



## COMPLAINTS MANAGEMENT POLICY AND PROCEDURE

### PURPOSE

To provide a complaints service for contractors and subcontractors, parent (s)/ Guardian(s) and their families/ whanau on behalf of children and/ or themselves, that facilitates in a respectful manner, the simple, fair, speedy and efficient resolution of complaints

To provide employees and volunteers with a process to manage any concerns they may have in relation to complaints

To ensure that all complaints received by Napier Music Academy Programs are managed and responded to in accordance with the Privacy Act 1993

To ensure all are aware off their right to complain, and understand the process for making complaints.

### SCOPE

- Before School Program
- After School Program
- School Holiday Program
- Parent(s)/ Guardian(s)/ family/ whanau
- Employees/ volunteers/ contractors/ sub-contractors
- **Delegated authority** is with all staff

### POLICY

- All staff are expected to abide by their obligations outlined in the Individual Employment Agreement/ Volunteer Agreement, in policy and procedure and in their own professionalism. This reduces risk to all involved in the Napier Music Academy Programs
- A copy of the policy and procedure manual is to be kept on site for all Programmes ensuring they are available for all staff and parent(s)/ Guardian(s)/ whanau whose children attend Programs
- The program may receive queries and comments. These are not complaints but are treated as feedback to the program (see definitions). A positive comment is a compliment. A negative comment is one indicating an aspect of a service that the person believes could be improved, but does not want treated as a complaint. Any anonymous complaints are treated as negative comments because responses cannot be supplied
- Overall management of all complaints is the responsibility of the Manager who can delegate to Centre Supervisors or escalate to the Managing Director as required and as appropriate depending on the seriousness of the complaint
- Time frames for resolving complaints are as follows

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Annabelle Flood Managing Director



- All complaints are acknowledged in writing within three working days of receipt
- All complaints are responded to in full within 10 working days of acknowledgment, or the complainant is informed in writing of the need for further time and the reason for it.
- If the process of investigation takes longer than 20 working days the complainant is informed in writing every month thereafter of progress in resolving the complaint
- Managers and Centre Supervisors (whoever is leading the investigation of the complaint) must ensure that staff who are involved in complaints are fully involved, informed of the findings and outcomes. All staff are to be advised of any subsequent changes to the service that occur as a result of the complaint
- Key requirements during management of the complaint process:
  - All parties involved in the complaint process may have a support person present if so desired during any stage of the complaint process
  - Written documentation will be kept on all formal complaints, their process, and any action taken along with the outcome
  - The complainant will be informed of any action taken to resolve the complaint and of any systems put in place to prevent a reoccurrence of the event
  - Adherence to the Privacy Act 1993, the Health Information Privacy Code 1994 and and Official Information Act 1982
  - Information will be stored in a confidential complaints file held by the Manager

## PROCEDURE

- The staff member receiving a query or comment should refer these to the Centre Supervisor who, if appropriate, will raise this at a staff meeting and/ or initiate a quality improvement process. The Centre Supervisor may escalate these to the Manager if appropriate or if advice is required and will ensure the complainant is aware of the formal complaint process
- Any staff member receiving a complaint is to refer this immediately to the Centre Supervisor who will ensure the complainant is made aware of the Napier Music Academy complaints process and commence documentation using the complaint form (Appendix)
- Complaints can be in writing or given verbally. If a complaint is received verbally the person receiving the complaint will document the complaint and ask the complainant to sign off on what has been written as a true and accurate record. All complaints are to include a clear statement about the nature of the complaint and the name(s) of the people involved
- On receipt of a complaint, the Centre Supervisor, Manager or Managing Director receiving the complaint will complete the complaint form part one
- The Centre Supervisor will gather the information at time of receiving the complaint and discuss the complaint with the Manager, who provides advice and attempts a speedy resolution. The Manager has overall responsibility for ensuring the complaint is both fully investigated within the required time frames and closed and where appropriate, improvements in quality occur as a result of the investigation process



- The Manager may carry out the investigation, may delegate the investigation to the Centre Supervisor or escalate the investigation to the Managing Director as appropriate. If external professional advice is required e.g. legal Services this is the responsibility of the Manager to escalate to the Managing Director and the Managing Director to access appropriate professional advice
  - Part two of the complaint form must be filled out during the investigation and complaint closure process alongside attaching all other documentation
  - File notes will be kept of all meetings
  - Reports may also be called for
  - All documentation must be considered an accurate record by all parties
  - The final outcome will be in writing and appropriate communication will be undertaken to all parties

