

Regional Processing Centre Guidelines

Transferee - Complaints Management

INTRODUCTION

The Service Providers will provide Transferees in their care access to a complaints management procedure whereby issues of concern can be resolved effectively, fairly and efficiently within the procedural timeframes.

Complaints made by Transferees are delegated to the relevant Service Provider, and responded to as a matter of priority to avoid issues escalating.

During the induction process, Transferees will receive the 'Induction handbook' (in a language which they understand) which includes the complaints management procedure.

Copies of the complaints management procedure and complaint forms will be available throughout the Regional Processing Centre (RPC).

Each RPC will have a complaint box in which to place any confidential complaints.

The complaints management procedure will be instrumental in fostering good staff/Transferee communications by reducing tensions and reassuring Transferees that their welfare is of high priority.

The complaints management procedure will be a contributory factor in highlighting and improving the RPC's operation. It is important therefore, that the confidentiality and integrity of the complaints management procedure is upheld at all times.

It must be clearly understood that no Transferee will be prevented from taking any complaint or complaints to any other agency including DIAC, the Red Cross or the UNHCR.

PROCEDURES

- In the first instance where there appears to be an issue to be resolved, the Transferee may speak to a Service Provider staff member. Experience shows that often problems can be solved there and then. If this is not possible, the Transferee may, at their discretion, then use the complaints procedure and will be given access to and assistance with, completing a complaint form.

If the Transferee makes a verbal complaint to a Service Provider which cannot be resolved immediately, they must facilitate that Transferee making a written complaint. It is important that verbal complaints are formalised in writing so they can be tracked through the complaints management system. Further, it is not appropriate for a Service Provider to fill out a complaints form on behalf of a

Transferee as this raises potential conflict of interest or perceived or actual bias as there is no evidence the Transferee is actually making the complaint.

- All complaints from Transferees will be collected from the Complaints Box daily by a nominated Welfare Service Provider (WSP) Complaints Officer, recorded on the appropriate form and details captured in a Complaints Register to be established by the WSP and shared with the Service Providers on a weekly basis. Complaints will be distributed by the WSP Complaints Officer to the relevant Service Provider for response
- All complaints received will be acknowledged in writing by the Welfare Service Provider within 24 hours of receipt of a complaint written in English, whether directly from the Transferee or after translation by a Departmental interpreter.
- The WSP will allocate complaints to a nominated complaints officer from each Service Provider for response.
- The Service Provider responsible for the response must provide the Transferee or WSP with a response or update on the progress of the complaint within 3 days.
- Where the responsible Service Provider provides a response or update to the WSP, the WSP has one day to provide the response/update to the Transferee.
- Where a response has been provided directly to the Transferee, the responsible Service Provider will provide a written note of the response/update to the WSP for recording on the Complaints Register.
- Where a complaint cannot be resolved within one week, the Transferee must be given a written update on the status of their complaint every week.
- All complaints management related incidents must be reviewed at the Weekly Departmental Review meeting.
- The DIAC Director must be notified if the Service Provider is of the view that a complaint should be forwarded to another agency.
- The DIAC Director must be notified within 48 hours when a Transferee is dissatisfied with the outcome of a complaint or seeks a higher level review.
- Where a complaint is not resolved within 7 days, or is escalated to an external third party, the complaint is then escalated to the WDR for monitoring.

CONFIDENTIAL ACCESS TO THE TEAM LEADER

1. It should be noted that at each stage of the procedure that the person responsible for responding to the complaint has to do so as soon as possible. If for any reason the response cannot be made within 7 working days, the Transferee must be given an interim/holding reply.
2. All responses to a Transferee must sufficiently address their concerns and must provide clear reasons for the decision. In addition it is extremely important that the Transferee's complaint remains confidential and is treated with integrity and professionalism. Not to do so discredits the complaints procedure and undermines its purpose.

3. Sealed and confidential complaints to senior Service Provider staff, the Department or any other external agency must be dealt with promptly by the staff member who received the correspondence, and forwarded (unopened) without delay. The complaint must still be registered on the Complaints Register, noting the entry describing the complaint will state 'Confidential'.
4. Where a Transferee is unable to write a complaint in English they should be advised to write the complaint in their language. Where a Transferee has no written language ability, the WSP must:
 - ask the Transferee whether they have a trusted friend or family member who can write the complaint for them or if they do not or the complaint is particularly sensitive;
 - provide a Cultural Advisor or arrange an Interpreter through the Department to write the request for the Transferee, including a note that this service was provided to the Transferee and ensuring both the Transferee and Cultural Advisor/Interpreter signs the complaint.
5. Complaints received in a language other than English must be registered in the Complaints Register then provided to the Department for translation. The time and date the complaint was provided to the Department must be recorded in the Complaints Register as well as the time and date translated complaints are received from the Department.

ASSIGNED INVESTIGATIONS OFFICER

1. The WSP will assign an Investigations Officer who will work with other Service Providers (and the Department where required) to co-ordinate all Transferee complaints. The assigned Investigations Officer will have responsibility for ensuring:
 - That all complaint forms are numbered and logged together with confidential access envelopes after they are received from Transferees.
 - That all complaints are logged in the nominated information technology system, the Complaints Register and ensure that each stage is logged through to completion.
 - That a system to effectively monitor progress of all complaints is in place and maintained, and that all outstanding matters are pursued.
 - That all complaints at every stage are completed within the stated deadlines or the appropriate interim replies are completed as necessary.
 - Non-compliance of deadlines by other Service Providers for referred complaints are escalated to the Department as soon as possible.
 - That all necessary files are properly maintained and copies of complaint forms and all relevant correspondence are placed in the Transferee's records and recorded on the Transferee management information system.

COMPLAINTS AGAINST SERVICE PROVIDER STAFF, CONTRACTORS OR DEPARTMENTAL PERSONNEL

1. The DIAC Director must be informed as soon as is practicable, and within 12 hours of receipt, of any complaint made by a Transferee about the conduct of Departmental Personnel, the Service Provider personnel or other third party Service Providers.
2. It is the responsibility of the DIAC Director to investigate all allegations against staff. The Investigations Officer will observe the following procedures:
 - Identify the complaint as one which is appropriate for the DIAC Director.
 - Log the complaint on the Departments nominated information technology system and then ensure it is passed immediately to the DIAC Director.
3. The DIAC Director will acknowledge to the Transferee that the complaint has been received and will take whatever steps are deemed necessary.
4. The DIAC Director may, if deemed appropriate, refer any allegation against staff to the Police. The complaint form would then be answered to the effect that the allegation has been referred to the Police. In such cases the Police would be asked to inform the Transferee and the DIAC Director of the results of their inquiries. Where the Police do not proceed because of lack of evidence, the DIAC Director must satisfy him/herself that there has been no wrongdoing before concluding the proceedings.
5. The DIAC Director may, if deemed appropriate, refer any allegation against staff to the relevant Service Provider Team Leader for the Service Provider to investigate. The relevant Service Provider Team Leader would in such instances, return the Complaint Form to the Investigations Officer to be logged and forwarded. A copy of the answered form will be sent to the Service Provider Team Leader, the DIAC Director and the Investigations Officer for filing.
6. The relevant Service Provider Team Leader will decide whether any allegations are disclosed to the staff members concerned. Normally they would be disclosed unless it could be shown that there were good reasons for delaying disclosure.
7. The relevant Service Provider Team Leader will ensure that the member of staff concerned is informed of the outcome of any enquiries.

This document is managed by the Welfare service provider in consultation with other service providers.