

APS Policy

# Complaints and Grievances

Updated September 2024



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# Complaints and Grievances Policy

## 1. Purpose

The purpose of this Policy is to outline the way in which the APS manages complaints and grievances brought by APS Members, APS employees, APS volunteers, APS contractors or external parties. The Policy is designed to be accessible and to enable timely, reasonable response times.

## 2. Scope and Application

This Policy applies to the APS and its Members, volunteers, contractors and staff, concerning their actions and/or interactions with each other relating to or arising out of APS business or operations. This Policy applies to:

- Complaints and grievances raised by an APS Member or an APS employee, volunteer or contractor about a Member
- Complaints raised by an APS Member, an APS employee, volunteer or contractor, or an external party about the organisation, including its employees and Member Group Committees, and
- Complaints about the appeals process.

This Policy does not apply to:

- Any complaint brought under the APS Internal Issue Resolution and Complaints Procedure
- Any disclosure brought under the APS Whistleblower Policy, or
- Any matter that is addressed by the Australian Health Practitioner Regulation Agency (AHPRA).

Further information about matters addressed by AHPRA is available at: [Australian Health Practitioner Regulation Agency - How to raise a concern about a health practitioner \(ahpra.gov.au\)](https://www.ahpra.gov.au/Regulation-Agency-How-to-raise-a-concern-about-a-health-practitioner).

Where matters pursuant to a complaint or grievance give rise to work health and safety issues, such as psychosocial hazard, those matters will be managed in accordance with the APS Work Health and Safety Policy.

## 3. Objectives

This Policy aims to:

- Establish an open and transparent complaint and grievance handling and resolution process
- Establish timeframes for resolving complaints and grievances
- Ensure all complaints and grievances are handled fairly and objectively, and
- Set out how the APS records, analyses, stores and reviews complaint and grievance information.

## 4. Guiding Principles and Standards

This Policy aligns with, and should be read in conjunction with, the APS Constitution, Membership Terms and Conditions, Member Code of Conduct, Complaints Form, Complaints Information Sheet, Privacy Policy and Work Health and Safety Policy.

This Policy aligns with the relevant guidelines set out in the International Standard ISO 10002:2018 Quality management – Customer satisfaction - Guidelines for complaints handling in organisations.

No person will be adversely affected because they raise a complaint. All complaints will be managed in a respectful and confidential manner. The APS will allocate sufficient resources to deal with the complaint and ensure appropriate skills and training in complaint management. The APS acknowledges that complaints are an opportunity for continuous improvement.

## 5. What is a Complaint?

A complaint is an expression of dissatisfaction with the quality of an action taken, decision made, service provided or conduct by the APS or its employees, volunteers, contractors or Members, while undertaking APS business. It can also be related to a delay or failure in providing a service, taking an action or making a decision.

Matters that relate to operational issues between Members and staff should be resolved, if possible, at the local level, involving the relevant manager where necessary. Such a matter should not reach the level of a formal complaint until the manager of the relevant area has assessed and attempted to resolve the matter.

## 6. What is a Grievance?

A grievance is a formal complaint made by an APS Member about another APS Member regarding their conduct, while undertaking APS business. This can relate to a Member's conduct or behaviour that is in contravention of the Member Code of Conduct (or other relevant APS Policies).

## 7. Complaints and Grievance Handling Process

Once a complaint is received, the APS will take all reasonable steps to ensure all relevant information is gathered.

### 7.1 Making a complaint or grievance

If the complaint or grievance relates to a Member, the complainant must first complete a Complaints and Grievances Form and ensure all relevant parties with which the complainant wishes the APS to communicate, or from which the complainant wishes the APS to receive information, has signed the Complaint Form.

If the complaint relates to the quality of an action taken, decision made, service provided or misconduct by the APS or its staff, this can be submitted in any of the following ways:

**By Email:** [membership@psychology.org.au](mailto:membership@psychology.org.au)

**By Phone:** (03) 8662 3300

**By Post:** Complaints, Australian Psychological Society, PO Box 38, Flinders Lane Victoria 8009.

### 7.2 Initial review

APS staff will check that:

- The Complaints and Grievances Form (where required) has been completed
- Parties with which the APS is to communicate or from which the APS is to receive information have signed the Complain Form, and
- The complaint is actionable, i.e. issues are clearly identified and the matter is within the APS's scope of responsibility under this Policy.

