



**This policy should be read in conjunction with Division 3 of the Constitution “Grievance Procedure”. (see page 7)**

**Grievances are deemed in the constitution to apply to disputes between:**

- a) a member and another member**
- b) a member and the Committee**
- c) a member and the Association**

**Disputes between the above parties will be handled according to the processes outlined in the constitution, this policy applies to complaints from people external to the organization. eg listeners, the general public**



Version 1 /Draft 1

Authorised by: Committee of Management

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<ul style="list-style-type: none"> <li>• Rules of the Association particularly sections 2 Disciplinary action, and section 3 Grievance procedure.</li> <li>• Code of Conduct</li> </ul>	

VERSION CONTROL			
Version	Summary of Changes <i>(including why made if appropriate)</i>	Date of changes	Signed by

## Purpose

This policy and related procedures ensure MAINfm has a documented system for receiving and acting on complaints that are clear, consistent, transparent and expedient.

## Policy Statement

- All listeners, and the general public have the right to make a complaint about:
  - the conduct of individual staff members, presenters, students on placement, members; or the committee of management
- All people have the right to make a complaint without fear of reprisal.
- At the first Committee of Management meeting after the AGM, the Committee shall appoint a Complaints Officer.
- Information about the complaints procedure should be made available to all members upon joining the organisation.
- All complaints, whether verbal or in writing, will be taken seriously and investigated, where practicable, by the Complaints Officer within 7 days of receiving the complaint.
- All complaints will be expediently handled and must be resolved internally with the assistance of an external advocate (where appropriate) within two months
- The Complaints Officer should take steps to ensure that complainants feel comfortable to continue with their role in the station whilst the complaint is being processed.
- All person/s affected by the complaint should be fully informed of all facts and given the opportunity to put their case.
- Complaints against a member of the Management Committee maybe investigated by an impartial person designated by the Committee if it is deemed inappropriate for the Complaints Officer to handle the matter.

## Procedures

### 1. Principles for Dealing with Complaints

In dealing with complaints MAINfm will be guided by the following principles:

- all matters are treated seriously
- actions will be prompt
- non-victimisation or disruption of service for the person who makes the complaint
- support is provided for both parties
- neutrality -the person investigating the complaint should be neutral, and have the confidence of both parties
- keep both parties informed, particularly if there are delays
- confidentiality is maintained
- the complaint and key actions are documented
- the person against whom the complaint has been made must be treated as innocent until proven otherwise and given a chance to explain his or her version of events.



## 2. Provision of Information

- At the commencement of involvement with the station all presenters, volunteers and staff members will be provided with information of how to receive and record a complaint.
- This information will be provided verbally and in print, in concise and accessible language.
- Information on how members of the public can make a complaint will be displayed prominently in the Station's office and on the website.

## 3. Procedure for Dealing with Complaints

The following outlines the step-by-step process for dealing with verbal or written complaints.

### Step 1: Making the Complaint

Complainants are encouraged to raise their complaints with the person/group concerned in the first instance and attempt to resolve the matter informally.

However a person /group (or her advocate) may make a complaint to any member of the Committee of Management

- verbally in person
- verbally by phone
- by email
- in writing

### Step 2: Receiving the Complaint.

Where a verbal complaint is made the Member of the Committee of Management to whom the complaint was made shall:

- inform the Complainant that the complaint will be treated as confidential and passed on to the Complaints Officer to follow up
- to ensure confidentiality the person receiving the complaint shall not reveal the complaint to any person other than the Complaints Officer/or impartial person designated by the Committee of Management .

All formal complaints made in writing will be followed up by the Complaints Officer or an impartial person designated by the Committee of Management.

### Step 3: Complaints Officer Investigates the Complaint

Depending on the severity of the complaint the Complaints Officer (or person designated by the committee of Management) will contact the complainant initially by phone immediately, or at least within 7 days.

This Complaints Officer will:

- elicit the details of the complaint
- the person against whom the complaint is made



- when the alleged actions occurred.
- ensure support for the complainant continues during the process either internally or externally

Permission must be obtained from the person making a complaint prior to any information being given to other parties (who it may be desirable to involve in order to satisfactorily resolve the complaint).

The Complaints Officer will inform the relevant person that a complaint has been made against them and seek their version of events.

The Complaints Officer will document:

- the nature of the complaint,
- each persons version of events
- all actions taken
- findings

## Step 5: Addressing Less Serious Allegations

If the complaint **does not** involve a serious allegation the following procedure will be adhered to:

The Complaints Officer will:

- inform the person that a complaint has been made against them
- offer the person making the complaint the opportunity and support to discuss and resolve the matter with the person against whom the complaint has been made.
- inform the person of their right to bring an advocate or support person to this meeting
- organise a meeting time and place that is agreeable to both parties.

If the complainant elects to discuss the complaint with the person, and this produces a satisfactory resolution, the Complaints Officer (or person designated by the Committee of Management) will follow up the complainant within an agreed timeframe to check the matter has been satisfactorily dealt with and resolved.

## Step 6: Informing the Committee of Management

If the person making the complaint is not satisfied with the outcome of the first meeting to discuss the complaint she will be offered assistance to proceed to the next stage - a panel hearing.

The Committee of Management must be informed within 3 days of the decision to move to a panel hearing.

## Step 7: Panel Hearing

- The Committee of Management will appoint a panel of at least two Management Committee Members (excluding any Committee Member concerned). This Panel may include an external person agreed to by both parties.



- The Panel will investigate the complaint and consult with the complainant and their advocate to determine the means of resolving it.
- A decision of the Panel will be final decision and the complainant will have no further internal mechanism for pursuing the complaint.
- The complainant will be informed in writing of the Panel's decision and asked for feedback on the complaints procedure.

#### 4. Monitoring Complaints

The Complaints Officer will keep records and monitor complaints to:

- ensure complaints are resolved effectively and efficiently
- identify how services and systems can be improved
- identify changes required in any of the organisation's policy or procedures
- provide non-identifiable data for reports.

Where no complaints are received in a year, The Committee of Management will investigate to ensure this is due to satisfaction with the operation of the station rather than as a result of difficulty in making complaints or fear of reprisal.

*(End of document)*



**Below is an extract from the Castlemaine District Radio Constitution**

**Division 3—Grievance procedure**

**25 Application**

(1) The grievance procedure set out in this Division applies to disputes under these Rules between—

- (a) a member and another member;
- (b) a member and the Committee;
- (c) a member and the Association.

(2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

**26 Parties must attempt to resolve the dispute**

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

**27 Appointment of mediator**

(1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 26, the parties must within 10 days—

- (a) notify the Committee of the dispute; and
- (b) agree to or request the appointment of a mediator; and
- (c) attempt in good faith to settle the dispute by mediation.

(2) The mediator must be—

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement—

(i) if the dispute is between a member and another member—a person appointed by the Committee; or

(ii) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.

(3) A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who—

- (a) has a personal interest in the dispute; or
- (b) is biased in favour of or against any party.

**28 Mediation process**

(1) The mediator to the dispute, in conducting the mediation, must—

- (a) give each party every opportunity to be heard; and
- (b) allow due consideration by all parties of any written statement

submitted by any party; and

(c) ensure that natural justice is accorded to the parties throughout the mediation process.

(2) The mediator must not determine the dispute.

**29 Failure to resolve dispute by mediation**

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.