

Derwent Valley Youth Future Action Team Grievance and Complaints Resolution Policy

Purpose

Derwent Valley Youth Future Action Team (D'FAT) is a youth led not for profit organisation committed to high standards of conduct.

D'FAT has adopted the National Principles for Child Safe Organisations:

- ❖ Child safety and wellbeing is embedded in organisational leadership, governance and culture
- ❖ Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
- ❖ Families and communities are informed and involved in promoting child safety and wellbeing
- ❖ Equity is upheld and diverse needs respected in policy and practice
- ❖ People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
- ❖ Processes to respond to complaints and concerns are child focused
- ❖ Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
- ❖ Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
- ❖ Implementation of the national child safe principles is regularly reviewed and improved
- ❖ Policies and procedures document how the organisation is safe for children and young people

The D'FAT Facilitator is a Mandatory Reporter as outlined in the *Children, Young Persons and Their Families Act 1997* who is legally required to report any suspected or known abuse of a child (a person under the age of 18 years).

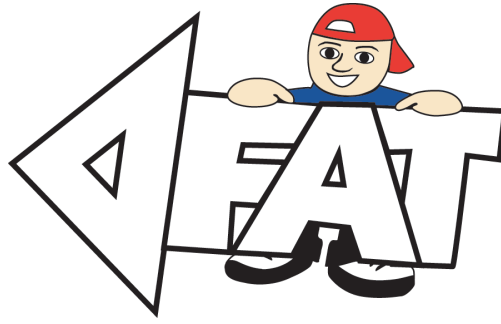
Per the Reportable Conduct Scheme outlined in the *Child and Youth Safe Organisations Act 2023*, the D'FAT Facilitator is also legally required to report and investigate concerns regarding conduct related to child abuse involving a worker of the organisation to an independent regulator.

The purpose of this policy is to guide D'FAT with resolving grievances or complaints.

Policy

This policy alongside the Code of Conduct Policy ensures that D'FAT complies with the obligations of the *Anti-Discrimination Act 1998* and other associated Legislation and Regulations.

No one should be unfairly treated or victimised if they use this policy and procedures to resolve an issue. This policy can also be used to assist in dealing with issues concerning bullying, harassment and discrimination, if such issues arise.



Procedures

D’FAT has a zero tolerance of any form of abuse, harm, bullying or harassment.

Police will be contacted in cases of possible criminal behavior, and abuse of a child will be reported and investigated per Mandatory Reporter and Reportable Conduct Scheme requirements (as per Safeguarding Children and Young People Policy and Code of Conduct Policy).

D’FAT shall:

- ❖ Conduct themselves with integrity, honesty and transparency at all times
- ❖ Treat all people with respect, dignity, fairness and courtesy
- ❖ Respect the opinions, ideas and beliefs of all people
- ❖ Encourage all people to have their say and actively participate in meetings, activities and projects

Appropriate support, supervision and relevant training will be provided to D’FAT.

The D’FAT Facilitator is the GCCP, who has the responsibility for providing guidance with resolving grievances or complaints, and addressing forms of discrimination, harassment and bullying.

All grievances or complaints received should be treated seriously and in a sensitive, fair, timely and confidential manner, and abide by the following principles of natural justice;

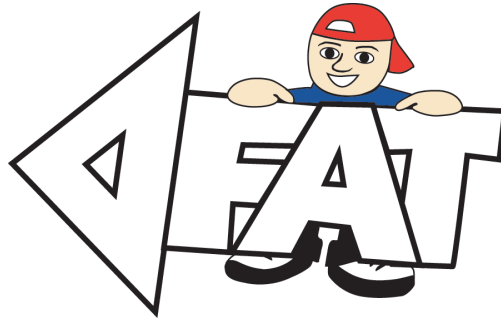
- ❖ Adequate notice
- ❖ Fair hearing
- ❖ No bias

All grievances or complaints received should take into consideration the following regarding all parties involved;

- ❖ Age
- ❖ Race
- ❖ Disability
- ❖ Sexual orientation
- ❖ Gender
- ❖ Gender identity
- ❖ Religious belief
- ❖ Relationship status

A person raising a grievance or complaint may, at any time, withdraw in writing from continuing the matter. Grievances or complaints should be resolved through a formal or informal process.

