

Applies to: All staff	Effective date: July 2022
Specific responsibility: All staff	Next review date: July 2024

Policy Statement

Caxton Legal Centre is committed to delivering high-quality services that respond to the community's need for free legal and social work supports. Feedback and complaints about our services and the way we provide them can help us find opportunities to better understand the needs of our clients and stakeholders, prevent further problems, increase client satisfaction and improve performance. Caxton undertakes to engage with persons and organisations providing feedback in a rights-respecting manner and will be alert to people who might require additional assistance to make a complaint.

Guiding Principles

Caxton will manage feedback and complaints in line with the following principles:

- participation—feedback from clients and stakeholders is welcomed and valued, and can be provided in multiple ways (including anonymously and with supports where required) to ensure maximum participation of anyone wishing to engage with Caxton
- accountability—transparent and fair mechanisms exist for managing feedback and complaints to resolve individual concerns and systemic issues in a timely manner, regularly review complaints at an executive level, use suitably skilled staff to receive and respond to complaints
- non-discrimination—everyone has a right to provide feedback or complain and, in doing so, will be treated with respect and will not be adversely affected because of a complaint. Privacy and confidentiality will be respected, human rights will be respected and protected, complaints will be handled fairly, objectively and without bias following the principles of natural justice
- empowerment—Caxton ensures all staff are capable of managing certain levels of feedback and complaints, providing supports where necessary for that feedback and complaint to be received, and escalating concerns where appropriate so that the rights of clients and stakeholders to receive good quality services and have wrongs righted is promoted and realised
- linkages with human-rights standards—Caxton aims to act and make decisions in a way that is compatible with the human rights of individuals under the *Human Rights Act 2019* (Qld) (Human Rights Act) and all complaints will be assessed to identify whether it includes any human-rights issues.

Positive Feedback

Positive feedback provided about a staff member or service provided:

- will be shared with the individual staff member
- can be shared more broadly with teams and staff members
- can be shared in a deidentified way in internal reports, funding reports and annual reports
- can be published with the consent of the client.

Client and Stakeholder Surveys

Caxton is required to survey clients in specific programs and will do so according to program guidelines. Caxton aims to survey clients (where it is otherwise not a requirement) across general and specialist programs once per annum using templates provided by funding or peak bodies, or inhouse adaptations. Caxton aims to survey stakeholders once every two years using templates provided by peak bodies or inhouse adaptations. Caxton will analyse and report to the executive management team, staff and the management

committee about survey results for continual review and improvement. Deidentified results may be used for publishing impact reports, annual reports and other organisation reports.

Complaints

This section of the policy applies to complaints about service delivery and human rights complaints. Service delivery complaints are about any aspect of a service provided by Caxton and includes privacy complaints. Human rights complaints are complaints that Caxton has not complied with its obligations under the Human Rights Act.

Complaints are managed depending on the type of issue reported.

CLIENT SERVICES COMPLAINTS

Clients and stakeholders wishing to make a complaint about a service provided by Client Services including in relation to management of intake and triage, application of the eligibility criteria, responding to issues of urgency, provision of legal information and/or referrals, should make those to the client services coordinator. The client services coordinator will endeavour to resolve the issue informally within one to two business days unless it is urgent.

If the client services coordinator cannot resolve the issue, the escalation pathway depends on the issue (see Figure 1) but, in any case, will be responded to within one business day if it relates to an issue of urgency, otherwise within five business days.

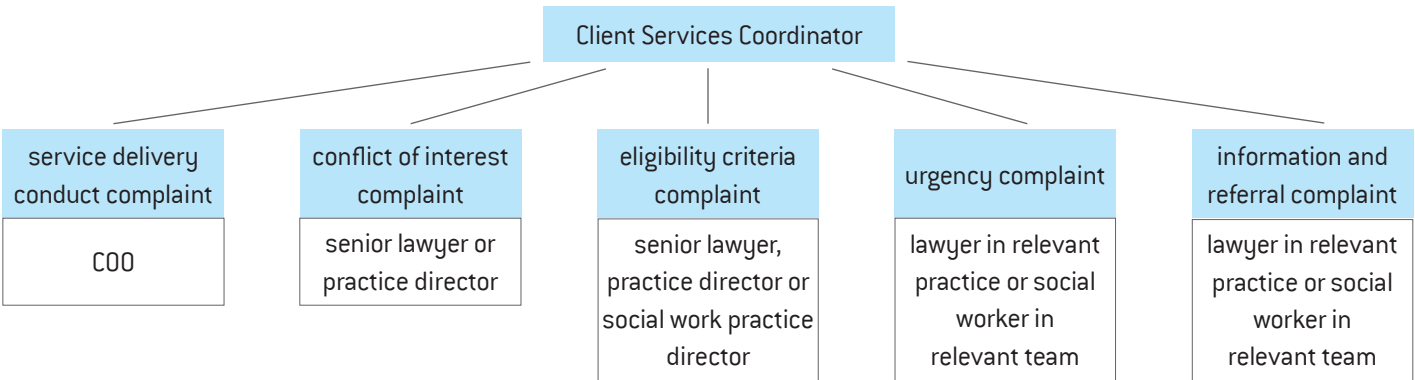


Figure 1: Complaint escalation pathway

COMPLAINTS ABOUT REFUSAL OF SERVICE OR SCOPE OF SERVICE BY A LAWYER OR SOCIAL WORKER

Clients wishing to make a complaint about a refusal of service and/or scope of service decision by a lawyer or social worker should make those to the relevant practice director who will endeavour to resolve the issue informally within one business day if the issue is urgent or otherwise within five business days. If that is unsuccessful the escalation pathway is it to the CEO.

