

Managing Client Feedback and Complaints Procedure

Essential Summary:

As clients of Youth Justice NSW (YJNSW), young people, their families and communities have the right to make a complaint. This procedure details the way Youth Justice Employees must deal with complaints made to them. There are particular roles and approaches to managing complaints from young Aboriginal people.

Audience

Youth Justice employees, contractors, volunteers and statutory appointments

When to use this procedure:

In managing complaints, following the YJNSW *Guidelines: Managing Client Feedback and Complaints*, the YJNSW policy.

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Please check in the [Operations Manual \(TOM\)](#) to ensure you have the latest version before using this document.

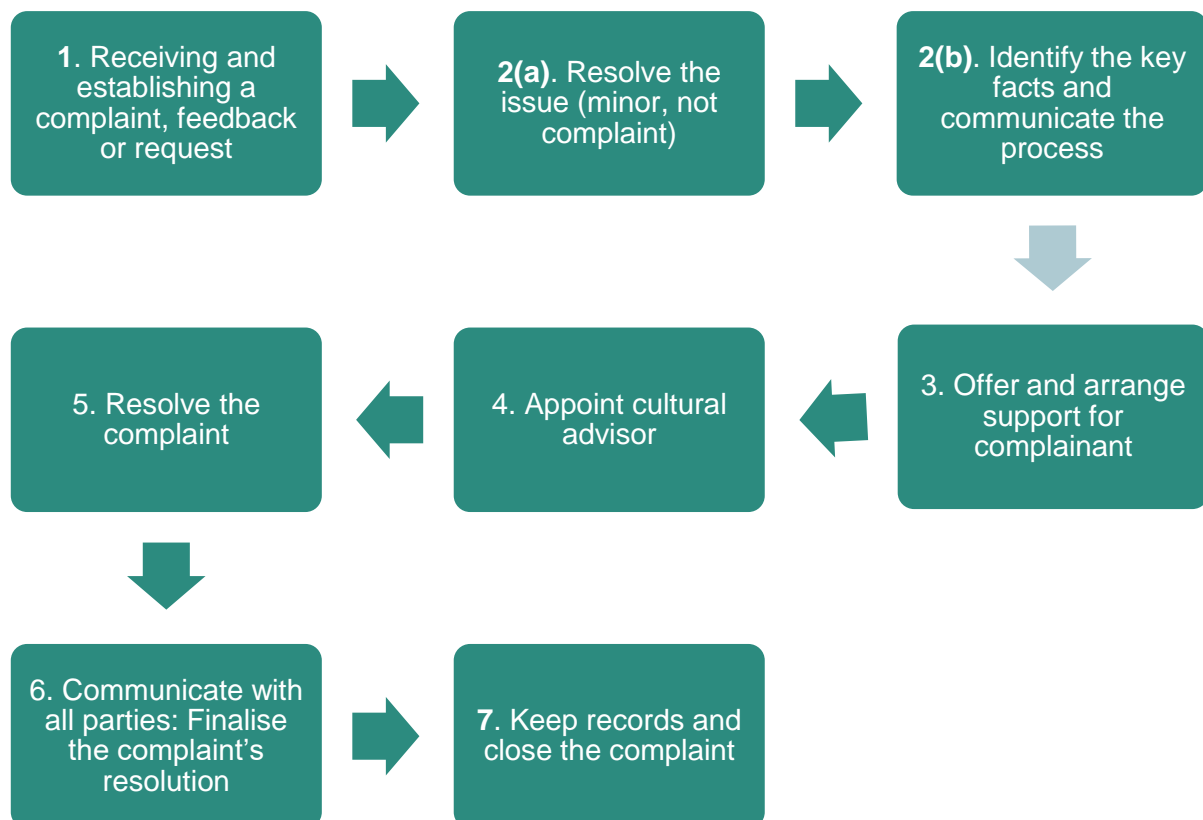
DOCUMENT DETAILS

Version:	0.2
Policy Reference:	Guidelines: Managing Client Feedback and Complaints
Maintained by:	Strategic Projects Unit
Status:	Approved
Document Reference:	D19/22872
Ensure that this document is the latest version to use	

1 Purpose

This procedure details the steps you must take to formalise and investigate a complaint and support a complainant under the YJNSW Guidelines: Managing Client Feedback and Complaints.

2 Process Map



3 Procedural Steps

Step 1 – Receiving and establishing a complaint, feedback or request

Responsibility: All YJNSW Employees

Any YJNSW Employee can receive a complaint.

Follow the steps below to establish whether the issue(s) raised concern:

- young people's safety and/or the quality of care they are receiving
- feedback about service(s)
- a request for information.

The following procedures are for managing complaints about safety and quality of care and responding to and recording feedback and other requests.

Employees in Youth Justice Centres using the *Feedback & Complaints Triage* system are likely to come to this procedure having been appointed Complaint handler by Centre Management.