All formal grievance or complaints resolution requests will be fully investigated in a timely manner, and all parties involved will be kept informed of the progress by the GCCP.



A clear and accurate written record will be kept of the details of any formal resolution requests and the procedures, actions and outcomes of the resolution process, including dates and signatures of those involved.

A person requesting formal grievance or complaints resolution must do so in writing as per this policy. Requests for independent support or other recording method must also be put in writing with signature.

Informal Grievance and Complaint Resolution:

All parties involved in a grievance or complaint should first attempt to resolve it directly with each other in a timely and respectful manner, through the following stepped out process.

❖ Step 1;

- accept that the other party's view of the situation may be different
- seek agreement that there is a problem and what the nature of the problem is
- listen actively to each other's point of view, allowing time for each party to have their say
- stay calm during this process and concentrate on issues
- make a commitment to working it out
- agree on a timeframe and a course of action

If it helps, write down the issues to assist with separating behaviours and issues from the emotions involved.

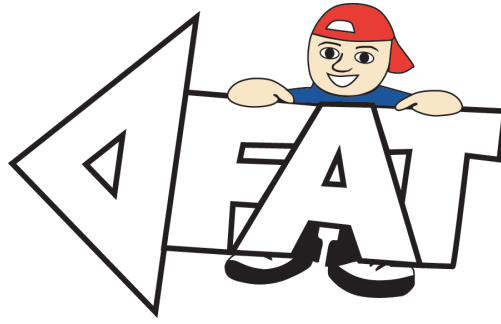
❖ Step 2;

- decide on agreed actions, including who will be involved and in what way, the timeframe, how the parties will know that the matter is settled, and any other things that the parties agree are necessary. There may be a benefit in putting all this in writing and signing off on it.
- organise to meet again informally at some point to check with each other that things are now resolved

If the parties feel unable to deal with the issues by themselves, but want an informal process, an independent person that the parties trust can be invited to sit in on discussions to assist in dealing with the issues.

Formal Grievance and Complaints Resolution:

All parties involved in a formal process retain the right to contact an external agency for advice, support or assistance at any stage of the process, including any dissatisfaction with resolution of the grievance or complaint.



If informal resolution procedures do not reach an outcome to the satisfaction of all parties involved, or the informal process was not appropriate, the person with concerns should be directed to first discuss the situation with the GCCP. The following stepped out process shall be followed.

❖ **Step 1;**

- if the person with concerns wishes to proceed, they will be asked to complete, sign and date the Grievance and Complaints Notification Form, with supporting documentation if appropriate, detailing their view of the situation, and submit it to the GCCP
- requests for independent support or other recording method must also be put in writing with signature

❖ **Step 2;**

- the GCCP will offer assistance to the person with concerns, talk about the problem or grievance and how they would like to see the complaint resolved, and explain the formal resolution procedures that are available
- in consultation with the notifier, the Notification Form may be amended if the notifier requires and/or agrees to the revision

❖ **Step 3;**

- once finalised and signed, a copy of the Notification Form will be provided to all parties at the same time with a copy of the Grievance and Complaints Resolution Policy

❖ **Step 4;**

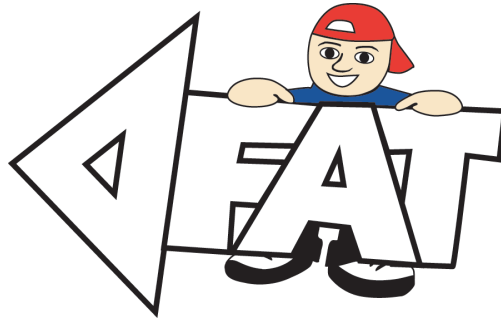
- the GCCP will check that all documents which define how D'FAT should operate, such as policies and procedures, and the Constitution are being properly followed and applied

❖ **Step 5;**

- if Step 4 does not lead to a resolution or requires further action, the GCCP will investigate the circumstances and details of the notification, and consult with all relevant parties

