

Supporting Information**Governance Policies
Ethical Expectations****Endorsed: September 2008****CLIENT COMPLAINTS PROCEDURE
for Breaches of the Code of Conduct****Introduction**

The Consumers Health Forum of Australia (CHF) has adopted the *Client Complaints Procedure* to ensure that there is a fair process for handling complaints that may arise from the work of CHF. It aims to provide an efficient, clear, non-threatening, fair and accessible mechanism for dealing with problems which arise that are in breach of the *Code of Conduct*.

Any person who has dealing with CHF can make a complaint through the *Clients Complaint Procedure*. This includes: members, committee members, reference group members, advocates, consumer representatives, service providers, agencies and any other people who rely on CHF for advice.

Limits to Procedure

The *Client Complaints Procedure* **does not apply to complaints made by or about CHF employees** (refer to *Procedure in Resolving a Complaint (Employee)*).

Neither does the *Client Complaints Policy and Procedure* apply to concerns which members or Directors have in regard to decisions made by the Board. The appropriate mechanism for dealing with these concerns is that they be raised at a subsequent Board meeting.

Procedure in Resolving a Complaint**1. Complaint is Made**

The complaint shall be made in writing, marked confidential, and addressed to the Chief Executive Officer.

The Chief Executive Officer shall acknowledge the complaint in writing within five (5) business days of receiving the complaint.

2. Preliminary Advice to the Complainant

The Chief Executive Officer (or nominee) shall assist the person by sensitively and carefully understanding the complaint, explaining the options available and helping the person decide if they want to proceed to an informal conciliatory or formal internal investigation process as outlined in Option 1 and Option 2 below.

Option 1 – Resolution between the parties through conciliation

If the person chooses to seek resolution through an internal conciliation process then the following steps are appropriate:

- (a) The complainant may approach the other party directly or ask the Chief Executive Officer (or nominee) to approach the other person or persons on their behalf. If a third party is to be involved in resolution, it is recommended that a trained conciliator be involved to assist the parties.

- (b) If the other person or persons admit to the behaviour or the acts complained about, and an agreement between the parties is reached, the complaint is resolved.
- (c) Even if the person does not admit to the behaviour or acts complained about, the parties may be able to agree to an outcome that is acceptable to the complainant and the other parties.
- (d) If an acceptable outcome is reached the Chief Executive Officer will be responsible for ensuring that the appropriate people who need to know about the outcome are appropriately informed so that the outcome is implemented and followed. As matters handled this way are usually minor, resolution would generally include an apology and agreement not to repeat the behaviour or actions complained about.

Option 2 – Resolution through an Internal Investigation

If the person chooses to seek resolution through the internal and formal investigation process the following steps will be followed.

- (a) The investigator will interview the complainant and the allegations will be particularised in writing. During this interview and in any consequent stages of the process an appropriate support person may support the complainant.
- (b) The investigator will put the allegations in full to the other party or parties.
- (c) If there are any disputes over facts, the investigator will interview any witnesses and gather evidence that will assist in making a finding and gather any other relevant evidence that will assist in making a finding. Based on the facts of the matter the investigator will make a finding whether the complaint has substance.
- (d) A report documenting the investigation process, the evidence, the findings and a recommended outcome will be made to the Chief Executive Officer. The Chief Executive Officer will assess the report, consult with any appropriate parties (not the parties to the complaint) and implement an appropriate outcome.
- (e) The Chief Executive Officer will advise the direct parties to the complaint and any other relevant parties of their decision.

3. Key Elements in Resolving a Complaint

The following are key elements in resolving a complaint:

- All parties have the right to have any complaint addressed.
- Any complaint can be addressed by either the formal or informal options under this procedure.
- There is a guarantee of timeliness, confidentiality and objectivity when an issue is raised.

- The principles of natural justice will be given to both the person making the complaint and the person or persons who are subject of the complaint.

The procedures for investigation and record keeping are clear:

- No person making a complaint will be victimised or disadvantaged for making a complaint.