

Complaints Handling Policy

Purpose of this Policy

1. The purpose of this policy is to set out how InsideOUT deals with notifications of concern and complaints to ensure that staff, volunteers, rangatahi, and members of the public know how to raise concerns and complaints and know how they will be dealt with.

Complaints Subcommittee

2. The Board of InsideOUT will have a Complaints Subcommittee which will assist the Managing Director to address complaints and notifications of concern as they arise and will be notified of complaints or concerns by the Managing Director as they arise.

The subcommittee:

- a. will comprise the Chair, the Managing Director and at least two other Board members, with the memberships of the subcommittee being fluid to avoid any actual or perceived conflict of interest;
- b. will ensure appropriate space is given to Māori voices, both in terms of cultural safety for the parties involved and in the makeup of the subcommittee dealing with each individual issue; and
- c. will maintain a confidential list of complaints and concerns and report back to the Board regularly on progress, lessons learned and with recommendations for change (where appropriate).

Some Definitions

3. A “complaint” is a formal notification to the Managing Director and/or Board Chair. A complaint:
 - a. Will ideally be in writing, but can be communicated orally (and in any language) to either the Managing Director or the Chair, or both;
 - b. Can be brought by multiple people;
 - c. Can be about an InsideOUT staff member or volunteer, or both; and
 - d. Can be made by any person/s, whether they are external to InsideOUT or a staff member or volunteer with InsideOUT.
4. A ‘notification of concern’ is something that may not be considered a complaint, but could become a complaint in the future and/or raises concerns for InsideOUT’s staff, volunteers or practices to the extent that the notification of concern is adopted as an issue to be reviewed by the Managing Director and/or Complaints Subcommittee.
5. The “Early Resolution Process” is run by the Managing Director with the assistance of the Subcommittee, or another appropriate person appointed by the Subcommittee in the event the Managing Director has a conflict of interest or needs support.

InsideOUT welcomes other organisations using any part of this policy; however, InsideOUT is not liable or responsible for any policy development by another organisation.

What this Policy applies to

6. This Policy applies to notifications of concern or complaints from members of the public, other organisations or InsideOUT volunteers about any aspect of InsideOUT's operations or governance.
7. This Policy may also apply to a complaint by a staff member of InsideOUT about a staff member, volunteer or operational/policy decision of InsideOUT, if their complaint does not constitute an employment relationship problem (which is defined in every staff member's employment agreement).
8. In some circumstances, a complaint about a staff member of InsideOUT may be dealt with under both this Policy and as an employment relationship problem, or solely as an employment relationship problem where appropriate.

Principles

9. The following principles will guide InsideOUT in the handling of complaints:
 - a. *Listening and learning*—We recognise the importance and value of listening and responding to concerns and complaints, and making change when it is needed.
 - b. *Good process*—The complaints handling process is as effective, safe, confidential and accessible as possible. Visibility: Information about the process for making a complaint and the complaints process will be clear, accessible and well publicised.
 - c. *Fairness*—All complaints will be addressed in a fair and equitable, objective and unbiased manner throughout the complaints handling process. Issues of conflict of interest will be identified early on to ensure objectivity.
 - d. *Confidentiality*—Confidentiality relating to the complaint will be safeguarded so far as reasonably practicable including the person(s) to whom the complaint is addressed.
 - e. *Responsiveness*—All complaints and notifications of concern will be taken seriously and handled as swiftly as practicable. All complainants will be treated courteously and kept updated on the progress of their complaint through the complaints-handling process.
 - f. *Respect*—All complainants will be treated respectfully, whether it is felt the complaint is justified or not.

Early Resolution Process

10. It is envisaged that the Managing Director, with the assistance of the Chair where necessary, will take reasonable steps to conduct an initial review of complaints and attempt to informally resolve issues before deciding whether to forward them to the Subcommittee for further action. In making this decision, the Managing Director will consider whether the notification of concern or complaint can be resolved informally, and take steps to do so, before reporting the outcome to the Subcommittee.

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11. If the Managing Director considers that the notification of concern or complaint is vexatious or frivolous, or made in bad faith, the Managing Director may determine to take no action, but only after consulting the Chair or the Subcommittee.
12. The Managing Director will be authorized to take other steps to intervene in order to resolve issues before a formal complaint is made, including convening informal hui and discussing issues with the parties. If the Managing Director believes the issue to be resolved, that must be communicated to all parties and followed-up to ensure the parties understand and agree to the outcome.

Complaints Handling Procedures

13. Complaints about staff or volunteers should be directed to the Managing Director in the first instance.
14. Complaints about the Managing Director should be sent to the Chair of the Board board@insideout.org.nz
15. InsideOUT will respond to a complaint in the following way:
 - a. Confirming with the complainant the nature and content of the complaint, and ensuring InsideOUT is the appropriate body to deal with it. This should be done within a week of receiving the complaint and written acknowledgment made to the complainant.
 - b. Confirming who the complaint is about and determining whether it should be managed under this policy or as an employment relationship problem (noting that the provisions of employment agreements and the relevant legislation will trump this policy).
 - c. Where a notification or complaint is about a position or policy of InsideOUT, the Subcommittee will consider the matter and report to the Board on possible responses or changes needed in the organisation.
 - d. Where the complaint is about a person, a copy of the complaint, with as much information as is needed for the person to fully understand the nature of the complaint, will be provided to the person who is complained about.
 - e. InsideOUT will ensure that all parties to a complaint receive support, including during meetings or hui or at other times of stress. Parties may need to be made aware that they can seek external advice about the complaint.
 - f. The person complained about will be requested to provide a response to the complaint within a clear timeframe.
 - g. The subcommittee will receive and consider the response from the person complained about, and speak with any other person or entity to obtain information relevant to the complaint.
 - h. In the event the Board considers that the complaint cannot be resolved without a perception of bias on behalf of the Board, or in any situation where the Board or the subcommittee feels external assistance is required, it will engage an independent third party to either conduct the investigation, or assist the subcommittee to conduct the investigation.
 - i. After collecting relevant information, the Subcommittee will provide a report to the Board with a determination and recommended next steps. It may be appropriate for the Subcommittee to suggest such steps as meeting with the

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complainants to seek feedback on proposed outcomes, taking external advice about some or all matters raised in the complaints, to trigger a formal disciplinary process if the person complained about is an employee; or to take no further action.

- j. Any outcomes must be approved by the Board with follow-up to ensure proposals are actioned and all parties are notified of the outcomes.

16. If the complainants are not satisfied, a complainant will be advised:

- a. of any appropriate body, external to InsideOUT, which has the ability to deal with the complaint (such as the Privacy Commissioner or Human Rights Commission); and/or
- b. where appropriate, the assistance of an external facilitator, agreed between the parties, will be asked to assist the parties to resolve the complaint.

Document Management and Control

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