❖ **Step 6;**

- meetings will be held to investigate or resolve a complaint and shall only be open to the parties and the GCCP, though the parties may have an advocate or support person present
- meetings may be with the parties individually, together or both
- to encourage openness, no legal representation will be permitted at meetings
- to encourage openness, minutes or written records of what is said during meetings will not be taken, but agreed outcomes of the meetings or any resulting agreement will be documented and signed and dated by all the parties



❖ **Step 7;**

- if a clear resolution, agreed to by all parties, does not arise in Step 6, the GCCP will prepare a draft written report on the investigation within ten working days of receiving the Notification Form

❖ **Step 8;**

- GCCP will forward a copy of the confidential draft report to all the parties involved, requesting a written response to any factual errors and comment on any recommendations contained with the report within ten working days.

❖ **Step 9;**

- once the GCCP has checked and confirmed any changes to the draft report, the GCCP will meet with all the parties together to discuss and finalise a resolution to the conflict or grievance

In some circumstances, Step 9 may be the end of the matter. If so, the GCCP will implement Step 12 of these procedures.

❖ **Step 10;**

- if deemed necessary by the GCCP, or if requested by any party to the grievance or complaint, an independent mediator may be appointed to assist in resolution of the matter and help the parties restore positive relationships. The mediator should be trained or otherwise have the necessary skills to support the parties reach a mutually agreed resolution

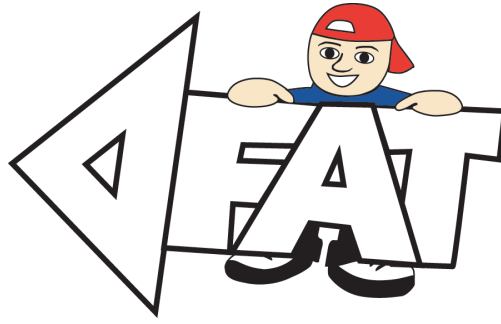
❖ **Step 11;**

- if a mediated approach fails to resolve the matter, an arbitrated approach can be undertaken. An appointed independent arbitrator will investigate the matter and make a decision or determination of what should be done and what the consequences for the parties should be

❖ **Step 12;**

- once a resolution has been agreed or mediated, or there is an arbitrated resolution, fully document the details of the resolution in writing
- in the case of an agreed or mediated resolution, have it signed and dated by all parties. The complete file, including the Notification Form with any supporting documentation, documentation of relevant factual information, analysis of the information, the conclusion, and the signed and dated resolution will then be held for a minimum of two years in confidential storage

When a grievance or complaint cannot be resolved by this D’FAT policy and procedures, the parties and/or D’FAT should seek resolution through the relevant legal processes available.



Definitions

Worker means an individual (a person of the age of 18 years and over) involved in the organisation who is;

- an employee or an external service provider engaged to assist with or provide a service on behalf of the organisation
- a volunteer, member or Board member of the organisation

Grievance means a real or supposed wrong or hardship suffered.

GCCP means Grievance and Complaints Contact Person.

Notifier means the person that has raised concerns.

Useful Contacts

Commissioner for Children and Young People Tasmania

The Commissioner provides impartial, independent, and apolitical oversight and advice which promotes the rights and wellbeing of children and young people in Tasmania.

<https://www.childcomm.tas.gov.au/>

6166 1366

Strong Families, Safe Kids Advice & Referral Line

If you are worried about the safety or wellbeing of a child or young person you can call the Strong Families, Safe Kids Advice & Referral line.

<https://www.strongfamiliesafekids.tas.gov.au>

1800 000 123

Equal Opportunity Tasmania

For concerns or complaints about discrimination, prejudice, bias and prohibited conduct.

<http://www.equalopportunity.tas.gov.au>

1300 305 062

eSafety Commissioner

The Office of the Children's eSafety Commissioner protects Australian children when they experience cyberbullying by administering a complaints scheme and deals with complaints about prohibited online content.

<https://www.esafety.gov.au/>

Legal Aid Commission of Tasmania

Free and confidential legal advice by phone, in person, or online via Legal Talk.