### **Employees and Volunteer complaints**

- Any staff member who is dissatisfied with the level of service and/or support offered by the Company, Napier Music Academy has the right to register a complaint without fear of retribution
- Staff/ volunteers should always advise their Centre Supervisor if there is a difficult issue developing between parents/whanua and staff member, or between other staff members. The Centre Supervisor may be able to resolve an issue before it escalates into a formal complaint by either party. If the concerns involve the Centre Supervisor then staff can escalate to the Manager; If the concerns relate to the Manager the Centre Supervisor can escalate directly to the Managing Director
- A staff member/ Volunteer may be able to talk about the situation with the person concerned in an informal manner. Refer also to 1) Individual Employment Agreement/ Volunteer Agreement 'Employment Relationship Problems' when the issue involves another staff member and 2) Human Resource Management Policy
  - The staff member will discuss the situation with their immediate Manager (Centre Supervisor, Manager or Managing Director)
  - File notes will be recorded by the immediate Manager documenting the key elements of the discussion and any subsequent actions to be taken. Staff/ Volunteers are entitled to have a support person with them and this must be offered
  - Notes are to be placed in the confidential complaint file which is held by the Manager and a copy placed in the staff member's file
- In the event that the complaint has still not been resolved to the satisfaction of all parties, than a formal complaint is laid and the complaint form is used. Part one is completed as for any other complaint
- On receipt of a complaint, the Centre Supervisor, Manager or Managing Director receiving the complaint will complete the complaint form part one



- The Centre Supervisor will gather the information at time of receiving the complaint and will hand the complaint over to the Manager who will investigate or escalate to the Managing Director. The Manager/ Managing Director leading the investigation of the complaint has overall responsibility for ensuring the complaint is both fully investigated within the required time frames and closed and where appropriate, improvements in quality occur as a result of the investigation process
- If external professional advice is required e.g. legal Services this is the responsibility of the staff to escalate to the Managing Director and the Managing Director to access appropriate professional advice
  - Part two of the complaint form must be filled out during the investigation and complaint closure process alongside attaching all other documentation.
  - File notes will be kept of all meetings
  - Reports may also be called for
  - All documentation must be considered an accurate record by all parties
  - The final outcome will be in writing and appropriate communication will be undertaken to all parties
- Storage of complaints involving staff or volunteers is as follows;
  - For complaints that only involve staff/ volunteers files are to be stored on personnel files
  - For complaint involving staff/ volunteers with children/ Parent(s)/ Guardians/ family / whanau/ contractors and sub-contractors files are to be stored in the confidential complaints folder and on personnel files

### **Privacy of information in management of complaints**

- Napier Music Academy staff are obligated to protect and respect the privacy of individuals within the Company, within the Napier Music Academy Programs, their parent(s)/ Guardian(s) and family/whanau. The Manager will ensure the Privacy Act 1993, the Health Information Privacy Code 1994 (“the Code”) and Official Information Act 1982 is adhered to and the staff are familiar with the Act and any amendments that may occur in with respect of:
  - The use and disclosure of information relating to individuals
  - Collection of information (Information can only be kept for the purpose that it has been collected)
  - Understand and carry out any requests made to correct information held if it is not correct
  - Responding to requests for access to information (requests from staff, parent(s)/ Guardian(s) and family/whanau)
  - Ensuring the storage and security of information collected is adequate
  - Endeavouring to take relevant steps to ensure information is correct, up-to-date, relevant and not misleading before they use it
  - The right to lay a complaint with the Privacy Commission

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Annabelle Flood Managing Director



## AUTHORITY TO ADMINISTER

- All staff as delegated

## DEFINITIONS

**A Query** A query is a question about some aspect of the organisation's service that requires a response

**Comment** A comment is an observation, remark or expression of opinion. A positive comment is a compliment. A negative comment is one indicating an aspect of a service that the person believes could be improved, but does not want treated as a complaint

**Complaint** A complaint is any expression of dissatisfaction about any aspect of the service offered or provided. This may be about individual or general issues, orally or in writing before during or after service provision

