

## **Conflict, Grievances and Disputes**

Stepping Stone House aim to ensure that any grievance or dispute within the organisation is handled competently, fairly and quickly. Adequate disputes handling will promote and protect standards of service, young people in Stepping Stone House, and a healthy work environment.

### **Staff disputes and grievances**

#### **Principles of managing staff disputes and grievances**

- Confidentiality
- Honesty and openness
- Fairness
- Respect

The grievance and disputes policy in the staff contracts and/or Award documents must be followed.

Staff and management are expected to work co-operatively and resolve conflict as part of their positions.

Conflict, grievances and disputes within Stepping Stone House will remain confidential to the organisation.

#### **Reporting staff disputes/grievances**

Any complaint or grievance regarding work performance, attitude or other such issue should be brought to the individuals' attention immediately. Other people are not to become involved in the dispute or conflict or issue or discuss the dispute, conflict or issue until the involved parties have discussed it and attempted resolution.

If this approach is not considered possible, the Chief Executive Officer should be approached.

At all times conflict dispute or grievance should be addressed at the local level in the first instance.

#### **Procedure to resolve staff grievance/disputes**

Staff are encouraged:

- To be open and honest with other staff members;
- To put the needs of the young people in Stepping Stone House first;
- To be flexible, to attempt to compromise;
- To work co-operatively, and
- To support colleges in the workplace.

Conflict, grievances, or disputes must be resolved in the best interests of the young people and the organisation. Any conflict or grievance must be raised with the staff member

concerned at the earliest possible opportunity. A resolution may be achieved through discussion.

If this is not possible, a more formal discussion and plan may be required to resolve the problem.

Staff should work towards this as quickly as possible. Staff meetings, team meetings, and/or supervision meetings with the House Coordinator may be used to resolve grievances or disputes.

Where the issue is affecting service delivery, and impacting negatively on the culture and work environment of the staff team and where a suitable agreement cannot be reached either between the involved staff, or the involved staff and the Chief Executive Officer, the Board may need to become involved.

If the Chief Executive Officer or a member of the Board is the subject of the complaint, the staff member shall have the right to refer the matter to the Complaints Committee namely Mr Brian Porter at phone number 9489 4098 and the Complaints Committee shall carry out its function as set out in paragraph 9.9 hereof. If staff are dissatisfied with the response they can refer the complaint to the NSW Ombudsman.

## **Client complaints and appeals**

### **Principles of client complaints and appeals**

- Timely resolution
- Complaints are to be resolved informally and at the most immediate level, where possible
- Stepping Stone House will encourage young people to voice complaints, concerns and suggestions for improved service delivery
- Complaints may be made to any worker in a confidential interview at any time.
- Young people have the right to make a complaint and the staff member has the right to be informed of the nature of the complaint.
- All complaints/dispute processes will be governed by the objective assessment, support for all people involved and speedy resolution.
- Confidentiality will be considered during complaints processes for both the young person and any staff member involved. The names of young people who make complaints will remain confidential as far as possible, and the names of staff members involved in any dispute are also to be protected as far as possible. Staff not directly involved in the dispute will be given information on a need to know basis.
- Young people can submit a complaint straight to the General Manager through an online complaints form located at [www.steppingstonehouse.com.au](http://www.steppingstonehouse.com.au)
- Once a complaint is received the appropriate person with parental responsibility should be notified.
- During admissions procedures and subsequent day-to-day conversations with staff, young people will be informed of their rights and responsibilities and processes for dealing with concerns or complaints.

- Young people should be encouraged to use a range of forums and methods to raise complaints or concerns, including:
  - Regular interviews with their Case Manager
  - Resident meetings
  - Exit questionnaires
  - Social interaction with a member of staff
  - Complaint Forms
  - Feedback forms
  - Young people will also be encouraged to approach any staff member at any time to raise a dispute or complaint.

### **Complaints from Family or Community members**

Stepping Stone House encourages feedback and concerns from members of the community and family members. Information relating to how to make a complaint is included in the family welcome package and an easily accessible feedback form is available online at the Stepping Stone House website that is received by both the General Manager and CEO.

### **Dealing with concerns or complaints/disputes**

Concerns, problems or issues that constitute complaints or disputes can be raised in any forum or discussion. Staff must refer this information to the House Coordinator.

The House Coordinator will address such issues (in consultation with staff and where necessary Residential Services Manager, General Manager, the Chief Executive Officer and the Board). Complaints will be responded to:

- Where possible, through implementing policies or strategies to improve the area of concern/need for change; or
- Where it is not possible to implement policies or strategies due to cost, ensuring that funding submissions include a request to cover such costs; or
- Where it is not possible to implement policies or strategies due to other reasons (e.g. duty of care), through referring the matter to the Board for consideration of alternatives.
- The Residential Services Manager will determine whether the complaint should be dealt with as a 'minor' or 'serious' matter. The Chief Executive Officer may refer the matter to the Board if uncertainty exists in this regard.
- In situations where the issue or problem is considered serious, the Chief Executive Officer will raise the matter with the Board at the earliest opportunity.

### **Procedures for managing minor complaints and disputes**

The Chief Executive Officer may seek the advice of Board at any stage in dealing with a minor complaint/dispute.

Young people will be encouraged to discuss the complaint with the supporting staff member if it is helpful and safe to do so. If the young person chooses not to speak with the staff

member on shift, they will be invited to speak to the House Coordinator. The young person will be offered assistance to fill in the complaints form at this point.

