

CLIENT COMPLAINTS

Policy

Principles for complaints management

MVLS is committed to ensuring that any person or organisation using MVLS services or affected by its operations has the right to lodge a complaint or to appeal a decision of MVLS and to have their concerns addressed in ways that ensure confidentiality, access and equity, fairness, accountability and transparency.

MVLS considers complaints as a component of the client feedback system.

MVLS will provide a complaints and appeals management procedure that:

- is simple and easy to use
- is clearly communicated and promoted to all clients and stakeholders
- ensures complaints or appeals are fairly assessed and responded to promptly
- is procedurally fair and follows principles of natural justice
- complies with legislative requirements.

MVLS will adhere to the following principles in its handling of complaints. MVLS will:

- consider all complaints it receives
- treat all complainants with respect, recognising that the issue is important to the complainant
- maintain confidentiality of parties involved
- ensure advocacy is available to clients who make a complaint and require support
- resolve complaints, where possible, to the satisfaction of the complainant
- deal with all complaints in a timely manner
- keep parties to the complaint informed of progress of the complaint
- ensure that Board members, staff and volunteers are given information about the complaints procedure as part of their induction
- ensure all service users, stakeholders and members are aware of the complaints policy and procedures
- ensure complainants are not penalised in any way or prevented from using MVLS services during the progress of an issue
- consider feedback data (both positive and negative) in organisational reviews and when planning service improvements.

MVLS believes that clients have the right to:

- considerate and respectful service of the highest standard regardless of social status, education, age, race, ethnicity, disability, gender, religious belief, sexuality, political belief or any other values or life experience
- know the identity, professional status, title and qualifications of the worker responsible for coordinating his/her case

- privacy during consultation and case discussion. Those not involved in the client's case (including students) must have the permission of the client to be present
- access his/her client record file except where information is expressly prohibited by law from being disclosed
- expect that all communications and records pertaining to his/her case be treated as strictly confidential
- expect that no disclosure of information should be made without the client's expressed or implied permission.

Natural Justice

At all times, MVLS will follow the principles of natural justice. Natural justice is a concept that ensures fair hearings, and requires that:

- the person whose action is the subject of a complaint knows all allegations made in relation to their behaviour and has a full opportunity to state their case
- all parties to the complaint have the right to be heard
- all relevant submissions and evidence be considered
- decision-makers only consider relevant information
- decision-makers be fair, just and free from bias.

Procedures

Making a Complaint

Clients may make complaints (either in writing or verbally):

- informally to the staff lawyer/volunteer lawyer who advised them;
- to the Principal Lawyer;
- to the Service Manager;

All complainants shall be given the choice of:

- having their complaint addressed and resolved, if possible, by the Principal Lawyer or Service Manager; or
- making their complaint, in writing, directly to the Board and having it addressed by them.

Written complaints may be sent to the MVLS office at 13a Wingate Ave, Ascot Vale 3032.

Depending upon the nature of the complaint, complaints can also be made to...

The Legal Services Commissioner
Level 5, 555 Bourke Street
Melbourne VIC 3000
Ph: 1300 796 344
www.lbsc.vic.gov.au

Law Institute of Victoria
Level 13, 140 William Street
Melbourne VIC 3000
Ph: 9607 9311
www.liv.asn.au

Complaints Management

Complaints will be dealt with under the following process:

The person managing the complaint will assume responsibility for:

1. Registering the complaint or appeal in the Complaints Register.
2. Informing the complainant that the complaint has been received and providing information about the process and anticipated time frames.
3. Investigate the complaint or appeal and determining how to respond.
4. Informing the complainant, within a reasonable period of time, about the investigation process and expected time frame for resolution.
5. Resolving the complaint:
 - Making a decision within fourteen days of the complaint being received,
 - Notifying the client of any delays (if necessary)
 - Informing the client as to whether the complaint was upheld, how the matter was resolved, or why no further action can be taken
 - Advising the client of any options for further action if required.

Record keeping

A register of complaints and appeals will be maintained by the Service Manager and Principal Lawyer as appropriate 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

Copies of all correspondence will be kept at MVLS's offices.

The complaints register and files will be confidential and access is restricted to the Service Manager or Principal Lawyer as appropriate.

The complaints register records will be reviewed periodically by the Service Manager to inform service planning, monitoring and evaluation activities.

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