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## Complaints Policy

## Purpose

The purpose of this Policy is to establish a policy for the management of complaints received by the Victorian Collaborative Centre for Mental Health and Wellbeing (the Collaborative Centre), so that people who are dissatisfied with the Collaborative Centre’s actions or decisions can access a clear, consistent and transparent complaints process.

This Policy also aims to encourage a positive and receptive complaints culture, in which the Collaborative Centre acknowledges the importance of continuous improvement and learning. We recognise that complaints help us to learn and be accountable where we can do things better.

## Application

This policy applies to complaints that the Collaborative Centre receives from members of the public, or people engaging with the Collaborative Centre’s work, such as committee and panel members (or people who have applied to be committee or panel members), people with lived experience and other partners, collaborators and stakeholders.

This policy does not apply to employment-related complaints, which will be managed in accordance with relevant legislation and human resources policies and procedures. It also does not apply to public interest disclosures, as defined by the *Public Interest Disclosures Act 2012 (Vic)*.

 This policy does not apply to board member disputes, which are managed through the Board Dispute Resolution Policy.

Please note that the Collaborative Centre does not have the authority to receive complaints about other health services or health practitioners, or advocate on your behalf in relation to such complaints, but we can help you by providing information about where to direct your complaint if it relates to a service or practitioner.

## Guiding principles

At the Collaborative Centre, we know that we might not always get it right, and so we are committed to being receptive to and learning from complaints that we receive. We understand the importance of managing complaints in a sensitive and impartial way, and will manage complaints that it receives in line with the following principles:

* Transparency: we will be transparent and clear during the complaint management process and regularly communicate with all people involved in the complaint.
* Accessibility: we will make sure that the process is simple and that all people involved in the complaint have an opportunity to ask questions and seek information throughout the process.
* Fairness: we will manage complaints in an unbiased and objective way to ensure a fair outcome, and we will treat everyone involved in the complaint with equity and respect.
* Confidentiality: we will make sure complaints are managed sensitively, including by ensuring that the information provided throughout the complaints process is confidential and secure.
* Human rights: we will take human rights, as per *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*, into account when managing a complaint.
* Continuous learning: we will aim to learn from complaints raised with us, as part of being a learning organisation.

## What is a complaint?

A complaint is when a person indicates to the Collaborative Centre that they are not satisfied with the actions, decisions or services of the Collaborative Centre.

To commence this complaints process, the Collaborative Centre may ask you whether you wish to make a formal complaint and start this complaints management process, or whether you wish for your complaint to be treated as feedback only.

## How can I make a complaint to the Collaborative Centre?

The Collaborative Centre aims to make it simple and easy to make a complaint, so that we can assist you when we need it. We ask that, if possible, you make a complaint in writing via email to collabcentre@vccmhw.vic.gov.au.

Your complaint should include the following details:

* what happened and how it led to your complaint.
* any relevant supporting information which could help the Collaborative Centre to better understand or resolve your complaint.
* how you would like your complaint to be resolved.
* how you would like to be contacted by the Collaborative Centre about your complaint.

You can make a complaint anonymously. However, making a complaint anonymously may mean that there are limits to the way that the Collaborative Centre resolves your complaint. The Collaborative Centre will advise you if this is the case.

Please note that there is no fee associated with making a complaint to the Collaborative Centre.

## What will happen after a complaint is made?

The Collaborative Centre manages complaints in a consistent way, and in accordance with the following process.

1. The Collaborative Centre will acknowledge receipt of a complaint within 7 business days after receipt. Generally, the person who acknowledges a complaint will be the contact person about any questions about the complaint process going forward.
2. After we acknowledge receipt of the complaint, we will assess the complaint. This means that we will check whether the complaint:

* includes all relevant information that we need to manage the complaint.
* needs urgent action prior to investigation.
* can be investigated by Collaborative Centre staff or requires the Collaborative Centre to engage an unbiased external party to investigate the complaint.
* is about an action or decision of the Collaborative Centre.
* should be directed to another organisation or person, and/or
* is a public interest disclosure.