The House Coordinator will interview the young person and gather information to enable assessment to be made about the nature of the complaint/dispute and to determine therapeutic and solution focused courses of action. They will negotiate with the young person to achieve an agreeable resolution to the dispute/complaint. If the young person is satisfied with the response this will be typed up on the complaints form and signed by both the House Coordinator and the resident. The young person may have an advocate of his/her choice in any complaints process. If required, staff will assist the young person to appoint an advocate.

Any instances of minor complaints/disputes which recur or cannot be resolved at the service level will be reported to the Residential Services Manager who will escalate to the Chief Executive Officer and Board if required. The Board will determine future action on the complaint/dispute.

### **Procedures for managing serious complaints or disputes**

The Chief Executive Officer must notify the Board of any serious complaints or disputes. A serious complaint may involve:

- Policy and Procedure breaches,
- Ongoing poor work practices and performance,
- Recurrence of similar minor complaints/disputes,
- Minor complaints which have the potential to escalate,
- Breaches of ethical and professional conduct standards and rights of young people and their families.

### **Direct referral of complaints**

In cases where criminal or child protection complaints are made, these must be immediately referred to the relevant groups such as Police, DCJ etc. The Chief Executive Officer will inform the Board - relevant action will be taken by the Board according to the policies (please see Policy 4 – Child Protection).

In cases where complaints involve breaches of Stepping Stone House Code of Conduct, the Chief Executive Officer may refer the complaint directly to the Board.

### **Resolution at Board level**

If the complaint has not been resolved at the service level the Chief Executive Officer will lead the investigation and seek a sound and safe outcome for all involved. The Chief Executive Officer will document all aspects via a written report - outlining the nature of the complaint, the Chief Executive Officer's assessment of the response written by the staff member involved and any other documentation that is deemed helpful and informative. (For example, letters from the young person).

If the matter remains unresolved, following negotiations at service level, the complaint/dispute will be referred to the Board where the complaint will be considered by a Disputes Management Subcommittee.

The disputes sub-committee is a smaller group of the full Board. It will generally consist of the Chief Executive Officer, and/or other staff member, and one or two Board members. For the purpose of this policy, the Chief Executive Officer is delegated to select members and may do this through discussions with one or two other Board members. The subcommittee will be selected with regard to:

- The type of complaint/dispute and special expertise required;
- The availability of Board and staff members;
- Gender balance;
- The balance between keeping the numbers low while ensuring the necessary expertise is available and that a fair and objective assessment can be made;
- The suggestions by the staff member involved.

The sub-committee will meet within one week of Board's receipt of the complaint/dispute information. The sub-committee will:

- Meet together with the Chief Executive Officer to discuss the report;
- Meet with any staff member involved. This meeting should be for the purpose of clarifying any information and affirming or revising any action already recommended;
- Meet with the young person. The young person should be given the right to decline attendance or attend with an advocate. Should the young person decline, the Chief Executive Officer or an advocate may present their case. Should the young person attend, discussions should remain informal, mindful of language (no communication road blocks – such as buzz words/jargon) and should be non-adversarial;
- If required, meet again without staff to further discuss the complaint and develop solution focused measures to resolve the complaint/dispute.

If staff are to be interviewed and disciplinary action is a possibility, they may have a support person present and the Staff Disputes and Grievance Policy (Policy 9.19) must be adhered to.

The sub-committee will determine action to resolve the dispute and will provide quick feedback (usually in the form of a verbal discussion and followed through in writing) to all those involved. Action to be taken may consist of:

- Discussion leading to a resolution
- Discussion leading to the decision that no case exists;
- Changes made to SSH policies and procedures
- Mediation;
- Formal apology
- Disciplinary action if deemed necessary.

The disputes sub-committee will ensure that the Board and relevant staff are kept informed of development in the process. The responsibility of general feedback to other staff lies with the Chief Executive Officer unless otherwise delegated.

## **Follow up of complaints and disputes**

Should a young person be dissatisfied with the final decision of the disputes sub-committee, the Chief Executive Officer will inform the young person of further possible courses of action (for example, Anti-Discrimination Board, Disputes Resolution Services, ACWA, Office of the Children's Guardian.)

Following resolution of a complaint, staff will ensure that young people are comfortable at Stepping Stone House and are not intimidated or victimised in any way within Stepping Stone House. Any intimidation or victimisation will be dealt with immediately in accordance with Stepping Stone House policies.

### **Time frame for managing complaints or disputes**

Ideally the process is not to take more than 3 weeks from the time the complaint is dealt with by a full staff meeting until resolution or completion. Any complaints which are not able to be resolved promptly must be reviewed regularly by the Chief Executive Officer.

## **Recording and assessing complaints**

It is the responsibility of the Chief Executive Officer to:

- Report on complaints and progress to the Board where necessary – through the Monthly report process;
- Compile data on complaints, including the nature of complaints; length of processes, outcomes and any policy implications. A register of all complaints is located in Management file section of SSH server.
- Exit questionnaires responses and complaints data will be compiled, assessed and included in evaluations and annual reports. Serious issues raised in exit questionnaires must be raised by the Chief Executive Officer to the Board.

Following a complaint to the Complaints Committee, the Complaints Committee shall be entitled to:-

- Interview any member of staff and any resident and any member of the Board;
- Report in writing on such enquiries within two (2) weeks to the Board or such further time as the Board should allow;
- If the situation warrants it, to refer the matter directly to the Office of the Children's Guardian.

## **Appeals and Complaints on Decisions**

Appeals on an internal decision should be made to the Chief Executive Officer in the first instance. The Chief Executive Officer should notify the young person and the Board of the appeal and review the investigation. The outcome of the appeal should be reported to the staff member, the Board and the young person.

All of those involved in investigations will be provided with information on appeals and complaints about decisions through the NSW Ombudsman and Administrative Appeals Tribunal.