



# Feedback & Complaints Policy 2022

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**Applies to:** Staff, volunteers & Board members

**Version:** 3

**Specific responsibility:** Executive Director

**Date approved:** 30 August 2022

**To be uploaded to website:** No

**Next review date:** August 2024

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## Context of Policy:

**Standards or other external requirements:**

- Risk Management Guide
- National Accreditation Scheme.

**Legislation or other requirements:**

- Legal Profession Uniform Law (NSW)
- WRC Enterprise Agreement
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Equal Opportunity for Women in the Workplace Act 1999 (Cth)
- Anti-Discrimination Act 1977 (NSW)

**Contractual obligations:**

- Client Agreement
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## Policy Statement

The Welfare Rights Centre (“the Centre”) values feedback from its clients and other service users and is committed to ensuring that any person or organisation using its services or affected by its operations has the right to lodge a complaint or have a decision of a staff member reviewed and to have their concerns addressed in ways that ensure access, equity, fairness, accountability and transparency.

## Definitions

In this Policy the following definitions are used:

- “Casework practice” refers to the team which reports directly to the Principal Solicitor;
- “Client” refers to any person who has received advice, information or a referral from the Centre;

- **“Complainant”** refers to any person who is not a volunteer, staff member or Board member, and includes clients, non-clients and their agents;
- **“Service users”** refers to another other person or organisation that has accessed the Centres services, e.g. attendees at community legal education events, visitors to the Centre’s website,
- **“Solicitor/Caseworker”** refers to any person who works in a paid or unpaid capacity as a solicitor or caseworker at the Centre;
- **“Troubleshooter”** refers to the solicitor/caseworker who is rostered on at the time the complaint is made against a volunteer or the intake officer or at the time the intake officer needs to refer the complainant; and
- **“Volunteer”** refers to any unpaid worker at the Centre, including student volunteers, volunteers answering phones, PLT and social work students, but excludes pro bono and volunteer solicitors.

## Provision of feedback

The Centre will provide its clients and other service users with an opportunity to provide feedback, including positive feedback, on the Centre’s services through its client and community legal education surveys, its website and via email.

## Principles of complaints handling

The Centre will:

- Consider all complaints it receives;
- In the first instance and where appropriate, respond to complaints in an informal way;
- Treat all complainants with respect, recognising that the issue of complaint is important to the complainant;
- Resolve complaints, where possible, to the satisfaction of the complainant;
- Deal with all complaints in a timely manner, and endeavour to resolve complaints within 21 days of receiving a complaint;
- Keep parties to the complaint informed of progress of the complaint;
- Ensure that Board members, staff and volunteers are given information about complaints policy and procedures as part of their induction;
- Ensure that a complainant is not penalised in any way because they have made a complaint;
- Deal with all parties amicably and as informally as possible;
- Ensure that the complaints process is procedurally fair and follows principles of natural justice;
- Ensure compliance with all legislative and contractual obligations;
- Ensure that the complaints process complies with legislative requirements; and
- Ensure that feedback data (both positive and negative) is considered in organisational reviews and in planning service improvements.

Complainants may complain about any aspect of the Centre’s service they are not satisfied with, although generally complaints will relate to:

- The delivery of legal information and advice;
- The conduct of a staff member or volunteer;
- A decision not to take on a client's matter for ongoing casework;
- A decision not to represent the client at the Administrative Appeals Tribunal;
- A decision to terminate casework services to a client; or
- The outcome of an investigation of a complaint.

Notwithstanding the above principles, staff and volunteers at the Centre are entitled to a safe workplace and are not required under any circumstances to tolerate complaints lodged in a threatening or aggressive manner.

## External complaints

The Centre recognises that clients of the Centre have a right to complain directly to external agencies and will provide information to complainants about how to contact these agencies.

For complaints about the conduct of a solicitor, a complainant can approach the Office of the Legal Services Commissioner.

For complaints about breach of privacy, a complainant can approach the Office of the Australian Information Commissioner.

Where a complainant is not satisfied with the outcome of their complaint, they may complain to the Centre's major funder, Legal Aid NSW.

## Complaints giving rise to disciplinary action

Any disciplinary action against a staff member will be taken in accordance with the Centre's Enterprise Agreement.

## Information provided to complainants

The Centre will provide complainants with a copy of this Policy and will develop additional documentation about the complaints and appeals procedures that:

- is simple and easy to understand;
- is effectively communicated and promoted to the public; and
- will be uploaded to the Centre's website.

## Record keeping

The Centre will keep a digital record of all complaints, which is maintained by the Executive Director.

## Documents relating to this Policy

<b>Related policies &amp; procedures</b>	Feedback & Complaints Procedures Privacy & Information Access Policy Advice & Casework Policy Advice & Casework Procedures Code of Conduct & Ethics Policy Staff Safety Guidelines Policy
<b>Forms, record keeping\or other organisational documents</b>	Complaints Register How to make a Complaint Complaints form

<b>Reviewing and approving this policy</b>		
<b>Frequency</b>	<b>Person responsible</b>	<b>Approval</b>
Every 3 years	Executive Director	Board

<b>Policy review and version tracking</b>			
<b>Review</b>	<b>Date Approved</b>	<b>Approved by</b>	<b>Next Review Due</b>
1	6 February 2018	GRACE	N/A
2	22 February 2018	Board	June 2021
3	30 August 2022	Board	August 2025