COMPLAINTS ABOUT LEGAL SERVICE OR SOCIAL WORK SERVICE

Clients wishing to make a complaint about a service delivered by a lawyer (including volunteer) or social worker can make those to the lawyer or social worker who delivered the service. The relevant lawyer or social worker will endeavour to resolve the issue informally as soon as it comes to their attention, and they will inform their practice director who will work with them to respond if necessary. Otherwise, the complaints should be escalated to the relevant practice director who will review the service and provide a verbal (documented via a file note) or written response to the client within one business day if the issue is urgent or otherwise within five business days.

If the complaint remains unresolved, the escalation pathway is it to the CEO. The practice director will report the complaint to the executive management team if there is a potential professional indemnity insurance issue or systemic issue to address.

COMPLAINTS ABOUT EXECUTIVE STAFF MEMBERS

Clients or stakeholders wishing to make a complaint about a practice director or COO should make those to the CEO, who will endeavour to resolve the issue informally within one business day if the issue is urgent or otherwise within five business days. If that is unsuccessful the escalation pathway is it to the president of the management committee and will be responded to within one business day if the issue is urgent and otherwise within five business days.

Clients or stakeholders wishing to make a complaint about the CEO should make those to the president of the management committee, who will endeavour to respond within one business day if the issue is urgent and otherwise within five business days.

COMPLAINTS ABOUT MEMBERS OF THE MANAGEMENT COMMITTEE

Complaints made against a member of the management committee will be referred to the president in the first instance. The president, or their delegate, will endeavour to resolve the issue informally within one business day if the issue is urgent or otherwise within five business days. If that is unsuccessful or the complaint is about the president of the management committee, the escalation pathway is it to the secretary and treasurer who will respond within one business day if the issue is urgent and otherwise within five business days. If the matter remains unresolved they will refer the matter to an appropriate external consultant or dispute resolution provider.

HUMAN RIGHTS COMPLAINTS

If an individual believes Caxton has acted or made a decision that is not compatible with human rights, or that Caxton did not properly consider human rights in making a decision, they can complain to the CEO.

The CEO will identify whether any human rights are affected by the act or decision complained about, and whether proper consideration of human rights have been given in a decision complained about. The CEO will then consider whether the act or decision has limited any identified human rights. If human rights have been limited, the CEO will consider whether the limitation is reasonable and justified, in accordance with the Human Rights Act.

The CEO will respond to the complaint within 45 business days. If the CEO has not responded in that time, or the person making the complaint is not satisfied with the outcome, the person has the right under the Human Rights Act to complain to the Queensland Human Rights Commission.

Method of Complaint

Caxton will provide information on its website and in communications provided to clients and stakeholders about the ways to provide feedback and make a complaint.

A client or stakeholder can provide feedback or make a complaint verbally, in person, by email, by letter, through an interpreter or any other communication form the person needs to use.

Procedures

Once a complaint is received the steps that are followed will be dependent on what the nature of the complaint is but can include:

- obtaining relevant information pertaining to the complaint
- meeting with the client or stakeholder
- exploring the reasons for any decision or action/inaction
- reviewing a file
- notifying the person about whom a complaint is being made of the complaint and its nature
- exploring options to resolve the issue with the client/stakeholder
- compiling a summary of issues and process map to afford natural justice to all involved

- apologising
- correcting legal advice
- addressing service need
- addressing a systemic issue
- providing supports, feedback and/or supervision to a practitioner
- recording the complaint in the complaints register where there is a risk management issue
- agreeing on a rights-respecting outcome.

When processing a complaint, Caxton will only disclose client information to those individuals and areas within the centre that may have information relevant to the complaint so that it can be managed fairly. None of the information provided will be disclosed outside of the centre without client permission, unless Caxton is required to do so by law.

ESCALATION TO MANAGEMENT COMMITTEE

If a complaint has not been resolved by the CEO, it will be escalated to the president of the management committee who will respond within one business day if the issue is urgent and otherwise within five business days. Where the complaint remains unresolved, the individual will be referred to the appropriate external agency or dispute resolution service.

COMPLAINTS REGISTER

A register of complaints for situations that raise a risk management and/or professional indemnity insurance issue will be kept in a confidential electronic file that can only be accessed by members of the executive management team. The register will be maintained by the CEO, will be regularly reported by the COO to the management committee and will record the following for each complaint or appeal:

- details of the complainant and the nature of the complaint
- date lodged
- action taken
- date of resolution and reason for decision
- indication of complainant being notified of outcome
- complainant response and any further action or correspondence.

References and Related Documents

Related policies, documents and legislation:	<ul style="list-style-type: none">• <i>Legal Profession Act 2007</i> (Qld)• <i>Privacy Act 1988</i> (Cth)
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Policy Review and Version Control

Review	Date approved	Approved by	Next review date
1	July 2022	management committee	July 2024