



awea

Auckland Workers Educational Association

PROCEDURES FOR HANDLING COMPLAINTS

These procedures must be read in conjunction with the relevant policies

GENERAL PRINCIPLES

- the best strategy for minimising number and scale of complaints and other conflict is to try to minimise the factors that contribute to them such as poor communication, unclear procedures, disagreement about fundamental values, inadequate response to early warning signals
- the main objective is to achieve resolution to satisfaction of all parties directly concerned
- any stakeholders may make complaints
- all complaints shall be given serious consideration including prompt investigation
- rights of all parties involved in a complaint or conflict must be ensured (e.g., to privacy, to confidentiality, to be heard, to respect)
- due process must be observed (including, but not limited to: declaration of partiality and/or conflicting interests by investigator/s of complaint; evidence being made available for consideration by investigator/s of complaint; subject of complaint to be made aware of substance of complaint; presumption of no wrong-doing until evidence establishes that there has been; response to any established wrong-doing commensurate with the offence)

All key stakeholders (learners, kaimahi, colleagues, major funders) should be made aware of the complaints/conflict resolution policies and procedures. They are brought to the attention of learners on the course information sheet and are available on the website/s.

PROCEDURES

- if the matter has serious safety implications, it should be taken to the kaiwhakahaere immediately (or to a member of the Executive if kaiwhakahaere is not available)
- otherwise, the matter should first be raised by the complainant directly with the person about whom they are complaining; either party may wish to arrange a facilitator for the hui and/or bring a support person, but in either case the other party must be notified of the intention to do so
 - if this does not achieve an acceptable outcome within a reasonable number of attempts (up to three), the complaint/conflict should be taken to the next highest authority until there is resolution; the attached table indicates the normal paths for complaint resolution
- response to all complaints/conflicts must be provided in a timely manner (a maximum of one week from receipt of written complaint for at least initial response; should be within one day if a major issue); if resolution takes more than two weeks, all key parties must be kept informed of progress
- response to the complaint should be in the same form in which it is presented (e.g., a written response to a written complaint, a verbal response to a verbal one)
- storage of complaint/conflict resolution information
 - details and outcomes of complaints, whether written or verbal, should be recorded and stored in a secure place
 - details and outcomes of written complaints about specific kaimahi will be kept in relevant staff file/s
 - details and outcomes of all other serious conflicts shall be kept in a secure place in written form (serious due to length of time, scale and/or longevity of potential consequences, number of people involved, etc)
- the kaiwhakahaere should be advised about any complaints and be involved in responding to any written complaints other than those about the kaiwhakahaere or the Executive; in the latter two cases, one or more Executive members will be designated by the President to be involved in addressing the issue

- after closure of any serious complaint/conflict, there will be a review of the factors giving rise to the situation to determine if any changes should be made to avoid the likelihood of such a situation arising again; the form of and resources allocated to the review will be decided in relation to the nature of the situation itself, but a written statement giving the main findings and any recommendations will be attached to the record of the incident and a copy will be kept with other feedback

RELATED DOCUMENTS

- Comments/Complaint Form

SAMPLE CONFLICT RESOLUTION MODEL

(VERY IMPORTANT: this model assumes joint commitment to the relationship – if that does not exist, resolution may not be achieved by this method)

1. Complainant owns the problem/issue/concern (focus on 'I', not 'you' or 'they')
2. Each party acknowledges positive things in the relationship with the other
3. Complainant explains what the relevant factors are for him/her
4. Respondent asks questions to clarify understanding of Complainant's perspective but NOT to debate values, facts, etc
5. Complainant makes specific proposal to Respondent which would resolve the issue for Complainant
6. Respondent agrees to the proposal if acceptable to her or him OR
7. Respondent declines proposal
 - a. stating why proposal not acceptable AND
 - b. making alternative proposal which takes account of factors important to Complainant
8. Complainant agrees to the proposal if acceptable to her or him OR
9. Complainant declines proposal
 - a. stating why proposal not acceptable AND
 - b. making alternative proposal which takes account of factors important to Respondent
10. Steps 6-9 repeated until agreement reached (NB: each time the cycle is repeated resolution will become more difficult as more factors will need to be addressed)