The complaint or grievance will not be further investigated until these steps have been completed.

## 7.3 Investigation

Each complaint or grievance is examined to ensure it is a matter that the APS can investigate. If the APS cannot investigate, the complainant will be notified in writing.

The APS will aim to resolve all complaints in a reasonable and timely manner, having regard to the issues raised and procedural fairness.

If the APS is able to investigate the complaint or grievance and it relates to a Member of the APS, such complaint will be provided to the Member for response.

A Member will have 14 days to respond to the matter. If additional time is required, the APS may, at its discretion, grant an extension.

The complainant will usually receive the Member's response for comment unless it is not appropriate to do so. If the response satisfies the complainant's concerns, they may choose to withdraw their complaint or grievance.

Further information may be requested from either party until there is sufficient information for a decision to be made. The APS may wish to meet with the parties to discuss the matter or to obtain further information.

If the complainant declines further contact, or the complaint is made anonymously, the matter will still be investigated in accordance with due process.

## 7.4 Escalation

### Complaint escalation framework

Upon receipt of a complaint, it will be escalated as follows:

- i. **Member Services:** A complaint will be addressed by the Member Services team in the first instance.
- ii. **Chief Operating Officer (COO):** More complex cases where resolution by Member Services is not possible, will be escalated to the COO within five working days.
- iii. **Chief Executive Officer (CEO):** Matters remaining unresolved after COO assessment will be escalated to the CEO.
- iv. **President:** The CEO may escalate the matter to the President and Chair of the Governance & Risk Board Committee. The President and Chair of the Governance & Risk Board Committee will assess the complaint.
- v. **Board:** The President and/or the Chair of the Governance & Risk Board Committee may refer the complaint to the Board for consideration.
- vi. **Appeals Committee:** The Board may convene a meeting of the Appeals Committee should a decision be appealed.

If a complaint or grievance is escalated, the APS will determine if the complaint needs to be referred to an external body for resolution.

### CEO complaint escalation framework

Upon receipt of a complaint regarding the CEO, it will be escalated as follows:

- i. **Member Services:** Any complaint will be forwarded to the COO/Company Secretary in the first instance.
- ii. **COO/Company Secretary:** The CEO will be notified that a complaint has been received and the complaint will be forwarded to the President.

- iii. **President:** The President and Chair of the Governance & Risk Board Committee will assess the complaint.
- iv. **Board:** The President and/or the Chair of the Governance & Risk Board Committee may refer the complaint to the Board for consideration.

Staff and Members of the APS are to be treated with respect and courtesy throughout the complaints handling process. If a person involved in the complaint behaves in disrespectful, discourteous or threatening manner, the APS may decline to further progress the complaint. The APS may also address misconduct by taking any appropriate action, including referral of the matter to the Police.

## 7.5 Unreasonable or vexatious complaints

The APS Board will take a systematic and consistent approach to determining the threshold for, and managing unreasonable, frivolous or vexatious complaints.

Conduct which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties involved in the complaint or grievance process will be considered unreasonable. Unreasonable conduct may take the following forms:

- **Unreasonable persistence** – persistence with a matter despite it having been finalised, refusing to accept a final decision, or engaging in excessive amounts of correspondence
- **Unreasonable demands** – insistence on outcomes that are unattainable, changing the parameters of agreed outcomes or demanding specific methods of complaint handling
- **Unreasonable lack of cooperation** – providing disorganised, excessive or irrelevant information, failing to provide relevant information, being unwilling to consider alternative perspectives, or refusing to define issues of concern
- **Unreasonable arguments** – claiming interconnection of events where there is no objective evidence for causality, conjecturing which is unsupported by evidence, or personal interpretation of facts or laws, and
- **Unreasonable behaviours** – extreme anger, aggression, threats or other menacing conduct.