If you have already been appointed complaint handler – Go directly to STEP 2(b)

Tasks

1. Check that you can manage the issue or complaint. Do all of the following apply to you?
 - the issue/complaint is within your area of responsibility and delegation to resolve
 - the issue/complaint can be resolved immediately and/or should be referred through the Feedback and Complaints Triage system
 - the issue/complaint presents no conflict of interest for you
 - if an employee is involved, are you in a higher graded position than the employee who is the subject of the issue/complaint?

If so, you are the '**complaint handler**' for this matter. Proceed to resolve the complaint as below.

If not, refer the complaint to your supervisor/manager.



Step 2 (a) – Resolve the issue (for minor issues only, not complaints)

Responsibility: Complaint handler

Tasks

1. Establish whether the matter is an expression of dissatisfaction (e.g. service improvement feedback, easily resolved requests for information by clients) and not a complaint about safety or quality of care.
2. Take all necessary steps, within your delegation, to resolve the issue.
3. Create a record of the issue and your response by making a case note in CIMS recording:
 - the substance of the issue

- the individual's desired outcome
 - the steps you have taken to resolve the issue
 - whether the individual accepts your resolution as the end of the matter.
4. Inform the person that the matter has been resolved. Explain what steps you have taken. Share as much information as you can with a view to privacy, confidentiality and risk assessment.
 5. Inform the person of their options to formalise a complaint with YJNSW or refer their issue(s) to an external oversight body, such as the NSW Ombudsman.
- You can escalate an issue to your supervisor if the person is not satisfied with how you have resolved the issue.
- The person may choose to make a complaint.
- Issues not considered complaints and, except where referred to the *Feedback and Complaints Triage System* in a Centre, should be resolved within 24 hours.
- This completes the procedure for issues not formalised as complaints.**



Step 2(b) – Identify the key facts and communicate the process	
Responsibility: Complaint handler	
Tasks	
<ol style="list-style-type: none"> 1. Identify in the first instance: <ol style="list-style-type: none"> a. the key facts of the complaint b. the outcome the complainant expects. <p>In a Youth Justice Centre, if you believe the issue is one of service delivery feedback or a young person is requesting information you should encourage and help the young person to use the <i>Feedback and Complaints Triage</i> system so that the issue is dealt with openly at a Detainee Representative Committee, or equivalent, (service feedback) or referred to a YJNSW Employee for resolution (information request).</p> <p>If the issue <i>is</i> a complaint relating to safety and quality of care, you must help the young person to register a complaint. These procedures are outlined below.</p> <ol style="list-style-type: none"> 2. Confirm with the young person/complainant that they want to register a written and recorded complaint. 3. Provide the complainant with information on the support available to them to register a complaint. These include: <ul style="list-style-type: none"> • interpreters • support people (including Aboriginal YJNSW employees) and representatives (see Guidelines for Managing Feedback and Complaints, Part 3 Definitions, for a description of 'Representatives' and 'Support People'). • external complaint avenues (separate to the YJNSW complaints process). 	

4. If the complainant is a young Aboriginal person, inform them that an Aboriginal YJNSW Employee may be involved in the handling of the complaint to ensure that it is managed in a culturally sensitive manner.
5. Assure the complainant that the information will be treated discreetly and will only be discussed with people who are involved in handling the complaint.



Step 3 – Offer and arrange support for complainant

Responsibility: Complaint handler

Tasks

1. If the complainant is a young Aboriginal person, offer them the support of an Aboriginal YJNSW Employee to help them register the complaint and keep them informed of the complaint's progress.
2. If the young Aboriginal person accepts the offer, ask them if there is a YJNSW Aboriginal Employee they would like to be their support person for the purposes of managing the complaint.

Where the young person does not express a preference, inform them you will arrange for an Employee to take on this role.

3. Arrange any communication or other support a young person needs to make and register a complaint. You must take all reasonable steps to provide an interpreter when someone makes a complaint and has difficulty communicating because of an intellectual or physical disability or impairment and/or the person has difficulty communicating in English.



Step 4 – Appoint cultural advisor

Responsibility: Complaint handler or Youth Justice Manager

Tasks

If the complainant is Aboriginal:

1. Inform the complainant that an Aboriginal YJNSW Employee will be involved in the complaint handling process to ensure that it is managed in a culturally sensitive manner. This person is the *cultural advisor* for this complaint.
2. If you have the authority to appoint an Aboriginal YJNSW Employee to act as cultural advisor to this complaint, do so in consultation with them and their immediate supervisor. In Youth Justice Centres, the Unit Manager or Centre Manager can also appoint a cultural advisor to the role.
3. Where you, the complaint handler, do not have the authority to appoint a cultural advisor, you should escalate the request to the appropriate level of management. The cultural advisor should be appointed within 24 hours of the request.

Responsibility: Cultural advisor (Aboriginal)

Tasks

1. Ensure you have no conflict of interest (potential, actual, or perceived), in undertaking this role. Your role is to provide advice in a cultural context to the complaint handler to ensure that the process is culturally sensitive and managed well. You will use:
 - your cultural knowledge, specifically of the young person/people's circumstances and their community where possible
 - your professional judgement.
2. Discuss the complaint with the complaint handler.
Provide cultural advice on how best to investigate and resolve the complaint in a culturally competent manner.



