Complaints Resolution Procedure

Section 1 - Purpose

(1) These procedures outline a consistent approach to the resolution of complaints across the Catholic Diocese of Maitland-Newcastle (the Diocese).

(2) These procedures are to be read in conjunction with the Complaint Resolution Policy 2022.

Section 2 - Scope

(3) These procedures apply to:

a. all diocesan workers who receive or manage the response to a complaint; and
b. the people engaged with the life of the Diocese who wish to provide feedback or make a complaint about a service the Diocese provides.

Section 3 - The Diocesan complaints management system

(4) All diocesan workers should act in accordance with the Complaints Resolution Policy 2022 and the Complaints Resolution Procedure 2022 when receiving or managing the response to a complaint.

(5) Diocesan workers should also consider any relevant legislation or regulations when responding to complaints and feedback.

(6) The key aspects of the diocesan complaint management systems are set out in the points below.

Section 4 - Receipt of complaints at the agency

(7) Each agency of the Diocese will have access to a centralised data system for a complaint to be logged when it is received, and thereafter for relevant documentation to be filed.

(8) Each agency of the Diocese will have an internal Complaint management service that will be applied to resolve the complaint in the first instance.

(9) The Diocese will support the resolution of complaints in accordance with the subsidiarity principle, that is matters ought to be handled by the smallest or least centralised competent authority.

(10) A person making a complaint should be encouraged and supported to follow the agency processes for resolution in the first instance.

(11) If you are a tenant of a Hunter Community Housing or CatholicCare property and wish to make a complaint or

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provide feedback, please complete the Hunter Community Housing Feedback Form. Hunter Community Housing manages the tenancies of CatholicCare properties and will respond to your feedback. If you are dissatisfied with the outcome of a complaint handled by Hunter Community Housing, you may appeal the decision in accordance with the Hunter Community Housing – Appeals Policy.

Section 5 - When a complaint may be referred to the diocesan Complaints Management Service

(12) A complaint may be referred to the diocesan Complaint management service when the options for resolution at the agency have been exhausted and the complaint is not resolved.

a. A complaint may be referred to the diocesan Complaints Management Service before options for resolution at the agency are exhausted where:
    i. there is a sufficiently serious actual or perceived conflict of interest involving the local leadership;
    ii. the complainant has a concern of possible reprisal or belief that the complaint will not be properly addressed at the local level;
    iii. the complaint is about the conduct of a senior leadership in the Diocese; and
    iv. the involvement of the agency may present a risk to the integrity of an investigation.

Receipt of the complaint by the diocesan Complaint Management Service.

(13) Upon receipt of the complaint the Resolution Officer will:

a. acknowledge receipt of the referral with both the person making the complaint and the diocesan agency;
b. confirm options for resolution at the agency are exhausted; and
c. clarify the issues in dispute.

Assessment of the complaint

(14) After a complaint has been received by the diocesan Complaint Management Service a Resolution Officer will act promptly to:

a. undertake an assessment of risk, including whether diocesan and legislative reporting requirements have been met, noting that the assessment of risk will be ongoing;
b. identify any immediate issues that need resolution, and the appropriate decision maker;
c. refer any immediate issue that needs resolution to the appropriate decision maker;
d. identify any information gaps in the documentation received;
e. take steps to gather any relevant information not yet available;
f. liaise with relevant operational leadership where an issue in dispute may be the subject of specific direction or requirement from an external oversight body and follow the advice of operational leadership in the management of such issue;
g. identify whether resolution of the issues in dispute may benefit from general internal advice or external specialist advice; and
h. if appropriate, refer the issue to the identified advisor for advice.

Steps to address the complaint by the diocesan Complaints Management Service

(15) After a complaint has been received and assessed the Resolution Officer will promptly:

a. assess whether resolution of the complaint may be assisted by a dispute resolution;
b. in the event the matter is assessed as appropriate for dispute resolution invite each participant to the complaint to participate in a dispute resolution conference;
c. where consent from each party is obtained, arrange for the dispute resolution conference to be convened; and
d. in the event dispute resolution is not held or dispute resolution is held and the participants do not reach agreement, refer the complaint to an Administrative Review Officer for an administrative inquiry to be completed to resolve the outstanding issues.

Closure of the complaint

(16) After the completion of the steps to address the complaint an appropriate member of the Complaint Management Service will:

a. provide the complainant, agency and operational leadership with feedback that is relevant to them and the management of the complaint and may include external options for redress or review; and
b. close and securely store the file.

Section 6 - Unreasonable conduct by a complainant

(17) The assessment of whether a complainant's conduct is unreasonable will be made case-by-case by in accordance with the Complaints Resolution Policy.

(18) In the event unreasonable conduct by a complainant is identified, an attempt to manage future engagement with them will be made. This may involve written correspondence to the complainant aimed at setting limits and conditions on the Diocese's continued engagement with them.

(19) This limit setting or condition setting may include:

a. written identification of the behaviour that is considered unreasonable;
b. a request that this behaviour change or cease;
c. a statement about the consequences should the behaviour continue;
d. where possible, offering the person a choice in the request for conduct change; and
e. providing for the enforcement of the limits set should the conditions of continued engagement not be met.

Section 7 - Continuous improvement

(20) The Diocese may use complaints data to continuously improve its agency or complaints resolution service delivery.

(21) The Diocese may respond to feedback arising from a complaint or administrative inquiry by implementing identified systemic or operational improvements.

(22) A diocesan agency or person making a complaint may provide feedback about their experience of the complaint resolution process to operational management.