The APS Board will address unreasonable complainant conduct with the aim of successfully resolving the complaint, however, will ensure that work health and safety requirements are prioritised. This may include declining to further correspond or address the complaint or grievance.

## 7.6 Required information

Complainants should provide enough information for the complaint or grievance to be investigated, including but not limited to:

- A detailed timeline/chronology of events
- Copies of communications (letters, emails and faxes), and/or
- Any additional information that is relevant to support the complaint or grievance.

## 7.7 Timelines

The APS will respond to a complaint or grievance within two working days to:

- Acknowledge the complaint
- Request more information (if required), and/or

- Provide an expected timeframe for resolution of the complaint.

The APS aims to resolve complaints and grievances within 10 working days. Where it is unlikely that this timeframe can be met, the APS will contact the complainant to advise of an updated timeframe.

## 7.8 Communicating the outcome

The APS will write to the complainant to advise them of any outcomes. The outcome response will contain reasons for the proposed resolution.

The APS may contact the complainant to discuss the outcome of their complaint prior to sending the outcome response.

All outcomes will be recorded in the Complaints Database or relevant Member profile.

Once the outcome has been communicated, the complaint or grievance will be closed. Unless appealed, no further action or correspondence will be undertaken.

## 7.9 Remedies

In resolving a complaint, the APS will propose a fair and reasonable remedy, appropriate to the circumstances.

Possible remedies may include but are not limited to:

- An apology for action or inaction that led to the complaint
- An explanation of why an issue occurred and the steps taken to prevent it happening again
- A reversal of a decision
- Disciplinary action taken against the relevant person within the organisation
- Providing the means of redress or desired outcome requested by the complainant
- Suspension or Member expulsion, and/or
- Some other action be taken as determined by the CEO or the Board.

## 7.10 Appeals

A complainant may seek appeal of a decision or remedy within 21 days of receiving notice of complaint or grievance matter outcomes.

Appeals are to be made in writing and addressed to the Board. Following review of the appeal, the Board may convene an Appeals Committee to address the matter in accordance with the APS Appeals Policy.

## 7.11 Complaint records

All complaints are recorded directly into the relevant Member's profile or, for non-Members, in the Complaints Database. Complaints records will be retained for a period of seven years.

The APS analyses complaint data to identify and report trends and opportunities for improvement. The APS Executive team are responsible for acting on the recommendations arising from annual trend analysis.

The APS records the following information for each complaint:

- The complainant's details (unless submitted anonymously)
- The form in which the complaint was received
- A description of the complaint
- The complainant's desired outcome (if known)

- The staff member/team responsible for handling the complaint and issuing the letter of outcome
- Any action taken, including contact with the complainant, response times and the outcome
- When the complaint was finalised, and
- Any recommendations for improvement and responsibilities for implementing them.

Any queries regarding the recording of complaints should be directed to the Company Secretary.

## 8. Privacy

The APS is committed to protecting the privacy of our staff, our Members and the general public's personal information in accordance with our obligations under the *Privacy Act 1988* (Cth) and other relevant state and territory laws.

In keeping with this commitment, all personal information we collect in relation to a complaint will be handled in accordance with the APS Privacy Policy.

## 9. Associated Documents

APS Constitution

APS Appeals Policy

APS Complaints Form

APS Complaints Form Information Sheet

APS Dispute Resolution Policy

APS Harassment Policy

APS Privacy Policy

APS Equal Employment Opportunity Policy

APS Whistleblowing Protection Policy

APS Work Health and Safety Policy

APS Workplace Bullying Policy

## 10. Policy Administration

### 10.1 Access to published Policy

This Policy will be available on the APS website.

### 10.2 Approval/revision record

This Policy will be approved or revised every three years.

Date	Approver	Description
February 2021	Board of Directors	Initial Approval
June 2022	Board of Directors	Scope adjustment
September 2024	Board of Directors	Due for revision
May 2027	Board of Directors	Due for revision





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