**Open complaint** An open complaint is one that has been received by the Napier Music Academy Program but is yet to be resolved

**Closed complaint** A closed complaint is one that has been answered to the satisfaction of the complainant and requires no further follow up

## Appendix I;

1. Complaint form
2. Acknowledgement letter complaint
3. Letter (2) complaint process; post 10 working days

## Cross referenced policies

- All Napier Music Academy Policy and Procedure

## Other Cross referenced documents

- Oscar Standards, MSD Nov 2011
- Napier Music Academy Philosophy
- Administrators desk file
- Enrolment form
- Individual Employment Agreement/ Volunteer Agreement
- Employment Relations Act 2000,
- Wages Protection Act 1983
- Holidays Act 2003
- Employment Protection Act 1987
- Health and Safety in Employment Act 1992
- The Health and Safety in Employment Amendment Act 2002
- Privacy Act 1993
- Human Rights Act 1993

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- Immigration Act 1987

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Annabelle Flood Managing Director



## Complaint Form

2)

Appendix 1; Complaint form (page 1 of

To be completed for Complaints	
SECTION	DETAILS
<b>PART ONE</b>	
1. Date the complaint was received	
2. Time the complaint was received	
3. Complainants name and contact details	
4. Name and position of the person receiving the complaint	
5. Describe any immediate actions taken if any	
6. Documentation attached (letter of complaint or signed accurate account of verbal complaint)	<p>€ Yes                      € No</p> <p>If not attached why not (explanation)</p>
7. Name and signature of person completing Part One of this report	<p>Date .....</p> <p>Signature .....</p>
<b>PART TWO</b>	
8. Name and position of the person managing the complaint	
9. Letter acknowledging complaint sent out (within 3 days of receipt)	
10. Date investigation commenced	

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<b>11. Investigation completed within 10 working days</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If not why not (explanation)
<b>12. Update letter sent to complainant if not completed in 10 working days</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If not letter (2) sent outlining more time is required  <input type="checkbox"/> 2 <sup>nd</sup> letter sent
<b>13. Final outcome reached and letter(s) sent out to all parties</b>	
<b>14. Improvements to be made or any subsequent actions</b>	
<b>15. Complaint closed; Signed and dated by complaint investigator</b>	Date ..... Signature .....

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## Appendix 2; Acknowledgement letter complaint

**Date**

Napier Music Academy  
 Focal House  
 Area 4

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Clive Square West  
Napier

*Insert; Complainants name and address*

Dear

Napier Music Academy is in receipt of your concerns received on *(insert date)*. We endeavour to maintain a quality service for our *(delete as appropriate) staff/ volunteers/ parent(s)/ Guardians, Family/ Whanau/ Contractors/ Subcontractors* and to ensure a fair, prompt and equitable process for responding to and resolving complaints.

The person who is taking responsibility for investigating the complaint is *(Insert name)*

We endeavour to fully investigate complaints within 10 working days depending on the complexity of the concerns. If we are unable to resolve your concerns in the 10 working days we will contact you to inform you in writing of our progress.

You may be requested to provide us with further information. If this is the case we will arrange for a mutually agreeable time to meet.

Once your complaint has been investigated we will notify you of the outcome of the investigation

If you have any enquiries at this time, please do not hesitate to contact me.

Yours sincerely

**Annabelle Flood**  
**Managing Director**  
Napier Music Academy  
<http://www.napiermusicacademy.co.nz/>

*Appendix 2; Letter (2) Complaint Process; post 10 working days*

Date

Napier Music Academy  
Focal House  
Area 4

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Clive Square West  
Napier

*Insert; Complainants name and address*

**Dear**

Napier Music Academy wrote to you on *(insert date)* in regards to concerns you have raised. We endeavour to ensure a fair, prompt and equitable process for responding to and resolving complaints however we have not been able to complete our investigation at this time.

As outlined in our initial letter acknowledging your concerns, if we are unable to resolve your concerns in the 10 working days we made a commitment to contact you. . *(Insert reasons for the delay)*

I anticipate that I will have completed my investigation and conclusions by *(Insert date)*

If you have any enquiries at this time, please do not hesitate to contact me.

Yours sincerely

**Annabelle Flood**  
**Managing Director**

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<http://www.napiermusicacademy.co.nz/>