<https://www.legalaid.tas.gov.au>

1300 366 611

Tasmanian Aboriginal Community Legal Service

Legal services in criminal and family law, family violence and some civil law.

<https://tacls.org.au>

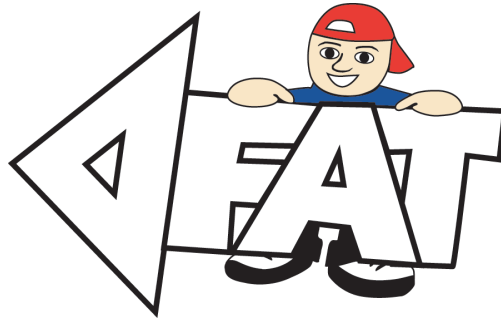
1800 064 865

Ombudsman Tasmania

The Ombudsman assists to resolve complaints and concerns about government agencies.

<http://www.ombudsman.tas.gov.au>

1800 001 170

**Youth Law Australia**

Provides free legal advice and assistance to children and young people in Tasmania.

<https://yla.org.au/tas/topics/>

Findhelp Tas

An online community services directory of Tasmania's social services. It includes lots of information about services for children, young people and their families.

<https://www.findhelptas.com.au>

Worksafe Tasmania

Administers the laws that regulate work health and safety, workers compensation, occupational licensing, asbestos compensation, and dangerous goods in Tasmania. It's primary role is to improve workplace safety, health and return to work.

WorkSafe Tasmania also investigates workplace incidents, audits workplaces for compliance with legislation, promotes safer and healthier workplaces, and promotes prompt and effective return to work.

<http://www.worksafe.tas.gov.au>

1300 366 322

Fair Work Ombudsman

The Fair Work Ombudsman assists to resolve complaints and concerns about employer and employment conditions.

<https://www.fairwork.gov.au/>

131394

Kids Helpline

Private and confidential 24/7 phone and online counselling service for young people aged 5 to 25. Any time. Any reason.

<http://www.kidshelp.com.au>

1800 55 1800

Headspace

National Youth Mental Health Foundation. They help young people who are going through a tough time.

<https://eheadspace.org.au>

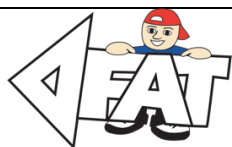
1800 650 890

Working It Out

Tasmania's gender, sexuality and intersex status support and education service.

<http://www.workingitout.org.au>

(03) 6231 1200



Grievance or Complaint Notification Form

Requirements

You must complete this Notification Form and provide it to the Grievance and Complaints Contact Person if you want a formal procedure for resolution of a grievance or complaint. Advice or help to complete the Form is available. Discuss this with the Grievance and Complaints Contact Person.

The Grievance and Complaints Contact Person will review the Form and clarify any details with you, including revising the Form if you require and/or agree to the revision. Once finalised and signed, a copy of the Notification Form will be provided to the other parties identified below as being involved in the grievance or complaint. All parties must be provided with a copy of the Grievance and Complaints Resolution Policy at the same time as they are provided with the Notification Form.

Other than the parties involved and the Grievance and Complaints Contact Person, the Notification Form must be kept in confidence.

Details

Your Name:

Age:

Gender:

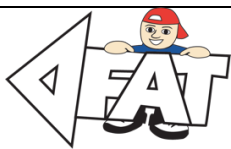
Address:

Phone Number:

Mobile Number:

E-mail:

Provide a brief description of the grievance or complaint, including dates. This information will help identify the most appropriate procedures for dealing with the complaint. Add more pages if you need them.



Grievance or Complaint Notification Form

**Name of other person(s)
or group involved in the
grievance or complaint:**

**Their Contact details
[if known]:**

What steps have you already taken to try to resolve this grievance or complaint with the other person(s) or group?

Is your grievance or complaint, or any matter related to it, already being dealt with or has it been dealt with elsewhere? If so, please describe briefly.

Do you have any special needs that require consideration? For example, wheel chair access, interpreter, visual/hearing disability, help to put things in writing etc.

Signed:

Dated:

Received by:

Signed:

Dated: