievance is defined as a problem between a service user and a worker or a team. A grievance might also involve a problem with the way the agency operates.

MOSS recognises that it is not easy to raise such problems or to deal with conflict. The intention of this policy is to make this process as clear and easy as possible.

Everyone is encouraged to provide feedback about how things are done at MOSS and to make suggestions about how to improve the service.

We will endeavor to ensure that MOSS offers a safe environment to discuss and resolve grievances. Service users will be supported in making complaints and there will be no retribution.

Complaints will be confidential and no information will be passed on without the permission of the service user.

Extreme circumstances such as physical assault should be reported immediately to the agency manager and a report made to the police where appropriate. The agency will strongly encourage a service user who has been assaulted to report the assault to the police. The decision about whether to report the incident will, however, remain with the service user. Any service user who chooses to report an assault to the police will be supported by MOSS staff throughout the process. Physical assault to workers or committee members will be reported to the police as a matter of agency policy.

The following procedures detail the steps to be taken when dealing with grievances. In general, if the person with the grievance feels unsafe or threatened by any one step, they can take the grievance through to the next stage of the process.

Procedures

Complaints about the service

Suggestions about how to improve the service and complaints about the way a service has been provided can be addressed through the following process:

Step 1 → Talking directly with the workers involved about the issues with a view to resolution.

Step 2 → If you feel the worker's response is not satisfactory, and the issue is not resolved you can request to speak to the worker's team leader.

Step 3 → If you feel the team leader's response is not satisfactory, and the issue is not resolved, you can request to speak to the manager of the agency.

Step 4 → If you feel the manager's response is not satisfactory, and the issue is not resolved, you can request to speak to the committee of management through a service user representative, a worker, by writing a letter direct to the Committee, or by talking directly with a Committee member.

If you still feel that the issue is unresolved and are not satisfied with the response given by the agency as a whole, you can contact Homelessness Advocacy Service (HAS) on 1800 066 256.

HAS are a separate and independent service that defends the rights of residents, tenants, service users and clients of Government funded homelessness support and accommodation services. They provide free and confidential advice, as well as being able to provide a representative to act on your behalf.

Grievances with other service users

In order to protect the rights of everyone involved, the following steps apply to grievances between service users.

Step 1 → The service user with the grievance talks to the person involved.

Even though it may not feel comfortable to speak directly to the person the dispute is with, it may enable things to be resolved quickly. The person involved may not be aware that their actions or words have had such an effect. When things have cooled down, discuss the concerns. Talking with another person first to clarify the grievance can assist in making the discussion better planned and more productive. It is important that the discussion is about the issues involved, and does not stray into personal attacks or point-scoring.

If the service user does not wish to speak to the person involved they can go straight to step 2.

Step 2 → If talking fails, a mediator is used.

If direct discussion does not resolve the grievance, a third person can play a mediating role. Acting as a go-between, the person can encourage the people involved to talk and to look for a solution they are satisfied with. The role of the mediator is to help solve the problem in a way that everyone feels comfortable with. It is not about placing blame on any individual. It is important that both parties agree on who the mediator is.

Step 3 → If mediation is not successful, the grievance is taken to a MOSS staff member.

If the complaint involves MOSS in some way, for example the actions of a person or group of people stops a service user from coming to the office, then the problem should be discussed with a staff member. The staff member will speak to the other person or people involved in order to get their side of the story. At all times the staff member will act in a way that protects the rights of the person with the grievance and the rights of the other parties.

Step 4 → If the grievance is not resolved with the assistance of a staff member, the grievance is taken to MOSS management.

MOSS management will speak to all people involved in order to get their side of the story. At all times management will act in a way that protects the rights of the person with the grievance and the rights of the other parties.

Step 5 → If MOSS management are unable to assist in resolving the grievance, it is taken to the Committee of Management (COM)

The Committee of Management will discuss grievances that are still unresolved. They can be brought to the committee in written form, directed to the Chairperson, or can be placed on the agenda for discussion. It is the service user's right to request to have their name remain anonymous. It is the role of the COM to direct those involved on how to respond to the situation.

Complaints about workers

If a service user has a complaint about a worker, the following steps apply:

Step 1 → The service user talks to the worker directly

If the service user does not wish to speak to the worker concerned, step 2 applies.

Service users can seek the support of an advocate if they do not feel comfortable raising their complaint on their own¹. Where an advocate is involved, the service user is encouraged to express their concerns for themselves and to use the advocate if they are stuck for words.