1. If we:

* need more information from before we can help with the complaint.
* think the complaint may require urgent action.
* believe that the complaint is about the Collaborative Centre but should be investigated by an unbiased external party.
* believe that the complaint should be made to a different organisation or person, including because it is a public interest disclosure.

We will contact the person making the complaint as soon as possible to discuss next steps.

1. If the Collaborative Centre is waiting for further information, we may pause any progress to the complaint until we receive that information to ensure a proper process can be followed.
2. After we have determined that we have all the relevant information and that the Collaborative Centre is the appropriate organisation to deal with the complaint, we will start to investigate the matters raised in the complaint. This means that we might:

* ask other people for information about the events leading up to the complaint, with your consent, including other people referenced in the complaint.
* escalate the complaint within the Collaborative Centre if necessary.

1. In investigating the complaint, we will ensure that the process is procedurally fair. This includes ensuring that all relevant people have an opportunity to respond to information or claims made about them in the complaint, where that information or those claims may be adverse to a person’s interests.
2. Once we finish the investigation of the complaint and we have all relevant information, we will decide on an outcome, taking into account all relevant information and the resolution requested. Each complaint will be assessed on its merits.
3. We will then write to all people involved in the complaint to advise of decision and the reasons for that decision.

We will provide you with information and updates during this process, including about where it will not be possible for us to reach a requested resolution. It is important for us to be open and honest throughout the complaint management process, including where it may not be possible for us to meet expectations about the outcome.

We will aim to resolve a complaint within 28 days of acknowledging receipt unless it is a very complex complaint. If it is a complex complaint, we will give clear information about how long it might take to process the complaint.

We know that consistently managing complaints is part of having a fair and transparent process. We will therefore work to handle all complaints in the same way, unless there is a good reason not to, and to consider each complaint on its merits and on the basis of relevant information.

Where a complaint outcome highlights a problem with our processes, projects or ways of working, we will ensure that we learn from the complaint and make adjustments as needed so we can continue to improve how we operate and work with others. We are always open to feedback, and to learning and doing better.

## What happens if I’m not happy with the outcome of a complaint?

If you are not happy with the complaint process or outcome, or if you believe that the process or outcome is not fair, you can raise your complaint with the Victorian Ombudsman.

## Privacy

We know that making or being involved in a complaint can sometimes be difficult or daunting, especially because of concerns around privacy and confidentiality.

When information is provided about a complaint, the Collaborative Centre will only use that information for the purposes of handling complaint, and in accordance with our Privacy Policy. We will manage the information as confidential, and only share it with the consent of the relevant person or if we are required to do so by law.

## Commitment to wellbeing and safety

Wellbeing and safety are a key part of what the Collaborative Centre is working towards. Therefore, it is really important to ensure that both people making complaints and the Collaborative Centre staff handling those complaints are safe and well throughout the complaints process.

Therefore, if the Collaborative Centre believes on reasonable grounds that a person’s complaint is vexatious or frivolous, we may not investigate that complaint. A vexatious complaint means that the complaint causes distress or detriment or is repetitive or unwarranted. A frivolous complaint is a complaint which is trivial or meritless.

We are also committed to supporting people who make complaints, and we will offer support to people who make complaints where needed.

## Related documents

This document should be read in conjunction with the Collaborative Centre’s Public Interest Disclosures Policy, Board Dispute Resolution Policy and Privacy Policy as appropriate.

## Review

This Policy will be reviewed as required by the Collaborative Centre Board, and at least every 3 years or in line with changing best practice requirements.

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| **Policy approver** | Victorian Collaborative Centre for Mental Health and Wellbeing Board |
| **Policy owner** | Chief Executive Officer |
| **Date of approval** | March 2023 |
| **Date of effect** | March 2023 |