Section 8 - Document review

(23) This procedure will be reviewed when there is a legislative change, organisational change, delegations change or at least every 3 years to ensure it continues to be current and effective.

Section 9 - Related Documents

(24) The following related documents support the implementation of this policy:

a. Complaints Brochure; and
b. Dispute Resolution Brochure.

Status and Details

Status	Current
Effective Date	20th February 2024
Review Date	11th October 2025
Approval Authority	Chief Executive Officer
Approval Date	11th October 2022
Expiry Date	To Be Advised
Unit Head	Megan Grainger Chief Governance Officer
Enquiries Contact	Michelle McEntyre Manager, Governance and Legal Governance and Legal

Glossary Terms and Definitions

"Complaint" - An expression of dissatisfaction made to or about the Diocese, the services the Diocese offers, a diocesan worker or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. A complaint is not a request for service, an expression of concern, opinion, or feedback where a response is not explicitly or implicitly expected. A matter that may not be considered a complaint as defined by the policy may be recorded and referred to the appropriate operational leadership for management.

"Complainant" - The person who makes the complaint. The complainant may be the person who suffered the alleged inappropriate conduct or poor service or a person acting on another person's behalf for example, the responsible person for a child (e.g. parent) or vulnerable person (e.g. appointed guardian).

"Administrative Inquiry" - A structured process undertaken to investigate whether there is sufficient evidence to sustain a complaint. Administrative inquiries apply the civil standard (on balance of probabilities) and do not address questions of innocence or guilt; nor can administrative inquiries unilaterally achieve moral certitude in canonical jurisdictions. See Safeguarding Framework Policy 2022.

"Administrative Review Officer" - A member of the Complaint Management Service at diocesan Governance who may be allocated to finalise a complaint by Administrative Inquiry.

"Complaint management service" - The diocesan service provided by Governance that is dedicated to the resolution of complaints and includes: • Resolution Officers who have an impartial, facilitative, and supportive role in the resolution of complaints at the Agency, and • Administrative Review Officers who may be allocated to finalise a complaint by the completion of an Administrative Inquiry.

"Complaint management system" - All policies, procedures and practices used by the Diocese in the management of complaints.

"Dispute Resolution" - Involves the people who are in dispute talking about the issues between them and working towards an agreement on how these issues may be resolved. The conversation between the people who are in dispute may be facilitated by an impartial person, such as a mediator.

"Feedback" - Opinions, comments, compliments and expressions of interest or concern, made directly or indirectly, explicitly, or implicitly, to or about the Diocese, the services offered by the Diocese or complaint handling where a response is not explicitly or implicitly expected or legally required.

"Resolution Officer" - A member of the Complaint Management Service at diocesan Governance who has an impartial, facilitative and support role in the resolution of complaints at the agency.

"Agency" - Diocesan agencies may also be referred to as directorates. Diocesan agencies are intra-diocesan organisational structures that have been established and developed in the life of the church, to undertake good works and services on behalf of the Diocese and have the capacity to bind the Diocese to its actions. For the most part, but not exclusively, diocesan agencies are led by executive directors. Examples of Diocesan agencies include: • CatholicCare Social Services Hunter-Manning; • Catholic Community Fund (including Catholic Development Fund Maitland-Newcastle (CDFMN)); • Catholic Schools and the diocesan systemic schools; • Hunter Community Housing; • St Nicholas services including Early Education centres and Out of School Hours Care (OOSH) services; and • Shared Services, which is inclusive of multiple specialist tertiary providers to diocesan parishes and agencies, that forms part of the Diocesan Curia.

"Catholic Diocese of Maitland-Newcastle (the Diocese)" - The Catholic Diocese of Maitland-Newcastle (the Diocese) is inclusive of all parishes and agencies, communities, ministries and works that are under the authority of the Bishop of Maitland-Newcastle. The Bishop takes his authority from Canon Law (Canons 375-402). The geographical coverage of the Diocese includes all or part of the Newcastle, Lake Macquarie, Maitland, Cessnock, Port Stephens, Singleton, Muswellbrook, Upper Hunter, Dungog and Mid-Coast local government areas, with almost 160,000 Catholics, 38 parishes and serviced by multiple diocesan ministries and agencies. The Diocese is not wholly geographic in nature. There are elements of the Catholic Church operating within the physical boundaries of the Diocese that do not fall under the authority of the Bishop and are not a part of the Diocese. Equally, particular diocesan ministries occur within external institutions (e.g. Prison Chaplaincy, Hospital Chaplaincy).

"Senior Leadership" - Refers to those positions and roles that constitute canonical offices, report or relate directly to the Bishop, are members of the Diocesan Leadership Group or are otherwise specified as such by the Bishop. The roles and offices that form part of the diocesan senior leadership include: Bishop; Moderator of the Curia/Chancellor; Vicar General Chief Operating Officer; Chief Financial Officer/Diocesan Financial Administrator; Chief Governance Officer; Directors of Agencies; Directors of Shared Service Departments; and parish priests. Referred to as “Top Management” in AS ISO 37201:2023.

"Worker" - A person who carries out work in any capacity for an employer or ‘Person Conducting a Business Undertaking’. This includes: • employees; • teachers; • educators; • contractors; • apprentices; • clergy; • religious; • student placements; • trainees; and • volunteers/unpaid . In the Catholic Diocese of Maitland-Newcastle, ‘worker’ includes those who carry out work in diocesan parishes, within diocesan agencies and as a part of the diocesan curia.