¹ Homelessness Advocacy Service (HAS) can assist service users with complaints. Free, confidential advice, and assistance is provided by calling 1800 066 256

The staff member involved will record the complaint, check with the service user whether it is accurate, and give the service user a copy. This will be done in consultation with the Manager. The notes will be dated and the outcome of the conversation recorded.

Step 2 → If the service user is not satisfied, a mediator is used

An advocate or neutral party may act in the mediation role. As with the steps described above, it is important that both people agree on the person chosen. At this point, both the staff member and the service user have the right to involve someone as their advocate.

Step 3 → If mediation is unsuccessful, a formal complaint can be made to the Manager

An unresolved complaint about the behavior of a staff member can be directed to the Manager. The Manager will investigate the complaint, attempt to resolve it, and provide the service user with a written record of the result of this process. All this will take place within two weeks of the complaint being made.

If the service user is not satisfied with the outcome, the Manager will assist them in taking their grievance to the Committee of Management.

Step 4 → If unsatisfied, the service user can direct their complaint to the COM

An unresolved complaint about the behaviour of a staff member towards a service user can be directed to the Chairperson of the Committee of Management. Similarly, if a service user wishes to complain about the behaviour of the agency manager they can direct their complaint to the COM. This can be done in writing, by contacting them through a staff member or the service user representative on the Committee, or by speaking directly with a Committee member.

The Chairperson will decide if the complaint is to go to a full meeting of the COM or to the Executive². At the meeting the person making the complaint will be asked to talk about the complaint, what steps have been taken to resolve it, and what has happened since. They can have an advocate present at the meeting. A record of this discussion will be made and a copy provided to the service user.

The staff member or agency manager will also be asked to give their side of the story to the committee. The COM may suggest other ways to solve the complaint. They can also direct the staff member to act in certain ways. The COM has the power to take disciplinary action against a staff member who has not been doing their job in line with MOSS policies and procedures.

Step 5 → If the grievance is not resolved by the COM, it can be taken outside the service

If the person does not feel that their grievance has been properly addressed, they can contact an outside body such as the Equal Opportunity Commission on 9281 7100 or the Homelessness Advocacy Service on 1800 066 256.

² This is comprised of the COM president, treasurer and secretary.

Complaints about COM members

If a service user has a complaint about a member of the COM, the following steps apply:

Step 1 → The service user talks to the Committee member directly.

If the service user does not wish to speak to the Committee member concerned, step 2 applies.

Service users can seek the support of an advocate if they do not feel comfortable raising their complaint on their own. A staff member or agency manager can support the service user in this process if the service user chooses³. Where an advocate is involved, the service user is encouraged to express their concerns for themselves and to use the advocate if they are stuck for words.

The Committee member involved will record the complaint, check with the service user whether it is accurate, and give the service user a copy. The notes will be dated and the outcome of the conversation recorded.

Step 2 → If the service user is not satisfied, a mediator is used.

An appropriate advocate of the complainant's choice or a neutral party may act in the mediation role. As with the steps described above, it is important that both people agree on the person chosen. At this point, both the Committee member and the service user have the right to involve someone as their advocate.

Step 3 → If unsatisfied, the service user can direct their complaint to the Chairperson of the COM

An unresolved complaint about the behavior of a Committee member towards a service user can be directed to the Executive of the Committee of Management. This can be done in writing or by contacting them through a staff member or the service user representative on the committee.

The Chairperson will decide if the complaint is to go to a full meeting of the COM or the Executive. At the meeting the person making the complaint will be asked to talk about the complaint, what steps have been taken to resolve it, and what has happened since. They can have an advocate present at the meeting. A record of this discussion will be made and a copy provided to the service user.

The Committee member will also be asked to give their side of the story to the committee. The COM may suggest other ways to solve the complaint. They can also direct the Committee member to act in certain ways. The COM has the power to take disciplinary action against a Committee member who has acting in an inappropriate way.

³ Homelessness Advocacy Service (HAS) can assist service users with complaints. Free, confidential advice, and assistance is provided by calling 1800 066 256

If the service user is not satisfied with the outcome, the COM will assist them in taking their grievance outside the agency.

Step 4 → If the grievance is not resolved by the COM, it can be taken outside the service. If the person does not feel that their grievance has been properly addressed, they can contact an outside body, either the Equal Opportunity Commission on 9281 7100, or the Homelessness Advocacy Service (HAS) on 1800 066 256.

Allegations of illegality

If the complaint involves allegations of illegality on the part of a member of staff or a Committee member then the relevant authorities will be notified. This might be the police or the Department of Human Services. The person who records the allegation will also inform the Committee of Management.