Step 5 – Resolve the complaint

Responsibility: Complaint handler

Tasks

1. Establish a timeframe for the complaint's investigation and resolution. Complaints should ordinarily be resolved within 5 working days of receipt.
2. Advise the complainant and any support people of the anticipated timeframe.
3. Seek advice from the appointed Aboriginal cultural advisor (if the complainant or any party to the complaint is Aboriginal).
4. Record (bullet points) the advice you receive on the Complaints Registration Form registered in CIMS (Complaints TAB: Lodge a Complaint).
5. Take all necessary steps, within your delegation, to resolve the complaint. This may include conducting a hearing into the matters raised by the complainant. For the purposes of any such hearing, the complaint handler:
 - may invite any person to make representations in relation to the complaint, and
 - if the complainant makes allegations against any other person, must invite the complainant and that other person to make representations in support of, or in reply to, the allegations.
6. Keep full and accurate records on CIMS. The following information must be included with the complaint under the complaints field:
 - the date on which the complaint was made
 - the name of the complainant
 - the substance of the complaint
 - name/position of complaint handler
 - name/position of Aboriginal cultural advisor for this matter
 - name/position of YJNSW Aboriginal support person
 - brief particulars of the procedures followed by the complaint handler in dealing with the complaint
 - the decision made regarding the complaint
 - whether the complaint was resolved to the complainant's satisfaction
 - whether the complaint has been referred to another office, unit, centre or external people or organisation
 - date on which the complainant was informed of the complaint handler's decision about the complaint
 - if the complaint was not resolved within 21 days of being made, the reason it was not resolved within that timeframe

- if a review of the decision was lodged, and if so, with whom
- outcome of the review
- other information relevant to the complaint.

7. If a complaint cannot be resolved within 5 days, inform Community Office/Youth Justice Centre Management.
8. Following any advice from management, inform also the complainant, their support person and the cultural advisor, as required.

Responsibility: Youth Justice Manager

Tasks

1. Monitor progress of complaint with complaint handler if complaint handling exceeds 5 days' timeframe
2. Work with complaint handler to resolve complaint and record actions in CIMS.

Responsibility: Aboriginal support person (YJNSW Employee)

Tasks

1. Support the young person to understand the YJNSW complaint process and advise them of the anticipated timeframe for the resolution of the complaint.
2. Keep the complainant informed of the progress of the complaint.
3. If the complaint is not resolved within the anticipated timeframe, work with the complainant to help them understand why some complaints may take longer to resolve.
4. Maintain strict confidentiality.



Step 6 – Communicate with all parties: Finalise the complaint's resolution

Responsibility: Complaint handler

Tasks

1. Inform all parties involved that the complaint has been investigated and resolved and of the outcome of the complaint where appropriate.
2. Explain to the complainant why you have resolved it in the manner in which you have.
3. Explain to the complainant that they can request that your (complaint handler's) supervisor or the Secretary, Department Communities & Justice review the decision you have made.
4. Remind the complainant that they can make a complaint to the NSW Ombudsman and/or other external parties if they choose.

Responsibility: Aboriginal support person (YJNSW Employee)

Tasks

1. Assure yourself the complainant understands the resolution of the complaint and clarify anything they don't.
2. Explain to the complainant that they can request that the complaint handler's supervisor or the Secretary, Department Communities & Justice review the decision that has been made.
3. Remind the complainant that they can make a complaint to the NSW Ombudsman and/or other external parties if they choose.



Step 7 – Keep records and close the complaint

Responsibility: Complaint handler

Tasks

1. Ensure all records on CIMS are complete and forms uploaded.
2. Place a completed, signed Complaint Registration Form in a sealed envelope and give it directly to the young person and/or store it with their property.
3. Upload the completed Complaint Registration Form CIMS at the Registered Complaints field and close the complaint.

4 Legislation:

This procedure is supported by the following legislation:

- *Children (Detentions Centre) Act 1987*
- Children (Detention Centres) Regulation 2015

5 Supporting documents:

This procedure is supported by the following documents:

Related procedures

- Incident Management Policy: Reporting, Debrief and Review
- Code of Ethics and Conduct
- Child Safety and Mandatory Reporting Policy
- Dignity and Respect Policy & Guidelines
- Public Interest Disclosure Policy and Procedure

Resources

- Guidelines: Managing Client Feedback and Complaints

Forms

- Complaint Form
- Representative complaint form (other than young person)

6 Document Information

Title:	Managing Client Feedback and Complaints
Business Centre:	Strategic Projects Unit
Author:	Manager, Strategic Projects Unit
Approver:	Director, Strategy & Engagement
Date of Effect:	16 November 2020
Next Review Date:	1 February 2023
File Reference:	D19/22872
Key Words:	complaint; feedback;

7 Document History

Version	Date	Reason for Amendment
0.2	16 November 2020	<ul style="list-style-type: none">• <i>Procedure reviewed and updated in line with new Guidelines: Managing Client Feedback and Complaints Policy</i>
